wall at this end, and not at the other'; there the relation of
master and servant does not exist, and the employer is not liable.
But if the employer has a right to say to the person employed,
'you shall do it in this way, that is to say, not only shall you
do it by virtue of your agreement with me, but you shall do it
as I direct you to do it,' there the law of master and servant ap-
plies, and the master is responsible.''

''Upon the principle that qui facit per alium facit per se, the
master is responsible for the acts of his servant; and that person
is undoubtedly liable who stood in the relation of master to the
wrongdoer, he who had selected him as his servant, from the
knowledge of or belief in his skill or care, and who could remove
him for misconduct, and whose orders he was bound to receive
and obey'': *Quarmdn* v. *Burnett*, 6 M. & W. 499. But the prin-
ciple above laid down cannot apply to the case where the person
sought to be charged is not the master, ''where he does not em-
ploy his own servants and workmen to do the work, but intrusts
the execution of the work to a person who exercises an indepen-
dent employment, and has the immediate dominion and control
over the workmen engaged in the work.''

II. Statement of the General Rule.

Therefore a person who procures work to be done for him by
an independent contractor, ''by an agent that is over whom he
reserves no power of control,'' is not, as a general rule, liable
for the negligence or other torts committed by the contractor
or his servants in the course of the work; such negligence is
known as casual or collateral negligence.

The rule is formulated by A. L. Smith, L.J., in a recent case
as follows:—

''In order to render a person liable for an act of negligence,
which he did not himself commit, it must be shewn by the person
injured, either that the person sought to be made liable author-
ized the act of negligence complained of, or that it was commit-
ted by his servant in the course of his employment, or that he
owed such a duty to the person injured that he could not, by