

the Act of 1900 and later into that of 1907, which is now in force. The present law may be summarized, in its leading features, as follows (7):—

All injuries are compensated provided: (a) they last at least one week in preventing the earning of full wages, (b) occurred as result of an accident arising out of and in the course of the employment and (c) were not caused by the serious and wilful misconduct of the workman, unless resulting in death or serious and permanent disablement. Any employment is covered and any employee provided he earns less than a fixed sum. The employer bears all the cost and the amounts payable are fixed according to the time and nature of the injury.

It is Germany, perhaps more than any other country, to which we must look for the most complete development of workmen's insurance. With the introduction of railways the problem of industrial accidents and the need for compensation were accentuated in Germany. Fortunately the law-making bodies did not leave the jurists to create a fellow-servant doctrine and to establish vague standards of liability for employers. Railway construction was barely under way when the Prussian Government in 1838 passed legislation which placed upon the shoulders of every railway company full liability for injuries to its employees as well as to its passengers. The only loophole for the employer was to prove that the accident was due to the negligence of the injured employee or to an act of Providence. The law definitely provided that Providence should not be forced to bear an intolerable part of the burden by saying specifically that the mere existence of risks did not render accidents inevitable, or, presumably, providential (8).

In 1871 the German Empire was formed and the Prussian Act became expanded into the legislation of a great Empire in regard to railways. Immediate agitation arose looking to the extension of the principle of the early legislation to all forms of industry.

By the year 1884 the adroit Bismarck had decided that the one certain way to counteract the rising socialistic movement was to adopt its measures and promulgate them in legislation. Emperor William I. and the economists lent their aid and in that year the Workmen's Compensation Law was passed: it is, we may note, but one-third of a comprehensive programme of social legislation, the other two providing for insurance against sickness and old age. This law made the employer responsible for any accident to an

(7) U. S. Dept. Labour Statistics, No. 126, page 149.

(8) See Dawson, W. H.—“Social Insurance in Germany.”