

From Divisional Court.] **GRAVES v. GORRIE.**

[April 12.

Copyright—Works of Fine Art.

The Imperial Act, 25 & 26 Vict., c. 68, an Act for amending the law relating to copyright in works of Fine Arts, does not extend to Canada.

Judgment of a Divisional Court, 1 O.L.R. 309, affirming that of ROSE, J., 32, O.R. 266, affirmed.

J. T. Small, for appellants. *J. H. Denton*, for respondent.

From Robertson, J.]

[April 12.

ANDERSON v. MIKADO GOLD MINING CO.

Master and servant—Non-observance of Rules—Mines Act.

A master is entitled to make and insist on the observance of reasonable rules for the conduct of his business, and if in consequence of the non-observance of these rules by a servant, that servant is injured, the master is not liable.

It was held that the master was not liable in damages for the death of the servant resulting from the servant using in direct violation of rules the cage instead of the ladders to ascend from a mine, although the ladders did not in some particulars conform to the requirements of the Mines Act.

Judgment of ROBERTSON, J., reversed.

Aylesworth, K.C., and *Rowell*, for appellants. *Clute*, K.C., and *A. R. Clute*, for respondent.

From Boards of County Judges.]

[April 12.

IN RE ASSESSMENTS OF BELL TELEPHONE CO.

TORONTO ELECTRIC LIGHT CO.

TORONTO RAILWAY CO.

TORONTO INCANDESCENT LIGHT CO.

OTTAWA ELECTRIC LIGHT CO.

Assessment and taxes—Valuation of property—Electric companies—Rails, poles and wires—Wards—Franchise—Going concern—Integral part of whole.

1 Edw. VII., c. 29, s. 2, has made no difference in the mode of valuing for assessment purposes the rails, poles, wires and other plant of electric companies erected or placed upon the highways of municipalities, which was held to be proper by the decision in *In re Bell Telephone Co. Assessment*, 25 A.R. 351; MACLENNAN, J.A., dissenting.

That Act merely removes one of the difficulties pointed out in the previous case, but does not extend the principle on which the value of such property, apart from the franchise of the company or its use as a going concern is to be ascertained by the application of the rule provided by s. 28 of the Assessment Act for ascertaining its value. It is now to be valued as if