

Law Society to abandon their rights of examination. The Law School in its present shape can be rendered much more efficient, and the Trustees hope that the steps which have been taken in that direction may have the desired effect.

The opinions of the various County Associations throughout the Province have been noticeably felt in connection with the deliberations on the consolidation of the Rules and the re-organization of the Law School, and the Trustees consider that it is a matter of congratulation to the profession that questions of importance to the Bar now receive such general consideration.

Hamilton, 7th January, 1889.

E. E. KITTSOY, *Secretary*.

EDWARD MARTIN, *President*.

Correspondence.

EDITOR OF THE CANADA LAW JOURNAL :

Sir,--At the last sittings of the Division Court here, a case involving some interesting points in municipal law was decided.

As neither the English nor our own reports, so far as could be discovered, contain any similar case, and being unable to assent to the views taken by the learned trial Judge, the writer ventures to state, shortly, the facts of the case, in the hope that additional light may be thrown upon the law it involves, by some of your subscribers.

In the year 1874, certain private persons subscribed and paid for the building of a two-plank sidewalk on a public street within the corporate limits of this town; the then Town Council being unwilling to be at more than the expense of grading the ground for the walk, which was accordingly done by them. After the lapse of several years, the corporation put down a third plank on a portion of the walk, and, from time to time, made certain repairs thereto, until last year, when upon the complaint of some of the citizens that the sidewalk was in a dangerous condition, it was by the authority of the Town Council taken up, and subsequently that portion of the plank which remained good was cut up and utilized in the construction of sidewalks upon other streets in the town.

Whereupon several of the subscribers more particularly interested, being residents upon the street whence the walk was removed, instituted the present action, on behalf of themselves and all the other subscribers, against the municipal corporation, claiming damages for the materials (plank) that had thus been converted, and for the loss of the use of the sidewalk.

It was in evidence that the parties' plaintiff had paid some \$120 for the materials and the construction of the walk, and that it was laid down under their sole control and supervision; that, at the time it was taken up, it could