

The Municipal World

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In the interests of every department of the Municipal Institutions of Ontario.

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ST. THOMAS, MAY 1, 1897.

The judgment in *Wigle vs. Kingsville*, published in this issue, defines the requisites of a by-law and what is necessary to give a resolution the same effect.

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The preparation of voters' lists will occupy the attention of most clerks during this month. Although many prefer to rewrite the voters' list each year from assessment roll, we recommend the correction of a copy of last year's list, to save time and avoid errors.

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The collector's roll can very properly be commenced as soon as the court of revision of the assessment roll is over. The first duty of every township clerk should be to check the assessment roll and see that each lot is in the proper school section. The total valuation of each section should then be ascertained. The best plan to adopt is to transfer to separate sheets the assessed value of each lot in the different school sections, leaving a space between the columns for entering the school rates before transferring them to the collector's roll.

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It is the duty of the county councils this year to equalize the roll of 1896, and when apportioning the county rates for 1897 to use as a basis the roll of 1895 as equalized by the council of 1896.

The valuation of assessed property is to a great extent a matter of opinion, and a just relation is needed so that county rates may be levied in an equitable manner in all local municipalities. This is left to the judgment of those who are to conduct the equalization, and who, owing to their local knowledge, are best qualified. The equalization report, as adopted, should be confirmed in the form of a by-law. If any municipality is dissatisfied they may appeal from the decision of the council within ten days.

Changes in the Municipal Law

(To take effect 1st July, 1897.)

The following are some of the new provisions made by the Municipal Amendment Act, 1897, and by the attorney-general's bill relating to miscellaneous municipal matters, which was consolidated therewith. It is a bill of 85 sections, and among the provisions which are of greater or less public interest will be found the following:

Towns and villages may acquire water privileges and create therefrom water power, and may lease or sell power with the consent of the ratepayers.

Market fees have been reduced in all cities and towns to 10 and 5 cents.

Cities and towns may establish a telephone service.

Every municipality may expend a fixed sum for advertising information as to the advantages of the municipality as a manufacturing, business, educational or residential centre. Cities and towns of over 5,000 population, \$500; other municipalities, not exceeding \$100.

Municipalities may set aside a portion of the highway as a bicycle path, and any person driving on or along the same with horse or vehicle renders himself liable to a fine.

Cities with a population of 100,000 or more may expend \$5,000 in the jubilee celebration; cities of 30,000, \$3,000, and other cities \$1,500.

Municipalities in Haliburton are authorized to grant a bonus or subscribe for stock not exceeding \$3,000 for the purpose of erecting grist mills.

The council of any municipality may assist the Victorian Order of Nurses by a grant of money.

When a vacancy occurs in the office of mayor during the last half of the year the council shall elect one of their own number to fill the office during the remainder of the year; or, in case of a temporary absence of the head of the council from illness or other cause, the council may appoint one of the members to fill the vacancy, and he shall have all the powers of the head of the council.

If any member of the council or any auditor makes an untrue financial statement, or knowingly omits from the statement to be issued on the 15th day of December in every year, he shall be liable to a fine of \$40 and costs.

The Debenture Registration Act is repealed, and new provisions in the Municipal Act are substituted therefor.

Councils are prohibited from borrowing more than 80 per cent. of the amount to be collected as taxes in any year.

Councils liable for the maintenance of a boundary line or highway may agree as to what part of such boundary line or highway each shall maintain, and shall be liable for accidents only on the part to be maintained by them respectively.

Councils may grant bonuses for the erection of grain elevators.

A member of the municipal council may become a candidate for election as a county councillor without resigning his office as municipal councillor, but he may not sit in the county council while continuing to be a member of a municipal council.

Wardens are to hold office for but one year.

Aldermen are no longer to sit as members of the court of revision in cities. The court shall, in cities other than Toronto, hereafter be composed of one member chosen by the council, one by the mayor, and one by the sheriff of the county. In cities of 30,000 and less than 100,000, the members of the court may be paid a sum not exceeding \$300, and in cities with a less population any sum which the council may by by-law direct.

An appeal may be taken from the decision of the three county court judges sitting as a court of revision in appeal in all cases, and from a single judge in cases where the assessment is \$10,000 or over.

County councils may divide the county into districts, and may direct that sales for taxes shall be held in the districts respectively instead of wholly in the county towns.

An appeal from an engineer's report on toll roads shall now be to the Provincial Instructor on Roadmaking, instead of to the county judge, as heretofore.

The act does not come into force until the first of July next, except section 42, authorizing municipalities in Haliburton to aid in establishing grist mills, which comes into force immediately.

They are in the new act, besides the foregoing, many other minor amendments.

Mr. J. B. Lang, of Toronto, has been appointed Provincial Municipal Auditor.

Constables and Tramps.

One of the changes in the Ontario Municipal Act relates to the tramp question. It is intended as a check to constables who might abuse their powers by arresting tramps when unnecessary, and thus add to the expense of county government:

24. Section 7 of the act regulating the payment by counties of certain expenses of criminal justice, being chapter 84 of the Revised Statutes of 1887, is hereby amended by adding thereto the following sub-section:

(2.) The board of audit where the accounts of constables preferred against the county for services performed in any local municipality in connection with the arrest and detention of vagrants are deemed unreasonable, or where the arrests appear to have been unnecessary or made for the purpose of making fees, may refuse to certify the accounts for such fees in whole or in part, or the board of audit may certify the facts and their opinion thereon to the county council which may, by resolution, refuse payment of such accounts in whole or in part.