

IT'S YOUR LAW

Respect for Law Makes Democracy Live

Editor's Note: The following article was prepared as a public service by the Oregon State Bar and is not intended to be legal advice. Persons having a legal problem should consult an attorney.

Independent Contractors
Now and then you may hire someone to do some special work for you. In case someone is hurt are you legally responsible?

It depends on how you "hire" him. Was he an "Independent contractor?" An "employee." Or an "agent?"

As a rule an independent contractor has an independent calling like that of a plumber, electrician, house painter and the like.

Your agreement with him calls for certain results. You do not tell him how to work. As a rule, you are not legally to blame for any harm he may do. He is an "independent" contractor and not an employee or agent.

But what about an employee or an agent? You, the employer or principal, controls and directs how the worker does his job. You are therefore responsible for it, and largely for any harm that may grow out of his work.

But how can you tell the difference between an independent contractor or an agent or employee?

You look for facts that show or do not show control, direction or independence. Suppose you "hire" an independent contractor to paint your house white. Accidentally his worker splatters some paint on your neighbor's green shutter. He is to blame through lack of due care, not you. But you would be responsible if you employed and directed these painters yourself.

Is Responsible

Why this difference? You have no control over the way the independent contractor does the work. Since he owns and manages his enterprise, he is legally responsible for what he does.

But you still may have some legal responsibility for an independent contractor's work as, for example, if you hire someone whose work may cause injury. Thus in one such case the contractor dug in the street. A pedestrian fell into the hole and was hurt. He could sue both the owner and the contractor.

One cannot always pass on all the responsibility to the contractor if in itself your project is dangerous, like blasting in a populous place.

In such cases you have an extra duty to make sure to get skillful and responsible independent contractors to do such work.

A man got an independent trucker to haul lumber. The trucker crashed into a car on the highway. The injured party sued both him and the lumber company and won. As a rule only the independent trucking company would have had to pay, but here the lumber company should have known that this trucker was reckless.

When you call in a plumber, repairman, or other independent contractor you must make your place safe for him to work in. You must tell him of any traps and hidden dangers (not obvious ones). Otherwise you may be liable to the contractor for any injuries to him or his workers.

(Oregon lawyers offer this column as a public service. No person should apply or interpret any law without the aid of an attorney, who is completely advised of the facts involved. Even a slight variance in facts may change the application of the law.)

Westinghouse Re-Trial Ordered

NEW YORK (UPI)—A federal judge has ordered a re-trial of Westinghouse Electric Co. on charges of price-fixing in violation of the anti-trust laws.

Judge John M. Cashin made the decision after denying a Westinghouse motion seeking an acquittal following a hung jury verdict two weeks ago after a week-long trial.

The motion for acquittal was opposed by John J. Galgay, head of the Department of Justice anti-trust division here.

Westinghouse had been indicted with other companies on charges of price-fixing in brazed alloys used by manufacturers in producing radios, refrigerators and similar appliances.

The other defendants either have pleaded guilty or no contest. Westinghouse elected to stand trial, which had resulted in the hung jury.

The 73rd Illinois Infantry was known during the Civil War as the "Methodist Preacher" regiment. Its colonel, lieutenant colonel, major, six captains and seven lieutenants were licensed Methodist ministers.



