

DIARY FOR OCTOBER.

1. Tuesday.....Supreme Court of Canada sits. Wm. D. Powell, 5th C.J. of Q.B., 1877. Meredith, J., Chy. Div., 1890.
6. Sunday.....17th Sunday after Trinity.
7. Monday.....County Court and Surrogate Sittings, except in York. Henry Alcock, 3rd C.J. of Q.B., 1802.
8. Tuesday.....Sir W. B. Richards, C.J.S.C., 1875. R. A. Harrison, 11th C.J. of Q.B., 1875.
9. Wednesday....De la Barr, Governor, 1682.
11. Friday.....Guy Carleton, Governor, 1774.
12. Saturday.....America discovered, 1492. Battle of Queenston Heights, 1812.
13. Sunday.....W. R. Meredith, C.J. of C.P.D., 1894.
14. Monday.....County Court and Surrogate Sittings in York.
15. Tuesday.....English law introduced into U.C., 1791.
17. Thursday.....Burgoyne's surrender, 1777.
20. Sunday.....19th Sunday after Trinity.
21. Monday.....County Court Non-Jury Sittings in York. Call, last day for notice of Michaelmas Term.
23. Wednesday....Lord Lansdowne, Governor-General, 1883.
24. Thursday....Sir J. H. Craig, Governor-General, 1807. Battle of Balaclava, 1854.
26. Saturday.....Battle of Chateauguay, 1813.
27. Sunday.....20th Sunday after Trinity. C. S. Patterson, J. of S.C., 1888. Jas. MacLennan, J. Court of Appeal, 1888.

Reports.

ONTARIO.

MUNICIPAL CASES.

IN THE MATTER OF THE APPEAL OF F. H. ANNES AND OTHERS, AND THE TOWN OF WHITBY.

Consolidated Assessment Act, s. 7a—"Farm lands" within towns and villages—Meaning thereof—Method of assessment.

Under s. 7a of the Consolidated Assessment Act the farm property "held and used as farm lands only" therein mentioned should be assessed separately and distinctly from the residence.

Where the residence and such farm lands have not been so separated, but have been assessed as one property, the rebate or percentage of reduction, if any, must be based upon the total assessment.

In estimating the benefit or advantage derived, the personal benefit or convenience of the owner or occupant should not be considered.

[WHITBY, October 2nd, 1895. DARTNELL, J.J.]

These were appeals under the Consolidated Assessment Act, s. 7a.

DARTNELL, J.J.: At the argument, I expressed the opinion, which reflection has confirmed, that the mode of assessment and the form of the by-law do not carry out what appears to me to be the intention of the legislature in framing the Act.

It is apparent that the Act creates, as far as towns and incorporated villages are concerned, a separate and distinct class of property, liable to be