

the supreme merit of continuity. The problem of the Highways Commission is, therefore, to devise a practical scheme whereby the present improved county systems may be turned to better account by connecting them with other county systems also improved. The counties which are too lethargic to keep in line with roads progress must be awakened, and spurred on. Over all this co-ordination, and unification of the various local systems, there will have to be the generalship of a commission thoroughly advised of road conditions in every nook and corner of older Ontario. As the amount at the disposal of the commission will probably be five millions at first, with another five millions later, it is evident that the main advance must be made through the agency of the municipalities. Special road construction may, of course, be undertaken by the commission, but plainly the diffusion of benefits will be chiefly secured through welding the local good roads systems into a well rounded whole. Existing systems must be connected, gaps must be filled in, municipal activity stimulated, the problem of special treatment of suburban roads solved, and the townships brought much more prominently into line.

A big task? Without a doubt. But there are some factors which rather help to clear away the mists that, to the unknowing, obscure avenues of action. It has been found in the United States, where there are 2,200,000 miles of country highways, that 15 per cent. or 20 per cent. of the main highways carry from 80 to 90 per cent. of the total traffic, and 60 per cent. of the farm traffic. In Ontario, the trunk and leading market roads, form-

ing from 12 to 15 per cent. of the total road mileage within the county, carry 80 per cent. of the traffic. It is easy, then, to figure out that the main effort of the commission must be to bring these main roads all up to standard, encouraging, as far as possible, a concurrent improvement of the 25,000 miles of tributary roads. It seems tolerably certain that two of the measures to this end will be the increasing of the Government's contribution to the cost of "good roads" built by the counties from a third, to one-half, and the granting of aid toward the maintenance of such roads. The abolition of statute labour, and the substitution of a general tax, may also be made general.

THERE is an intimate connection between the problem of maintenance and automobile traffic. About two years ago, the south half of York County, the people of Toronto, and the Government each contributed \$100,000 toward a fund to build good roads in the environs of Toronto. The mistake was made, apparently, of trying to make the money cover too great a mileage, which was fixed at 114 miles, and the depth of the metalling suffered in consequence. Recently, many complaints have been made that the roads have already disintegrated badly where the automobile traffic has been heavy. The grinding, wearing "push" of the rubber tire takes the top off the ordinary macadam road like one peels a banana. It may be possible to prevent such deterioration by constant repairing by patrolmen, but it is becoming increasingly evident that an asphaltic binder, or concrete, must be put on the surface. Automobile

usage of such roads as these York county highways, the road between Niagara Falls and Hamilton, and Hamilton and Toronto, has increased in a few years from about 5 per cent. of the traffic to over 50 per cent. Modern progress will not permit of keeping the automobile off the roads, so what must be done is to grow to the new conditions, build roads to withstand the new traffic, and distribute the financial burden accordingly. This is one of the tough nuts the commission will have to crack. There will be a demand for some form of government assistance to permanent suburban highways. Concrete roads, for instance, cost about \$15,000 a mile, while the macadam standard of the present government requirements costs about \$2,000 or \$3,000 a mile. The problem of the concrete road was aired about a year ago when the Toronto-Hamilton permanent highway was proposed. Certainly for such roads the old standards of macadam construction are becoming obsolete. On the statute books at present is a law empowering cities to join with adjoining counties in paying the cost of special road building in the outskirts of the city, but as the cities usually have all they can do in building roads within their limits, there has been little response.

Nothing has been said in this article about the benefit of good roads. The point has, surely, been settled by common consent. Good roads reduce marketing costs, facilitate rural communication, increase the value of farm lands, make country life brighter and more suburban in nature. It has been shown that good roads effect great savings for the farmers every year, and confers on them comforts and conveniences without so tangible a value.



AND I direct my said executors to pay to my beloved nephew, Ivan Day, the sum of \$3,000 annually until he shall win his first case in any court in the said Province of Ontario, and then to pay to my beloved nephew, Eric Brown, the said sum of \$3,000 annually for a period of four years.

Although both were lawyers in active practice, neither of the nephews had ever found a legal document quite as interesting as the above paragraph from their uncle's will—a provision which the eccentric Uncle Jasper himself had always regarded as a masterpiece of wisdom.

