

to the highest bidders so much of delinquent's lands so dyked drained or improved as aforesaid, as may be sufficient, etc."

I think that the provisions of this Act do not give the commissioner of the smaller bodies or divisions or their constituents any non-intromittent clause against the commissioners of this area.

Of course extreme cases may be put off one area of benefit for an aboiteau, another for a drain and so on, and in actual practice these things do not occur, and the proprietors have good sense. The usual work, walls, fixed its own area. Even if the assessment was worked out in kind as of old, majority rule as well, as the despotic commissioners, before that period would not be likely to require them to be summoned on the same day for two different bits of work. Possibly the proprietors of a body or divisions could under section 32 cut out an aboiteau which was only a benefit to and a charge on their own division, but they could not cut out this aboiteau without applying to the commissioner for this area.

We read of no actual conflict or interference taking place between the respective authorities. One who lives in cities at least soon finds that for local improvements there may be different areas overlapping and local rates taken from him in respect to both, and he would not be protected by such a description as a "board having the management of the streets," or "in charge of them" when a long sewer came along on its way to the sea.

The people understood each other. This is in evidence. Charles J. Logan, who acted as clerk for more than one division, is asked in cross-examination: "Q. In point of fact, so far as your experience as a clerk goes, you have been treating the bodies A. B. & C., the one of which you have been clerk, as distinct entities with distinct commissioners and distinct assessments? A. That is for dyke protection. "Q. For some purposes. A. Yes."

There is no evidence to the contrary.

There have been later additions to the Act, and expressions of description are used which might not be clear as to which commissioner is meant. But if the proprietors do not supersede him altogether, probably for local works like draining part of the area (s. 30), or making or repairing fences, private roads or bridges (s. 31), the commissioner already selected for the body or division is no doubt to have the preference in carrying on the work and they would have to approach that commissioner.