

!

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"

'()*+ ,-. ' /!)- ,01)(.2/3 0*3 45'6' - /(- 0*(0,++' -)(62)7 *4)()* (4+)*+ 6* 62'
'84)+/6)* (*9 2)7 6'+3 *9 7'()*+ :,- . ' 7'+!)0' '5'/7' *9 62' *4)()* (;/7 - '5/<' - =<
/- 3)(76+/6)! ' 2/(-5)(.

;5'7 0/55' - - ; /+-7 6 +'4*+6 62')+ /++'767 - ; /+-7 /71' - *;5'7 6* 1' '4 2)3
4*76' -
(/--)6*(6* 0+)3)(/5 02/+. '7 " +, !'+9)5' - / 0!)5 /06)*()(62'
' /- ')+0,)6 * ,+6 /./)(76 62+' ' *9 62' /77/)5/(67 @ ' (75' < /61)(7 /(-
* ;5'7A /(- /57* /./)(76 - ; /+-7 ; 2* ; /7 (*6 4+'7' (6 ; 2' (62' /77/ ,56 *00 ,++' -
" +, !'+ /57* (/ 3' - & ; 2)02 ; /7 /(,)(0*+4*+/6' - /77*0)/6)*(0*(6+*55' - =<
- ; /+-7 /7 / - '9' (-/(6
" +, !'+ 7'665' - 2)7 05/)37 /./)(76 /61)(7 /(- * ;5'7 4+)*+ 6* 6+)/5
/(- 2' -+*44' - & /7 / - '9' (-/(6)(62' 0/7' " +, !'+ 4, +7, ' - 2)7 05/)37 /./)(76
' (75' < /(- - ; /+-7)(/ : , +< 6+)/5 62/6 ; /7 2'5-)

- ; /

"+,!' + *+ /(<*(' '57' ; 2)5' 62'+ ' /(- (* '!)-'(0' 62/6 - ; /+-7 '!'(1(' ; 62'
/77/)5/(67 ; '+ ' /6 62' 9/)+

- ; /+-7 ; 2* +'4+'7'(6' - 2)37'59 /6 6+)/5 =,6 ; 2*)7 (* ; +'4+'7'(6' -

=< / (/66*+(' < +/)7'7 62+' ' /55' ./6)*(7 *9 '++*+ /6 62' 6+)/5 5' !'5 ' /.'+' ' ;)62

- ; /+-7 /7 6* *(' *9 2)7 /55' ./6)*(7 *9 '++*+ 62,7 ; ' +'!'+'7' /(- +' 3 /(- 9*+ /

(' ; 6+)/5

2' 9)+76)77, ' +/)7' - =< - ; /+-7 627' +

0*33)66' - ;2)5' 62' 7'+!/(6 ; /7 /=* ,6 62' 3 /76'+E7
=,7)('77 C **5' < *(*+67 L J? 4 #

#? - /6 J (62' 0/7' ='9*+' ,7 2* ; '!'+ "+,!' + -) - (*6 /55' . ' 5)/=5)6<
=/7' - *(+'74*(-' /67,4'+)*+ *+ 62' 3 /76'+M7'+!/(6+'5/6)*(72)4 /62'+ 2)7 0/ ,7'
9 /06)(; /7 9*+ 62' ('.5). '(6 2+)(. +'6'(6)*(/(-7,4'+!)7)*(*9 62' /77/)5/(67
'62'+ - ; /+-7 (*+ "+,!' + 2/!' 0)6' - /(< 0/7' -)+ '065< *(4*)(6

/62'+ =*62 /+., ' 62/6 62' 0/7' *9 Grand Aerie Fra ernal Order o! "a#les v.

