

## QUESTION DRAWER.

SUBSCRIBERS only are entitled to opinions through the paper on all questions submitted if they pertain to municipal matters. Write each question on a separate paper on one side only.

SUBSCRIBER.—When the collector returns the roll to the treasurer he makes oath before him as to all uncollected taxes, etc. In this case is it necessary for the council to issue an order to the treasurer, to, as they say, "balance the roll?"

It is not necessary for the council to issue the order to the treasurer, mentioned by our correspondent, or to pass a resolution to that effect.

J. A. S.—Can a pathmaster in the event of a ratepayer refusing to perform his statute labor compel him to do said labor? Does the municipal statutes deal with him the same as those who are not ratepayers but are twenty-one years and not over sixty, or is the only recourse, as is very often done, collect the same with taxes?

2 Can village councillors remunerate themselves as councillors?

(1) No. He can only return him to the clerk, as a defaulter, in the manner provided by section 101 of the Assessment Act.

(2) Assuming that the village referred to is an incorporated village, the head of the council only may be paid such annual sum or other remuneration as the council of the municipality may determine. See section 232 of the Municipal Act.

CLERK.—Are the municipal councillors of an incorporated village entitled to remuneration as such?

No. Except the head of the council. Section 231 of the Municipal Act provides for the paying of the members of township and county councils, and section 232 for the payment of such annual sum or remuneration to the head of the council of an incorporated village as the council of the municipality may determine.

DEXTER.—A farmer owns a farm in a township which he rents to a tenant, and he lives on a rented farm in another part of the township. Is it right that his son should be assessed as a farmer's son, as he is living on a rented farm?

We are of opinion that the son could not be assessed as a farmer's son, under the circumstances mentioned. The Act should be amended to extend the franchise to the son of a farmer who lives with his father on a farm of at least twenty acres, provided he owns a farm of twenty acres or more in the same municipality.

PELHAM.—A road company, formed under the Road Companies' Act, abandoned the road owned by them as provided in section 81 of the said Act, and the road is now under the jurisdiction of the council of this township. At the time of the abandonment there was a quantity of prepared stone on the said road (not placed but ready to be used). Who has a right to the ownership of the stone—the township or the road company?

The municipality are the owners of the road, as successors of the company, and liable for the maintenance and repair, and we think that the stone in question was vested in them on the abandonment of the road by the company, and the company cannot now remove the same.

J. H.—What would be the proper means to force surveyed streets and lanes to be opened in an

incorporated village, and who should have same done?

Assuming that the plan on which the streets and lanes are laid down has been duly filed and is binding on the person filing the same and other persons interested, as provided in section 86 of the Registry Act, the council should pass a by-law for the removal of obstructions on the streets or lanes, pursuant to the power given them by section 550 of the Municipal Act, sub-section 1.

PARRY SOUND.—A dam has been constructed in an adjoining township by a lumber company. The water in the river, thus dammed, floods the roads in our township, rendering them impassable. What course should we take to get the matter righted?

In reply we refer our correspondent to section 522 of the Municipal Act, which provides that a notice in writing may be served on the head of the council of the adjoining township, into which the stream or creek flows, requesting such council to clear such stream through their municipality—which they are required to do within six months. If the council, receiving such notice, neglect the duty, and by reason of such neglect, any public road, street, bridge or highway shall be out of repair, the corporation in default shall be responsible for all damages.

I. CLERK, ALGOMA.—Where a portion of a union of townships formed into a municipality, is separated and incorporated as a town, and the remaining townships are formed into a municipality divided into wards, in what way do I, as returning officer, ascertain the lists of voters to be used at an election for such a new municipality?

2. Has a returning officer (for any reason) any authority for refusal to accept a nomination for the office of reeve and councillor in a town or township municipality?

3. Does a candidate for a councillor in a town require to have property qualification in the ward which he is a candidate for; providing he has it in some ward of such municipality? Or can a candidate for councillor qualify on property in two wards not having sufficient in one?

4. Do the revised statutes of Ontario make any provision for the calling of a school meeting for the election of trustees in a newly formed school section, in a township, before the regular annual school meeting?

(1) If the Voters' List cannot be furnished in accordance with section 130 of chapter 184, R. S. O., or the election held as provided for in chapter 185, R. S. O., sections 6 to 16, our correspondent should send fuller particulars, explaining position of municipalities interested before incorporation of the town, also the manner of incorporation of the town, the formation of the new township, and also his authority for acting as returning officer and when election is to take place.

(2) No. The returning officer cannot question the right of any person to a nomination for the offices named. See section 117, Municipal Act.

(3) No. Can qualify if he has sufficient property within the municipality. See declaration of property qualification.

(4) If section is formed of portions of pre-existing sections, the meeting is held at same time as other annual school meetings, as provided in section 29 of Public Schools Act, 1891.

In unorganized townships in any county or district the meeting for election of School Trustees may be held at any time after formation of section, as provided in section 43 and following sections of said Act.

FERRIS.—In making out list of lands liable to be sold for arrears of taxes, some of the lands were in arrears for 1888 and continuously on to present time. As treasurer I made out list of land to be sold to year 1890, inclusive. I wrote to a lawyer, stating that I wished to know if year 1891 could be included. He stated, I could only put in lands in default since 1888 as it required that time to be three years in arrears. Will you please state if all taxes have to be three years in default, as it will be of interest to many in this district. Please state question in what manner you think best.

The lands in arrear for 1888 might have been sold for taxes in 1891, but the arrears for 1891 could not have been included. Where lands have been in arrear continuously for three years and are unoccupied in the fourth year or subsequent year, in which proceedings are taken for the sale of land in arrear, the taxes for the year in which the sale takes place still remain in arrear—after the sale.

M. C.—1. Can a councillor who does not receive any salary from the village do any work and receive pay for it?

2. Can a pathmaster hire one of the councillors to do corporation teaming for him?

(1) No. Assuming that the work referred to is to be done for the village corporation.

(2) No. The pathmaster is an employe or agent of the corporation, and the teaming contract would be let by him on behalf of the corporation, and we presume would be paid for with corporation moneys.

The MUNICIPAL WORLD has just been placed in my hands, and I am so pleased with it that I enclose my subscription for the year.

J. B.

## General Directions to Truant Officers.

The following general directions to truant officers have been issued by the education department of Ontario: Each officer shall endeavor to procure the attendance at school of all children in the district assigned to him, between 8 and 14 years, visiting them at their homes or places of employment, or looking after them in the streets for this purpose, and shall, by persuasion and argument, both with the children and their guardians, and by other means than legal compulsion, strive to secure their attendance. The officers shall not be employed to enquire into the occasional absence of pupils. When a truant officer shall be unable in a district assigned to him to procure the attendance at school of any child who is an habitual truant, or who is required by the provisions of the law to attend school, it shall be the duty of such officer, after notice as required by the Act, to procure a warrant and arrest such child, who shall be brought for trial before a magistrat having jurisdiction in the case.