Canada Law Journal.

VOL. XXXV.

JUNE 15, 1899.

NO. II.

It may perhaps be useful to remind the profession that owing to there having been two sessions of the Legislative Assembly of Ontario during the regnal year 62 Victoria, and some of the Acts in both sessions bearing the same number, it will be necessary in order to avoid confusion in citation to distinguish the chapter cited either by prefixing "Sess. 1" or "Sess. 2" as the case may be, or, "Statute 1" or "Statute 2," which is the more ancient way of making the distinction. For, although the various chapters are colloquially spoken of as if they were separate statutes, it would seem that in law all the Acts passed in any one session are, properly speaking, but one statute: see Stephen's Coms. 12th ed. p. 67 n.

The English Workmen's Compensation Act of 1897, which is supposed to be an improvement on the former Act, seems somewhat difficult of construction, and to be fruitful of litigation. The English Law Times of 20th May, 1899, observes that the English Court of Appeal was occupied 4 days in hearing appeals in cases under the Act, and in all nine cases were disposed of. This is a pretty good crop of cases under one Act. It would of course be very much in the interest of the profession that the English Act should be adopted in Ontario, it may however be open to doubt whether it would be equally beneficial for the class the Legislature intends to benefit by this species of legislation. Mr. Beven in his second edition of the English Act says, "the pleasing theory that the Act was to give an easy and ready mode of compensation for the wounded soldiers of industry must now plainly be abandoned. Experience shows that the Act and the procedure under it are replete with technicalities, and professional assistance is next to essential in elucidating them."

The Act was passed as "a sop to Cerberus," and that it is a failure is hardly to be wondered at, as it is evidently the work of an amateur legislator with an inadequate grasp of his subject.