Carneyhan ?J - @&< FA)7 /445)0/=5' (62/6 0/7' / J <' /+ *5-
; *3 / (; 2* 2/- 0*(7, 3 '- /50*2*5)0 ='!' +/ . '7 ; 2)5' /66' (-)(. / 7*0)/5 9, (06)*(
*(4+' 3)7'7 5' /7' - =< / 5*0/5 02/46'+ *9 / (/6)*(/5 9+/6'+(/5 *+./())D/6)*(; /7 1)55' -
5/6'+ 62/6 (.26)(/ 7)(.5' 0/+ /00)-'(6 Id /6 '+ 4+' (67 /(- 62'
/- 3)()76+/6*+ *9 2'+ '76/6' 9)5' - 7,)6 /./)(76 62' (/6)*(/5 *+./())D/6)*(05/)3)(. 62/6
)6 2/- ('.5). '(65< 7,4'+!)7' - 62' 5*0/5 02/46'+ =< /55* ;)(.)6 6* , (5/ ; 9,55< 7'+!'
/50*2*5)0 ='!' +/ . '7)(/ -+< 0* , (6< /(- 6* , (5/ ; 9,55< 7'+!' /50*2*5)0 ='!' +/ . '7 6*
62' , (-'+/ . ' -'0' -'(6 Id /6 F

2' * ,+6 =' ./ (=< 76/6)(. 62' . '('+/5 +,5' 62/6 B/(/06*+ ; 2*7' * ; (
0*(- ,06 2/7 (*6 0+' /6' - / +)71 *9 2/+ 3 2/7 (* - ,6< 6* 0*(6+*5 62' 0*(- ,06 *9 / 62)+-
4'+7*(6* 4+'!' (6 2)3 9+* 3 0/ ,7)(. 2/+ 3 6* /(*62'+ C Id /6 J 2' * ,+6
9,+62'+ 76/6' - /7 9*55* ; 7

- ,6< 0/(2* ; '!'+ /+)7' 6* '8'+0)7' +'/7*(/5'
0/+ ' 6* 4+'!' (6 2/+ 3 =< 0*(6+*55)(. / 62)+- 4'+7*(E7
0*(- ,06 ; 2'+ ' B@/A / 74'0)/5+'5/6)*('8)767 ='6 ; '' (62'
/06*+ /(- 62' 62)+- 4'+7*(; 2)02)3 4*7'7 / - ,6< ,4*(62'
/06*+ 6* 0*(6+*5 62' 62)+- 4'+7*(E7 0*(- ,06 *+ @=A /

74'0)/5+'5/6)*('8)767 ='6; '' (62' /06*+ /(- 62' *62'+
; 2)02 .)! '7 6* 62' *62'+ / +).26 6* 4+*6'06)*(C

Id K,*6)(. '76/6' 3 '(6 @ '0*(-A *9 *+67 L F @ J?FA (Carneyhan /7)(62)7

0/7' 62'+')7 (* /55' ./6)*(62/6 62'+'; /7 / 74'0)/5+'5/6)*(72)4 ='6; '' (62' /06*+

/(- 62')(:,+ '- 4'+7*(Id /62'+ 62')77, ')(=*62 0/7'7 ; /7 ; 2'62'+ / 74'0)/5

+'5/6)*(72)4 '8)76' - ='6; '' (62' /06*+ @2'+ ' - ; /+-7A /(- 62' 6*+)

9)(- /(< /,62*+)6< ; 2'+ ' &' (6,01< 0*,+67 2/!' /--+'77'- ; 2'62'+ 62'+')7 / 74'0)/5
+'5/6)*(72)4 ='6 ; '' (62' 2' /- *9 / (, ()) (0*+4*+/6' - /77*0)/6)*(7,02 /7 62' &
/(-)67 3 ' 3 =' +7 7* /7 6* 0+' /6') (62' /77*0)/6)*(2' /- / (/99)+3 /6)! ' - ,6< *9
7,4'+!)7)*(/(- 0*(6+*5 *!' + 62' /06)!)6)'7 *9 62' 3 ' 3 =' +7 2' Ó

/77/)5/(67 3).26 2/!' /77/,56' - 62/6 -/(< ' -)- (*6 2/!' 62' +'K,)7)6' -'.+'
0*(6+*5 *!' + 62' 3 /7)7 +'K,)+'- =< 62' Carneyhan 0/7' 2,7 ; ' 0*(05, -'
62' 6+)/5 0*,+6 '++' -)((*6 .+/(6)(. / -)+'06' - !'+-)06)(9/!*+ *9 - ; /+-7

2)5' - ; /+-7 ; 2* +'4+'7'(6' - 2)37'59

!'+-)06 2' 9/)5' - 6* /57* 3*!' 62' 6+)/5 0*,+6 9*+ / 3*6)*

(*6 ;)6276/(-)(. 62' !'+-)06 7)(Car er v. Driver ?

