

The effect of the Act of 1880, stated roughly, was that an injured workman acquired a claim upon his employer any liability for an accident which he himself had been entrusted with duties of superintendence, and that no railway company could escape its responsibility if one of its servants was injured by reason of the negligence of any other person in its service who was in charge of a train or a signal on its line. The Act applied only to manual workers, but not to domestic servants or seamen. The expression "workman," received so narrow a construction in the Courts, in the enormous amount of litigation to which the Act gave rise, that it was even held that a tram-car driver was not a manual worker. To the workman who remained voluntarily at work after he became acquainted with the danger from which his injuries sprang it gave no relief, and among its other defects was the ease with which it enabled the less reputable of employers to evade their responsibility by employing sub-contractors.

The Workmen's Compensation Act, which came into operation at the beginning of July, was framed on a much larger scale. It introduced a revolution into the legal relations of master and man. Formerly an injured workman could obtain compensation only if his employer had been guilty of negligence, or if a fellow-workman with duties of superintendence had occasioned his injuries. The new Act entitles him to compensation no matter how his injuries are caused. The only injuries for which an employer is not liable are those attributable to the "serious and willful" misconduct of the workman himself—a vague expression which is certain to result in a large number of disputes. With this exception, the employer is bound to compensate the workman who is injured in his service, whether the accident be occasioned by the negligence of the employer, the carelessness of a fellow-workman, by an interfering stranger, by the "Act of God," or by the injured workman himself. It is not surprising that July 1st has been added as a red-letter day to the calendar of labour.

The charter of the injured workman does not, however, include every kind of worker. Its benefits are confined at present to about one-half the labour world, the main object of the Act being the protection of workers in dangerous trades. The easiest way to realize its scope is to glance at the occupations to which the Act does not apply. Among the workers who are excluded are agricultural labourers, seamen, operatives in workshops to which the Factory Acts do not apply, domestic servants, shop assistants, drivers of vehicles, and men belonging to the building trades, who are engaged on buildings which are less than thirty feet in height, and are being constructed or repaired without a scaffolding.

It does not apply to persons in the military or naval service of the Crown, but, with this large exception, the Crown is placed in no better position than the private employer. It is essential that the injuries of the workman should be due to an accident "arising

out of, and in the course of, his employment." This is another ambiguous phrase which is certain to produce a large crop of disputes. Suppose an engineer is sent by his employer with a private message to a friend's house, and is knocked down by a passing van. Could this accident be properly said to arise out of and in the course of his employment? This is one of many questions that are certain to be discussed in the courts, though one of the foremost objects of the Act is to put an end to the costly litigation that has occurred in employers' liability cases, and to establish a system of arbitration.

Four different kinds of arbitrators are contemplated by the Act, viz., a committee representing the master and his men, some person to be agreed upon by the injured workman and his employer, the County Court judge of the district in which they live, or some person to be nominated by the County Court judge. The principal duty of the arbitrator is to determine the amount of compensation to which the injured workman is entitled. The maximum weekly allowance is £1, while the maximum sum payable to the dependents of the workman, if his injuries prove fatal, is £300.

Nothing could be simpler than the manner in which the arbitrator's award is enforced. A memorandum is forwarded to the local County Court, where, after undergoing a process of registration, it attains the status of a County Court judgment. The Act contains a provision for contracting-out, but the provision is so beset by restrictions that it cannot possibly be used as a weapon for defeating the objects of the Act. Every scheme for contracting-out must be certified by the Registrar of Friendly Societies, whose sanction will be given only if the majority of the workmen are in favour of the scheme, and if it provides the workman and their dependents with a scale of compensation not less favourable than that provided by the Act. This brief account of the development of the liability of employers for injuries to their workmen is sufficient to prove how revolutionary is the change which the Workmen's Compensation Act has introduced into the law.

Whether the Act will achieve all that its promoters have in view is a question to which it is too early to suggest an answer. It depends mainly on the insurance companies, many of which have not yet acquired the experience to enable them to offer settled terms.

BANK AMALGAMATION.—It is reported that negotiations are pending for the consolidation of a number of Chicago banks. The Bank of Commerce and the American Trust and Savings Bank are contemplating consolidation, as well as the Globe National and the Continental National Banks. Similar reports come from Boston, where the Freeman's National, Manufacturers' National and Continental National banks will consolidate.—*Shareholder.*