

Chancery Division.

BOYD, C.]

[April 18.]

ROBERTS v. BANK OF TORONTO.

Artisan's lien—Manufacture of bricks on property of another person—Possession.

Where the plaintiff was employed to manufacture for another bricks in a brickyard belonging to the latter, and it appeared that possession of the brickyard was in the plaintiff for the purpose of his contract with the owners of the brickyard to manufacture the bricks, and that he remained and was in possession of the brick at the time of the seizure thereof by the sheriff under an execution against the owner of the brickyard, who immediately after such seizure had made an assignment for the benefit of creditors,

Held, that the plaintiff was entitled to a lien upon the bricks in priority to the execution and assignment for the benefit of creditors, and also in priority to the claim of a chattel mortgagee, though the mortgage covered brick in course of manufacture during its continuance.

Elgin Myers, Q.C., for the plaintiff.

Blackstock, Q.C., and *R. McKay* for the defendants.

BOYD, C.]

[April 19.]

CHURCH v. LINTON.

Copyright—Questions—Circulars—Forms—"Books and literary compositions"—Right to protection.

The plaintiff, being a proprietor of a school for the cure of stammering, had obtained copyrights for (1) "Applicant's Blank," a series of questions to be answered by entrants to the school; (2) "Information for Stammerers," an advertisement circular; (3) "Entrance Memorandum," an agreement to be signed by entrants; and (4) "Entrance Agreement," similar to No. 3, but more formal.

Held, that under copyright law comprehensiveness they might be reckoned as "books and literary compositions" within R.S.C., c. 62. The purely commercial or business character of a composition or compilation does not oust the right to protection if time, labour, and experience have been devoted to its production.

Griffin v. Kingston & Pembroke R.W. Co., 17 O.R., at p. 665, dissented from.

Geo. Bell for the plaintiff.

Watson, Q.C., and *Bentley* for the defendants.

FERGUSON, J.]

[April 26.]

MILLSON v. SMALE.

Infant—Action brought in name of, without next friend—Motion to set aside proceedings after coming of age—Laches.

An infant was a part owner of a patent right, and engaged in business transactions with respect to it. Along with other part owners, he signed a