62' :,-. 3 '(6 2'+ ' 72*,5- =' 3 '+ '5< +'!' +7' - 9*+ / (' ; 6+)/5 +/62'+ 62

9*+ 62' '(6+< *9 / :,-. 3 '(6 (*6 ;)6276/(-)(. 62' !'+-)06 ='0/,7' *

9/)5,+ ' 6* 7* 3*!' %ee id /6 %ee also 300999 Cro 'n B

- # # # @&< JF#A Flynn v. %on#er

J??A '!' +62'5'77 72*,5- 62' '!) - '(0')(/ (' 62'

6+)/5 62' (62' 6+)/5 0*,+6 72*,5- .+/(6 - ; /

Car er, s(pra) &oyal Cro 'n, s(pra.

; *)77, '7 +/)7' - =

5)1'5< 6* +'*00,+)(/ (' ; 6+)

&'55'< 62/6 6' (<' /+7 ' /+5)' + - ; /+-7 2/62'70p; ' s-;

ld /6 K,*6)(. # 3 ,+ - "mploymen &ela ionship L @ A

'0/,7' "+,!'E7 0/,7' *9 /06)*(/. /)(76 - ; /+-7 ; /7 9*+ 62' ('.5). '(6 *+
+'015'77 2)+)(. +'6'(6)*(*+ 7,4'+!)7)*(*9 62' /77/)5/(67 ; ' 0*(05, -' 62/6 62'
'!)- '(0' ; /7 /- 3)77)=5'

2' :,-. 3 '(6 *9 62' '/-')+0,)6 * ,+6)7 +'!' +7' - /(- +' 3 /(-' -

9*+ / (' ; 6+)/5 /7 6* - ; /+-7

& " "

"

"

"

"

" 0*(0,+ ;)62 62' 3 /:*+)6< *4)()*('80'46)(7* 9/+ /7

62' 3 /:*+)6<E7 *4)()* (9)(-7 (* '++*+ ;)62 62' /- 3)77)*(*9 62' 6'76)3 *(< *9 &/5'

&'55'< ; 2)02)(0,54/6'7 - ; /+-7)(/ (/66' 3 46' - 3 ,+- '+ 45*6 /. /)(76 *++)7

' '7 0*,(7'5 9*+ 62' 44'55' ' /(- 62' 5/)(6)99 ='5* ; 2'+-

)77, '7 3)75' / - 62' :, + < + '7, 56) (, (-, ' - '5 / < * + = ' / (' - '5 '77 4 + '7' (6/6) * (*9

0, 3 , 5/6) ! ' ' !) - ' (0'

(62' 6+) / 5 = '5* ; 62' / - 3)77) * (*9 62' 6'76) 3 * (< *9 & / 5' & '55' <

0 * (0' +) (. 62' 45 / (7 6* 3 , + - ' + * +) 7 ' '7) (0, 54 / 6' - - ; / + - 7 / (- = '5) ' !'

