

employment. He adduced strong evidence to shew that in many cases the law as it at present stands in England is not only unduly oppressive to the employer, but has also a reflex action fatally injurious to the very class it was intended to benefit. With the general principle that where a workman receives any injury through any negligence either of his employer or anyone standing in the employer's place in regard to the injured workman, the employer ought in justice to make compensation. We do not quarrel. The master having the benefit of the servant's labour should certainly bear some share of the personal risks and damages which that labour involves, and to throw the whole burden on the servant is neither just nor equitable. Legislation for the compensation of injured workmen started with that principle in England in 1880, and it was from the Act then passed that the Ontario Act was framed.

But while we in Ontario have patiently worked out that Act, and, on the whole, have found it a reasonable and sufficient protection to the workingman, in England they have cast the principle on which the Act of 1880 was founded to the winds, and have, in fact, made nearly all employers insurers of all servants doing manual labour, including domestic and agricultural servants, against any injury sustained by them in the course of their employment, entirely irrespective of whether it was due to any negligence of the employer, or to contributory negligence of the servant; so that nothing but the actual and wilful misconduct of the workman in himself causing the accident, will now exonerate the employer; and not only in case of death is the employer required to compensate the legitimate dependents of the deceased, but he is also in England required to make compensation to his illegitimate dependents! Legislation of this kind is nothing less than a pandering to a class which is supposed to be powerful in votes, regardless of justice to the rest of the community.

Under the present English statute it has been held that the representatives of a workman who happens to contract disease in the course of his work from which he dies, are entitled to compensation from the employers though there was no negli-