

created by the legislature without reference to the wishes of the inhabitants of the territory over which such corporations have jurisdiction, and are simply intended to act as agencies, or auxiliaries, of the State government in administering its business within such territory. Instances of quasi-corporations in Canada are the boards of School Trustees and License Commissioners constituted by provincial statutes respecting public education, and the regulation of the liquor traffic; and board of Harbour Commissioners created by, or existing under the authority of, federal legislation. While these bodies are given certain corporate powers by the statutes creating them, yet such powers are limited to the administration of governmental duties of a public character, and beyond that they have no characteristics of a corporation(c). In some of the American courts it has been held that as corporations of this class merely represent the State they are not responsible for negligence in the discharge of such public duties as are entrusted to them(d); and some of the earlier English cases would appear to give countenance to this view(e). But it is now settled law in England that unpaid statutory trustees for public purposes (such as maintaining public docks, improving streets, and the like) are responsible in their corporate, or quasi-corporate, capacity for damages arising from the negligent performance of their statutory duty by themselves or their servants(f).

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(c) The English law affords many, and our American law more numerous, examples of persons and collective bodies of men endowed with a corporate capacity, in some particulars declared, and without having in any other respect the capacities incident to a corporation. 2 Kent's Comm. pt. IV., p. 274 (14th ed.).

(d) See *Bartlett v. Crozier*, 17 Johns. 439; *Morey v. Newfane*, 8 Barb. 645; *Mower v. Leicester*, 9 Mass. 247; *Hill v. Boston*, 122 Mass. 344; *Brown v. Vinalhaven*, 65 Me. 402.

(e) See *Russell v. Men of Devon*, 2 T.R. 667.

(f) See *Mersey Docks Trustees v. Gibbs*, L.R. 1 H.L. 93; *Coe v. Wise*, L.R. 1 Q.B. 711, reversing S.C. in 5 B. & S. 460; *Ohrby v. Ryde Commissioners*, 5 B. & S. 743; *Collins v. Middle Level Commissioners*, L.R. 4 C.P. 279.