"The marvels of iteration and expansion, centuries old, musty and rusty," of legal documents are very objectionable to Mr. Field. Life is too short and patience too weak for "words, words, words." Cataracts of words are not pleasing to him. He insists that it is the duty of the lawyer to help remove patent defects in jurisprudence, from time to time to improve the law, and to help diffuse among the people a knowledge of all the law of the land. He does not adore the Common Law; thinks the laws at present are in a chaotic state, that they require and must have, sooner or later, applied to them a process of elimination, a process of condensation, and a process of classification. In fact he demands a code, that all the people of the land may know the law, and know it before they get into it. It seems strange after so much has been said in favour of codification, that out of the forty-two States of the Union there are but five—California, North and South Dakota, Georgia, and Louisiana — which have attempted to give to their citizens the whole body of their laws.

Much of what is said in this address is as worthy of the attention of the members of the Law Society of Upper Canada as of the American Bar Association. R.

THE NEW EMPLOYERS' LIABILITY BILL FOR GREAT BRITAIN AND IRELAND.

Sir Frederick Pollock has observed, with not less truth than wit, that the law of England consists of groups of statutes, floating like islands in an ocean of cases. The history of the Employers' Liability Act, 1880, and of the amending Bill which was last year revised by the Standing Committee of Law, and will soon, it may be hoped, receive the Royal assent, is an admirable illustration of the great English jurist's simile.

According to the common law of England—affirmed by a series of decisions from *Priestly* v. *Fowler*, in 1837, downwards—a master was not answerable to one servant for an injury arising from the negligence or misconduct of another in the same "common employment," upon the ground that the possible negligence of a fellow-servant is a risk which every employee deliberately undertakes to run, and of which, therefore, upon the venerable authority of the maxim, *volenti non fit injuria*, he has no legal right to complain. This doctrine of common employment, in its extreme form, the Scotch courts refused to recognize, till it was made binding upon them by the decision of the House of Lords, on appeal from the Court of Session, in the case of the *Bartonshill Coal Co.* v. *Reid* in 1858. In that case, the deceased, a miner in the employment of the appellants, was being drawn up the shaft in the cage or cradle of the works by a fellow-servant, Shearer. This man failed to stop the engine at the proper time. The cage, sent with great force against the scaffolding, was overturned, and the unfortunate Reid, precipitated from the height of fifty feet, was immediately killed. The Scotch judges held that Shearer was not a fellow-workman of the deceased, because their work was quite different in character—the one excavating coal, the other managing