

ONTARIO'S COMPENSATION BILL DRAFTED

Burden of Compensation is Placed Upon Employer— Negligence Clause Eliminated.

The employer, or the industry, is to bear the burden of compensation, according to the draft Workmen's Compensation Bill for Ontario, prepared by Sir William Meredith, special commissioner. The only exception proposed is in the case of the workman whose injury is due to deliberate negligence or disobedience. Even about this there is protection for the dependents of the workman, since if his injury results in death or permanent disability compensation is payable.

There is to be no contribution from the workmen, except indirectly. The draft bill contains provision for a "waiting period," which means that for injuries that keep a man away from work for only a short time he is not entitled to compensation. The length of this period has not been decided upon.

The bill preserves the individual liability features of the English law and endeavors to incorporate the state insurance idea that had been adopted by the state of Washington. The negligence clause is eliminated.

May Except Railways and Farmers.

The bill covers all employers of labor, large and small, but it is understood that the commissioner has no idea of making it so wide. When the bill comes before the Ontario Legislature provision will probably be made to leave out the railways, the farmers and retailers, and perhaps one or two industries out of the grouping. The railways propose to handle their own compensation and will do it upon a basis determined by the commission. The farming industry will not be covered or the retail trade. These exceptions are left for the legislature to deal with as it thinks best. Where there is no grouping and no accident fund there will be individual liability with the interests of the injured person thoroughly safeguarded, and compensation subject to the orders of the board.

Not Restricted to Accidents.

Compensation will not be restricted to accidents. The bill is framed to allow a workman incapacitated by occupational disease to apply for and receive compensation just as he would for accidents.

The workman who accepts compensation under the act relinquishes all right to private action to recover further compensation.

The general accident funds of the various groups into which the bulk of the industries of the province will be divided are to be collected under the supervision of the board by an assessment upon the annual pay-roll of an employer. The draft bill gives no indication of the manner in which these groups will be arranged. They will, of course, be arranged according to hazard, and probably along much the same lines as under the state of Washington system. The board is given power to rearrange any of the classes provided in the schedule and establish other classes, embracing new industries or industries not taken care of in the initial schedule.

As to Accident Prevention.

Accident prevention has received a good deal of attention from the commissioner, and a number of clauses have been inserted to penalize the careless or negligent employer. Where a greater number of accidents have occurred in any industry or employment than there ought to have happened if proper precautions had been taken, or where in the opinion of the board, the machinery or appliances, etc., are defective or insufficient, the board may add an additional assessment upon the employer or may withdraw the industry entirely from its class, leaving the employer individually liable for any claim his workmen may bring against him for compensation. The additional percentage may be added to the accident fund or, if that is already sufficiently large, may be used to reduce the assessment on the other industries in the group.

In proceeding along this line the board or its officers may enter any premises to conduct an examination, and penalties are to be imposed for any obstruction or refusal to permit such inspection.

Statement of Pay Roll.

If an employer does not supply the board with a statement of his pay roll, the board will have power to fix an assessment based upon an estimated pay roll. In addition, the employer who so defaults or who does not give a correct statement is to be made liable to a penalty. The board will be given power to make an examination of the books of an employer to ascertain whether his statement is correct or not. The collection machinery has been carefully considered, one clause permitting unpaid assessments to be collected by municipal collectors as taxes and then turned over to the board.

One of the important features of the proposed Act is the clause that throws the burden of proof, where an accident is disputed, upon the employer. The presumption is that where an accident occurs in the course of employment, it arose out of the employment.

The workman who is sent outside the province is also to be protected by clauses that give him the same right to compensation that he would enjoy if the accident occurred in On-

tario, provided that his employment outside Ontario has lasted less than six months. If the workman is injured or killed in some province or state where he is entitled to compensation, he or his dependents must decide within three months under which law compensation will be claimed. Where a dependent is not a resident of Ontario he will not be entitled to compensation unless the country in which he is living extends the same boon to dependents in Ontario.

Commission for Ten Years.

The draft bill provides for a board of three commissioners appointed by the government for a term of ten years. The board will be given wide powers, and no commissioner may, directly or indirectly, become interested in any industry, employment or business to which the Act applies. The head office of the board will be in Toronto, and all meetings will be held in the city except where the board considers it necessary to make exceptions.

The commissioners will be independent of the courts. The board is to be given exclusive jurisdiction to examine into and determine all matters arising under the Act, and its actions and decisions shall be final and not open to question or review in any court, and no proceedings of the board may be restrained in any way.

Power to Fix Compensation.

The board will be given power to fix compensation where the employer is individually liable, and any order of the board for payment of compensation by an employer individually liable, if filed with the clerk of the District or County Court, becomes an order of that court, and may be enforced as a judgment of that court.

The regulations of the board are made subject to the Lieutenant-Governor-in-Council.

The clauses dealing with occupational diseases give the workman much the same protection as he receives from accident compensation, except that the disease must be due to the nature of some employment in which he was engaged within twelve months of the date of his disablement.

Mr. F. W. Wegenast, representing the Canadian Manufacturers' Association, protested to Sir William Meredith that the bill was one of individual liability, and that it would bankrupt a small manufacturer to pay the amount of compensation which might be claimed.

EDMONTON SELLS BONDS.

Edmonton city has concluded negotiations with Messrs. Klineworth, of London, England, says an Edmonton dispatch, whereby the city sells that firm \$11,000,000 worth of debentures at 95 net to the city, without accrued interests, debentures to bear interest at five per cent. This means that money costing the city a trifle over $5\frac{1}{4}$ per cent. is considered a good bargain in view of the large offerings and present conditions of the money market, concludes the message.

CANADIAN GENERAL ELECTRIC COMPANY.

Construction work of all kinds and power plant development were much in evidence last year. According to the annual report of the Canadian General Electric Company, Limited, that corporation played a prominent remunerative role in that activity. The company's profits for the twelve months were \$2,011,719. From that amount has been written off for depreciation the sum of \$456,358, and of interest on borrowed capital the sum of \$158,878, leaving a balance of \$1,396,483. Deducting from this amount dividends on preference and common stock, at the rate of seven per cent. per annum, and a bonus of one per cent. on the common stock, amounting in all to \$689,871, there remains a net balance of \$706,611, of which \$700,000 has been added to the reserve fund, which now stands at \$2,369,531. The total of the reserve fund added to the balance carried at the credit of profit and loss makes a total surplus of \$3,051,922, equal to 30.51 per cent. of the par value of the share capital of the company, both common and preference. In addition to the surplus as shown, the value of the real estate owned by the company is greatly in excess of the cost value as it appears on the books, namely, at \$4,884,018. There is also a reserve for depreciation amounting to \$1,104,453.

A reference to the company's balance sheet, printed elsewhere in this issue, shows that the total cash and current assets amount to over \$9,000,000, of which amount over \$5,500,000 is carried in the inventory. This asset includes the materials for all orders and contracts on hand which were not completed and shipped at the end of the year. Following the usual policy of the company, this inventory has been taken at cost price, or the market price, whichever was the lower, plus the actual cost of labor expended on the contracts, and no estimated profit has been taken into account. Uncompleted contracts, to the value of about seven million dollars, in various stages of completion, have been carried over to the current year.

The report is one of the best ever presented by the Canadian General Electric Company. Their financial position has improved and that position should be maintained in view of fairly good business prospects.