Suggested Amendments to the Municipal Laws.

We have observed, and our attention has been repeatedly called by correspondents to certain anomalies and defects in the municipal statutes. Their presence is confusing to the layman and annoying to those who are, from time to time, called upon to interpret the sections in which they exist. In this article we purpose referring to some of these anomalies and defects with a view to bringing them to the attention of the legislature.

DEPUTY-REEVE.

As a result of the provisions of the Municipal Amendment Act, 1898, the deputy-reeve, as a municipal official or representative, elected or appointed, ceased to exist. Notwithstanding this, the words "deputy-reeve" are still found in numerous places in the statute. They should be expunged by the necessary legislation. The sections requiring amendment in this particular are as follows:

2—Clause 12.
112—Clause 6 of Oath of Freeholder.
113— " 8 " Tenant.
114— " 7 " Income Voter.
115— " 8 " Farmer's Son.
118—Marginal Note.
159—Fourth and fifth lines.
219—Second line of sub-section 1.
220—Seventh line of sub-section 1.
311—First line of sub-section 2.
316—Second line.
319—Second line.

FORM OF BALLOT.

The form of ballot introduced by sec. 16 and schedule "A", of the Municipal Act, 1899, for use in the case of cities and towns in which aldermen or councillors are elected by general vote, and incorporated villages and townships, is confusing to the voter, and opens an avenue to designing and unscrupulous candidates, and conscienceless voters, to the commission of offences against the election laws. Section 158 of the Act, as re-enacted by section 13 of the Municipal Amendment Act, 1899, as amended by section 6 of the Municipal Amendment Act, 1900, allows voters in these cities and towns to vote in each ward therein, in which they possess the necessary property qualification for aldermen but once only for mayor. Section 159 gives voters in townships, divided into wards, similar rights in voting for reeve and councillors. The fact that the names of the candidates are upon one and the same ballot enables a person having more than one vote for alderman or councillor, as the case may be, to vote for mayor or reeve, as often as he has a vote, and does vote, for alderman or councillor. This was actually done in numerous instances at the last municipal elections. To prevent this, it should be enacted that the ballots for mayor and reeves in towns and cities, electing by a general vote, and townships respectively, should be separate and distinct from those for aldermen and councillors.

DUAL VOTING.

This principle should be eliminated from our municipal statutes. There is no reasonable argument in favor of its continuance. It is an anomaly, and in many instances results in injustice. To illustrate the inconsistency we will instance the fact that an elector, assessed for property in one ward only, for $50,000, has but one vote, while his neighbor, owning small properties, each assessed at a sufficient sum to qualify him as a municipal voter, in each of four wards, has four votes. When the vote is on a by-law to borrow money on the security of the debentures of the municipality, the unfairness of the principle is easily discernible. In voting for members of a county council, admittedly a very important representative body, the principle of "one man one vote," prevails; that is, an elector can vote but once for as many county councillors as there are to be elected, notwithstanding the fact that his name may be on the voters' list, and he may possess the necessary qualification to vote for county councillor in several municipalities or wards within his county council division. See section 160, of the Municipal Act. The principle last referred to should be made applicable to the election of aldermen in cities and towns, where they are elected by a general vote of councillors in townships, and to voting on by-laws. Sections 158, (as re-enacted and amended by the Municipal Amendment Acts of 1899 and 1900, respectively,) 159 and 355 of the Act, should be amended accordingly.

COLLECTION OF DEFAULTERS' STATUTE LABOR,
(Sub-section 1.)

Section 110, of the Assessment Act, was amended by the Assessment Amendment Act, 1899, by changing the word "November," in the seventh line thereof, to "August." The instructions to the clerk, in the latter part of the sub-section appear to have been overlooked. He should be authorized to place the commuted statute labor on the collector's roll for the year in which it was returned. An amendment to this effect is desirable.

MINOR AMENDMENT.

By the Assessment Amendment Act, 1899, the figures "31st," in the twelfth line of sub-section 1, of section 58, of the Assessment Act, were changed to "15th.' A similar change should be made in the second line of sub-section 2.

RAILWAY BONUS DEBENTURES.

When a portion of a township municipality grants a bonus to a railway as provided by section 696 of the Municipal Act, the debentures can only be issued therefore on the sinking fund plan. The Act should be amended to enable a municipality, passing by-laws under this section, to make the amount of the debentures repayable in equal annual instalments as provided by section 396. For this purpose we suggest the amendment of subsection 3b of section 696 by striking out in the third and fourth lines the words, "to include a sinking fund."

LINE FENCES ACT.

There has been some doubt as to the duty of a clerk to give notice of fence-viewers award and to make this clear we would amend section 8 of Line Fences Act by inserting after the word "given" in the fifth line thereof the words "by the clerk of the municipality with whom the same has been deposited."

UNION SCHOOL SECTION IN UNORGANIZED DISTRICT.

There is now no provision for the equalization of assessments in union school sections composed of an organized and unorganized portion of said sections.

Sections 51 and 66 of the Public Schools Act should be amended by providing that the portion of the section in the unorganized district shall form part of the organized township for school purposes, the assessor to make a special roll therefor and that the provisions of the present law in reference to appeal against the assessment roll as to the collection and school rates in organized municipalities shall apply.

Wrongful Abuse of the Councillors.

The indiscriminate censure, and often even abuse, dealt out to councillors in many towns and townships at nomination meetings and throughout the year, should not pass, it is felt by many, without a protest from the press.

Taking council and committee meetings, and other duties, every member of a council devotes many hard days of labor towards helping on their municipality and its business. He acts according to his best light; he finds that he cannot always have his own way; either his fellow councillors have different ideas from himself, or money is lacking, or the public are snarling, or something else stands in his way. He may have come into the council pledged to many reforms, and yet the logic of circumstances is against him, and he learns a few lessons as to the unwisdom of making fair promises and loud assertions of what he would accomplish, when he is handicapped by some of the difficulties above stated. But because he has not fulfilled all his promises, or has not done all the ratepayers think he should have done, or just because he is a councillor, the public proceed to knock him down (metaphorically speaking) with sand bags. The whole thing is wrong. It is aptly illustrated by the remark of a recent writer, that if a soldier came back to certain towns or villages with a Victoria cross, his neighbors would say that he found it or got it through some error.

Of course, the ratepayers have a right to expect that councillors shall give an account of their stewardship; yet councillors have rights, too, and because a man happens to be a councillor he should not be subjected to abuse that he would not tolerate were he in private life.—Pembroke *Observer.*