

*Reid, K.C., and R. M. Macdonald, for plaintiffs. A. D. Taylor, K.C., Woodworth, Griffin and Brydson Jack, for various defendants.*

Clement, J.]

[June 29.

DISOURDI v. SULLIVAN GROUP MINING CO.

DISOURDI v. MARYLAND CASUALTY CO.

*Workmen's Compensation Act, 1902, s. 6—Workmen's compensation — Ultra vires — Insolvency of employer — Procedure by applicant to establish liability of insurer.*

The applicant was injured in the employment of the defendant mining company, which, during the proceedings to establish his claim against them, went into liquidation. He was awarded compensation in \$1,500. The insurance company disputed the award, and the applicant applied under s. 6 of the Act for an order that the mining company and the insurers proceed to the treat of an issue with him.

*Held*, 1. Any right which the applicant might have against the insurers under said s. 6 must be decided in an action commenced in the ordinary way.

2. The rules made under s. 6 are ultra vires.

*S. S. Taylor, K.C., for the applicant. L. G. McPhillips, K.C., for the insurers.*

### Book Reviews.

*A Commentary on the Bills of Exchange Act (R.S.C. 1906, c. 119).* With references to English, Canadian and American cases, and to the opinions of eminent jurists. By HON. BENJAMIN RUSSELL, M.A., D.C.L., one of the justices of the Supreme Court of Nova Scotia. Halifax: McAlpine Publishing Company, Ltd. 1909.

Some twenty years ago the learned author wrote a series of letters to the *Toronto Mail* on the subject of Bills and Notes, desiring thereby to call attention to the necessity for a statute which should provide a general law in relation to negotiable instruments, applicable to the whole Dominion. These letters, and the attention they called to the subject, largely contributed to the passing of the legislation of 1890 which produced the