

# The Municipal World

PUBLISHED MONTHLY

In the interests of every department of the Municipal Institutions of Ontario.

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ST. THOMAS, JUNE 1, 1897.

The powers of municipalities in reference to highways have been increased by giving them power to lease the same after notice as required by the Municipal Act, sections 546 and 550.

\* \* \*  
The Registration of Debentures has been simplified by the repeal of the Debentures Registration Act, which was often overlooked. The new sections in the Municipal Act referring to this matter are a great improvement.

\* \* \*  
The Deputy Registrar General has sent out a circular drawing attention to the monthly return in reference to deaths from contagious diseases registered during each month. This return must be made whether any deaths of this character have been registered or not.

\* \* \*  
Section 50 of the Municipal Amendment Act, 1897, demands the careful attention of councillors who do not wish to be disqualified for two years. This provides that a council cannot borrow in any year more than 80 per cent. of the amount collected as taxes to pay the ordinary current expenditure of the municipality in the preceding municipal year. The words *ordinary current expenditure* will no doubt be the subject of much discussion until defined by the courts. We are of the opinion that debentures, coupons, or any expenditure which may not be considered a yearly one cannot be included in ordinary current expenditure. Every council should at once call upon the treasurer or clerk for a statement showing the estimates on which the taxes levied for 1896 were based and determine the amount of the ordinary current expenditure included therein. The by-law authorizing the borrowing of funds for current expenditure should limit the amount to 80 per cent. of this amount.

An important amendment to the Voters' List Act requires clerks to show occupation of voter in a separate column of the lists for townships, towns and villages. This should follow the name, as it does in the assessment roll. County clerks are also to receive two copies of the Voters' List, the same as postmasters and others.

\* \* \*  
The change in the law doing away with the necessity for "demanding a poll" at municipal nominations does away with a last relic of the open voting system. Under the present law all elections are to be by ballot when more candidates than are required are nominated for a particular office.

\* \* \*  
The new form of declaration is no doubt the result of our contention that the offices of Clerk and Treasurer of a municipality could not legally be held by the same person. Whether these offices may now be lawfully held by one person at the same time will receive consideration in a future issue.

\* \* \*  
In preparing the estimates County Councils should remember that, under section 357 of the Municipal Act, every council is required to pay all the valid debts of the corporation falling due within the year. All floating debts and current expenditure should be provided for by this year's estimates.

\* \* \*  
Municipal legislation, as passed at the last session is rather mixed. The Municipal Amendment Act, the Assessment Amendment Act, and an act to amend the statute law, all contain sections that should have been classified in one act. The revision of the statutes now going on will remedy the difficulty, and every municipal officer will feel relieved as soon as they are distributed.

\* \* \*  
The opinion of THE MUNICIPAL WORLD in reference to the warden's term of office being for two years under the County Councils Act of 1896, appears to have been accepted, as the law has been amended, and now contains "a specific provision limiting it to one year." The next change should refer to the election of a warden by ballot, as any legislation allowing this is unconstitutional.

\* \* \*  
In townships the commutation money collected for statute labor not performed in 1896 must not be overlooked. The overseers of highways have authority to expend this and give orders on the Treasurer to the person performing the work. The clerk should notify each pathmaster of amount collected in his division and send treasurer a list so he may verify pathmasters orders.

## Good Roads in Ontario.

The report of the Provincial Road Commissioner has just been issued by the Department of Agriculture.

It is written in a popular style, technicalities are avoided, the information contained is practical and direct, and is compiled solely with a view to the condition of roads and streets as they exist in this province to-day. The intention of the report is that it shall furnish information on the subject of road and street improvement to municipal officers in towns and townships where engineers have not been employed to oversee this class of work. Everyone interested in "Good Roads" should read the report, a copy of which may be obtained by any person who will send his name and address to A. W. Campbell, Provincial Road Commissioner, Toronto.

Section 56 of the new Act empowers councils of adjoining municipalities to enter into an agreement as to maintenance of boundary lines for a term not to exceed ten years. This is a section that should receive consideration. Many councils are continually disputing in reference to expenditures on these roads, and although it is very pleasant to have joint meetings of committees on such matters, we believe that most councils will be better satisfied to be wholly responsible for a particular portion of the road. The question of statute labor to be performed by property in each township on the road is an important question to consider in this connection, as is also the amount of travel, location of roadmaking material, bridges, etc.

A Sawyer Massie Road Machine has been purchased for use on the Experimental farm, Ottawa.

Mr. Edward Coleman, township clerk of Rear, Leeds and Lansdowne, was accidentally drowned by the upsetting of a boat on the 5th May. He was about 39 years of age and was a half brother of Mr. Wm. Richardson, county clerk of Leeds and Grenville.

Messrs. Hanna & Burnham are moving to quash the Lambton County Council's Leading Roads By-Law, passed last January, granting \$8,000 for improving "leading roads" within the county. The ground, it is said, on which the by-law is to be attacked is uncertainty, the roads on which the money is to be expended not being designated, and that county councillors, under the County Councils Act, 1896, are no longer members of local municipalities, and, consequently incapable of drawing orders or cheques on the treasurers of their divisions for work done. Probably the money will rest in the county treasury until the legal questions involved are disposed of or the by-law is repealed.—*Sarnia Observer*.