

for a particular property in other than the division in which the property is situated, but that unless the council otherwise order, the whole of a resident's statute labor may be performed in the division in which the residence is situated. Sub-section 5, of section 521, authorizing the passing of by-laws for regulating the manner and the divisions in which statute labor or commutation money shall be performed or expended, only refers to general by-laws, dividing municipalities into statute labor divisions, or for regulating the expenditure of the commutation money, when by-law passed under provisions of sub-section 2 of said section.

When by-law is passed under the authority of sec. 94 of the Consolidated Assessment Act, or the Municipal Amendment Act for 1895, we are of the opinion that the commutation money collected, should be expended on the roads in that part of the township to which the by-law refers. Under sub section 5, of section 521, above referred to, councils have authority to regulate the divisions in which statute labor shall be performed.

The Municipal Amendment Act, 1896.

1. Sub-section 1 of section 22 of The Consolidated Municipal Act, 1892, is amended by inserting after the word "taxation" in the sixteenth line thereof the words "assessment, improvements," and by adding at the end of said sub section 1 the following words: "And the Lieutenant-Governor-in-Council may also by such proclamation provide that the territory so added or to be added to the city or town shall, for a period of time to be mentioned in the proclamation, continue to form part of the electoral division for the purposes of elections to the Legislative Assembly of which it had theretofore formed a part."

HOUR OF NOMINATION.

2. The said act is amended by inserting therein the following as section 110a.
110a. Notwithstanding anything in sections 109 and 110 of this act contained, the council of any township not divided into wards, may by by-law provide that the nomination for reeve, deputy reeve and councillors, may be held at one o'clock in the afternoon, and the council of any township divided into wards, may by by-law provide that the nominations for councillors may be held at one o'clock in the afternoon instead of at the hours and times in the said sections mentioned.

ELECTION RETURNS, CITIES AND TOWNS.

3. Section 155 of the said act, is hereby amended by adding after sub-section (3) thereof the following as subsection (3a):—
(3a) In cities and towns each deputy returning officer shall, as soon as the duties enumerated in sub-sections (1) and (2) of this section shall have been performed, or in case of his illness or inability as aforesaid, the person chosen by him shall forthwith proceed directly from the polling place to the office of the clerk of the municipality with the ballot box and the said packets, and there deliver the same, personally, and forthwith on the same day, and as soon as is possible after leaving the polling place, to the clerk of the municipality; and no deputy returning officer in a city or town shall under any circumstances take the ballot box or packets, or allow the same to be taken to his home, or house, or office, or place of business, or to any house or place whatsoever other

than the office of the clerk of the municipality. And for any breach of the provisions of this subsection a deputy returning officer shall incur the penalties provided in sections 167 and 168 of this act. The returning officer shall remain at his office on the evening of polling day until the said boxes have been so returned to him. Nothing in this subsection shall prevent any deputy returning officer from doing what shall be necessary to make the declaration provided for in sub section 2 of this section.

4.—(1) Sub-section (e) of sub-section 1 of section 167 of the said act is amended by adding thereto, after the word "name" in the sixth line thereof, the following words "or advise or abet, counsel or procure any other person so to do."

(2) Sub-section 2 of section 210 of the said act is hereby repealed.

5. The Consolidated Municipal Act, 1892, is amended by inserting therein the following as section 198a.

198a.—(1) In any case where an election has been held invalid owing to the improper refusal of the returning officer or deputy returning officer to receive ballots tendered by duly qualified electors, or to give ballot papers to duly qualified electors, the judge may, in his discretion, order the costs of the proceedings to unseat the person declared elected, or any part thereof or any other costs, to be paid by the respondent or by such returning officer or deputy returning officer.

(2) Nothing in this section contained shall affect any right of action against such returning officer or deputy returning officer nor be deemed to relieve such returning officer or deputy returning officer from any penalty to which he may be liable under the provisions of the said act.

6. Section 223 of the said act is hereby amended by striking out the word "third" in the third line thereof and substituting therefor the word "second."

NO COUNCIL TO DO BUSINESS AFTER THE 31ST DECEMBER.

