

Canada Law Journal.

VOL. XLI.

FEBRUARY 1, 1905.

NO. 8.

LIABILITY OF AN EMPLOYER FOR THE TORTS OF AN INDEPENDENT CONTRACTOR.

PART II.

IV. EMPLOYER LIABLE WHERE THE INJURY WAS THE DIRECT RESULT OF THE WORK CONTRACTED FOR.

43. Generally.
44. Employer liable where the stipulated work is illegal.
45. —and where the performance of work will involve the commission of a trespass.
46. —or will necessarily cause injury.
47. —and where the work is done according to the plans furnished by the employer.
- 47a. —or according to the methods prescribed by the employer.

V. LIABILITY OF EMPLOYER FOR INJURIES CAUSED BY THE PERFORMANCE OF WORK WHICH IS DANGEROUS UNLESS CERTAIN PRECAUTIONS ARE OBSERVED.

48. Doctrine stated generally.
49. Limits of the doctrine.
50. Effect of stipulation by contractor to take appropriate precautions.
- 50a. Necessity of showing that the contractor was acting under the authority of the employer.
51. Liability of employer where the work is dangerous to persons using highways.
 - (a) *Erection of buildings.*
 - (b) *Delivery of goods through openings in footpaths.*
 - (c) *Construction or repair of highways.*
 - (d) *Other construction work on highways.*
 - (e) *Removal of wrecks from navigable rivers.*
52. —and to adjoining landowners.