

THE
ONTARIO WEEKLY REPORTER

(TO AND INCLUDING FEBRUARY 24TH, 1906.)

VOL. VII.

TORONTO, MARCH 1, 1906.

No. 7

MAGEE, J.

FEBRUARY 14TH, 1906.

CHAMBERS.

RE PEOPLE'S LOAN AND DEPOSIT CO.

Company — Winding-up—Petition of Creditors—Status of Petitioners — Indebtedness of Company—Ultra Vires—Assignment of Claims to Make up Statutory Amount—Building Society having no Capital Stock—Non-applicability of Winding-up Act—Costs.

Petition by Samuel Saunders and William Cole for an order under the Dominion Winding-up Act for the winding-up of the company.

S. B. Woods, for petitioners.

W. E. Middleton, for the company.

MAGEE, J.:—Cole asserts that the company are indebted to him in \$200, and Saunders that they are indebted to him in \$932, of which part is original indebtedness due to himself, and the remainder the claims of a number of other persons to whom the company are indebted, and who have assigned their claims to him with a view to his taking proceedings for the benefit of the creditors generally. Neither the petition nor affidavit of Mr. Saunders gives any particulars of the claims of these other creditors or their names or the amount each claimed or how many claims there were. Subsequently, on cross-examination on his affidavit, he produced