

PREFACE.

The belief, first entertained about a year ago, that a work dealing exclusively with the liability of municipal corporations for negligence in respect of their highways, was needed in Canada, led me to commence the collection of the authorities on the subject. These are embodied in this somewhat modest volume. The learned authors of Biggar's Municipal Manual and Harrison's Municipal Manual, having to cover the whole field of Ontario municipal law, were necessarily unable to devote more space to the subject than what is found in their notes to the section which imposes the statutory liability.

In view of the fact that in some other provinces of Canada this statutory liability is absent, it has been found necessary to treat of the nature and scope of the liability at common law.

A work of this kind, to be of much value, must of necessity contain a great many citations of United States decisions. On every point of law on which an English or Canadian decision has appeared it will be found that such decision is given, and the United States law on the same point is, in many instances, added for the purpose of comparison. Then, too, there are many points of law settled or dealt with by the American Courts that have not as yet been presented for decision in our own Courts. The authorities on these points are to be found in considerable number throughout the book.