to register a plan of subdivision, enabled him to go to the County or District Court Judge. That the council is considered by the Legislature as representing one of two interested parties, is shewn by the provision that notice of the application is to be given to the council. The position, then, is rather analogous to the case of an appeal to the Court of Appeal from a Judge in Court "by consent or by leave of the Court of Appeal" in certain cases: 4 Edw. VII. ch. 11, sec. 2. When a party desired to appeal direct to the Court of Appeal, he might apply to the opposite party for a consent, and, if that consent was refused, it never was thought that he was concluded by the refusal, and an application could not be made to the Court. There was, indeed, no necessity to ask the other side for a consent; but, not infrequently, the application was made to the Court of Appeal in the first instance. The case we are considering is quite analogous. If the other party interested consents, the plan can be registered—but, if not, an order must be made by the Court. That may follow a refusal by the council, or be without an application to the council at all, but the order will not be made without notice to the council. In the one case, a party may appeal direct if (a) the other party consents or (b) the Court so decides—in the other case, the party may register his plan if (a) the other party consents or (b) the Court so decides.

I am not forgetful of the maxim "Nothing is more dangerous than analogy." The same result follows from a consideration of the object of the statute. This is so obvious that I do not further pursue the inquiry.

This conclusion is not at all opposed to what is said in Re Stinson and College of Physicians and Surgeons of Ontario, ante 627. . . .

Appeal allowed with costs in this Court and below.