

taxes, the Supreme Court of Canada has no jurisdiction to entertain an appeal, although the judgment complained of may be conclusive in regard to further claims arising under the same by-law which would exceed the amount mentioned in the statute limiting the jurisdiction of the court. *Dominion Salvage and Wrecking Co. v. Brown*, 20 Can. S.C.R. 203, followed. Appeal quashed with costs.

*Davidson*, K.C., for the motion. *Beaubien*, K.C., contra.

Man.] LONGMORE v. McARTHUR. [Nov. 2, 1910.

*Negligence—Dangerous works—Joint tortfeasors—Judgment against one of several persons responsible for damages—Bar to action.*

*Held*, 1. A proprietor or principal contractor undertaking works in the circumstances inherently dangerous cannot delegate the duty of providing against such danger so as to escape personal responsibility if that duty be neglected.

2. Failure to discharge such duty makes the proprietor and his contractor, or the contractor and his sub-contractor, as the case may be, equally liable as joint tortfeasors for resultant injury.

3. A judgment for damages sustained in consequence of any such injury against one of such joint tortfeasors is a bar to a subsequent action therefor against another.

Judgment appealed from (19 Man. R. 641) affirmed.

*A. C. Galt*, K.C., for appellant. *Ewart*, K.C., for respondents.

Man.] [Nov. 2, 1910.

DOMINION FISH CO. v. ISBESTER.

*Appeal—Concurrent findings of fact—Negligence—Shipping—Action for damages—Personal injury—Evidence—Res ipsa loquitur—Limitation of liability.*

Concurrent findings on questions of fact in the courts below ought not to be disturbed on appeal unless a mistake is clearly shewn.

A ship lying at her dock caught fire during the night and was destroyed. The officers of the ship failed to arouse passengers in time to permit them to escape in safety, and, in an action to recover damages for injuries sustained in consequence by a