have gone quite as far as Germany. Under the German Act, even gross fault does not bar the workman. He can recover full compensation unless he intentionally caused the accident. He can get two-thirds instead of one-half his annual earnings as in England, if he is totally incapacitated. Medical expenses, funeral expenses, and legal expenses in the action for compensation are all paid for him. And, most important of all, all employers to whom the law applies, are compelled to insure against their liability. And the act supplies an elaborated machinery for insurance societies in each district to be formed and managed under the supervision of a central authority—the Reichsversicherungsamt. Since then many countries in Europe have followed suit, but none, I think, going quite so far as Germany.

Austria passed a law in 1887, Norway in 1894, Finland in 1897, Italy and Denmark, as well as England and France in 1898.

They differ, naturally, in detail but all abandon the old theory that actual fault of the employer is the basis of liability.

The present unsatisfactory state of the law here is due to the fact that our courts are trying, without legislation, to reach the same conclusion. They are putting new wine into old bottles. It makes no difference to the employer whether we say as the French law now says :—

"You are liable without fault, merely as an employer" or say, as our courts do :—

"There must be fault, but seeing that you are an employer we presume you are in fault, or there would have been no accident."

Perhaps the courts do not put it quite so bluntly, but is not this the practical effect?

The new theory that accidents will happen and that