

proceeded to the United States to take evidence, any oath administered by him in the United States would have no legal significance, and any false statement made by a person sworn before him under such circumstances would not have attached to it the consequences of perjury. *Re Godson and the City of Toronto*, 275.
[Reversed on Appeal.]

4. *Expropriation of land—Reservation of foot strip across street—Damages—Award—Notes of evidence—Appointment of corporation arbitrator—Seal.*—In an arbitration under the Municipal Institutions Act between the owners of a foot-strip of land across a public street, reserved by them in laying out their property into lots, and which strip had been expropriated by a municipal corporation, the owners were awarded the sum of one dollar as the value thereof.

On a motion by the land-owners to set aside the award,

Held, that they were only entitled under R. S. O. ch. 184, sec. 463, to such damages as necessarily resulted to them from the expropriation; that the loss of profit which they might have obtained in selling their lots if the street had been opened through by them, could not be so regarded; nor could the benefit that would result from the opening to the land owners in the locality, and that the actual value of the land to the owners irrespective of its possible speculative value, was the test of the extent of their loss; *Stebbing v. Metropolitan Board of Works*, L. R. 6 Q. B. 37, approved of.

Held, also, that under the circumstances of this matter, the omission to file the evidence taken by the arbitrators, was not irremediable.

Re Muskoka and Gravenhurst, 6 O. R. at p. 357, approved of.

The appointment of the arbitrator by the corporation was not under seal, but the Court declined to set aside the award on that ground, as the objection, if valid, could be taken in any proceeding to enforce the award.

Re Eldon and Ferguson, 6 U. C. L. J. 207, followed. *Re Harvey and Parkdale*, 372.

5. *Right to purchase land—By-law—Ultra Vires—Post Office—Custom House*—"For the use of the Corporation."—R. S. O. 1887, c. 184, s. 479 (1).—*Held*, that a municipal corporation has no power to pass a by-law for the purchase of land to be presented to the Dominion Government as a site for a post-office and custom-house.

"For the use of the corporation" in R. S. O. 1887, c. 184, s. 479 (1) does not mean merely "for the benefit of."

A by-law should state its purpose in its face. *Jones v. Corporation of Town of Port Arthur*, 474.

6. *Erection of new municipality—R. S. O. 1887, ch. 184, secs. 11, 30—Division of assets—School fund.*—On the erection of two village municipalities out of a township.

Held, that the moneys derived from "The Ontario Municipalities Fund" which had some years previously been appropriated by by-law to the school purposes of the township, were assets properly divisible between the township and the new village municipalities.

Re Albermarle, &c., 45 U. C. R. 133, distinguished.—*Corporation of East Toronto v. Corporation of Township of York*, 566.

7. *Municipal elections—Corrupt practices—Bribery by agents—Presumption as to candidate's intention.*