

## Reviews and Notices of Books.

*The Workmen's Compensation for Injuries Act, 1892, and the Revised Statutes of Ontario (1887), c. 135, commonly known as Lord Campbell's Act, with copious notes. By George Smith Holmsted, of Osgoode Hall, Barrister-at-Law, Toronto.*

The late Lord Bramwell could never see any injustice in the doctrine of "common employment," and he was a judge, one of whose judicial qualities was strong common sense. However, whether just or unjust, the common law on the subject was intelligible; it was logical to say that a servant had, for his wages, parted with any rights which he would have had in respect of injuries caused by the negligence of any one in the employment of his master. We are living, however, in times of social upheaval, and one of the signs of it is that of continual pressure by the "workingman" for class legislation. Whether he really has benefited by what he has obtained in that way is doubtful; it is equally so whether class legislation of any kind benefits those for whom it is intended. Some people are unkind enough to say that the lawyers get all the benefit.

We are led to these remarks by the publication of Mr. Holmsted's valuable annotation of the Workmen's Compensation for Injuries Act, 1892. The Employers' Liability Act, 1880, of the Imperial Parliament, was, in effect, re-enacted by the Ontario Legislature in 1886; but, although more than once amending Acts were introduced into the English House, they have, as yet, failed to become law there. The Ontario Legislature, however, taking up one of the English amending Acts passed it into law in 1891, and last year consolidated the two Acts.

This year the same Legislature has "gone back" on its record, by excluding farmers from the provisions of the Act—why, it is difficult to conceive. Farmers nowadays largely use agricultural implements, and should not be exempt from any liability imposed on other employers of labour.

We have said that the doctrine of "common employment" is intelligible. We wish we could say the same of the legislation, which has, among other matters, altered it: it is, on the contrary, in many ways obscure. Of the principal Act, it has been said that it has resulted in a "singularly intricate and clumsy