

those who have been elected for the first time. A majority or those elected form a quorum for the transaction of business, and a majority of a quorum where a council is composed of more than five members is all that is necessary to carry any resolution or transact any business. A council, say of twelve members, would be properly competent to transact business at a meeting where seven were present, and the concurrent vote of four of these would be sufficient to carry any resolution. Not so with the councils having only five members, such as townships and villages, for while three is a majority of the whole council and would constitute a quorum for the transaction of business, if only that number were present it would require their unanimous vote to carry any resolution, as no less than three concurrent votes will do in any case. The mayor, reeve or chairman always has the same right to vote on all questions as the other members of council, and should the vote be a tie it is declared lost. This rule does not, however, apply in the case of the first meeting of county councils on the vote appointing a Warden, for the county clerk who is temporarily acting as chairman has no vote. In case of a tie for warden, the reeve or deputy reeve representing the largest assessed municipality has a second or casting vote whether the tie vote is by ballot or an open vote.

County councils hold their first meetings in the county town on the fourth Tuesday of January at 2 p. m. "or at any later hour of the same day or on some day thereafter." There is quite a difference in the wording of the law as between the county councils and local councils in the matter of the time for the first meeting. If the county council does not meet at 2 p. m., then they meet at a later hour of the same day, whereas no provision is made for local councils to meet at a later hour than 11 a. m. on the same day provided there was not a quorum present at the hour named. We do not think this would be material, however, provided all the members of a local council attended at a later hour. But in case that a quorum only attended and proceeded to business, would the meeting be a legal one and the business transacted hold good if the absent members objected? In the case of a council composed of five members, where the concurrent vote of three is always necessary, we think the proceedings would hold good, but it might be otherwise in a city or town, if a quorum only attended, and a contract was given out or other business transacted on the vote of a mere majority of those present, which might have been against the wishes of a majority of the whole members had they been present. Absent members could properly plead a reasonable cause for absence on the ground that the clerk should have called the meeting on some other day and given them due notice.

A vote of a majority of reeves present provided there is a quorum is sufficient to elect a warden. There is frequently considerable delay in obtaining a majority vote where there are several candidates for the honor. There is no particular rule laid down as to the course to be pursued, whether by ballot or open vote, but many councils agree in advance to have all nominations made first, and

then to ballot and should none have a majority of the whole members present on the first vote, that the lowest in number of ballots drop out on the second ballot, and so on until two candidates only remain, unless in the meantime one of the candidates has obtained a majority vote. If at the last there should be a tie vote, the reeve, or in his absence the deputy reeve, of the municipality which had the greatest equalized assessment in the county the previous year has a second or casting vote. By adopting this manner of electing a warden but little time need be lost in getting to business, whereas by offering one amendment after another as is sometimes done, and voting upon them separately, leads to combinations of the friends of several candidates uniting against each motion or amendment, and it has happened that a majority vote could not be reached for a day or more. Members of county council may be paid \$3 per day for attendance, and five cents per mile each way. The warden may be paid such annual remuneration as the council may determine.

The head of the council of any county, city, town or incorporated village may be paid such annual sum or other remuneration as the council of the municipality may determine. This, no doubt, is because the legislature have taken into consideration the fact that wardens, mayors and reeves must necessarily devote much of their time to the public, and are entitled to more than a mere stated allowance such as might reasonably be paid to other members of council for attendance at meetings. The responsibility is greater in case of the head of the council, and it might also be readily understood that the financial calls on him for subscriptions, charity and personal expenses are more than what is expected from ordinary members, so that the remuneration which is generally none too large, is left to the determination of the council. Members of county or township councils are limited to \$3 per day for attendance at council meetings and 5 cents per mile each way for travelling expenses. No provision is made for the payment of aldermen or councillors in cities, towns or villages for their attendance at council or for mileage. Section 479 of the Municipal Act, however, provides that members of any council may be appointed commissioners, superintendants or overseers of any road work undertaken by the municipality, and makes it lawful to pay such members of the corporation as may be acting in the capacity of commissioner, superintendent or overseer. We never could see the propriety of the public expecting those they elect to attend to their concerns to do so for mere thanks, although even that satisfaction is more often denied than given councillors. The power to pay a limited sum to all the members for attendance at city, town and village councils should, we think, be given these councils, as is now done in townships. Let it rest with the members themselves to forego payment if they felt so disposed.

The head of every council is by statute declared to be the chief executive officer of the corporation, and certain highly important duties and responsibilities are placed upon him. The law says he shall be vigilant and active