

ENGLISH CASES.

EDITORIAL REVIEW OF CURRENT ENGLISH
DECISIONS.

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B.N.A. ACT S. 91—LANDS IN ONTARIO SURRENDERED BY INDIANS—PROPRIETARY
RIGHTS—POWER OF DISPOSITION.

In *Ontario Mining Co. v. Seybold* (1903) A.C. 73, the Judicial Committee of the Privy Council (The Lord Chancellor and Lords Macnaghten, Davey, Robertson and Lindley) have affirmed the judgment of the Supreme Court, 32 S.C.R. 1. The case was in reference to mining rights in Indian lands in Ontario. The appellant claiming to be entitled thereto under grants from the Dominion Government, and the respondents claiming title under grants from the Ontario Government. The majority of the Supreme Court held that the proprietary rights in the minerals vested in the province under the B.N.A. Act under the decision of the Judicial Committee in *St. Catharines Milling Co. v. The Queen*, 14 A.C. 46, and therefore the grantees of the Provincial Government had the best right, and with this conclusion the Judicial Committee agreed, and dismissed the appeal. We notice that some strong observations are made on the fact that on the application for leave to appeal certain material facts were not disclosed. Their Lordships remarks on this point ought to be borne in mind by practitioners from whom is expected the utmost candour.

INFANT—CONTRACT FOR PURCHASE OF LAND BY INFANT—MORTGAGE BY INFANT
TO SECURE ADVANCE—LIEN FOR MONEYS ADVANCED TO INFANT FOR PURCHASE
OF LAND.

In *Nottingham Permanent Building Society v. Thurstan* (1903) A.C. 6, the House of Lords (Lord Halsbury, L.C., and Lords Shand, Davey and Robertson) have also affirmed the judgment of the Court of Appeal (1902) 1 Ch. 1, (noted ante, vol. 38, 191). An infant had made a contract to purchase land and arranged with a building society to advance the purchase money and executed a mortgage in the society's favour to secure the advance. Their Lordships agreed with the court below, that the mortgage was void notwithstanding that the Building Societies Act enables