I also think that there was no evidence to warrant the answer to the second question. There was nothing in the circumstance that the result of the connection which Gallagher had made did not give as good results as had been expected that led Gallagher, according to his testimony, to think that there was anything beyond the inconvenience resulting from the water not being heated to the extent that he had expected, or any danger to be anticipated, and there was nothing whatever to suggest danger to the manager. There was, therefore, I think, no duty cast upon him to have the work inspected. All that he was bound to do was what, in the circumstances, a reasonable man would have done; and, although it may be that, if he had had an inspection made, the explosion would not have occurred, I do not think that it would have crossed the mind of a reasonable man that any danger would or might arise from the operation of the system that had been installed.

Having come to this conclusion, it is unnecessary for me to consider the question, so much debated upon the argument, as to how far and in what circumstances a person who does something which cause injury to another may escape liability because the thing done was done by an independent contractor.

An employer is not an insurer of the safety of his employees. What it is his duty to do I have already pointed out, and the full extent of his duty is to exercise reasonable care. That he may not delegate that duty means no more, as applied to the circumstances of this case, than that the respondent could not escape liability for the negligence of its manager if negligence on his part had been established.

In my opinion, the findings of the jury in answer to the second, third, sixth, and so much of the first of the additional questions as relates to the manager, should be set aside; and that, for the reasons I have given, the judgment should be affirmed and the appeal dismissed with costs.

MACLAREN and HODGINS, JJ.A., agreed.

CLUTE, J., dissented, for reasons stated at length in a written opinion. His view was that there was evidence to support the answers given to all the questions put to the jury; that the proximate cause of the accident was the negligence of the manager of the hotel in directing and permitting the installation of the range without waiting for a plan which would have made it safe; that the system was incomplete, and no proper precautions were taken.

Appeal dismissed; CLUTE, J., *dissenting.*