

as to these lands, the Registrar of this Court will ascertain the facts and omit from the judgment the lands covered by that arrangement. In case any lands are so omitted the judgment may contain a provision reserving the appellants' rights in regard to the same.

The judgment will also be without prejudice to the appellants' rights upon all the notes and judgments thereon already referred to.

I do not think that this Court has anything to do with the effect of this judgment in or on the winding-up proceedings.

As the appellants have not established their right to the taxes other than those covered by this judgment, they should not be debarred thereby from taking any other steps open to them, if there are any, under the Assessment Act.

The respondents should pay to the appellants the costs of the action and appeal, except so far as these have been increased by the inclusion of claims for taxes which have been disallowed.

The appellants should have the right to add the proper proportion of the costs of realising their lien to the taxes upon the several lots which are subject to the lien.

The appellants must pay the rents referred to in the judgment, less the amounts received from the lands for which the taxes are allowed by this judgment, to such of the respondents as the Master in Ordinary shall find to be entitled thereto, and the amounts thereof to be ascertained by him unless agreed to by the parties.

*Appeal allowed.*

MARCH 9TH, 1914.

\*RE BELLEVILLE DRIVING AND ATHLETIC ASSOCIATION.

*Company—Transfer of Paid-up Share—Refusal of Directors to Allow—Ontario Companies Act, sec. 54(2)—Absence of Authority in Letters Patent Incorporating Company to Restrict Right of Transfer—Agreement by Incorporators—Agreement between Shareholders and Company—Evidence of—Validity of—Notice—Absence of By-law or Resolution—Mandatory Order to Record Transfer—Form of.*

Appeal by the association from the order of LENNOX, J., 5 O.W.N. 520, requiring the appellant association forthwith

\*To be reported in the Ontario Law Reports.