

Before the letters patent are issued, the applicants must establish, to the satisfaction of the Secretary of State, or of such other officer as is charged by the Governor-in-Council to report thereon, the sufficiency of their notice and petition, and the truth and sufficiency of the facts therein set forth, and that the proposed name is not the name of any other known incorporated or unincorporated company; and for that purpose the Secretary of State, or such other officer shall take and keep of record any requisite evidence in writing, by oath or affirmation, or by solemn declaration.¹

7. Corporate Name.—Under our Companies' Acts the name of a company proposed to be incorporated, must not be that of any other known company, incorporated or unincorporated, or any name liable to be confounded therewith, or otherwise on public grounds objec-

(3) In case any amount has been paid in, on shares taken, by transfer of property to a trustee, the Provincial Secretary may require such evidence as shall be satisfactory to him of such transfer and of the kind, nature and value of the property and the manner in which, and the person or persons or corporate body by whom the property transferred or any other payment, is held in trust for the company with a view to its incorporation.

(4) Each petitioner shall be the *bonâ fide* holder in his own right of the share or shares for which he has subscribed in the memorandum of agreement.

(5) The petition may ask for the embodying in the letters patent of any provision which, otherwise under this act, might be embodied in any by-law of the company when incorporated.

Sections 11 (a) and (d) gives the Lieutenant-Governor-in-Council the power to make regulations with respect to the cases in which notice of application for letters patent or supplementary letters patent must be given, and the form and manner of giving the same. Such regulations must be published in *The Gazette*.

¹ Dom. Act, sec. 6. Quebec Act, art. 4699, omits provision as to name, but has this addition, "and further that the applicants and more especially the provisional directors named are persons of sufficiently reputed means to warrant the application." For the rest the same as Dominion *mutatis mutandis*.

Man. Act, sec. 9, same as Dominion *mutatis mutandis*, excepting after writing "under oath or otherwise; and he or any justice of the peace or person authorized by the 'Oaths Act' to take affidavits for use in Manitoba may administer every requisite oath."

R. S. O., ch. 191, secs. 12 and 13 (1), same as Dominion *mutatis mutandis*, except that for "notice and petition" read "memorandum of agreement and petition," the words "or by solemn declaration" do not appear, and 13 (2) provides for the manner in which proof may be made.

N. B. 1893, ch. 7, sec. 9 (1) (2), same as Dominion *mutatis mutandis*.

R. S. N. S., ch. 79, sec. 6, same as Dominion *mutatis mutandis*.