

9. There is no right to place such a name on part 2, any more than there would be to place it on part 3. There is no right to place him on part 3 because he has a municipal qualification, and there is no right to place his name on part 2 because he has a legislative qualification. The third part is to contain the names of all other male persons of full age, etc., and subjects, etc., of those persons appearing on the assessment roll to be entitled to vote in the municipality at elections for members of the legislative assembly only, and not at municipal elections, so that it is well defined in what part of the list a voter's name is to be placed.

10. The 5th sub-section perhaps gives rise to the objection to my ruling because it provides that the name of the same person is not to be entered more than once in any such part. It does not say in any such list, but in any such part, so that if there were only one list for the whole municipality or only three parts in the whole list, it would be clear that any such name of a person could only appear once.

11. But part 6 explains and provides that where a municipality is divided into several polling sub-divisions, the list is to be made in three parts, *i. e.* for each of the polling sub-divisions.

12. Sub-section 10 provides that where a ward of any municipality is divided into polling sub-divisions, and where, within the knowledge of the clerk, a person resides in one of the polling sub-divisions, his name is to be entered on the list of voters for that polling sub-division, and no doubt there has been some idea or argument hinged upon this sub-section, that what I have held on this subject is erroneous, but it has to be properly analysed first and then it will be found that it does not apply to the legislative franchise voter at all, but to a person who is assessed in each of two or more polling sub-divisions in the same ward for property sufficient to entitle him to be a voter at a municipal election, in which case the clerk is to enter his name on the list of voters in one sub-division only, where he is to insert the description of the qualifying property in that sub-division with the additional words *and other premises*.

13. The 11th sub-section does not affect this question in the least, because like section 10, it refers only to the municipal qualification of a voter where property is partly in one sub-division and partly in another.

14. The 12th sub-section plainly points out that if the qualification to become a voter at a municipal election is in respect of taxable income, the clerk is to place his name at the place where the voter resides.

15. By using this order of treatment, I am not overlooking the provision of the 7th sub-section with regard to the Manhood Suffrage Act, which only applies to the column of the voters list in which the words manhood franchise or the letters

M. F. are to be inserted. It does not in any wise affect the question as to the part of the list, or the ward, or polling sub-division in which a voter's name has to be placed where he is entitled to the electoral franchise.

The 8th sub-section only applies to the qualification for a municipal election and does not affect this question.

After the foregoing analysis I think it will be clearly seen what my reasons are for the conclusions I have reached on this subject.

The statute does not point out that the clerk either may or must place the name of a person entitled to the electoral franchise in any polling sub-division or ward of the city apart from his municipal franchise, in other words wherever he is entitled to both, they must be placed in part 1, and the clerk has no right to sever them or prescribe that he shall vote on his municipal franchise in one polling sub-division and on his electoral franchise in another, or *vice versa*. Supposing a municipal election and a parliamentary election were to be held on the same day, as they might be, he has the right to exercise both franchises in the same place or in divers places just as he pleases.

It is the same in principle, where a taxpayer has property in several wards of the city, he has the right to vote for mayor and for aldermen; he has an equal right to vote for aldermen in all the wards and for mayor in any of the wards where he has a vote, and his name should be entered on the voters list for all those wards, but he can only vote for mayor in one polling place, but in which ever ward he chooses.

The Care of County Paupers.

Toronto News.

There are, according to a *News* correspondent, fifteen persons over sixty years of age in Barrie jail, not one of whom has violated any statutory or local law of the country. Their one offence consists in the fact that they are unable to provide homes for themselves.

This is a state of affairs of which any civilized community should be ashamed. The remedy is not to be found, however, in making the care of paupers a charge on the Ontario Government. That would involve a very large increase in the patronage enjoyed by the central authority, and against the patronage system as it at present exists. As it at present exists, the whole country is even now in revolt. What is needed is a general law that will force each county, in which the necessity exists, to provide for its own poor by means of the erection of an industrial home. By this means a reproach will be removed, each community will be forced to bear its own burdens, and there will be no increase in the danger that is inseparable from the placing of large power in the hands of one central body.

QUESTION DRAWER.

SUBSCRIBERS only are entitled to opinions through the paper on all questions submitted if they pertain to municipal matters. Write each question on a separate paper on one side only. When submitting questions state as briefly as possible all the facts, as many received do not contain sufficient information to enable us to give a satisfactory answer.—Ed.

W.—1. A school section asks municipal council to raise a sum of money for erection of school house by debenture. Council does so creating certain expenses. Who pays these expenses?

2. Must medical health officers and local boards of health take a declaration of office after appointment.

1. 55 Victoria, chapter 60, section 3 amends section 115 of the Public Schools Act, by adding thereto the following sub-section.

The expenses of preparing and publishing any by-law or debentures under the said section 115, and all other expenses incident thereto, shall be paid by the school section on whose behalf such debentures were issued, and the amount of such expenses may be deducted from any school rates collected by the municipal council for such school section, anything in the Public School Act to the contrary notwithstanding.

2. Yes. See section 271 (a), Consolidated Municipal Act 1894.

J. H.—Is a ratepayer, holding the office of township treasurer this year, and resigning such office before the end of the year, an eligible candidate for the office of reeve or councillor at the next municipal election? The qualifications of such ratepayer in re-property, age, citizenship being efficient.

If the person referred to by our correspondent had in good faith resigned his office as treasurer of the municipality prior to the nomination meeting, and the municipal council had accepted such resignation, and there had been a final settlement and adjustment of all transactions between him and the municipality, he is qualified for election.

J. W.—In 1893 special auditors were appointed by the township council to audit the books, rolls and accounts of the township, from the time of organization up to date.

These auditors found that during several years, S. S. No. 3, had received more money than had been raised in the said section by school taxes. Has the township council power to levy (in addition to the ordinary rate) a special rate on S. S. No. 3 to recover the amount which the said section owes the township? If not how can the money be recovered?

If amount paid to trustees was by error in excess of amount required, the municipality would have a claim against the section, but if the amount of taxes collected was less than the amount paid to trustees by reason of non-payment of taxes on real property, the municipality is by section 203 of the Assessment Act 1892 required to make up the deficiency. The municipality in return, having full claim to all arrears of taxes collected as such:

The amounts overpaid the section should be charged in treasurers books, and deducted from future levys as the council may direct.

W. N.—The treasurer of this municipality having just died, will you kindly answer the follow-