

Divisional Court.]

MACGREGOR v. SULLY.

[Jan. 30.]

Apprentice — Articles of apprenticeship — Unreasonable provision — Non-liability.

Articles of apprenticeship which required the apprentice during the term of four years of 310 working days of ten hours each to give and devote to a firm, to who he was apprenticed, ten hours each working day, or such number of hours as might be the regulation of the workshop for the time being, or as special exigencies of the business might require is unreasonable and could not be enforced against the infant; and therefore an action was not maintainable against the defendant, who was security under the articles for the performance of the infant's duties, to recover damages for the breach thereof.

W. R. Riddell, Q.C., for defendant. Shepley, Q.C., for plaintiff.

Divisional Court.]

GARDNER v. CANADA MFG. & PUBLISHING CO.

[Jan. 31.]

Directors—Invalid resolution—Payment of creditors.

By the by-laws of a publishing company the board of directors was to consist of three persons, two of whom constituted a quorum. At a meeting, at which two of the directors, C. and G. were present, one being the president and the other the secretary of the company, a resolution was passed that "The matter of the compensation of 'C.' the editor, and 'G.' the advertising solicitor of the company was considered, and the sum of \$1,000 each, ordered to be placed to their respective credits in the books of the company for services rendered during the year 1895, in addition to their regular salary, and to be charged to their salary account." 'C.' as a matter of fact had not been appointed editor nor 'G.' advertising solicitor, the object of the resolution being to appropriate all the funds of the company, and to prevent a stock holder, who owned the greater part of the stock, and had made a claim against the company, being paid.

Held, that the resolution could not be sustained, nor could any moneys received under it be retained.

Shepley, Q.C., for the appellants. Barwick, contra.

Divisional Court.]

REGINA v. TORONTO PUBLIC SCHOOL BOARD.

[Feb. 2.]

Public Schools—General Sessions of the Peace—Appeal from order of dismissal of—Divisional Court—Offence under by-law—Municipal Act, R.S.O. c. 223, s. 551.

There is no appeal to the Court of General Sessions of the Peace from an order of dismissal of a complaint against a city by-law passed under the authority of above statute.

F. E. Hodgins, for the appellants. J. E. Jones, contra.