+ '7, 56' -) (, (-, ' 4 + ': , -) 0' 6* - ; / + - 7 67 / - 3)77) * (; / 7 ' + * + = '0 / , 7' 62'

/ 55' . ' - !) 06) 3 * +) 7 ' '7 ; / 7 / (/ 66 * + (' < / 44' / +) (. = '9 * + ' 62' :, + < / 7 0 * , (7' 5

9 * + 62' 45 /) (6) 99) (62' 6+) / 5 * 9 62) 7 3 / 66' + ' 0' 77 / +) 5 < * +) 7 ' '7 / 7 0 * , (7' 5 9 * +

/ 5) 6) . / (6 ; / 7) (/ 4 * 7) 6) * (6 * ' (- ' / + 2) 3 7 ' 59 6 * 62' :, + < = < 2) 7 - + ' 77 - ' 3 ' / (* +

3 / ((' +) 7 3 7 4 + ' 7 * (/ 5) 6 < ' 5 * K , ' (0' * 9 74 ' ' 02 4 + * 8) 3) 6 < 6 * 62' :, + < 0 * (6) (, ' -

/ 44' / + / (0' = '9 * + ' 62' :, + < / (- 4 / + 6) 0) 4 / 6) * () (62' 6+) / 5 * 9 62' 3 / 66' + / 7 0 * , (7' 5 9 * + ~~6140E~~ " p

/ 5) 6) . / (6 2) 7 B' (- ' / + 3 ' (6 C 0 * 3 =) (' - ;) 62 62' / - 3) 77) * (* 9 62' 0 * 55 / 6' + / 5 9 / 067

7, + *) 7 (-) (62' / 66' 3 46 ' : , 3) 0 + - / 56 4 (3 7 5 9) ' '7) (!) 6' - 62' :, + < 6 * 3 / 1' / - ' 0) 7) * (

* (62' 5) / =) 5) 6 < * 9 - ; / + - 7 * () + ' 5' ! / (6 . + * , (- 7 6) 7 6 + , ' 62 / 6 ' !) - ' (0' * 9

0 * 55 / 6' + / 5 9 / 067 3 / < = ' / - 3) 77) = 5' , (- ' + 0' + 6 /) (0) + 0 , 3 76 / (0' 7 * ; ' !' + 62') +

4 + * = / 6) ! ' ! / 5 , ' 3 , 76 (* 6 = ' 7 , = 76 / (6) / 55 < * , 6 ; ') . 2' - = < , (- , ' 4 + ': , -) 0'

= '5) ' ! ' 62 / 6 62' 6' 76) 3 * (< * 9 & / 5' & '55' < ; / 7 , (- , 5 < 4 + ': , -) 0) / 5 / (- 62 / 6) 67

/ - 3) 77) * (/ 7 ' !) - ' (0' s (\$ + (dice ; / 7 + ' !' + 7) = 5' ' + * +

7 / 7' 0 * (- = / 7) 7 9 * + 62' ' 805 ~~EKR~~ Ò

/- 3)66' - 6* 2/(-)(. *,6 &5/(0/+7 /6 62' 9/)+ /(- / 62)+- 2/- / 0/55)(. 0/+ -)(2)7
4*01'6 ; 2'(2' ; /7 0/, .26 (/--)6)*('!) - '(0' ; /7 4+'7'(6' - 62/6 '(75' < 2/-
/ 4+)*+ 0+)3)(/5+'0*+ - /(- /61)(7 /44' /+' - /6 & 9, (06)*(7 *(- ; /+-7E7
4+*4'+6< '76)3*(< '76/=5)72' - 62/6 62'7' 9, (06)*(7 .5*+)9)' - 71)(2' /- !)*5'(0'
/./)(76 3)(*+)6)'7

'+' 62' : ,+< ;)62+' ./+- 6* 62' !)*5'(0' /./)(76 "+, !'+ /66+)=,6' -
*(5< G *9 62' 9/,56 6* - ; /+-7 2)7 4'+0'(6/.' *9 9/,56 +'95'067 62/6 62' : ,+<
0*(7)- '+'- - ; /+-7E7 +*5' /(- +'74*(7)=5)6< 9*+ 62' =' /6)(. *9 "+, !'+ (- 62'+'
/7 (* /+., 3'(6 62/6 62' 0*,+6E7)(76+,06)*(7 ; '+' ;+*(. *+ 62/6 62' : ,+< -) - (*6
9*55* ; 62' 5/ ; *+ 62/6 62' : ,+<E7 - '0)7)*(; /7 62' +'7,56 *9 4/77)*(*+ 4+' : , -)0'

'(0' /7 '845/)('-)(*cCrocklin/s Adm/r v. Lee # &< F? - F?
&&< 44 J A BH)I6)7 ,+.' - 62/6 62' !'+-)06)7 95/ ./+(65< /./)(76 62' '!) - '(0'
=,6 ; 2'(/ !'+-)06 0/(=+' /7*(/=5< '845/)('- =< ; 2/6)7)(62' +'0*+ -)6)7 (*6
95/ ./+(65< /./)(76 62' '!) - '(0' C . alls Adm/r v. B(r on Prod(ce Co. ? &< ?

