

MONEY IN WESTERN CANADA.

The demands upon the supply of money this year will be unusually large, as, in addition to an all-round increase of 30 per cent. in the volume of business generally, provision will have to be made for an expenditure of \$15,000,000 upon new buildings in Winnipeg alone, as well as for the financing of large undertakings in cities further west. The supply of money for immediate requirements is considered fairly adequate, and interest rates are being maintained. A considerable sum was recently loaned out at five per cent., but this was a choice investment on unquestioned security. On small loans to farmers and home-builders, on security such as they have to offer, $6\frac{1}{2}$ per cent. is as low a rate as the market can afford to give, and at this rate there is abundant money to be had at present in Winnipeg. A higher rate is asked where the security is located in the outlying districts.

With so much money available, contractors and prospective builders are holding out for better terms, but the banks are not disposed to make any reduction in the rates to borrowers, as it is fully anticipated that the funds will soon find employment at the rates being asked. The opinion among the managers is that the tendency of the money market is towards contraction, and they are confident that all available funds will be earmarked as the building season advances. Several new organizations have recently been added to the older loan companies operating in the West and will tap the money supply sources of the European continent. A company of French capitalists will operate through The Canadian Mortgage Association, while a group in the Netherlands has already a company operating in Western territory, and it is understood another similar organization will soon enter the field.

WORKMEN'S COMPENSATION IN QUEBEC.

On January 1st, as the result of the passing of a Workmen's Compensation Act in Quebec, the insurance companies raised their rates in that province. The law was generally thought to be severe upon the employer and the risk assumed on his behalf by the insurance company was, therefore, greater. Mr. F. P. Walton, Dean of the Faculty of Law, of McGill University, has performed an admirable service to employers, employees and underwriting companies interested by the publication of the Act, together with his commentary thereupon. The principle of the Act has been accepted in so many countries that its adoption here, he thinks, can occasion no surprise. Very few of the witnesses, who were heard by a Quebec Government commission in 1908, appeared to be satisfied with the law as it then stood. The employers complained that they were held liable for the least error committed by any of their employees, and that the law fixed no maximum limit of their liability. They also alleged that trials by jury were prejudicial to them, because the jurors allowed themselves to be guided by sentimental considerations instead of impartially weighing the evidence. They complained further that they were exposed to vexatious lawsuits for amounts altogether out of proportion with the damage suffered, and that, even when they succeeded in having these actions dismissed, they still had to pay their own costs, which were generally very high.

The workmen, on their part, contended that the law as it stood was unfair to them in obliging them to prove the fault of the employer, or of those for whom he was responsible, especially as in many cases the only available evidence was that of their fellow-workmen, who were thus called to testify against their employer. They also maintained that statistics showed that in nearly fifty cases out of a hundred, accidents were due to fortuitous causes, to superior force, or to undeterminable causes, and that in all such accidents the law allowed the workmen no indemnity. They further complained that their

limited resources did not allow them to follow the employer through the numerous appeals from one court to another, and that it often happened that a final judgment was not arrived at before several years after the institution of the action.

Mr. Walton gives one instance of the length to which juries would sometimes go under the old law in finding liability established. The workman, a man of twenty-two years of age, had been warned by the foreman not to touch a machine, but in spite of this prohibition did so and received an injury. The fact that the foreman was aware that his order had been disobeyed, and had not taken the means to enforce obedience of it, was held enough to render the employer liable. The verdict, awarding reduced damages, was sustained by the Court of Appeal on the ground that the jury were entitled to judge as to the questions of fact, and that, although the verdict might not commend itself to the Court, it was nevertheless one which twelve reasonable men were entitled to find.

The Quebec Workmen's Compensation Act, Mr. Walton thinks, is a frank acceptance of the new principle of "professional risk," a theory which has been the subject of much discussion during the past twenty-five years in almost all the countries of Europe. It rests upon the simple idea that every workman is entitled to compensation for injury caused to him by an accident in the course of his work, quite apart from the consideration whether the accident was caused by fault on the part of the employer.

Experience has shown that, in the conditions of modern industry, a large number of accidents to workmen inevitably occur, and, upon this theory, the cost of making compensation for them—so far as it is possible to compensate such losses in money—ought to be a charge upon the industry, just as much as the cost of the machinery or the fuel.

Mr. Walton traces briefly the practical considerations which have induced the legislatures of so many countries to accept such a principle. The evolution of society, he says, has been upon the same general lines in all the great manufacturing and commercial centres. All alike have become vast, noisy workshops, full of whizzing wheels, of live wires, and of dangerous chemicals and explosives.

Before the days of steam and electricity, and dynamite, he continues, the workman could, as a general rule, protect himself by the exercise of ordinary care. His tools were few and simple. None of them moved except when he handled them, and no one was in a hurry. It is, therefore, not to be wondered at that the old law gave the workman no claim for damages unless some fault, at least of omission, could be clearly brought home to the employer. But the situation has completely changed. Under modern conditions millions of workmen pass their lives in continual danger. They have to deal at close quarters with complicated machines, to handle terrible explosives, to run the risk of coming in contact with "live wires"; in a word, to face a thousand perils. Even the strictest care cannot save them. A boiler may burst or some other accident occur, the precise cause of which can never be discovered. Hundreds of lives have been lost by this terrible accident anonyme, as it has been called. In many kinds of employment the workman knows that he is exposed to mysterious and sudden danger. He has to take the risk. It is inherent in the nature of the occupation. The master may have the best and newest plant. He may spare no expense and no vigilance in adopting every means for protecting his men. The workman may always be on the watch. But all this cannot prevent the accident. Is it fair that the workman should bear this professional risk? His employer may not be negligent, but, at any rate, the work is being carried on for his profit. It is idle to say that the workman is paid at a higher rate because his work is dangerous. The iron law of supply and demand compels him to take such wages as he can get in the state of the market. Mr. Walton's commentary will be perused with much interest.