

The Municipal World.

PUBLISHED MONTHLY.

ONE DOLLAR PER ANNUM IN ADVANCE
SINGLE COPY 10c

CLUB RATES TO COUNCILS ON APPLICATION.

Address all communications to

K. W. McKAY,

Manager, box 749, St. Thomas, Ont.

E. A. HUGILL, Travelling Representative.

Communications and advertisements for next issue must be in on or before the 20th of this month.

ST. THOMAS, JUNE 1, 1892.

The county council bill introduced by Mr. Hardy did not pass. It will probably be revised and brought in as a government measure next session. In the meantime cannot some of our experienced municipal officers suggest the best means of reducing the number of members of county councils if such a reform is desirable; nearly every person has a different idea on the subject.

*
**

A town clerk writes that he would like to see a short article written by some experienced clerk on work of a town council, also the order in which the business of the council should be conducted. He says an order of business fixed by statute would be of assistance. Will town and village clerks having rules of order governing the business of their councils, kindly send a copy to THE MUNICIPAL WORLD, and we will in a future issue publish a set of rules of order suitable for all councils in the Province.

*
**

Clerks should not delay returns required to be made to county treasurer by section 141 of Assessment Act. It is very necessary that all errors in description of property as entered in statement received from county treasurer should be corrected and returns made as promptly as possible.

*
**

A treasurer, writing in reference to circular received from the bureau of industries, with blank for return of receipts, disbursements, assets and liabilities for 1891, draws our attention to the item of principal and interest paid on tile drainage debentures. The act, chapter 38 R. S. O., fixes equal annual payment at \$7.36 for each debenture. For debentures issued previous to the year 1887, the annual payment is \$8.00. In order to give particulars required in return, a statement should be prepared showing amount of principal remaining unpaid on each debenture. Tables showing equal annual payments for 20 years for debentures issued previous to 1887 at the rate of 5 per cent., and for those issued since that time 4 per cent., should be prepared. This is not difficult,

as the equal annual payment is given, and the calculation need only be made for number of years debentures have been issued. We would suggest that a statement showing principal and interest paid and payable on each tile drainage debenture be entered in book required to be provided by the council in section 16, chap. 38, R. S. O., for reference in making returns and settlements with borrowers desiring to pay balance of principal due.

*
**

The amendment to section 278 of the Municipal Act, referred to in another column, requiring councils to remunerate clerks for services under the Ditches and Watercourses Act, is one that will be appreciated by all township clerks. The Ditches and Watercourses Act is an important one, and it is very necessary that parties taking advantage of its provisions should receive full information as to their duties and liabilities. This renders it necessary for the clerks to spend considerable time in explaining the different modes of procedure to applicants, and the legislature recognising the fact that this work is constantly increasing, and is in the interests of private individuals, has passed the amendment mentioned. We would suggest that by-laws be passed by township councils fixing the amount to be paid on each award to the clerk, and that the township engineer, in making his award, be required to add the amount to be paid to the clerk as costs in the award to be apportioned in the same way as engineers' costs. This has been done heretofore in a number of townships, and has been found to work satisfactorily, and the parties in whose interests the information is given or work performed should pay the expenses.

*
**

The Bell Telephone Company is being made to pay handsomely in many municipalities for use of the streets for placing the poles on which they string their wires. We notice that Hamilton will receive \$1,500 per year, and Kingston is making a move in the same direction, while Ingersoll has paid the company the sum of \$200 for an all night service. This telephone company has a valuable franchise in Ontario. The poles are, to say the least, unsightly, and while the citizens put up with the appearance on account of the great convenience found in the use of the phone, still we think the rights of municipalities should be considered, and where telephones are required for police stations, fire halls, or fire alarm services, that the question of requiring the company to pay for the privilege of using the streets could be used to advantage. A general move in this direction would no doubt result in legislation regarding the matter at the next session of the legislature, but in the meantime what other municipalities have secured, other municipalities similarly situated are entitled to.

Appeals from Court of Revision.

Any person may appeal to the County Judge against the decision of the Court of Revision or against the omission, neglect or refusal of the court to hear or decide an appeal. Those desiring to appeal must serve a written notice on the clerk of the municipality or assessment commissioner, within five days from the first day of July. The notice is to be of the intention to appeal. Its object is to inform the parties concerned that the person decided against is dissatisfied and intends to avail himself of the right to appeal. If it substantially gives this information, no matter what the form may be, it will be held sufficient. The grounds of appeal need not be stated on the notice, but it should on the face of it in some manner appear that the party is dissatisfied with the decision appealed against. The clerk is required, immediately after the time limited for filing appeals, to forward the list to the judge, who will notify him of the date appointed for the hearing, and if in the opinion of the judge, the appeals appear to involve the calling or examination of witnesses, shall fix the place for holding the court within the municipality from the Court of Revision of which such appeal is made; or at the place nearest thereto where Division Court is held.

The clerk is then required to notify all the parties appealed against, at least six days before the sitting of the court. If the clerk neglects this duty, the judge may direct service of the notices, and adjourn the sitting of the court. In the municipality of Shuniah, the notice of appeal is required to be given within ten days after the first day of August in every year. The clerk of a municipality is required to act as the clerk of the court. The judge may adjourn the hearing from time to time, but all appeals are required to be determined before the first day of August, except in the municipality of Shuniah, where the time is extended to the fifteenth day of September. Exception is also made where cities, towns and villages have passed by-laws for taking assessment between the 1st July and 30th September, in which case the rolls are to be returned on the first day of October and the time for closing the Court of Revision is the 15th of November, and the rolls are required to be finally returned by the judge on the thirty-first day of December.

In counties where by-laws have been passed providing for taking the assessment in towns, townships and villages between the first day of February and the first day of July, the time for closing the Court of Revision is extended to six weeks from the day fixed in the said by-law for the return of the roll, and for final return in case of appeal, twelve weeks from that date. Every decision of the judge is final and conclusive, and the clerk is required to amend the roll accordingly.