

time without the knowledge of the judgment debtor, and the judgment creditor might thereby elude and defeat the provision of the Statute of Limitations.

*Elliott*, for plaintiff. *Aikins*, Q.C., and *Nason*, for defendant.

Dubuc, J.]

[March 21.

NORTH OF SCOTLAND MORTGAGE CO. v. THOMPSON.

*Real Property Act, R.S.M. c. 133, s. 143—Caveat—Address and description of caveator—Signature of caveat by company—Foreign corporation claiming interest in land.*

Petition under the Real Property Act :

*Held*—1. In case the caveator is an incorporated company, it is sufficient to state the full name of the company, although section 143 of the Real Property Act, R.S.M. c. 133, says that "Every caveat filed with the District Registrar shall state the name and addition of the person by whom or on whose behalf the same is filed." *Shears v. Jacob*, L.R. 1 C.P. 513, and *Woolf v. The City Steamboat Co.*, 7 C.B. 103, referred to.

2. The signature to the caveat, being the name of the company with "O. H. & N. Managers" underneath, without the corporate seal, was sufficient.

3. The petitioners being registered, judgment creditors had a right to claim an estate or interest in the lands in question.

4. It was not necessary for the petitioners, although a foreign corporation, to show that they were authorized to hold real estate in this province; for, unless there is some statute forbidding it, such a corporation is allowed by the comity of nations to come into the province and transact its business, to sue, obtain judgment and enforce the same in the manner provided by law, including proceedings to realize by sale of the lands of a judgment debtor, although it might not be entitled, without legislative authority, to buy or hold lands in the province.

*Munson*, Q.C., for petitioners. *Stackpoole*, for caveatee.