

Council held, among other things,—that by the principles of private international law the appellants were under no common law liability in Quebec, since they were neither civilly nor criminally liable in Ontario.

So far as the case with which I am dealing is concerned, it sums up the whole matter. I am well aware that there has been in England serious discussion as to whether an act which in a foreign jurisdiction is tortious but not actionable, and which is under the *lex fori* both tortious and actionable, whether it is not, even if committed in a foreign jurisdiction, actionable in the territorial jurisdiction. I shall not occupy any time with the solution of that suggestion, for the simple reason, that by the law of Ontario, a complete and full remedy is provided for the plaintiff; but that remedy excludes entirely any common law action. The law of the province of Ontario governing this matter is found in 4th Geo. V, ch. 25, and amendments thereto. By this legislation a Compensation Board is created. It is a body politic and corporate. To that Board every person or Company to which the act applies, must pay a certain amount of money, which forms a fund out of which workmen meeting with an accident, such as the plaintiff did, receives compensation. The employer incurs no liability whatever towards the workman by reason of the accident, but the Compensation Board does, and it is to that Board and not to the employer that the workman himself applies. The "Board" is liable towards him even if his employer has failed to make the contribution which the statute imposes, although in this case it is established, that the contributions were paid.

Upon the whole I decide: 1. that the action is based purely and simply on a tort; 2. that the tort was wholly