

of the opinion that this decision was sound dismissed the appeal and the same time remarked that the plaintiff's conduct was "thoroughly unreasonable."

TORONTO RAILWAY—(8 EDW. VII. c. 112, s. 1, ONT.).

Toronto v. Toronto Ry. (1910) A.C. 312 is a case of limited interest, but incidentally shews that where parties wish to reverse a judicial decision by Act of Parliament it is necessary to be extremely carefully to do so in very explicit terms. Probably 8 Edw. VII. c. 112, s. 1, Ont., was intended by the draughtsman to have that effect, but if so, he made use of very inapt language, for by no reasonable construction could the Act be so construed. So it was held by the Railway Board, and so also by the Court of Appeal, and the Judicial Committee (Lords Macnaghten, Atkinson, Collins, and Shaw) declared the appeal of the city "a very idle one."

COMPANY—NON-PAYMENT OF CALLS—FORFEITURE OF SHARES—
OWNER OF SHARES FORFEITED ALSO DIRECTOR.

Jones v. North Vancouver Land Co. (1910) A.C. 317. This was an appeal from the Supreme Court of British Columbia. The action was brought by Clara B. Jones to obtain a declaration that 240 shares in the defendant company had not been forfeited. The certificate of the shares in question had been made out in the name of the plaintiff, but it appeared by the evidence that she had on the same day assigned the certificate to her husband, and that he was the real owner. The company in 1898 had made a call on the shares, notice of which had been given to the plaintiff at the address given by her husband, and default having been made she was again notified that the shares were forfeited. Her husband was a director of the company, and was present and consenting both to the call and forfeiture of the shares for non-payment. The prospects of the company having improved the action was brought to set aside the forfeiture. The Provincial Court held, in these circumstances, that the action must be dismissed, and the Judicial Committee of the Privy Council (Lords Macnaghten, Atkinson, Collins, and Shaw) affirmed the decision being clearly of the opinion that the plaintiff's husband was the real owner of the shares, and had full notice and knowledge of all the proceedings resulting in their forfeiture, and could not now be heard to dispute its validity on any technical grounds of irregularity in respect to notice, etc.