

It is important to notice that until the receipt by the council of the letter of Mr. A. E. Watts, written on behalf of and in the interest of the Waterous Engine Works Co., there had been, as far as appears, no complaint from the public or any members of it concerning the condition of the street, or any demand for an alteration. So that it was only upon receipt of the letter that the attention of the council was directed to the street. They were then required to consider a distinct proposal to close up the portion of the street intervening between two parcels of land belonging to the Waterous Engine Works Co., and perhaps as involved therein the effect upon the street and its user by persons owning property thereon and others, in the event of the Waterous Engine Works Co. erecting buildings at the other side of the street. . . .

It is significant that no members of the council, or others who might be considered as regarding the matter from the point of view of the public interest, visited or examined the applicant's premises or made any attempt to ascertain how he or his property would be affected or what his views were with reference to the proposed change. On the contrary, the committee to whom Mr. Watts's letter was referred seem to have been satisfied to leave that task to the Waterous Co. They recommended that the company be requested to meet any "parties" affected by the proposed change, and, if possible, to make satisfactory arrangements with them, and the council adopted the report. Whether the company were requested to meet the "parties" does not appear, but, whether or not, nothing was done. The applicant was one of the public specially interested in the street, yet his interests were apparently not taken into consideration. The council left the publication of the notices and the conduct of the matter in the hands of the representative of the company. A draft agreement for the sale of the portion of the street to the company was prepared, and everything was done on the footing of a foregone conclusion that the proposal would be carried through.

It is further to be noticed that, although Mr. Watts's letter speaks of buildings to be erected and workmen to be employed as the result of the proposal being accepted, the agreement with the company is silent with regard to these matters. The company are in no way bound to build or employ further workmen. They are left free to make such use of the land to be conveyed to them as they think fit. On the other hand, the city is burdened with the maintenance for the future of a longer street or highway. The company are only