"That \$3,000 a year," he used to say, "will keep Ivan going until he can earn his way at the bar. By that time Eric will be starting practice and four years should see him over the hardest of it."

Up to a certain point everything happened as Uncle Jasper had intended. Ivan was admitted to the bar, and clients came in goodly numbers, but for nearly three years he did not conduct a single case in court, and did not conceal the fact that he never intended to. He found it more profitable to farm out his court work to some other lawyer and enjoy the income from the will.

"Day is different from the rest of us," the other lawyers often said. "We can't afford to lose cases; he can't afford to win."

Two years later Eric was called to the bar, and was soon regarded as one of the brightest of the younger lawyers in Toronto. He also found time to compete with Ivan in matters outside the profession, and his engagement to Beth Munro was duly announced.

This was a bitter disappointment to Ivan, but he was somewhat consoled by the knowledge that his retaining the income would postpone their marriage for a few years at least. Eric, for the same reason, regretted the loss of the money as he never had in his briefless days when clients were few and indigent.

"And you feel certain that you are really entitled to the income?" Beth asked, one evening, after Eric had quoted the will for the hundredth time.

"Certainly. Ivan is simply evading the plain spirit of the will. I would call him a 'shyster' if he were not my cousin."

"Is there no way of compelling him to carry out your uncle's intention and give up the income?" she asked.

"None whatever," was the gloomy reply. "He can't be compelled to win a case, and as long as

he don't he can hold the income forever."

"Are you sure?" persisted Beth.

"Absolutely. I've looked it all up myself, and had the opinion of some of the best lawyers in Toronto."

"As I understand it," queried Beth, "as soon as



"And you can't see any way of making him win a case?"
—Drawn by E. C. Reid.

Ivan wins a case, no matter how, the income goes to you?"

"Sure."

"And you can't see any way of making him win a case?"

"Certainly not," Eric replied. "I've schemed over it for hours."

"Then listen to the feminine view," commanded Beth, as she rapidly outlined her idea of the problem.

"Why didn't I think of that?" he exclaimed. "You've certainly beaten the best will-breakers in Ontario."

The next day Eric entered suit against Ivan, and alleged that Ivan had already won a case as required by the will, and asking for an order of the court that the income might be paid to Eric in future.

"I can't understand it," Ivan said to the eminent K.C. to whom he was explaining the matter. "I've never tried a case in my life, and Eric knows it."

The eminent K.C. looked over the papers carefully. "You're stung," he announced.

"How?"

"Well," he explained, "if Brown wins this suit against you he gets the income."

"Yes, but how can he win," argued Ivan, "when I've hardly been inside a court?"

"Then you'll win this suit," replied the counsel.

"Of course."

"Then," continued the K.C., "if you win this suit it is the first case you have won, and that gives Eric the income according to the will."

"Heavens! I never thought of that. What had I better do?"

"You'd better settle out of court," advised the K.C. "If the matter gets in the paper it will be worth more than \$3,000 a year to your cousin as an advertisement."

NEXT day Ivan called at Eric's office, where he had a cordial reception, for they were on friendly terms, notwithstanding Beth and the income.

"That suit of yours puts me in quite a dilemma," he said, nervously.

"How's that?"

"Why," said Ivan, "if you win it gives you the income."

"And if I win," continued Ivan, "it gives you the income according to the will."

"Looks that way, don't it?" Eric admitted.

"I'll tell you what I'll do," Ivan announced. "If you will drop the suit and never tell how you managed it, I will win a case as soon as possible and allow the income to go to you as provided in the will."

"Agreed," said Eric, readily.

Two weeks later Ivan astonished his professional friends by winning the case of *Gilmore vs. Brown*, and the court made an order that the income should be paid to Eric in future.

A few days after the order was signed Eric met the eminent K.C. in the law library.

"You never thought of that scheme yourself?" he queried.

"I certainly did not," Eric admitted. "I had the best advice in Toronto."

"I'd certainly like to know his name," persisted the K.C.

"Why?"

"Because I want him for a partner if he is not already located."

"I'm sorry," replied Eric, "but she has just arranged to enter into a life partnership with me."