- J @ J FA ; *,5- 3 /)(6/)(2'+ ' 62/6 62' !'+-)06)7 +' /7*(/=5<
'845/)('- =< ; 2/6)7)(62' +'0*+ - ,+62'+3 *+' BH6I2)7 : ,+< 2/- 62' +).26 6*
='5)'!' 7* 3' ;)6('77'7 /(- 6* -)7='5)'!' *62'+7H IC Id.

2' 3 /:*+)6< (*6' - 62/6 62' Carneyhan 0/7' 0)6'7 62' '76/6' 3 '(6
@ '0*(-A *9 *+67 L J @ J?FA ; 2'+')()7 7/)-

(' ; 2* 6/1'7 02/+. ' *9 / 62)+- 4'+7*(; 2* 3 2'
1 (* ; 7 *+ 72*,5- 1 (* ; 6* =' 5)1'5< 6* 0/,7' =*-)5< 2/+3
6* *62'+7)9 (*6 0*(6+*55' -)7 , (- '+ / - ,6< 6* '8'+0)7'
+' /7*(/=5' 0/+ ' 6* 0*(6+*5 62' 62)+- 4'+7*(6* 4+' !'(6 2)3
9+* 3 -*)(. 7,02 2/+3

7 62' 3 /:*+)6< 7/<7 62' />5)6< 6* 0*(6+*5 62' 4'+7*(0/,7)(. 2/+3 /77, 3 '7
 4+)3 /+<)3 4*+6/(0' (62' 0/7' /6 2/(- 62' 6+)/5 0*,+6 :, -. ' /(- 62' :,+<5)76' (' -
 6* '!)- '(0' /(- 3 /- ' / -'0)7)*(/=* ,6 - ; /+-7E7 0*(6+*5 /(- />5)6< 6* 0*(6+*5
 '(75'< /(- /61)(7 3*(. 62' '!)- '(0' 62'< 2' /+- ; /7 62/6 '(75'< /(-
 /61)(7 ; '+ '!) *5'(6 3 '(62' &)7 /5 ; /<7 7''1)(. (' ; 3 '3='+7 /(- 62/6
 - ; /+-7)(4/+6)0,5/+ 2/- '!'<62)(. 6* ./)(=< 62' /--)6*(*9 (' ; 3 '3='+7
 :,+<)7 -)+'06' - 6* =' 9/)+ 6* 5)76' (6* /55 62' '!)- '(0' /(- (*6 6*
 5' /!' 0* 3 3*(7' (7' *,67)- ' 62' 0*,+6**3 - * (*6='5)'!' 62/6 62' -'0)7)*(*9 62'
 6+)/5 :, -. ')(-' (<)(. 62' -)+'06' - !'+-)06 ; /7 05' /+5< '++*('* ,7 *+ 62/6 62' :,+<
 !'+-)06 ; /7 95/ ./ (65< /./)(76 62' '!)- '(0' 2'+ '9*+' ; *,5- /99)+3 62' -'0)7)*(
 9 62' 6+)/5 0,+6

&<5' ,+- '(
*,)7!)55' &' (6,01<

" \$
)02/+ - *2' (
*++)7 '7 +
*(6.*3 '+< 5/= / 3 /

)55) / 3 0 ,++<
*,)7!)55' &' (6,01<

'62 / (< + '6D
*,)7!)55' &' (6,01<

/!) - +)' - 3 / (
*,)7!)55' &' (6,01<

P&O %"