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The numerous actions for damages, caused by highways being out of repair, and the excessive verdicts, which in some instances have been secured against municipal corporations, has led to a change in the law, whereby they may be tried by a judge without a jury. Whether this will have the desired effect or not, time will show.

Accidents are often caused by contributory negligence on the part of the plaintiff, and in many instances the actions are entered at the instance of solicitors or their agents.

While there is reason for complaint on the part of municipal councils, a great many accidents would not happen if the highway was in repair, or properly protected. No one is in a better position to judge of this fact, than members of the councils, who, rather than admit this neglect by making a settlement, instruct their solicitor to put in a defence, and thereby transferring the responsibility to the judge or jury, at the expense of the ratepayers, whose taxes are used to pay verdicts and costs.

* * *

The county council of Huron, at its June session, passed a by-law in accordance with the Municipal Act, section 113, which provides for the holding of nominations for reeve, deputy-reeves and councillors on the last Monday but one in December, the same day the county council nominations will be held.

In districts composed of more than one municipality this will be inconvenient, as it will divide the electors and prevent many who desire to attend both meetings from doing so. We would suggest that this year at least it would be advisable to have the nomination meetings on separate days. The Municipal Act does not state

that by-laws passed in accordance with section 113 are to remain in force for a specified time or that they may not be repealed at any session of the council.

County councils, where by-laws have been passed changing the nomination day, should consider this matter at the November session with a view to having the nominations on separate days.

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In determining the number of ballots required by the various polling sub-divisions in the different municipalities of a county, clerks should refer to the Voters' Lists in the office of the sheriff or the clerk of the peace. In every instance a record should be kept of the number of ballots sent out.

Ottawa vs. Carleton.

SETTLEMENT OF ADMINISTRATION OF JUSTICE, EXPENSES TO BE PAID BY THE CITY.

Municipal bodies in Ontario will be interested in the arbitration just concluded to determine the amount to be paid for the next five years, under the Municipal Act, by the city of Ottawa, to the county of Carleton, on account of jail and court house expenses. For the five years up to 1890, the city paid the annual sum of \$5,800. Then in 1890 the city was coaxed into increasing this amount to \$9,750 per annum. This year the county wanted \$10,800, which the city refused to pay, but offered the county \$10,000. The county declined to accept the sum, and an arbitration was decided upon. Judge Deacon of Pembroke was the county arbitrator, Taylor McVeity, the city representative, while Judge Bell of Chatham was appointed third arbitrator by the Lieut.-Governor of Ontario. The city's case was vigorously fought by city solicitor McTavish, with the result that the award, on which all the arbitrators are in accord, gives the county a net annual payment of \$8,104, or \$1,900 less yearly than they were offered. The arbitrators disallowed the county's claim for compensation for common use with the county by the city of the court house and jail. The decisions in County of Kent vs. Chatham, and County of Lincoln vs. St. Catharines had an important bearing on the award.

The condition of the streets in London, England, which are now in the possession of the pavers, sappers and miners, is beyond the power of precedent or magistrates. Repairs are in progress simultaneously in all the thoroughfares, and blocks are constant, especially at midnight, when the theatres are emptying their audiences into streets where cabs cannot approach. If 12,000 cab-drivers go on strike next week, of which there is a good prospect, another and more serious complication will arise.

The Development of the County Council in Ontario.

From 1792 up to the year 1834 the justices in Court of Quarter Sessions managed all local matters, and in that year an act was passed which provided that at the annual township meetings, Fenceviewers might be appointed.

In 1835 a further change was made, which was authorized at the annual meeting, to appoint a clerk, three commissioners, assessor and collector and any number of overseers of highways and poundkeepers.

The most important change was the appointment of commissioners, to whom they transferred many of the powers respecting the maintenance of roads and bridges, previously held and exercised by the Justices in Quarter Sessions. The commissioners were required to meet three times at the place in which the annual meeting was held, and to hold as many other meetings as they thought necessary at any place within the municipality.

The Quarter Sessions still retained the authority they formerly held in reference to the administration of justice and alteration of highways and other matters general to the district. This was the municipal system in vogue at the time of the rebellion, after which, in 1839, the township commissioners were named wardens, and while this system does not seem to have been much in the direction of popular self-government, as the officers were not intrusted with the powers necessary for efficient municipal government; any act that took from the nominative magistracy any of the powers they exercised was appreciated. This system was continued up to the year 1841, when the province was divided into districts, and an act passed which provided for district councils to be composed of one or two members to be elected at the regular meeting in each township, and to hold office for three years, retiring in rotation. The council was required to meet four times a year. The warden, treasurer and clerk were appointed by the governor of the province.

Every by-law passed had to be approved of by the provincial authorities. The governor had the power to dissolve the councils at any time.

To the district councils were transferred the powers of the Quarter Sessions, in reference to municipal affairs. This system was continued until 1849, when an act establishing municipal and county councils similar to those of the present day was passed.

The township council was to consist of five members elected by a general township vote or by wards. The councillors were to elect one of themselves reeve and a deputy for each 500 freeholders on the collector's list. This was afterwards changed to the present system, whereby the reeve is elected by the direct vote of the electors.