

and the embankments, . . . were as necessary for that purpose as the wooden section. They are artificial structures, and the authorities referred to by the Judge amply warrant the conclusion that they form part of an entire structure which may properly be called a bridge.

I do not think that sec. 617a is to be read as applying only to bridges crossing rivers, streams, ponds, or lakes. There is nothing in the language of the section itself so limiting it, and, as appears to me, no reason why it should be so limited. What the legislature had in view was to relieve township municipalities, upon which that duty is primarily imposed, of the burden of maintaining long, and therefore expensive, bridges, which were not merely local in their character, but were on important highways affording means of communication to several municipalities, and to cast that burden on the county, and no reason occurs to me why the legislature must be taken to have confined that relief to bridges crossing rivers, streams, lakes, or ponds, and to have therefore excluded bridges crossing ravines. . . .

It was strenuously argued by counsel for the appellants that, however the law might otherwise have been, the provisions of sec. 605 of the Consolidated Municipal Act, 1903, as interpreted by a Divisional Court in *Traversy v. Township of Gloucester*, 15 O. R. 214, render it impossible to apply to the construction of sec. 617a the authorities upon which the Judge proceeded.

I am unable to agree with that argument.

Section 605 has no application to this case. Its provisions apply only to cases in which two municipalities are concerned, the one having jurisdiction over the bridge and the other over the highway: *Johnston v. Nelson*, 17 A. R. 16. In this case it is upon the respondents and upon them alone that by law the duty of keeping in repair both the bridge and the highway rests, and the purpose of the application which they have made is to obtain a transfer of that liability as to the bridge from them to the appellants.

In my opinion, the order of the Judge of the County Court is right and should be affirmed, and the appeal from it dismissed with costs.