

the employer has taken reasonable precautions to insure the safety of his employee; yet, under the Workmen's Compensation for Injuries Act, R.S.O. 1897, ch. 160, there may be liability in such cases, where the plaintiff (at the instance of a third party, employed by the defendants, to whose orders the plaintiff, in the same employment, was bound to conform) is required by such third party to do, and does, certain work in the doing of which the plaintiff is injured through such third party's negligence.

*Dewart, K.C., for plaintiff. Paterson, K.C., for defendants.*

Middleton, J.]

[March 31.

BASHFORD v. PROVINCIAL STEEL CO.

(10 D.L.R. 187.)

*Corporations and companies—Officers—Status of directors—Master and servant—Grounds for discharge of employee.*

There is no legal incompatibility between the office of director of a company and any other office in the service of the company, for directors do not stand in the position of masters to the officers of the company, but are themselves the servants of the company.

*King v. Tizzard*, 9 B. & C. 418, referred to.

There is no absolute legal rule as to what is a justification for the dismissal of an employee before his term of employment has expired; each case must stand on its own merits; lack of executive ability resulting in great financial loss to a company is sufficient to justify the dismissal of their general works manager.

*Field, K.C., and W. F. Kerr, for plaintiff. Johnston, K.C. McMaster and Keith, for defendants.*

Kelly, J.]

[April 3.

ARMSTRONG CARTAGE CO. v. COUNTY OF PEEL.

(10 D.L.R. 169.)

*Damages—Loss of profits as element of damage—Unreasonable delay in having repairs made—Highways—Liability of county for defective highway—Road taken over.*

Where a chattel has been injured owing to a negligent act, the cost of repairing it, the difference in value between the