

82, and 83. Section 70 provides that the assessment roll as finally passed, as it must be, by the Courts of Revision, shall be valid and bind all parties concerned, notwithstanding any defect or error committed in or with regard to such roll, or any defect, error, or misstatement in the notice of assessment or the omission to deliver or transmit such notice.

And as to the by-law, it did not seem to be open to any substantial objection; it, in substance, complied with all the requirements of the Act upon which it was based: and the assessments under it too were subject to appeal to a Court of Revision, but no appeal against them was made, nor was any motion to quash the by-law made; instead, the appellants had, ever since it was passed, been paying, without objection or fault-finding, all the taxation upon these lands under it.

Nor was there any good reason for holding that the lands benefited by the work done under the by-law were freed from payment for that benefit merely because the municipality had in effect purchased the debentures made under it in connection with their sinking fund, instead of selling them to a stranger: see the Consolidated Municipal Act, 1903, sec. 420 (3), the Act applicable to the case.

Appeal dismissed.

HIGH COURT DIVISION.

CLUTE, J.

JANUARY 17TH, 1917.

*RE BAYLISS AND BALFE.

Deed—Conveyance of Land in Contemplation of Marriage—Grant to Trustee to Uses of Wife—Habendum—Separate Use—Operation of Statute of Uses—Future Contingency—Title to Land.

Motion by the vendor for an order declaring that an objection made by the purchaser to the title to land, the subject of a contract for sale and purchase, was not a good objection.

The motion was heard in the Weekly Court at Toronto.

F. F. Treleaven, for the vendor.

E. E. Gallagher, for the purchaser.

CLUTE, J., in a written judgment, said that the objection was in respect of a deed dated the 26th October, 1886, made in antici-