

goods were supplied on the credit of the D. C. Company, and not on the credit of the vessels themselves, and that the action should be dismissed.

J. H. Rodd, for appellant. *F. A. Hough*, for respondents.

Province of Ontario.

HIGH COURT OF JUSTICE.

Divisional Court.]

[Feb. 28.

INTERNATIONAL TEXT BOOK CO. v. BROWN.

Constitutional law—Powers of provincial legislature—B.N.A. Act s. 92, sub-s. 2.—Act respecting licensing of extra provincial corporations—Intra vires—Company carrying on business in Ontario.

The plaintiffs, a company incorporated in the State of Pennsylvania, to carry on a printing, publishing and bookbinding business, with the head office in that State, carried on, as one of its department, under a special charter therefor, procured in the same State and with the same head office, what was called "The International Correspondence School," the object being to give by correspondence through the mails, instruction to applicants, for enrolment as students, the company having representatives throughout the province for procuring such applications, all of which were submitted to the head office for approval, and, if accepted, the certificates of enrolment were sent direct to the students with the lesson and instruction papers, followed at stated intervals by further instruction and lesson papers, pamphlets, etc. and, when the contract so provided, lesson books in bound form, drawing materials, phonographic and other outfits, were loaned to the students. The company had an office in Toronto, over which their name was affixed, with a superintendent, cashier and a number of stenographers, to which all moneys collected in this province were forwarded to, and from there remitted to the head office; while the bound lesson books, &c., for convenience of passage through the customs were sent from the head office to Toronto, and after pay-