

Right of Telephone Companies to Use City Streets.

In the state of Minnesota the question of the right of telephone companies to use the streets for its poles, has recently been under consideration. The Supreme Court in *Northwestern Telephone Exchange Company vs. City of Minneapolis*, 86 N. W., Rep. 69, states the law governing the right of telephone companies as follows:

"The plaintiff has the right to use streets, but such right is subject to regulation; and if the use of any street for overhead wires, or any other placement of its lines, is injurious to public safety, convenience, comfort or utility in the management of city affairs, or inconsistent with reason, order and good government, the city has the power, under the law and its charter provisions, to compel a removal of such poles and wires from its streets, and compel them to be placed in subsurface conduits, or to otherwise regulate the business of the company so that the use of its streets shall not interfere with the rights of its citizens, but subserve their welfare, in the inestimable service which the telephone renders to commerce, civilization, and the happiness of its people."

The Ward System in Toronto.

The system of electing city councils by wards is promotive of these abuses. It is easier for a selfish or sectional interest to influence a ward than to influence a city. In the limited area of a ward personal effort may secure the election of a man of a small calibre, who could not under any circumstances obtain votes enough to elect him for the city at large. Matters were worse in old Toronto of less population, with its division into thirteen wards. No one would think of going back to that system. If we had a few years' experience of electing aldermen big enough to be known and chosen by the whole city, no good citizen would want to revive our present absurd system of six divisions of unequal size, population and property interests.

The abolition of wards and the advent of aldermen responsible to the whole city electorate would work a revolution in the administration of civic executive departments. Such men could not and would not continue the system under which incompetent and irresponsible chairmen of committees are allowed to spend money and dictate to officials who ought to be supreme in their offices, under the direction of men chosen by the people.

The ward system gives us a board of control dealing directly with the most important issues affecting the whole community, yet indebted for their positions and responsible for their actions, not to the people as a whole, but to the council representing sectional elements and interests. Would not the people elect a better board?

Would not the board be a better one if every member of it had been elected by the whole city? It would certainly be a different one. Would it not be a stronger body if chosen from and by aldermen who represented the whole city? Is not the present system the cause of the notorious weakness of the board of control?—Ex.

Casting Vote of Mayor

An election to the office of school commissioner in a Wisconsin city has been contested before the Supreme Court, and Chief Justice Cassidy's decision in the case of the State ex rel vs. Mott, 86 N. W. Rep. 569, decides the power of the mayor in a municipal council where the mayor has a casting vote in an undecided election.

The charter of the city provides for the election of officials by a majority vote of the aldermen entitled to seats in the council. In case of an equal division, the mayor may give the deciding vote.

The council consisted of eight aldermen, two from each of the four wards. In May, 1900, the council took 177 ballots to elect a commissioner for the third ward. In the last ballot the defendant in this case received four votes, another received three votes, and a third man received one. The mayor then cast a vote for Mott, and declared him elected. But Cassidy, (C. J.,) holds that the only question pending before the council was "who shall be elected to the office of school commissioner for the third ward?" Upon that controversy there was no equal division of the aldermen that could be decided by the casting vote of the mayor. It would be a solecism to hold that "the deciding vote" of the mayor should only terminate the controversy in case he voted the other way.

The decision is of importance to cities incorporated under special charter. In cities under general law, it is provided by section 925-49, R. S., 1898, that the mayor shall have no vote "except in case of a tie."

Municipal Coal.

The movement to municipalize the business of supplying commodities in common use is daily gaining strength. The latest suggestion is that towns and cities undertake to keep the people in coal. Whatever one may think of such a proposal, it is at least a very timely one and cannot fail to interest each and all. Mr. Phillips Thompson, the well known writer and speaker on labor topics, made the suggestion in a recent article: "I bought a ton of coal the other day," he tells us, "real good, hard nut coal—none of this cheap trash that burns out twice as quickly as coal ought to—and what do you suppose I paid for it? The general public pays \$6 for the same article, but I got it for \$5.25, as a slight tribute to the esteem in which the members of the

Ontario civil service are deservedly held. To put it plainly, there is an arrangement by which government employees get their coal at the same rate at which the government contracts for its winter supply. Being a "visionary socialist," the idea occurred to me, 'Why could not the city of Toronto, which every year makes large contracts to secure the best terms for its coal supply, undertake to supply, not merely a few favored individuals, but all the citizens, with fuel at the lowest figures?' Why should the poor pay \$6 or \$6.50 per ton—or a much larger rate, when they buy in small quantities—when it only needs a little organization and system for the city to become general fuel provider at an enormous saving to the public. Is there anything dreamy or Utopian in such a proposition? Yes, I'm afraid there is; in fact, in the present state of public opinion, I'm sure there is. There is only one obstacle in the way—the stupidity and ignorance of the very people who would be most benefited by such a reform."—*Woodstock Sentinel Review*.

The following report of a judgment which we extract from the columns of the *Cardwell Sentinel* confirms the opinion we have frequently expressed on the subject in these columns:

"A case of considerable interest to municipalities has just been decided in Douro. The assessors of adjoining municipalities put in their bills for three dollars each to their respective councils, for valuing a union school section. The councils paid the bills, though they were warned against doing so by a ratepayer who claimed that the respective sections should settle the amount.

One of the corporations was sued for the amount by the rate payer who obtained judgment for the money and costs. The judge held that the debt was owed by the respective school-sections and the township at large had no right to pay any part of it.

The verdict was in accordance with common sense, and it is strange that it could be looked upon in any other way. A case of somewhat similar nature occurred in this municipality some time ago. A bill for publishing the school auditors accounts was presented to the council for payment. They very properly refused it on the grounds that it should be paid by the school corporation. The account was bandied about between the two corporations but the village council at length became tired of the strain and paid the bill, for the same reason we suppose, that the girl married the fellow—to get rid of him.

Had some cranky ratepayer chosen, to sue for the money, doubtless, he would have gotten judgment."

The village of Beeton has passed a by-law to raise \$7,000 by debentures to provide for current debts, electric light extension and sidewalk construction.