

The Drainage Act.

PAPER READ BY JAMES ANDERSON, CLERK OF EAST ZORRA, AT A MEETING OF THE CLERKS' ASSOCIATION, COUNTY OF OXFORD.

In making a few observations on the operation of the Drainage Act, I will confine my remarks chiefly to those sections which refer more particularly to the work and responsibility of the clerk, in connection therewith, and some of my own experience in its application. I find it advisable to keep all documents in connection with each drain in one parcel, and for that purpose find the large legal envelope secured with a tape the most convenient. See that the petition is in proper form, and especially, that it correctly describes the whole of the area proposed to be drained, as nearly as possible, and by reference to the assessment roll, that the parties signing are assessed as owners. This is important, in view of the fact, that the description of the area determines whether those assessed for outlet and injuring liability, are entitled to be counted on the petition, and in some instances, a farmer and one or two sons will be found jointly assessed for property, when the sons are in no sense actual owners, but should have been entered as farmers' sons. Then see that the engineer employed makes and files the oath prescribed before proceeding with the survey; this under the Drainage Act, having to be done in the case of each particular drain. Upon reception of the engineer's report the amendment of 1896, makes it necessary for the clerk to notify all persons assessed for the work, whether within the area described or not. In notifying the owner as to the meeting for consideration of the report, it is just as well to give all the assessments, as human curiosity is very strong, and the next thing every person wants to know, after leaving his own assessment is, to find out that of his neighbors. In getting up the by-law, see that each parcel of property assessed is properly described, as all engineers are not infallible in this respect, and some lands are cut up in very curious shape. In the preparation and service of the by-law, it will be found much better to have it printed, and served in accordance with section 22 of the Act, as it is almost impossible to have it printed in correct form as advertising matter in a newspaper, and very few publishers care to have so much of their space taken up for four consecutive weeks, for remuneration usually allowed in the estimate, and by serving personally, the clerk can be sure that each person has been notified, beyond doubt. The proceedings in the court of revision are so similar to those of the ordinary court on the assessment roll, as to require little comment, but the clerk in recording the proceeding, will usually have to ignore a quantity of irrelevant matter in the evidence. A verbatim report of the evidence

sometimes given, would furnish amusing reading. A strict attention to dates and services of notices is, however, very important. In issuing debentures under the act, it is advisable to include the interest in the amount, as is provided in section 53, and to divide the amount into equal annual payments of principal and interest, thus simplifying the work of entering in the collector's roll each year. In section 62, the time specified (four months) for payment of proportion by the municipality, served under section 61, is too short, and should be extended to six months. Sub-section 3, of section 66, if strictly carried out in all cases, would furnish clerks with a lot of extra work. The estimates prepared by competent engineers, usually come very near to the actual cost of the work, and if there should be a small deficiency, it might be advanced by the municipality, until such time as the work requires repair—usually a short time—and the whole raised under one by-law. Similarly in the case of a small surplus, it might be retained by the municipality for repair, or paid over at once *pro rata* to the parties assessed. There is also a possible complication in regard to those who pay over their assessment, as provided by section 54, as they have no part in the payment of the debentures, but are entitled to a share of any surplus. The agreements with railway companies, provided for in section 85 are of such an onerous nature, that very few councils will care about entering into them, and legislation is urgently needed to compel their modification. In the meantime, the duty of the clerk is clear, as to having filed with him the consent of a majority of the owners, before the council acts in the matter. In conclusion, every step in connection with any work under this act should be taken carefully, and as though sure of an appeal or reference at any time. Note the date of filing on every document concerning each drain, and in a separate book, keep an account of each drain, the lands assessed therefor, yearly rate on each parcel, date of passing of by-law, date of issue of debentures, date of first levy, which will be found very useful in making out returns, and in preparing the yearly collector's roll.

Collector Johns, of Stratford, after serving the city for twenty-three years, has tendered his resignation to the council.

We have received a copy of the Voters' List, for the township Nepean, F. W. Harmer, clerk, which includes a summary showing the number of voters in each part of the various polling sub-divisions, and the number of persons qualified to serve as jurors in each. To use Mr. Harmer's own words, "this is unauthorized, but very useful." We noticed a somewhat similar statement in other lists at the end of each polling subdivision.

Macadam, the Scotch engineer who invented a favorite system of road-making, began his labors in 1818.

The New County Councils Act.

The Cardwell *Sentinel* referring to the new County Councils Act, states that in the judgement of a great many the tendency of the new system is to create a new class of professional politicians, a species much over-propagated and already far too numerous. The professional politician is "of all men most miserable," and equally contemptible. This Act will convert a large class of amateur politicians into a semi-professional class. The reeves and deputy-reeves of our municipality transact the affairs of their respective corporations economically and efficiently and as a recompense for their gratuitous services receive the calumny, abuse and vituperation caused by local jealousies and frustrated designs. Well might they exclaim with the orator of antiquity: "O tempora, O mores." "O the times, O the customs," were it not that by way of compensation they receive the support and renewed confidence of the better classes of the community and look forward to a session at the county council where, in addition to obtaining relief from the monotonous round of carping criticism, they expect to form pleasant and profitable acquaintances and associations and to accumulate an extensive knowledge of law, business and business principles from which the corporations which they represent receive a large and direct benefit.

Taxes on Improvements.

The town of Walkerville has an exemption by-law which worked so well for the stated term of years which it had been in existence that it has been re-enacted. The by-law, to encourage building, provides that houses worth not less than \$700, erected for the use of the owner, shall for the next six years be exempt from all taxation excepting school tax, and that on the assessed value of the land. This is an adaptation of the Henry George system for raising public revenues, though it is said that the originators of the scheme were not students of the works of that political economist. They took the common sense ground that a tax on improvements is a discouragement to promoting the erection of buildings or of making additions to those already in existence, and thereby a discouragement to the employment of labor. The practical men of Walkerville have managed to keep the taxes down to seven mills, whereas in the neighboring city of Windsor the rate is 24 mills.—London Advertiser.

The Alexandria Fire Brigade, will receive a course of instruction in fire fighting. The council having made arrangements with the fire department of Montreal, to send a competent instructor.