

and Hotrum (1913), 4 O.W.N. 1434; *Re Pigott and Kern* (1913), 4 O.W.N. 1580; *In re Thackwray and Young's Contract* (1888), 40 Ch. D. 34, 40; *In re Trustees of Hollis' Hospital and Hague's Contract*, [1899] 2 Ch. 540, 555: viz., that the Court will not force a doubtful title on an unwilling purchaser.

Mr. Laidlaw did not appear exactly as an "unwilling purchaser," but states that he was a trustee, and desired to have a title which he in turn could force on an unwilling purchaser.

On the main question, whether the vendors had power, expressly or as necessary, incidental, or connected with the purposes of the company, he cited *Baroness Wenlock v. River Dee Co.* (1885), 10 App. Cas. 354, at p. 359; *In re Bowling and Welby's Contract*, [1895] 1 Ch. 663, at p. 668; *Stephens v. Mysore Reefs (Kangundy) Mining Co. Limited*, [1902] 1 Ch. 745; *In re Crown Bank* (1890), 44 Ch. D. 634, at p. 644; *Attorney-General v. Mersey R. W. Co.*, [1906] 1 Ch. 811, [1907] A.C. 415.

The vendors' counsel invoked the Ontario Companies Act, R.S.O. 1914 ch. 178, sec. 23 (1) (a), (o), sec. 24 (1) (b), and cited *Masten's Company Laws of Canada*, p. 93, and *Bonanza Creek Gold Mining Co. v. The King* (1916), 32 Times L.R. 333, with particular reference to the judgment of Viscount Haldane, at p. 338.

The learned Chief Justice said that he had carefully considered all the cases cited by the purchaser, but was of the opinion that the joint effect of the powers conferred on the company by the letters patent and of the provisions of the Companies Act enabled the vendors to sell this land and give a good title thereto, and the objection had therefore been satisfactorily answered.

No costs.

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RE SHIELDS, SHIELDS v. LONDON AND WESTERN TRUST CO.—  
KELLY, J.—AUG. 11.

*Limitation of Actions—Ownership of Land—Possession—Evidence—Findings of Master—Appeal.*—An appeal by the plaintiff Andrew J. Shields from a report of the Local Master at London in a proceeding of the administration of the estate of James Shields, deceased. The reference to the Master was, "to try and dispose of the question of the ownership of the property in question in this proceeding." By his report, the Master found that the equity of redemption in the lands in question was vested in Jessie Shields, John J. Shields, the estate of William Shields, and Catharine Leitch, as tenants in common, subject to the dower