7. Section 284 of the said act is hereby amended by adding at the end thereof the following words: "But no council of any local municipality shall, after the 31st day of December in the year for which the members were elected, pass any by-law or resolution for the payment out of money, or which involves, directly or indirectly, the payment of money, nor shall they enter into any contract or obligation on the part of the municipality, nor appoint to or dismiss from office any officer under the control of the council, or do any other corporate act after said date, except in case of extreme urgency. But the council may do any necessary business before the 31st day of December, which may, having regard to the circumstances be done at such time, and which, by this act, they are now authorized to do at their last meeting."

COUPONS ON DEBENTURES.

8. The following shall be added to said act as section 405a:

405a.—The coupons attached to every such debenture issued by any municipal corporation other than a city shall each be signed by the head of the municipality and the treasurer of the corporation.

9. Sub-section 2a of section 436 of the said act as amended by section 11 of the Municipal Amendment Act, 1893, is amended by adding at the end thereof the following:

"And may pass by-laws for regulating the hours of labor persons employed in livery or boarding stables, and by the owners of horses, cabs, carriages, carts, trucks, sleighs, omnibusses and other vehicles kept for hire within the said city, and for licensing drivers of cabs within the said city."

10. The following shall be added to section 444 of the said act, as sub-section 1:—

(1) The council may in its discretion appropriate any sum necessary and pay for the

protection, defence or indemnification of members of the police force in proper cases, where suits or prosecutions are brought against such members of the force, and costs are necessarily incurred and damages recovered, and where the Board of Commissioners of Police certify to the council that the case is a proper one for such payment or indemnity.

11. Sub-section 15 of section 479 of the said act is amended by striking out all that portion thereof after the word "land" in the seventh line and substituting therefor the following words:—"in or adjacent to the municipality for the purpose of providing an outlet for any sewer or of establishing works or basins for the interception or purification of sewage and for making all necessary connections therewith, but subject always to the payment of compensation to persons who may suffer injury therefrom and to any restrictions and liabilities imposed by this act in that respect or otherwise."

12. Section 481 of the said act is amended by adding thereto the following sub-section:—

(2) The council of any municipality may offer and pay a reward or rewards for the discovery, apprehension and conviction of any person or persons guilty of personation, as defined in the said act.

13. Sub-section 1 of section 487 of the said act is amended by inserting the words "or town" after the word "city" where it occurs in the fifth and eleventh lines of said sub-section.

14. Sub-section 1 of section 489 of the said act is amended by adding thereto the following as paragraph (d)

(d) The council of any city having a population of over 100,000 may, by by-law, amalgamate for voting at municipal and school trustee elections and upon questions submitted to the electors by the council, two polling sub-divisions into one division, with one polling place therefor, and may by such by-law provide that three or less of such polling places shall be in a public school house or public building belonging to or controlled by the municipality in or conveniently near to such polling sub-divisions; and where any school house shall be so used the council shall forthwith pay to the public school board a sufficient sum to cover any damage to the same and any expense for cleaning or otherwise caused by such use. But no such school house shall be so used or taken without the consent first had and obtained of the board of school trustees.

The board of police commissioners or the chief of police for such city shall cause a police constable to attend at each such polling place in a school house or public building where an election is being held, to perform the duties required by this Act of a constable appointed for that purpose by the returning officer.

15. Sub-section 38 of said section 489, as amended by the 23rd section of the Municipal Amendment act, 1895, is hereby further amended by striking out the words "in any case where it is so far as known to said officer or other member of the police force a first or second arrest for such offence," in the seventh and eighth lines thereof.

HAWKERS AND PEDLARS.

16. Sub-section 3 of section 495 of the said act is amended by inserting the word "pedlars" after the word "hawkers" in the first line thereof; and by inserting after the words "silver-ware," where they occur in the fourth line of paragraph (a), the words "furniture, carpet, upholstery and millinery"; and by adding after the word "force" in the ninth line of the said sub-section the following words, "which license fee for a city of over 100,000 inhabitants shall not be more than \$50 for a two-horse wagon, \$30 for a one-horse wagon, \$15 for a push-cart and \$1 for one carrying a basket."

17. Sub-section 6 of section 503 of the said act is hereby amended by adding thereto the following words:—"Provided always, that farmers and other producers may sell such produce and articles at stores and shops in the municipality at any hour of the day."

To be continued.