

The Municipal World



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ST. THOMAS, JUNE 1, 1898.

Mr. H. J. Lytle, formerly Clerk Town-  
ship of Fenelon, and publisher of the  
"Rate Tables," who has recently been  
appointed manager of the Ontario Bank  
at Lindsay, writes as follows in reference  
to leaving the ranks of the municipal  
clerks: "Amongst my most pleasing  
memories of a twenty-year service are the  
many kindly expressions of help my little  
rate tables have afforded so many of my  
confres. I hope that the future may  
bring forth a class of councillors who will  
appreciate their clerk's services at a nearer  
approximate to their financial value."

\* \* \*

The Department of Crown Lands has  
issued a special circular to municipalities  
in reference to the law relating to the  
survey of boundary lines, R. S. O., chap.  
181, secs. 14 and 15. Under the old act,  
surveys performed on the application of  
the council interested were sometimes set  
aside by the courts on a technicality, in-  
volving expense and often leading to liti-  
gation. This is now prevented by the  
Commissioner of Crown Lands who gives  
notice of the return of a survey, and fixes  
a date on which the same is to be con-  
sidered, and parties affected thereby,  
heard, with a view to amending or cor-  
recting the report before it is finally con-  
firmed, after which it is binding on all  
parties.

\* \* \*

An exchange says that "Councillor  
Martin of Woodstock claims to have been  
bribed for his vote in the purchase of a  
steam roller. He has given the money to  
the mayor." It is quite evident that the  
system of doing business with Municipal  
Corporations in the United States is  
being introduced in Ontario by agents  
who have had experience. Canadian  
manufacturers should be encouraged to  
build all road machinery required. The  
protective tariff and the money expended  
on bribery by their competitors should  
give them a good margin to work on.

School Section Appeals.

Re School Section No. 16 of the Town-  
ship of Hamilton.—Judgment on motion  
by the trustees of the school section to  
set aside an award made by the arbitra-  
tors appointed by the municipal council  
of the united counties of Northumberland  
and Durham, to consider and decide  
upon an appeal to the council in regard  
to the boundaries of the school section.  
Held, that the change made in the Public  
Schools Act by the amendment contained  
in section 82 of 54 Victoria, chapter 85,  
has in some respects limited the right of  
appeal to the county council. Before the  
amendment the township council had  
power to pass by-laws (1) to alter the  
boundaries of a school section; (2) to  
divide an existing section into two or  
more sections; (3) to unite portions of  
an existing section with another section  
or with any new section; R. S. O., 1887,  
chapter 225, section 81. By section 82  
of that Act, an appeal was given to the  
council against any by-law for the forma-  
tion, division, union or alteration of  
school section or sections and against the  
neglect or refusal of the township to form,  
divide, unite, or alter the boundaries of  
school sections. The change made by  
the act of 1891 is that the latter appeal is  
limited to neglect or refusal to alter the  
boundaries of a school section. The  
question was whether the words "altera-  
tion of boundaries" were large enough to  
cover union and division. Giving words  
their fair meaning, and having regard to  
the particular grouping of words, the  
better and only interpretation appears to  
be that a limited meaning should be  
given to these words. What was sought  
in this case was the division of school  
section 16 into two equal parts, each of  
which was large enough to become a  
section by itself. The present law (car-  
ried on from 1891 into the consolidation  
of 1896) gives no appeal in such a case,  
and all proceedings thereafter, culminating  
in the majority award, fall to the ground  
as ultra vires. Order made setting aside  
award without costs.

The fence tax arises from the time,  
material and expense of erecting and  
maintaining unnecessary fences.

\* \* \*

A clerk writes suggesting that it would  
be a good idea to exchange compliments  
by sending copies of Voters' Lists, Audi-  
tors' Reports and other printed matter to  
neighboring clerks.

\* \* \*

The Government Grants to Public and  
Separate Schools for 1898 have been  
apportioned on population returns for  
1897 as follows:

Counties.....	131,871
Cities.....	53,306
Towns.....	38,055
Villages.....	16,883
Districts.....	35,000
Total.....	275,115

Municipal Taxation.

The most important duty of every  
Municipal Council is the raising of money  
by direct taxation. It is the one feature  
of local government in which all are  
interested.

The underlying and essential principles  
of a just, and the same time efficient sys-  
tem of taxation are supposed to be em-  
bodied in the Laws enacted in accord-  
ance with the powers conferred by the  
ninety-second section of The British  
North America Act, which gives to the  
Legislature of every Province full control  
over Municipal Institutions.

That the system of taxation in Ontario  
is not entirely satisfactory is shown by the  
fact that a Municipal Tax Convention  
was held during last year at the request  
of the Toronto County Council.

This was attended by delegates from  
many city, town and village councils who  
were not prepared to discuss the question.

Members of Municipal Councils whose  
tenure of office is indefinite, are not  
expected to devote the time necessary to  
an exhaustive investigation of so dry a  
question. There are no authoritative text  
books on taxation, and no evidence that  
the subject is properly taught if taught at  
all in our higher institutions of learning.  
During recent years economists and the  
Political Science departments of many  
Universities in the United States have  
devoted considerable attention to the  
subject and published the results of their  
investigations of Municipal Systems and  
Taxation, all of which contain practical  
suggestions worthy of consideration by  
any one interested in the improvement of  
the laws relating to taxation in Ontario.

A Model Supervisor.

Lower Merion township, Montgomery  
county, Pa., is entitled to the credit of  
having developed and faithfully main-  
tained the most accomplished road super-  
visor in the State, says the Philadelphia  
Times. Nineteen years ago the people  
there nominated A. J. Cassatt, one of the  
greatest of our railroad men, and he  
accepted the office with a full understand-  
ing of its duties.

Supervisor Cassatt started in to make  
first-class roads in Merion township. His  
methods startled most of the farmers of  
that region, and some of them were even  
appalled at what they regarded as his  
extravagance. He did not waste the  
taxes of the people in petty repairs which  
accomplish nothing, but he made first-  
class roads from the start, and although  
he had desperate battles for two or three  
years to win the supervisorship of his  
township, the tax-payers saw that they  
were getting more than one hundred cents  
for every dollar that was expended; that  
their good roads improved the value of  
their farms tenfold more than all the roads  
cost; that they could use the roads at all  
seasons with comfort, and they learned to  
appreciate an honest, competent supervisor.