

employers can have reached the conclusion that, as a body, they would be benefited by procuring an immunity from actions at law. It does not seem to have occurred to them that, under the scheme proposed, all the members of their class, except those against whom damages would have been recoverable in such actions will be prejudiced to the extent that the compensation fund would have been relieved, if the culpable parties alone had been required to compensate the workmen injured by their negligence. The writer ventures to suggest that they should consider this phase of the subject more thoroughly than they seem to have done. The gist of the whole matter may be summed up in the simple question, Why should A., B., and C., who conduct their business properly, be answerable, even in the smallest degree, for the defaults of X., Y., and Z., who do not so conduct their business? Apparently such a question can be answered only in one way.

That the workmen will also be seriously prejudiced by a surrender of their right to recover from negligent employers damages computed on a common law basis, would seem to be equally certain. From their point of view the essential point to be borne in mind is that the preservation of this right would, by keeping alive the same motives which now influence employers to exercise proper care, tend as at present to diminish the risk of injury. Employers who know that lapses from the standard of reasonable care will expose them to the possibility of being compelled to pay larger sums to their workmen than they contribute to the compensation fund may be expected to order their business with far greater diligence than those whose liability is limited to the payment of the assessments for which the Bill provides. It is indisputable that, even under the existing system of substantive and adjective law, which, as already observed, renders litigation so precarious and expensive that workmen are frequently deterred from attempting to assert well-founded claims, they reap a constant advantage from the knowledge of these employers that any dereliction of duty will, if it causes an injury, possibly result in a law suit. The protective influences of the apprehension in-