

The Municipal World

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

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THE MUNICIPAL WORLD,

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ST. THOMAS, APRIL 1, 1897.

All by-laws for the alteration of school section boundaries in townships should be passed before the first of June.

The Lincoln County Council have appointed an inspector for the House of Industry at a salary of \$75 per year.

Mr. A. B. McBride has been appointed clerk of Berlin, to succeed Mr. Colquhoun, who has been appointed Collector of Customs.

The Simcoe County Council have decided to hold their June session at Orillia instead of Barrie, the county town. The same council ordered thirty-six badges for county constables.

The appointment of a Provincial Auditor will result in the selection of competent local auditors and efficient treasurers in many municipalities where but little attention is given to the duties of these offices.

Complaint is made in some townships of persons riding and driving on the foot-paths, rendering them unfit for pedestrians. A notice posted up at public places in each division will direct attention to the matter, and generally have the desired result.

Many towns do not provide a public dumping ground for rubbish, and the highways of adjoining townships are utilized for the purpose. The Public Health Act makes this an offence on sanitary grounds. In addition to being a nuisance, rubbish on the highway is often the cause of accidents and claims for damages against municipalities. Councils should instruct their pathmasters to promptly remove all rubbish deposited on the highway, and report the names of the offenders to the nearest justice of the peace.

The appointment of a State Board of Municipal Works will be proposed in the Illinois Assembly, the duty of the board to be the collection of information, and to advise municipalities on all questions relating to water supply, gas, electric lighting, street railways, telephones and street improvements, etc.

A correspondent referring to auditors' duties states that fines are not always audited, and that the auditors do not get conviction lists, which would give information as to amounts paid to treasurer and suggests that the Clerk of the Peace should be required to look over auditors reports throughout the county to see if treasurers have charged themselves with all amounts reported to him by the several Justices of the Peace.

We shall be much obliged to officers of councils if, when they are sending out circulars, pamphlets, reports, etc., they will be so good as to send us copies. We need hardly add that we are always glad to receive copies of all printed reports prepared by councils, their committees, or officials, and also any item of news of a character likely to be of general interest to our readers. It is our earnest desire that THE WORLD should be a means of co-operation between the various municipalities, and the greater the number of those who employ such means the more valuable will the co-operation be.

We have received many kind letters from subscribers and are pleased to know that our efforts are appreciated. The following extract is taken from a letter received from a venerable municipal officer with thirty years experience: "Words would fail me to express my appreciation of the WORLD as a reliable instructor for municipal councillors not only in a general sense of the word, but also for those who have long experience in the work. As a rule councillors have not the statutes, and I have found by experience that they will not read them when an opportunity offers.

The WORLD is not only a reminder but also a great help in many ways."

The Guelph city council have adopted a new plan of dealing with their treasurer. Special Auditor Edwards who was employed when the defalcations of Treasurer Harvey were under consideration, having reported that the books as entered up by the new treasurers were less intelligible than at any time during the period covered by his recent examination. The council passed the following resolution: "That the finance committee be instructed to obtain a competent accountant for the purpose of entering up the books of the city from June 2nd, 1896, to Dec. 31st, 1896, and to prepare said books for auditing and charge the same to the acting city treasurer, Mr. Mitchell, and city treasurer, Mr. D. Scroggie, in proportion to their liability."

Ingersoll Election Case.

An interesting judgement has been given by Referee Cartwright in the Ingersoll election case, the contest was for the position of county councillor of the County of Oxford, and the main point in dispute was whether the action of the deputy-returning officer in polling subdivision number six in leaving the booth three times during the day was such an irregularity as to render the election void.

Mr. Cartwright holds it to be clear that the intention of the act is that the deputy-returning officer shall be present during the whole time which by law the poll is required to be kept open.

"It cannot be argued," says Mr. Cartwright, that the whole conduct of the deputy-returning officer was not highly and seriously irregular. One more ballot paper giving two votes to the relator would have made him a tie with Buchanan and we cannot say whom the returning officer would have seated. Now, taking even the first absence of the deputy-returning officer, it appears from his own evidence that he was absent at least ten minutes, during which period there was no possibility of any votes being cast, and there is nothing to show that some voter, (and one would be sufficient,) was not prevented thereby from casting his vote, which vote might have been for the relator and then there would have been a tie. In my view this closing of the polling-booth was, in some aspects, the most serious irregularity of the three absences of the deputy.

The judgment further states that the town clerk, although he was returning officer, had no authority to take the deputy-returning officer's place at the booth, and that the policy of the act, secret voting, had been violated by his so doing. "In view of the facts between the relator and Buchanan," concludes the judgment, "I do not think the election should be allowed to stand. I am not aware that I have any power to order a new election as to him only, so that the whole proceeding must be set aside. I have reached this conclusion not without a good deal of hesitation. As the elected candidates were not in any way to blame, I do not think there should be any costs against them; nor against the deputy-returning officer, as his absence was not wholly voluntary. It would seem right that the Legislature should make some provision for such cases if they are considered to be of sufficient frequency to render this desirable."

There seems to be a general misunderstanding among rural public school trustees, who are not receiving the usual grant, equivalent to the Legislative grant, from the county; this was discontinued by the Public Schools Act of 1886. Township councils are now required to raise \$150 for the purpose of each school, being an increase of \$50. This increased payment takes the place of the old county grant, formerly distributed by the Inspector.