

which she declined to move, and the plaintiff's furniture was likewise removed. The plaintiffs claimed that this was a forcible entry in violation of the statute 5 Ric. II, St. 1, c. 7, and claimed damages; they did not claim any right or title to possession of the house. In these circumstances Peterson, J., held that the plaintiffs were entitled to damages, but on appeal to the Court of Appeal (Bankes, Scrutton, and Duke, L.JJ.) his decision was reversed, on the ground that the defendants' right of entry was a defence to civil proceedings for the acts complained of, the Court overruling *Newton v. Harland*, 1840, 1Sc.N.R. 474; *Beddall v. Mailland* (1880), 17 Ch.D. 174; and *Edwick v. Hawkes* (1881), 18 Ch.D. 190, so far as it followed the previous cases.

BRITISH COLUMBIA—LEGISLATIVE POWERS OF PROVINCE—WORKMEN'S COMPENSATION ACT (6 GEO. 5, c. 77, B.C.)—SHIP SEAMEN—RESIDENCE WITHIN PROVINCE—ACCIDENT OUTSIDE PROVINCE—B.N.A. ACT, s. 92 (13).

*Workmen's Compensation Board v. Can. Pac. Ry.* (1920) A.C. 184. This was an appeal from the Court of Appeal of British Columbia holding that the Provincial Workmen's Compensation Act (6 Geo. 5, c. 77) insofar as it purported to entitle seamen meeting with accidents outside the limits of the Province to compensation under the Act, was *ultra vires* of the Provincial Legislature. The Act in question is administered by a Board and the fund out of which the compensation is payable is levied by assessment on the employers of workmen who are under the Act entitled to compensation. The Canadian Pacific Ry. Co., the plaintiffs in the action, were owners of a steamship and on board of this steamer were a number of seamen resident in the Province; and the vessel was lost with all hands outside the limits of the Province. The action was brought by the Railway Company to restrain the Board from paying any compensation under the Act to the dependants of the seamen who had been thus lost, on the ground that the Act so far as it authorized compensation to be paid in respect of accidents happening out of the jurisdiction was *ultra vires*, as being an interference with the right to immunity from liability which the plaintiffs were entitled to outside the Province, and as also being an interference with the Imperial Merchant Shipping Act, 1894, s. 503; and the Canada Shipping Act (R.S.C. c. 113), s. 215. The Court of Appeal gave effect to these contentions, but the Judicial Committee of the Privy Council (Lord Birkenhead, L.C., and Lords Haldane, Buckmaster and Parmoor, and Duff, J.) overruled them, holding