

*STATUTORY LIABILITY OF EMPLOYERS FOR THE  
NEGLIGENCE OF EMPLOYÉS EXERCISING  
SUPERINTENDENCE.*

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1. *Introductory.*—The second of the provisions of the Employers' Liability Act which has been selected for discussion in this Journal is that which gives a servant the right to recover damages for an injury caused "by reason of the negligence of any person in the service of the employer who has any superintendence entrusted to him, whilst in the exercise of such superintendence."

These words constitute sec. 1, sub-s. 2 of the original English Act, and also of those in force in Newfoundland, New South Wales, Victoria, Queensland, South Australia, New Zealand, and Alabama, and sec. 3, sub-s. 2 of the Acts of Ontario, British Columbia, and Manitoba.

A clause of the same tenor is found in the Acts of Massachusetts, New York and Colorado, an action being declared to be maintainable for an injury caused "by reason of the negligence of any person in the service of the employer, entrusted with and