

EMPLOYERS' LIABILITY ACT, 1880 (43 & 44 VICT., c. 42) s. 3—MEASURE OF COMPENSATION—EARNINGS OF APPRENTICE—(WORKMEN'S COMPENSATION FOR INJURIES ACT (55 VICT., c. 30 [O.]), s. 7).

In *Noel v. Redruth Foundry Company*, (1896) 1 Q.B. 453, the question was as to the proper mode of measuring the compensation the plaintiff was entitled to under the Employers' Liability Act (43 & 44 Vict., c. 42), from which the Ontario Workmen's Compensation for Injuries Act (55 Vict., c. 30), is derived. The statute, sec. 3, provides that the amount of compensation under the Act is limited to a sum equivalent to the estimated earnings during the three years preceding the injury of a person in the same grade employed during those years in the like employment, and in the district in which the workman is employed. In the present case the plaintiff was apprenticed to the defendants, and received a salary of 1s. per week for the first year, increasing 1s. per week each year. In the fifth year, when earning 5s. a week, he was injured. Evidence was given that at the end of the fifth year, when the plaintiff would be out of his apprenticeship, he would be able to earn 14s. to 18s. per week, and the compensation was assessed at £80. But a Divisional Court (Wills and Wright, J.J.), held that the possible earnings of the plaintiff when out of his apprenticeship could not be taken into account, but only the actual amount of his earnings as an apprentice, and the damages were reduced accordingly.

MARRIAGE—VALIDITY OF MARRIAGE—SOLEMNIZATION OF MARRIAGE ON BOARD BRITISH WARSHIP.

*Culling v. Culling*, (1896) P. 116, is the only case in the Probate Division which requires attention. In this case the validity of a marriage ceremony performed on board a British warship at a foreign station by a clergyman of the Church of England, without license and without the publication of banns, was in question, and it was held by Jeune, P.P.D., that the marriage was valid according to the common law of England.