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## POWERS OF COMPANIES.

The recent case of *Edwards v. Blackmore*, 42 O.L.R. 105, can hardly be regarded as a satisfactory decision, because, owing to the diversities of opinion expressed by the learned Judges of the Appellate Division, instead of it being an authoritative interpretation of the recent amendment of the Companies Act whereby s. 210 was added to the Act, it has merely revealed the fact that there are grave doubts as to what is its real meaning and effect. 6 Geo. V. c. 35, s. 6, by its amendment of the Companies Act, gives to provincially incorporated companies the general capacity which the common law ordinarily attaches to corporations created by charter. The question before the Court arose in this way: A joint stock company, incorporated primarily to deal in real estate and erect buildings and act as brokers and agents, according to the plaintiff's contention, purchased a machine for pressing clothes for which a promissory note of the company was given, which was the subject of the action. The company set up (1) that the contract was *ultra vires* of the company as it was not authorised to buy clothes pressing machines. (2) That the debt if any was the individual debt of the officers of the company, and not of the company. Lennox and Ferguson, JJ., were of the opinion that the effect of s. 210 was to give the companies all the power and capacity of individuals, and enabled them to enter into any contracts they pleased, irrespective of whether or not they were within the purview of the charter, or Act of incorporation; and that the only result of their exceeding the objects of their charter, or Act of incorporation, would be a liability to have their charter forfeited by the Crown; but that the defence of *ultra vires* could not avail them. Rose, J., held that the charter was sufficiently wide to enable the company to enter into the contract in question, and,