be adopted by the employer to prevent or lessen the danger, and from that want of such precaution an accident happens to him before he has become aware of their absence, he may hold the employer liable: Ib.

So far as civil consequences are concerned, it is competent for an employer to invite persons to work for them under circumstances of danger caused or aggravated by want of due precautions on the part of the employer. If a man chooses to accept the employment, or to continue in it with a knowledge of the danger, he must abide the consequences, so far as any claim to compensation against the employer is concerned: Ib.

Semble, if he becomes aware of the danger which has been concealed from him, and which he had not the means of becoming acquainted with before he entered on his employment, or of the necessary means to prevent mischief, his proper course is to quit the employment. If he continues in it he is in the same position as though he had accepted it with the full knowledge of its danger in the first instance.

IV. An employer does not warrant the soundness of materials or machinery used by the workmen, but he is bound to exercise reasonable care in their selection: Wigmore *v.* Jay, 5 Ex. 354.

V. In selecting a manager or workmen the employer is only bound to exercise reasonable care; he does not warrant their competency: Potter *v.* Faulkner, 31 L. J. 30, Q. B.; Tarrant *v.* Webb, 18 C. B., 796.

VI. The ordinary rule with respect to the non-liability of an employer for injuries sustained by a workman, does not apply in cases where the master, being one of several co-proprietors and engaged jointly with the servant in the work, is guilty of the negligence from which the servant suffered: Ashworth *v.* Stanwix, 30 L. J., 183 Q. B.; Mellors *v.* Unwin, 1 B. & S., 437.

The other co-owners are also liable under the circumstances mentioned: Ashworth *v.* Stanwix *sup.*

VII. *Semble*, the rule respecting the non-liability of a master or employer is only one of a class and applies to every establishment, so that no member of an establishment can maintain an action against the master for an injury done to him by another member of that establishment, in respect of which, if he had been a stranger, he might have had a right of action. Thus, a friend of the servant, a son, a relative living in the same house, not in the character of servant, but as a member of the same family, cannot maintain an action any more than a servant could: See per Pollock, C. B., in Abraham *v.* Reynolds, 5 H. & N., 143.

VIII. Persons who volunteer to assist servants or workmen are in the same position as the workmen or servants, so far as concerns their right to recover from the master for any injury resulting from the negligence of such workmen or servants. They can have no greater rights against, nor impose any greater duty upon a master than would have existed had they been hired servants: Degg *v.* Midland Railway Company, 1 H. & C., 733.

When, however, a person assists in a matter in which he has common interest, and when his assistance is solicited by a person of competent authority, he has a remedy against the master of the servants through whose negligence he is injured: Holmes *v.* Northeastern Railway Company, L. Rep. 4 Ex., 254; affirmed 6 Ib., 128; Wright *v.* London and Northwestern Railway Company, L. Rep., 10 Q. B., 298.

Semble, a person ceases to be a volunteer if his assistance was given upon request: See per Cockburn, C. J., in Wright *v.* London and Northwestern Railway Company, *sup.*

IX. A man is not liable to his servant for the acts of the person whom he leaves as his vice-principal in the management of the business: Wilson *v.* Merry, L. Rep. 1 Sc. Ap., 326; Howels *v.* Landore Steel Company, L. Rep. 10 Q. B., 62; nor does the fact that the employer is a corporation make any difference in the defendant's liability for the act of his manager: Morgan *v.* Vale of Neath Railway Company, *sup.*; Howells *v.* Landore Steel Company, *sup.*; nor is it material that the manager is appointed pursuant to an act of Parliament: Howells *v.* Landore Steel Company, *sup.*; nor that the person to whom the negligence was directly imputable, was a servant of superior authority, whose lawful directions the plaintiff was bound to obey: Feltham *v.* England, L. Rep. 2 Q. B., 33; Gallagher *v.* Piper, *sup.*

X. To define with precision the expression fellow-servant and fellow-workman is a matter