

committed within the limits of the province of Ontario, a foreign jurisdiction; 3. that the law of the province of Ontario governs; 4. that by the law of the province of Ontario, in such matters made and provided, no common law action lies. And that the plaintiff's action is dismissed with costs.

I should point out that my opinion is not in conflict with some recent holdings in our Courts under the Workmen's Compensation Act. I would be prepared to hold, that a workman engaged in the province of Quebec and who was injured in the province of Ontario, and who sued in Quebec under the Workmen's Compensation Act would get relief. His right to sue under the Workmen's Compensation Act does not arise from a tort, but accrues from the contract of hiring, and has its origin in that contract, and which contract would be governed by the *lex loci contractus*.

*Judgment*:—"Considering that the law of the province of Ontario governs the rights of the plaintiff and the obligations of the defendant arising from said tort;

"Considering that by the law of the province of Ontario, an action at common law such as taken by the present plaintiff is denied;

"Considering the defendant's plea is well founded;

"Doth maintain the defendant's plea and doth dismiss the plaintiff's action, with costs."

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