Brilliant diamonds set in butterfly earrings. 14K gold. \$100



Man's 14K gold, 4 diamond ring, Linde Star sapphire or ruby. \$195



Bold 14K gold man's ring features 7 diamonds. \$225



Diamond elegance in 4-prong solitaire, 14K gold. \$250



Splendid diamond in Miracle Top solitaire, 14K gold. \$150



Emerald cut diamond and 4 baguettes in 14K bridal pair. \$295



Bridal pair has marquise 4 baguettes in 14K gold. \$395

prices plus tax where applicable

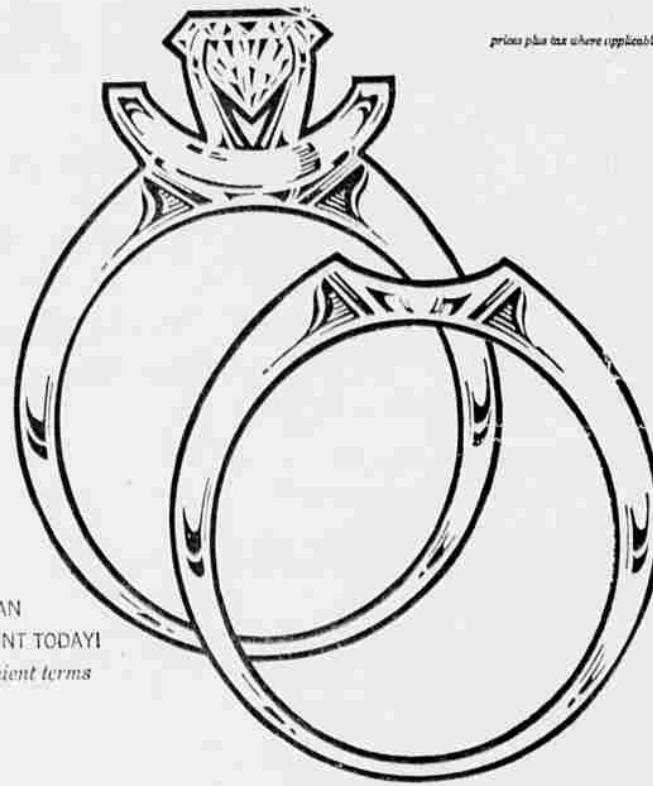


ZALE'S CHRISTMAS BELLRINGERS

holiday gift values!

Open Evenings Until 9
Beautiful Free Gift Wrap

NO PAYMENTS 'TIL FEBRUARY '64



OPEN AN ACCOUNT TODAY!
Convenient terms

Constellation diamond design
Two-tone gold solitaire with 14K gold wedding ring.



Man's 10K initial ring, 2 diamonds, genuine onyx. \$39.95



Lady's 10K ring, synthetic birthstone and 2 spinels. \$13.95



Graduated cultured pearl necklace by Heritage. 14K clasp. \$12.95



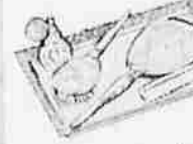
Sterling silver cufflinks and tie tac set with 3 diamonds. \$29.95



Choice of synthetic birthstone in 14K gold Galaxie pendant. \$6.95



Precision 7 x 35 Binoculars with coated prism lens. Center focus. Complete with leather case. \$19.88



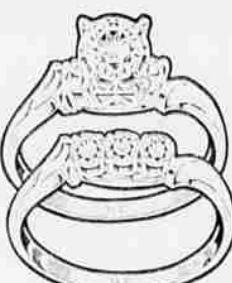
Dresser set, mirror, brush, comb, atomizer, and mirrored tray. \$8.95



Diamond-plated Times shock resistant watch. Leather band, boy's design. \$6.95



Famous name watch, all new style and looks. Gift boxed. Your choice. \$2.99



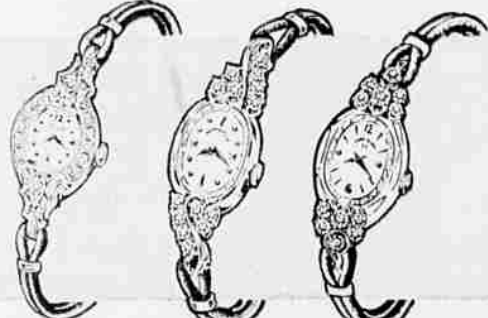
4 brilliant cut diamonds totaling 1/2 carat in 14K gold bridal pair. \$117.75



11 exquisite diamonds totaling one full carat in 14K gold. \$249



Bridal pair is elegantly designed with 11 dazzling diamonds, 14K gold. \$75



12 brilliant diamonds in 14K case of lady's 17-jewel precision movement Elgin wrist watch. \$59.95

Superb 17-jewel Hamilton features 14 radiant diamonds in exquisite case of 14K Fashion band. \$150

Twelve glittering diamonds total a full carat in 23-jewel Lady Elgin... case of elegant 14K. \$249



Handsome 17-jewel Baren, shock and water resistant* with matching expansion band. \$12.88

Dainty 17-jewel Baroness in white or yellow fashion case with petite matching expansion band. \$12.88

