

THE EARL OF SELBORNE: It is an indirect way of making them pay taxes from which they are exempt, is it not?

Mr. Robinson: I can only put it as I have put it.

THE EARL OF SELBORNE: That is the sole question. Two courts have decided that point in your favour. The Supreme Court reversed their decision and decided it against you.

Mr. Robinson: Yes. The result is far-reaching. The city have proceeded on the principle that they are at liberty to make such arrangements as may seem reasonable with regard to the price of water. Take large factories, for instance. It is an object with them to induce people to take water. I believe they have felt themselves at liberty to make special arrangements with very large factories taking a very large quantity. If they are not allowed to do anything of that sort, but must treat all equally, of course it makes a very material difference.

LORD MORRIS: What does it say about rebate?

THE EARL OF SELBORNE: They might by a by-law allow discount for prepayment. That is the language of the Act of Parliament. I should suppose that they ought to have one equal rate applicable to all consumers of water.

Mr. Robinson: I think I have stated the precise point.

Mr. Biggar and Mr. Gore were not called upon.

(Their lordships deliberated for a few minutes.)

THE EARL OF SELBORNE: Their lordships are of opinion that the judgment is so plainly right that leave to appeal ought not to be given in accordance with the rule laid down in the case of the *La Cite de Montreal v. Les Ecclesiastiques du Seminaire de St. Sulpice de Montreal*, 14 App. Cas. 660.

Mr. Gore: I am instructed to ask for the costs of the opposition to the petition.

THE EARL OF SELBORNE: Yes.

## Notes of Canadian Cases.

### SUPREME COURT OF JUDICATURE FOR ONTARIO.

#### HIGH COURT OF JUSTICE.

#### Chancery Division.

Div'l Court.]

ALDRICH *v.* ALDRICH.

[Sept 16.

*Division Court—Jurisdiction—Action on a Superior Court judgment for alimony—R.S.O., c. 51, s. 70 (b).*

Judgment of FERGUSON, J., reported 23 O.R., at p. 374, affirmed.

The Division Court Act, R.S.O., c. 51, s. 70, class (b), gives jurisdiction to those inferior courts upon all claims of debt where the claim does not exceed