these ordinary risks, while it was also held that the injured workman or the dependants of the dead could not recover damages if the worker had been injured or killed through the negligence of a fellow-servant or if his own negligence had been a contributory cause. Under the British Employers' Liability Act of 1880 and the Ontario Act of 1886, fellow-servants in the position of foremen or superintendents were for the first time regarded as standing to the ordinary worker in the place of the employer, who was held liable for injuries due to their negligence. British Columbia passed an Employers' Liability Act in 1891, which was amended in 1892 and remodelled ten years later. The Manitoba Act of 1893 was amended in 1895 and 1898 and consolidated in 1902, while a new Act was passed in 1910. Similarly, the Nova Scotia Act of 1900 was replaced by a new measure in 1909. New Brunswick passed an Employers' Liability Act in 1903 and amended it in 1907 and 1908. Alberta passed an Act in 1908, Quebec in 1909 and Saskatchewan in 1911. Most of these Acts followed generally along the lines of British legislation, while the 1909 Act of Quebec is an outgrowth of the Civil Code of that province. All these Acts involved resort to the courts.

An epoch-making departure in legislation of this kind was inaugurated by the Ontario Act of 1914, based upon the report of a Royal Commission, and introducing the new principle of making compensation for accidents a charge upon the industry concerned instead of a liability of the individual employer. The working out of this principle involved the creation of a state board administering an accident fund made up exclusively of compulsory contributions from employers grouped in classes and assessed according to the hazard of the industry. The example of Ontario in passing an Act of this kind was followed by Nova Scotia in 1915; British Columbia in 1916, Alberta and New Brunswick in 1918 and Manitoba in 1920. Quebec and Saskatchewan retain systems instituted in 1909 and 1911 respectively, which enable workmen to obtain compensation from their employers individually through private insurance companies or by means of action in the courts. The Quebec Legislature in 1922 authorized the appointment of a special commission to consider and report upon the subject of workmen's compensation.

Workmen's Compensation Acts in Canada cover practically the whole industrial field, including manufacturing, construction, lumbering, mining, quarrying, transportation and public utilities. In Ontario certain industries (including municipal undertakings, railways, car shops, telegraphs, telephones, etc.) are made individually liable to pay compensation, and are, therefore, not called upon to contribute to the general compensation or accident funds. Other occupations, with the exception of those which are specifically excluded, may be brought under the terms of the Act on application from the employer with the Board's approval. In Alberta the consent of the employees is also required. In most provinces the excluded classes include travellers, casual labourers, out-workers, domestic servants and farm labourers. In Nova Scotia, however, an amendment was passed in 1922 providing for the admission of farm labourers and domestics on application of their employers. British Columbia in the same year admitted farm labourers and repealed a former rule excluding office workers.

The Dominion Parliament in 1918 passed an Act (8 Geo. V, c. 15), providing that the compensation to be paid where employees of the Dominion Government were killed or injured in the course of their employment should be the same as they or their dependants would receive in private employment in the province where the accident occurred, the amount to be determined by the Provincial Board or other constituted authority and paid by the Dominion Government.

The principal features of the Workmen's Compensation and Employers' Liability Acts in force in the various provinces at the commencement of 1923 are given in Table 10.