

been, and his injury was occasioned by the joint negligence, the employer is not liable. It is proposed by the draft bill to substitute for this rule that of comparative negligence as it is called, and provide that contributory negligence shall not be a bar to recovery by the workman or his dependants, but shall be taken into account in the assessment of damages."

A feature of the draft bill which was objected to by the Manufacturers' Association, and which will doubtless meet with further objection, is the providing for payment to continue as long as the disability lasts. Many would prefer to pay a lump sum and have done with it. The question involves not only one of actual compensation, but also that of cost of administration. It is quite evident that the staff required to keep track of the condition of all injured workmen and to determine when they are no longer entitled to payments, must soon become a very large one. The cost of administration will certainly not be small.

Against this argument, however, the Commissioner states that it is in these very cases of long lasting disability that a guaranteed compensation is most needed. He says:

"To limit the period during which the compensation is to be paid regardless of the duration of the disability, as is done by the laws of some countries, is, in my opinion, not only inconsistent with the principle upon which a true compensation law is based, but unjust to the injured workman for the reason that if the disability continues beyond the prescribed period he will be left with his impaired earning power or, if he is totally disabled without any earning power at a time when his need of receiving compensation will presumably be greater than at the time he was injured, to become a burden upon his relatives or friends or upon the community. The payment of lump sums is contrary to the principle upon which Compensation Acts are based and is calculated to defeat one of the main purposes of such laws—the prevention of the injured workman becoming a burden on his relatives or friends or on the community—and has been generally deprecated by judges in working out the provisions of the British Act."

The bill is divided into parts. Part I. deals with the liability of employers to contribute to the accident fund or to pay compensation individually. Part II. deals with liability and with certain common law rules and contributory negligence.

In Part I. there are two groups of industries listed, schedule 1,—industries the employers in which are liable to contribute to the accident fund; schedule 2,—industries the employers in which are individually liable to pay the compensation. Mining comes under schedule I.

While there is room for difference of opinion as to some of the details there should be little difficulty in convincing the Legislature that the bill should be passed. It provides in no uncertain terms for fair treatment for the injured. If a workman meets with an

accident while at work he should, if the accident be not the result of his own gross carelessness, be taken care of by the industry. The bill provides for compensation as long as the disability lasts. The workman is virtually insured by the Government against accidents. The employers contribute to the fund. The bill provides for a board to administer it.

The concluding paragraph of the report will meet with the approval of all who have a sincere interest in providing for fair treatment of employees. The Commissioner says:

"In these days of social and industrial unrest it is, in my judgment, of the gravest importance to the community that every proved injustice to any section or class resulting from bad or unfair laws should be promptly removed by the enactment of remedial legislation and I do not doubt that the country whose Legislature is quick to discern and prompt to remove injustice will enjoy, and that deservedly, the blessing of industrial peace and freedom from social unrest. Half measures which mitigate but do not remove injustice are, in my judgment, to be avoided. That the existing law inflicts injustice on the workman is admitted by all. From that injustice he has long suffered, and it would, in my judgment, be the gravest mistake if questions as to the scope and character of the proposed remedial legislation were to be determined, not by a consideration of what is just to the workman, but of what is the least he can be put off with; or if the Legislature were to be deterred from passing a law designed to do full justice owing to groundless fears that disaster to the industries of the Province would follow from the enactment of it."

THE MINES BRANCH REPORT

The summary report of the Mines Branch of the Department of Mines for the year 1912 has been issued.

The general report of the Director of Mines, Dr. Eugene Haanel, outlines the work accomplished by the various divisions.

The experimental investigation of processes for the profitable reduction of the mixed zinc sulphide ores of Canada, begun in 1910, is still being carried on. No very successful process has yet been found.

An investigation of the properties of cobalt and its alloys, carried on by H. T. Kalmus at the School of Mining, Kingston, has yielded some interesting results. Some extracts from his report will be found elsewhere in this issue.

Several reports on mineral resources and statistics have been published during the year and may be obtained on application to the Director of the Mines Branch.

The new testing laboratory at Ottawa has been equipped for experimental ore dressing and the Department is ready to make investigation as to best method of treatment of ores submitted.