

Scotia, and Prince Edward's Island. One thing essential to its successful working is peace and harmony on the part of all, directly or indirectly concerned in its administration. When disagreements do arise, they are, in nine cases out of ten, traceable to very minute and childish causes. Were the principle of "give and take," so useful between individuals in the transactions of every-day life, to enter more into the transactions of public bodies, the evils of which we complain, would not find an abiding place wherever our Municipal institutions flourish.

A Court of Quarter Sessions assembled, begins to survey the room in which it sits, and all at once is struck with the notion that damask curtains or a Brussels carpet, would be a decorative improvement in the appearance of the Court Room. Forthwith Mr. A. B., the well known upholsterer, is ordered to furnish the coveted finery. Nothing doubting the authority of the Magistrates to give the order, the curtains and carpets are duly installed. A "little bill" of course meekly follows. The Magistrates have no public funds out of which to liquidate the same; but an order is directed to the County Treasurer in favor of the importunate tradesman, for the amount of his "small account." The Council get into a pet at the wound inflicted upon their municipal dignity, and by way of displaying their feelings, and of showing their authority, the right of the Magistrates to draw the order is flatly denied. The unsuspecting tradesman stands aghast. The idea of Magistrates doing a thing unlawful, is a shock of considerable power upon the nerves even of a dunning tradesman. He returns to his patrons, who instantly threaten the Municipal Corporation with all that is dreadful for their contumacy. Between the contending bodies the bill remains unpaid, to the disgrace of Municipal and local government, and to the serious loss of an honest tradesman.

We draw not upon our imagination, for one link of this chain of cross purposes, we add not one line of fiction upon a tale of undoubted fact. The case is one which for years past has, in some shape or other, thrust itself upon our attention. Of late, it has forced itself upon the Judges of the Court of Queen's Bench, and has from them received a judicial lecture.

A tradesman under circumstances, very similar to those we have pictured, in order to recover the

amount of his claim, commenced an action against the County Council of Middlesex. He was informed that as against the magistrates in Quarter Sessions, his order was waste paper. He was told that as against the County Council it was no better. In a word, he was told in plain Saxon, that he might "whistle for his money." The case to which we refer, is *Coombs v. The Municipal Council of the County of Middlesex*, reported in other columns. The decision is shortly and well expressed in the head note of the case, which is to this effect: "The Magistrates in Quarter Sessions have no power to order furniture for the Court House, and the County Council are not liable for furniture so supplied. The fact that the Court House was also used as the Shire-hall for the sittings of the Council, and the furniture made use of by them can make no difference."

Were we further to moralize upon this case, we would reduce our observations to two points; first, the Magistrates in Quarter Sessions ought never to have drawn the order: second, having been drawn, the County Council ought to have honored it, the expenditure being one creditable to the County. Here is displayed the want of that principle of "give and take," which we commend as essential to the successful working of Municipal Institutions. Though the Quarter Sessions did wrong in giving the order for the furniture, and afterwards ordering the County Treasurer to pay for it; yet, if the order were a reasonable one, under the circumstances, it ought not to have been disputed. The Court in giving judgment, was compelled to use the following language: "It is a pity there should be any reluctance on the part of the Council, to do anything reasonable and proper for the furnishing of the Court Room, which is in itself a very satisfactory one and highly creditable to the County; but we know no ground upon which we could hold the Council to be liable to pay any of the charges referred to us."

There was a time when Justices in Quarter Sessions were clothed with authority to raise funds for the support, repair, and improvement of Court Houses. That power no longer exists. It was, in 1841, made the duty of the Municipalities to keep public buildings in repair, and to provide means and defray such expenses connected with the administration of justice, as used to be provided for by the Justices of the Peace out of the District Funds, (4 & 5 Vic., cap. 10,