
REPORTS AND NOTES OF CASES:

Province of Ontario.

COURT OF APPEAL.

Full Court.]

[April 1.

RE GOOD AND JACOB Y. SHANTZ SON & CO. LIMITED.

Company—By-law to restrict the transfer of fully paid up shares—Refusal of directors to allow transfer—Dominion Companies Act.

Appeal by the above company from the judgment of a Divisional Court, 21 O.L.R. 153, dismissing appeal from the order of Teetzel, J., who directed the transfer of certain shares to Good. The appeal in this matter was limited, on the application for special leave, to the one general question, viz., the power of the appellants, a company incorporated under the Dominion Companies Act, R.S.O. (1886), c. 119, to restrict the transfer of fully paid up shares in the company as enacted in their by-law No. 2, clause 17; in other words, whether by virtue of their statutory powers they could pass and enforce such a by-law.

He d., that it was beyond the powers of the company as defined by the Act to prohibit the transfer of paid up shares. Appeal dismissed.

MEREDITH and MAGEE, J.J.A., dissented.

DuVernet, K.C., and *Lefroy*, K.C., for appellants. *S. Joh* . . . K.C., and *W. M. Cram*, for respondents.

Full Court.]

[April 25.

WADE v. ROCHESTER GERMAN FIRE INSURANCE CO.

Fire insurance—Statutory condition—Assignment of policy for benefit of creditors—Assignment not absolute—Policy not void.

This was an appeal by the defendants from the judgment of MIDDLETON, J., who found in favour of the plaintiffs. The sole question presented for discussion was whether an assignment