

of the front of the lot, and in an action against the vendor she was compelled to rebate \$4,500 of the purchase-money, making the purchase-price of the land \$9,000. The land was wholly unimproved, unfenced, and unproductive. Its only value was the price it would bring in the market.

In 1918 the land was assessed at \$9,000, its actual cash value, in 1919 at \$11,000, and in 1920 at \$21,000. It was against this last assessment that the appeal was taken.

The assessor swore that his aim was to assess the real estate at 60 per cent. of its cash value; the assessment on improvements was much less.

In 1919 there was a revival in building in Mimico, and the assessment was increased generally, this property being increased \$2,000. There was not as great a demand in the town for residential building lots in 1920. Mr. Ford said that the building boom had declined owing to the increased cost of labour and materials. There certainly was no evidence to justify a jump of more than 80 per cent. in the taxable value of this land. The easterly portion of this triangular block was owned by Crow and Falconer. Crow's portion had been increased 44 per cent. and Falconer's 30 per cent. Their portions were certainly the most valuable. They were nearer the business section, and were not depreciated by the railway switch in front of them, as two-thirds of Allen's property was. The property immediately opposite, having a depth of some 400 or 500 feet, in a high state of cultivation and having a frontage on the lake and the advantage of water-lots, was increased only 5 per cent. The property in question had no increased value from water-lots, works, or sewers. For this reason, it was not valuable. It might be sold off, but the town authorities had held up the filing of a subdivision plan. The learned Judge said that he had much hesitation in placing his judgment on values against those of men who were aware of local conditions, but in this case the evidence was convincing that the enormous special increase in this assessment was not justified.

A year or two ago, Allen made a sale at \$17,000, not all cash, but the purchaser fell down. This was the only offer received for the property.

An equitable assessment is one where all owners are assessed in the same proportion of value. That was not the case here. A fair assessment, under all the circumstances, would be \$13,000. The amount of the assessment should therefore be reduced to that sum.