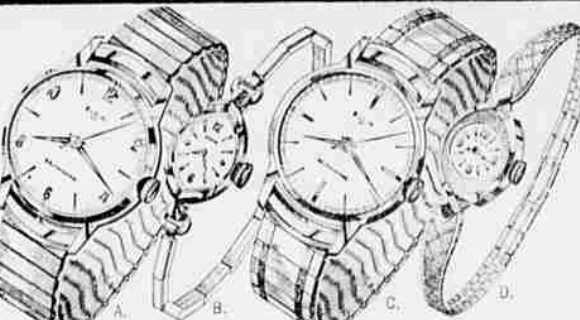
Baylor Premier Day-Date, automatic 17-jewel man's watch with Spindel Twist-O-Flex band, shock and water-resistant. \$33.75

Special Holiday Hostess Gift



5 piece Silverplated Tea and Coffee Service
Includes: 10-cup coffee pot, 8-cup tea pot, creamer, covered sugar, large footed tray. \$39.95

17-jewel Elgins for Men and Women



A. Handsome man's automatic Elgin, shock and water-resistant. \$29.95
B. 17-jewel lady's Elgin features 14K gold case, expansion band.
C. Man's 17-jewel Elgin automatic, shock and water-resistant.
D. Lady's 17-jewel Elgin is accented by 2 breathtaking diamonds.
*shock case and crystal are tested



Interlocking bridal pair, fine center diamond, 3 round and 3 marquise diamonds in 14K gold. \$325



Brilliant bridal pair with 7 glittering diamonds in sophisticated 14K gold mounting. \$495



a. "Pearl of My Heart" pendant with diamond, 14K. \$10.95
b. Elegant simplicity of white diamond pendant in 14K gold. \$100
c. Delicate design of diamond "Galaxie" cross pendant. 14K gold. \$75

Exciting Homemaker Specials!



G.E. alarm clock, lighted dial, sleep sound band, tm case. \$2.99



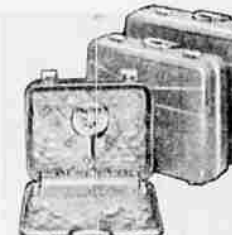
Compact travel alarm, leather grain case, luminous dial, sleep sound band. \$3.99



Universal Stainless Coffee maker, 10-cup, retile, favor selector. \$15.88



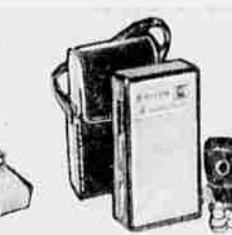
2-slice Proctor electric toaster in rich chrome, automatic, crumb tray. \$9.89



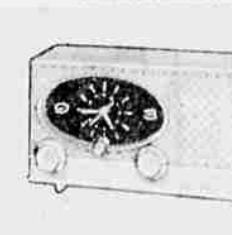
3-piece Magna-lite luggage set is complete for lady traveler, durable. \$39.95



Baylor twin motor transistor tape recorder, microphone, earphone, eye finger controls. \$19.88



Baylor 8-transistor kit gives fine reception, earphone, case, battery. \$6.99



Admiral Deluxe Clock Radio... "The Siesta", fingertip control, automatic, wake-up-to music! \$17.88

LAST MINUTE CHRISTMAS SPECIALS

TOASTER
Proctor 4 Slice, Automatic Pop-up
\$15⁸⁸

FRY PAN
Sunbeam Multi-Cooker, Large Size Model MCLB
\$20²⁹

CAN OPENER
With Knife Sharpener, Udico
\$12⁸⁸

Elec. Tooth Brush
Westinghouse Multi-Action In Folding Case
\$12⁸⁸

Power Tool Set
3-Piece, 7-Inch Saw, 3/8-Inch Drill, Sander at Incredibly Low Price
\$39⁸⁸

HAIR DRYERS
Dominion or Universal Hot Box Carrying Case, Your Choice
\$10⁸⁸

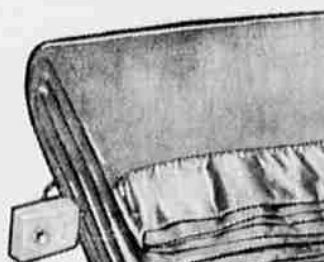
10 TRANS. RADIO
Elgin, Complete With Case, Earphones and Bat.
\$19⁹⁵

Cordless Shaver
Remington Lektrolic II Model 662
\$25⁸⁹

PERCOLATOR
West Bend 9 Cup Automatic
\$5⁹⁹

"Siesta" Electric Blanket

by Northern
Luminous blanket is thermostatically controlled for maximum comfort - 80% rayon, 20% cotton - all rayon binding, double bed size. Available in assorted colors.
Single control \$11.88
Dual control \$15.88



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