

one another for the purpose of equalization. This clause, however, gave rise to a great diversity of opinion, (see *Municipality of Simcoe v. County of Norfolk*, 5 L. J. N.S. 181 & 295, and the decision of Judge Gowan), and was amended by the Legislature at its next session.

By subsection 3 of the 71st clause of the last mentioned act, the right is given to any local municipality dissatisfied with the equalization of the assessment by the county council to appeal to the county judge. The judge is required to appoint a day for hearing the appeal, and he is empowered to equalize the whole assessment of the county.

No mode is pointed out by the statute as to how the judge is to proceed in hearing and determining the appeal, but I presume he must proceed in the same manner as the county councils are required to do in equalizing the assessment, and in addition may probably take evidence for the purpose of satisfying his mind as to the relative value of lands in adjoining municipalities. To quote from Sir John Robinson again, as to the manner in which the county council should proceed in the equalization of the assessment—"We may suppose the council fixing upon some one township or town in the first place as that in which the value appears to have been assigned with the strictest regard to truth and justice, and then having selected such a standard, we may suppose them taking up each other township, town, &c., and adjusting the valuation to such standard. * * * * *

It must be entirely a matter of opinion whether if land cleared or uncleared in township A is valued at such a sum per acre, land in township B ought to be valued at any and what other sum per acre. When the council shall have adjusted the proportionate value which land in one township bears to land in the other, and shall have compared them all by some one standard, then they have to ascertain and express how much per cent, must be added to or deducted from the assessment in each township respectively to make all bear a just relation to each other."

The legislature has not attempted to instruct them, the county councils, how they are to proceed in order to do equal justice; they have done the best they could in committing the duty to the council in general terms of equalizing the assessments so as to produce a just relation, but have necessarily left it to them to work out the problem as they best can: *Gibson v. Corporation of Bruce*, 20 U. C. Q. B. 111.

At the hearing of this appeal all the Reeves of the county were either personally present or represented by counsel. No objection was taken to the manner adopted by me for the purpose of enabling me to come to an equitable and just conclusion in equalizing the assessments, so as to produce a just relation between the respective municipalities of the county. Taking Sir John's views to some extent, as expressed by him in the case quoted, as my guide, after examining the rolls of the different municipalities for the last and present year, hearing the evidence of the Reeves, and the evidence of Mr. Wilson, I have come to the conclusion that the equalization as made by the county council should be amended as follows:

| | |
|-------------------|-----------|
| Amherstburg | \$175,000 |
| Anderdon | 248,515 |

| | |
|---------------------|-----------|
| Colchester | \$854,041 |
| Gosfield | 580,456 |
| Maidstone | 282,508 |
| Malden | 356,071 |
| Mersea | 517,513 |
| Rochester | 211,709 |
| Sandwich East | 992,761 |
| Sandwich West | 534,695 |
| Sandwich Town | 135,000 |
| Tilbury West | 266,780 |
| Windsor | 603,231 |

\$5,852,280

APPOINTMENTS TO OFFICE.

LIEUTENANT-GOVERNOR.

THE HON. ADAMS GEORGE ARCHIBALD, of the City of Halifax, in the Province of Nova Scotia, a Member of the Queen's Privy Council for Canada, to be Lieutenant-Governor of the Province of Manitoba, from and after the day on which Her Majesty the Queen shall, by Order in Council, issued under the British North America Act, 1867, admit Rupert's Land and the North West Territory into the Union or Dominion of Canada.

THE HON. ADAMS GEORGE ARCHIBALD to be Lieutenant-Governor of the North West Territories from and after the day aforesaid. (Gazetted July 23rd, 1870.)

JUDGE SUPERIOR COURT, QUEBEC.

LOUIS EDOUARD NAPOLEON CASALU, of the City of Quebec, in the Province of Quebec, one of Her Majesty's Counsel learned in the Law, to be a Puisne Judge of the Superior Court for Lower Canada, now the Province of Quebec, in the room and place of FELIX ODILON GAUTHIER. (Gazetted June 4th, 1870.)

ASSISTANT JUDGE SUPERIOR COURT, QUEBEC.

THOMAS KENNEDY RAMSAY, of the City of Montreal, one of Her Majesty's Counsel learned in the Law, to be Assistant Puisne Judge of the Superior Court for Lower Canada. (Gazetted September 5th, 1870.)

JUDGE SUPERIOR COURT, NEW BRUNSWICK.

HON. ANDREW RAINSFORD WETMORE, of St John, New Brunswick, Esquire, one of Her Majesty's Counsel learned in the Law, to be a Puisne Judge of the Superior Court of Judication of the said Province, in the room of the HON. NEVILLE PARKER, deceased. (Gazetted May 28th, 1870.)

DEPUTY JUDGE.

ALLAN JAMES GRANT, of the Town of L'Original, in the County of Prescott, and of Osgoode Hall, Barrister-at-Law, to be Deputy Judge of the County Court of and for the United Counties of Prescott and Russell. (Gazetted August 8th, 1870.)

NOTARIES PUBLIC.

JAMES F. GARROW, of the Town of Goderich, Barrister-at-Law. BENJAMIN CRONYN, of the City of London, Barrister-at-Law. FREDERICK WRIGHT, of the City Toronto, Attorney-at-Law. (Gazetted June 25, 1870.)

CHARLES WALLACE BELL, of the Town of Belleville, Barrister-at-Law. RUSK HARRIS, of the City of Toronto, Barrister-at-Law. JAMES RUTLEDGE, of the Town of Bowmanville, Barrister-at-Law. (Gazetted July 16, 1870.)

JAMES CROWTHER, of the City of Toronto, Barrister-at-Law. JAMES TILT, of the City of Toronto, Barrister-at-Law. (Gazetted July 30th, 1870.)

ABRAHAM DENT, of the Village of Mitchell. HENRY SMITH, of the Town of Cobourg. EDWIN D. KERBY, of the Village of Petrolia. (Gazetted August 13th, 1870.)

JAMES MAGEE, of the City of London, Barrister-at-Law. GEORGE WILLITS LOUNT, of the Village of Newmarket, Barrister-at-Law. JAMES F. LISTER, of the Town of Sarnia, Attorney-at-Law. FRANCIS COCKBURN CLEMON, of the City of Ottawa, Attorney-at-Law. (Gazetted September 10th, 1870.)

ALEXANDER GRANT, of the Town of Stratford, Attorney-at-Law. (Gazetted September 17th, 1870.)

JAMES SMITH READ, of the Village of Orangeville, Attorney-at-Law. ALEXANDER GOFORTH, of the Village of Fergus, Barrister-at-Law. (Gazetted Sept. 24, 1870.)

ASSOCIATE CORONER.

THOMAS CUMINES, of the Village of Welland, Esq., to be an Associate Coroner within and for the County of Welland.