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*Docks*, 11 H.L.C. 443, to which Mr. Harrison turned our attention. (Reference to *London County Council v. Churchwardens*, [1893] A.C. 562, 585; *The Queen v. West Derby, L.R.* 10 Q.B. 283; *Durham v. Churchwardens*, [1891] 1 Q.B. 330, and *Tuncliffe v. Birkdale Overseers*, 20 Q.B.D. 450, as to the application made in these cases of the decision in *Jones v. Mersey Docks*, 11 H.L.C. 443; and to *Coomber v. Justices of Berks*, 9 A.C. 61, and *Greig v. University of Edinburgh, L.R.* 1 H.L. (Sc.) 348.)

The Mechanics' Lien Act was passed in the interest of workmen and contractors so as to afford them some security by way of a lien on the buildings which had been created by their labour. If the principle is worth anything, it is equally as valuable, in the case of a school building paid for by an assessment on the inhabitants of a school district as in the case of an individual taxpayer erecting a building for his private purposes. The Legislature has expressly exempted from taxation the property of the Crown and the property belonging to common school districts (sec. 3, of ch. 170, C.S.N.B. 1903, "Respecting Rates and Taxes"), and if it was the intention of the Legislature to exempt school property from the operation of the Lien Act it is fair to assume that a special provision for the purpose would have been made.

It was also contended that inasmuch as the enforcement of the Lien Act involved a sale of the property in case of the non-payment of the money, it was inapplicable to a case like this where the buildings could not be seized under execution: *Scott v. The School Trustees, Burgess, etc.*, 19 U.C.Q.B. 28, was cited as an authority to shew that school buildings could not be seized under execution. Lord Blackburn, in *Coomber v. Justices of Berks*, 9 A.C. 61, at 72, disposed of a similar objection in this way. "I do not much doubt that, if the premises were taxable, means would be found for obtaining payment."

I quite agree in thinking that the public school buildings are not liable to seizure under execution. The Legislature has made ample provision in the Municipalities Act (R.S.N.B. 1903, ch. 165, sec. 131), and in the School Act (R.S.N.B. 1903, ch. 30, sec. 82), for the collection of any judgment against a municipality or against the school trustees. In both cases, as is usual in the case of public corporations holding property for public purposes, special provision by way of assessment or otherwise is made for obtaining the money to pay the debt, and in such cases it is obviously the intention of the Legislature that the method so provided should be adopted. No order for the sale of school property need, therefore, be made.

I have not thought it necessary to consider the question as to whether under Lien Act, an owner can be made liable for an