

# The Municipal World

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## A Municipal Convention.

The councils of urban municipalities in the Province, and more especially cities and towns, have been invited to send representatives to a convention to be held in Hamilton on the 5th and 6th days of September. The first day will be devoted to the consideration of the Assessment Act with the object of securing amendments to do away with anomalies that exist respecting the assessment of street railway, telephone, telegraph and other like companies on the scrap-iron basis, also the assessment of personal property and income of individuals and partnerships. The second day will be taken up with the consideration of the Municipal Act.

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The assessment of street railways, electric lighting and other companies enjoying a franchise entitling them to the use of the streets of a municipality is an important question, and one that should have been considered when the franchises were granted and agreements entered into with the municipalities. In most of the larger towns, companies of this character have been enjoying the use of the streets for many years, and some received a bonus to encourage the investment of capital in what are now looked upon as great public conveniences. Very often these companies were at first conducted at a loss, others at a comparatively small profit. Owing to the increase in population and the adoption of many practical inventions, we find to-day that in many towns, and more particularly cities, public companies which a few years ago were almost bankrupt are in the hands of the most progressive citizens and are looked upon as first-class investments, so much so that those who had not sufficient confidence in the future of the municipality to invest their capital at a reasonable rate when an opportunity was favorable, are now jealous

of the stockholders of these corporations. As a result we find in nearly every community a feeling that these great public conveniences are being conducted at an exceedingly large profit, and that legislation should be passed to divert a portion of these profits to increase the municipal revenues. If there is good reason for believing that the revenues of these companies are excessive, will a municipality benefit materially by the passage of an act allowing the taxation of the plant in proportion to the revenue derived therefrom by the company?

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The City of Toronto offers the best example of the proper adjustment of a valuable municipal franchise. In dealing with the original street railway company the city procured special legislation, purchased the franchise and leased it to the present company, subject to conditions which are most favorable to the city, the most important of which is that the city receives a percentage of the gross receipts. In this way, Toronto was enabled to protect its own interests as far as the street railway company was concerned, and if other municipalities are similarly situated they should endeavor to solve the problem within themselves, and seek such legislation as will increase the sphere of local activities. There should be no encroachment by the legislature upon the function of the municipalities, as it would only result in the impairment of the independent life and usefulness of these bodies. To ask the legislature to do what the municipalities should be able to do, shows want of faith in the power of municipal bodies to manage their own business. If the councilmen are unfit for their places let their constituents select others who are competent, and if the people will not take the care and trouble to do this, by all means let them suffer, and let them suffer it in their pockets, oftentimes the most sensitive part of the human organization.

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One of the best results of the meeting of the League of American Municipalities at Detroit last year was the unanimous approval of municipal ownership of all such monopolies excepting street railways where the leasing of public owned tracks was preferred. If this is enunciated as the first principal and suggestions are offered that will enable municipalities to purchase these monopolies, the convention will solve most of the vexed questions that are at present engaging the attention of councils throughout the world. In England municipalities are taking over waterworks, lighting and tramway plants as rapidly as possible, and the experience there is that they prove as good if not better investments for the municipalities than they were for private shareholders.

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An owner of real or immovable property, that is lands and buildings, is not able to pay taxes unless he can induce

personal or moveable property to locate on his premises—and in considering the question of taxation, "Do not adopt any system that has a tendency to drive away movable property, but on the contrary adopt a system that will attract it, for we are worth nothing without it and the movable property man may go elsewhere and do quite as well."

"Never tax anything that would be of value to your municipality, that could and would run away, or that could and would come to you."—*Enoch Ensley.*

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A number of councils have already appointed delegates to attend this convention, and we hope that these gentlemen will recognize the importance of their mission and endeavor to arrive at proper conclusions in reference to the various important subjects to be considered. In the United States meetings of this character are looked upon as important social events and large sums are expended by municipalities for the purpose of entertaining their guests. This is often carried to such an extent that the consideration of business is a secondary matter and the delegates can only report that they had a delightful time.

## Statutory Rights of Telephone Co's.

The Ottawa City Solicitor has given an opinion in regard to the conditions that surround the use of the streets by the Bell Co. He says the charter of the company authorizes it to construct its lines in the public highways, provided the rights of travellers are not interfered with, and "provided that in cities, towns and incorporated villages the location of the line or lines and the opening up of the streets for the erection of poles or for carrying wires underground shall be done under the direction and supervision of the engineer, or such officer as the council may appoint, and in such manner as the council may direct, and that the surface of the street shall in all cases be restored to its former condition, by and at the expense of the company." From this he draws the conclusion that the company has the right to place its wires underground on any of the streets in the city, and to open up the streets for that purpose, but in so doing must not interfere with the public right of travelling on or using such highways, and must locate its underground wires in such portions of the street as the council may direct, and must carry on the work of opening up the streets and placing its wires underground also in such manner as the council may direct under the supervision and direction of the city engineer.—*Peterborough Review.*

Hon. W. B. Viall, state highway commissioner of Vermont, in his instructions to town road commissioners, states that all permanent roads should be not less than thirteen feet wide and graded so as to descend from centre to gutter at least one-half inch to the foot.