

Two other questions of law have to be determined before the amount to which the plaintiff is entitled can be arrived at. The first of these is as to the right of the engineer to delegate to qualified assistants matters of detail such as the taking of levels, the preparation of plans, and other clerical work requiring expert knowledge, but not involving the exercise of judicial discretion.

That the engineer can so delegate such parts of the work leading up to the report is settled by authority. In so far as the exercise of judicial discretion is necessary, it must be the judgment of the engineer himself. He must personally examine each piece of property, personally devise the method of bringing about the desired improvement, and personally decide upon the assessments to be imposed, but the clerical work, which in the average case really takes the more time, may properly be delegated to assistants, whose work the engineer himself can check over, consider, and adopt as his own. See *Robertson v. Township of North Easthope*, 15 O. R. 423, at p. 431; *Township of Elizabethton v. Township of Augusta*, 2 O. L. R. 4, 32 S. C. R. 295.

The other question arises out of the fact that the particular assistants to whom the plaintiff delegated the work already referred to were men who are regularly employed by him on monthly salaries, qualified as civil engineers, but in training under the plaintiff while preparing to qualify as provincial land surveyors. The plaintiff claims to charge for their services at \$5 a day, as the amount usually charged by an engineer for a day. The defendants contend that he can charge no more than the proper proportion of their monthly salary, there being no more actually disbursed by the plaintiff in respect of their employment.

My conclusion is that plaintiff is entitled to charge for the services of these assistants just what their services are worth in each case, and that is a question of fact to be decided upon the evidence. The usual engineering charge will, of course, be one criterion of the value of their services, but it may be shewn that any one of these men is worth either more or less than the average engineer. I assume that engineers are like other professional men in this respect, and there should be no difficulty in finding out what the services of these particular individuals were worth to the work. Their monthly salaries may be some evidence of their worth, but probably not at all conclusive evidence, if it be the fact that they were in a sense students or appren-