

The Municipal World



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

K. W. MCKAY, EDITOR,

A. W. CAMPBELL, C. E. } Associate
J. M. GLENN, Q. C., LL.B. } Editors

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OFFICES—28 Elgin Street, St. Thomas. Telephone 101.
Address all communications to

THE MUNICIPAL WORLD,

Box 1321, St. Thomas, Ont.

ST. THOMAS FEBRUARY 1, 1901.

Since the recent fire in Oakville which destroyed a considerable portion of the business part of the town, the installing of a water-works system is being discussed, and it is likely that action will be taken in the near future.

* * *

A vote of the electors was taken at the last municipal elections, in Lanark and Victoria, as to the advisability of establishing county poor-houses. In the former case the vote was favorable, but in the latter, it resulted adversely. It is not as yet decided what action either council will take.

* * *

The by-law giving J. Stewart Clark a bonus of \$2,000 to erect electric light works at Ayr and bring the Port Dover-Berlin railway to that village, was endorsed by a majority of the ratepayers of Ayr, the vote standing 124 for, and 33 against. According to the terms of the by-law, Mr. Clark is to get \$1,000 when he has his electric works built and the lights burning; and the other \$1,000 when the first car on the proposed railway reaches Ayr.

* * *

John A. Patterson, tax-collector for the town of Galt, has been mulcted to the tune of \$60 in damages and the costs of a high court action for excessive zeal in the discharge of his duty. The plaintiff in the case was a Galt tailor named McKinnon, now of Brantford. He rented a shop, and his landlord, McTague, fell behind in his taxes. Patterson came upon the tenant for the amount and Bailiff Gillies levied distress. In giving judgment Chief Justice Falconbridge finds that the notice served upon McKinnon was badly written, and was insufficient. He also holds that the distress was illegal.—Brantford *Expositor*.

Queen of the World.

AN EXPRESSION OF INTERNATIONAL SYMPATHY.

We are in receipt of the following communication from the President of the National Good Roads Association, of the United States:

CHICAGO, JAN. 26TH, 1901.

The Municipal World, St. Thomas, Canada.

GENTLEMEN,—We desire to thank you for your courtesy in sending us a copy of THE MUNICIPAL WORLD. It is likely that, from time to time we will quote articles from your valuable publication; when we do you will always receive due credit for same.

We are planning a National Campaign; plans of which will be consummated in February, and when ready will send you copy of same.

During the progress of the last National Convention, held in this city, November 19th to 21st, inclusive, we were proud to have such representatives from a foreign state as Mr. Andrew Pattullo, of Woodstock, and Mr. A. W. Campbell, director of highways, of Ontario.

Well may the Dominion of Canada be proud of those two men. They are practical, and they possess the excellent qualities that create closer reciprocal, social and commercial relations between this and that country whose people are rapidly promoting more friendly national alliances.

We especially notice now that the people of the United States are bowing their heads, and standing almost as closely by the bier of that revered ruler, the Queen, as her own subjects. In fact, it seems that that honored woman was not alone Queen of Great Britain and her dependencies, but of the whole world.

Again thanking you, I am,

Yours sincerely,

W. H. MOORE,
President.

The *Alexandria News* says: As far as the duties of a councillor go, we could never detect that they were particularly arduous. We do not believe that the average councillor lies awake nights on account of the weight of his responsibilities. The great qualification necessary in a councillor is that he should take a personal and active interest in all that effects the welfare of his municipality.

* * *

Mr. W. Beaton, clerk of the township of Derby, has favored us with the printed minutes and proceedings of that township, for the year 1900. The pamphlet is divided into two parts. The first contains the minutes of all meetings held during the year, the auditors' report for 1899, and reports of committees' by-laws and statistics for 1900; the second part consists of the statement required by sub-section 6, of section 304, of the Municipal Act. It is prepared by order of the council, and placed in the hands of the ratepayers prior to nomination day.

Re Early Closing By-Laws.

In the report of the trial to set aside a conviction under "The Ottawa early closing by-law, Reg. vs. Milligan." This conviction was quashed on account of the city by-law not giving the power to the justice to award imprisonment in default of goods and chattels to be distrained for fine and costs. Municipal Act, chapter 223, R. S. O., 1897, section 704, gives authority for justices to enforce the "fine and penalty imposed by this Act and the same can be recovered and enforced with costs by summary conviction, etc.," and then goes on to state, "in default of payment the offender may be committed to the common jail, for not exceeding thirty days, but this is not so with prosecutions for contravention of a by-law under section 705.

The by-law has not only to state a sum for penalty of contravention but must give some time for imprisonment of the offender, if no distress found, out of which the penalty can be levied. See sub-section 705 and 706. By section 706 unless the by-law gives a term of imprisonment when no distress can be made, the justice has no authority to award imprisonment.

This matter is very important as a large number of by laws only name a penalty.

R. KIMBER JOHNS.

Gravenhurst, 17 Jan., 1901

For the information of a correspondent we hereunder publish the section of the Public Schools' Act relating to the union and alteration of boundaries of existing school sections:

Every township council shall have power:

1. To pass by-laws to unite two or more sections in the same township into one, in case at a public meeting in each section, called by the trustees or inspector for that purpose, a majority of the ratepayers present at each of such meetings request to be united;

2. To alter the boundaries of a school section, or divide an existing section into two or more sections, or to unite portions of an existing section with another section, or with any new section, in case it clearly appears that all persons to be affected by the proposed alteration, division or union respectively, have been duly notified, in such manner as the council may deem expedient, of the proposed proceeding for this purpose, or of any application to the council to do so;

3. Any such by-law shall not be passed later than the first day of June, in any year, and shall not take effect before the 25th day of December next thereafter, and shall remain in force, unless set aside, as hereinafter provided, for a period of five years. The township clerk shall transmit forthwith a copy of such by-law and minutes relating thereto to the trustees of every school section affected thereby, and to the public school inspector.