

Que.]

ROYAL ELECTRIC CO. v. HEVE.

[June 9.]

Negligence—Operations of a dangerous nature—Supplying electric light—Insulation of electric wires.

The defendants are a company engaged in supplying electric light to consumers in the city of Montreal under special charter for that purpose. They placed a secondary wire, by which electric light was supplied to G.'s premises in close proximity to a guy wire used to brace primary wires of another electric company which, although ordinarily a dead wire, might become dangerously charged with electricity in wet weather. The defendants' secondary wire was allowed to remain in a defective condition for several months immediately preceding the time when the injury complained of was sustained, and it was at that time insufficiently insulated at a point in close proximity to the guy wire. While attempting to turn on the light of an incandescent electric lamp on his premises, on a wet and stormy day, G. was struck with insensibility and died almost immediately. In an action to recover damages against the company for negligently causing the injury,

Held, affirming the judgment appealed from, that the defendants were liable for actionable negligence as they had failed to exercise the high degree of skill, care and foresight required of persons engaging in operations of a dangerous nature. Appeal dismissed with costs.

Attwater, K.C., and *Champagne*, K.C., for appellants. *Brodeur*, K.C., and *Bissonet*, for respondent.

Ont.]

RICE v. THE KING.

[June 11.]

Appeal—Criminal case.

The Act of the Dominion Parliament respecting appeals from the Court of Appeal for Ontario to the Supreme Court (60 & 61 Vict. c. 34) applies only to civil cases. Criminal appeals are still regulated by the provisions of the Criminal Code. Motion dismissed.

Robinette, K.C., for motion. *Cartwright*, K.C., and *H. Guthrie*, K.C., contra.

Province of Ontario.

COURT OF APPEAL.

Moss, J.A.]

[July 4.]

TRUSTEES OF SCHOOL SECTION 5, CARTWRIGHT v. TOWNSHIP OF CARTWRIGHT.

Leave to appeal—Public schools—Selection of site.

This was an application for leave to appeal from the order of a Divisional Court (ante p. 548) allowing an appeal from an order of a judge in Chambers, and granting a mandamus to the municipality requiring it to