

AN EMPLOYER'S DUTY TO INSTRUCT EMPLOYEES

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LAW LESSONS: EMPLOYERS AND EMPLOYEES

IX. What is an employer's duty in the way of giving instructions to his employees? To answer this question fully our inquiry will be divided into three branches. The first of these relates to the duty to make and set forth rules and regulations for the better working of his machinery, appliances or enterprise, and also for the greater safety of his employees.

When an Employer Must Make Regulations.

Not every business requires rules to be made for the guidance of employees. But when the business is large and complex, like a railroad, it is almost imperative that the employer should make and set forth rules and regulations for the better working of his machinery, appliances or enterprise, and also for the greater safety of his employees.

Whether an Employer Ought to Make a Particular Rule.

Whether an employer ought to make a particular rule is a question for the decision of the court and not of the jury; in other words, it is a question of law, and not of fact. Ordinarily juries are not aware of all the reasons calling for the rule. They are apt to listen readily to any allegations of injuries on railroads.

Judicial Wanderings.

In view of the wanderings of the courts in trying to answer the question who are held responsible for the accident, the learned judge of judicial infidelity, it is true that the final court in a State may be the court of last resort, but that State must follow, but the final court might go as far astray in doing this as a jury.

When is a Rule Necessary?

Under the first head mentioned the case of Morgan against the Hudson River Ore Company. The company had ten kilns for roasting ore standing in a row along the side of a narrow-gauge railroad track along by the side of the kilns.

An Illinois Case.

A case has arisen in Illinois of a switchman who on a dark night was struck by a car and killed while attempting to reach a switch in obedience to a signal.

Repairing Cars.

In the case of the Delaware and Hudson Railroad a car repairer in the railroad's employ was under one of its cars making repairs. The car was carelessly backed against it by another man's wife and caused his death.

Berrigan vs. Erie Railroad.

In Berrigan's case against the Erie Railroad an employe of the company was injured while coupling cars and died from the injury. In a suit against the company it was claimed that it had failed to make and publish sufficient regulations while coupling cars.

Rules Made by Employees.

This principle that employes must make their own rules, which, if faithfully followed, will give reasonable protection to his employees, is a very general one indeed.

Watchmen to Guard Employees.

When a railroad provides watchmen to guard employes from danger, it performs a duty which is not to be neglected. An accident caused by the negligence of the watchman in not giving proper warning to the workmen thus engaged.

Sun, Moon and Tide.

United States Coast and Geodetic Survey—Times and Heights of High and Low Waters at Various Ports.

WEDNESDAY, DECEMBER 12.

Table with 4 columns: Time, H, W, Ft. and 4 rows of tide data for various ports.

Notes.

NOTE.—In the above positions of the tides the early morning tides are given in the left hand column and the successive tides of the day in the order of occurrence as to time of day, the third time column gives the last tide of the day, except when there are but three tides, as sometimes occur.

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TAKES NEARLY A YEAR TO MAKE A VOYAGE AROUND CAPE HORN

After Many Vicissitudes the French Bark Eugenia Fautrel Finally Makes Port, Somewhat Behind Time.

AFTER taking a year, all but nine days, to round the Horn, the French bark Eugenia Fautrel finally made port yesterday.

The Eugenia Fautrel left Swansea exactly 356 days ago. On January 23 she was in latitude 11 south, longitude 34 west. On March 29 she was in Buenos Ayres with her rudder broken and otherwise damaged.

The vessel was surveyed and on April 2 orders were sent to France for a new rudder. It was nearly five months before the necessary articles arrived and it was September 19 before the bark was ready to start again.

ARREST ON BELGIAN KING.

Three Chinese Locked Up in the Harbor Police Station.

Ah Ho, a waiter on the United States transport Belgica King, will have to answer to a charge of grand larceny. When the steamer reached Port Dr. R. Colman reported that he had lost \$185 in greenbacks.

NEWS OF THE OCEAN.

Matters of Interest to Mariners and Shipping Merchants.

The Alice leads wheat at Portland for Europe, 45, prior to arrival, the Blairhoyle, wheat at Portland for Europe, 45, prior to arrival.

Water Front Notes.

The Oceanic Steamship Company's new mail boat Sierra will sail for Australasia on Monday.

Shipping Intelligence.

ARRIVED. Tuesday, December 11. Stmr Columbia, Doran, 57 hours from Portland.

Steamer Movements.

TO SAIL. City Puebla Seattle, Dec. 12, 4 pm Pier 9. North Fork Humboldt, Dec. 12, 4 pm Pier 2.

TO ARRIVE.

Progress Seattle, Dec. 12, Dec. 12. San Mateo Nainaimo, Dec. 12, Dec. 12. Corona Newport, Dec. 12, Dec. 12.

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Hale's. open evenings until Christmas. comfort for holiday shoppers at Hale's. In our elegantly appointed ladies' parlor on the mezzanine floor you will find lavatories where you can refresh yourself when tired and exhausted by your holiday shopping.

Hale's Good Goods. Market Street, near Sixth, opp. Golden Gate avenue.

AMUSEMENTS. TIVOLI. JUST TO PASS THE TIME AWAY. FOURTH AND LAST WEEK OF THE JOLLY MUSKETEER!

THE BEST COMIC OPERA IN YEARS. EVENINGS AT 8. MATINEE SATURDAY AT 2.

THE SINGING GIRL. By Herbert Smith and Stange. Next Monday.

FREDERICK WARDE in "THE DUKE'S JESTER."

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