

the effect of giving that Court exclusive jurisdiction to adjudicate as to the validity of a registered trade mark, and in answer to an action in the High Court of Justice for Ontario to restrain the infringement of a registered trade mark, its invalidity may be shewn.

Bells, and *Hume Cronyn*, for appellants. *Shepley*, K.C., and *Flock*, for respondents.

From Boyd, C.] SAWERS v. CITY OF TORONTO. [Sept. 9.
Assessment and taxes—Distress—Owner—Agreement to purchase—Local improvement rates.

The judgment of BOYD, C., 2 O.L.R. 717; ante p. 27, was affirmed. *McCullough*, and *McKeown*, for appellant. *Fullerton*, K.C., and *Chisholm*, for respondents.

From Ferguson, J.] BEAM v. BEATTY (No. 2). [Sept. 9.
Infant—Bond—Ratification.

A bond, with a penalty, of an infant to indemnify against loss or damage in respect of shares in a company purchased on the faith of representations made by the infant is void and not merely voidable, and cannot be adopted and ratified by the obligor after he has attained his majority.

Judgment of FERGUSON, J., 3 O.L.R. 345, reversed.

McBurney, for appellant. *Lynch-Stanton*, K.C., and *Marquis*, for respondent.

From Street, J.] RITCHIE v. VERMILLION MINING COMPANY. [Sept. 9.
Company—Mining company—Purchase and sale of land—Irregularities in proceedings.

A mining company subject to the provisions of the Ontario Companies Act, R.S.O. 1897, c. 191, and the Ontario Mining Companies Incorporation Act, R.S.O. 1897, c. 197, has power to buy and sell land, and a sale in good faith of all the land owned at the time by the company is not necessarily invalid, for there is nothing to prevent the business of the company being continued by the purchase of other land.

Nor can such sale made in good faith be restrained at the instance of a dissentient minority of shareholders on the ground that irregularities have occurred in the conduct of the proceedings of the company leading up to the sale, or on the ground that the approving majority are also shareholders in a rival company and are in carrying out the sale furthering the interests of that rival company.

Judgment of STREET, J., 1 O.L.R. 654; 37 C.L.J. 347, affirmed.

Aylesworth, K.C., and *N. F. Davidson*, for the appellants. *Wallace Nesbitt*, K.C., *Riddell*, K.C., and *Robert McKay*, for the respondents.