

If killed.

3. The family or dependents of every employee who is killed, or who dies from injuries received, while in the discharge of his duty, within six months after such injury, shall be entitled to compensation from the railway company to the amount of four years' wages at the rate thereof at the time of the accident, but not exceeding in all three thousand dollars.

Acceptance of compensation bars further recourse. Right to damages cannot be renounced.

4. If any employee, or the representatives of any employee, accept the compensation provided by this Act, he or they shall have no further claim at law against the company.

5. The rights under the foregoing provisions shall not be capable of being renounced or given up by such employee by any agreement or contract with the railway company, for value or otherwise, and the said provisions shall not be made void by any rules or regulations of the railway.

Medical certificates.

6. The certificate of two duly qualified disinterested physicians shall be sufficient to prove permanent disability ; and the certificate of the attending physician shall be sufficient to prove unfitness for duty, for a period not exceeding ten weeks, after which time a monthly certificate of a physician named by the company shall be sufficient.

Contributory negligence.

7. The foregoing provisions as to compensation shall be void in the case of any employee whose injury, disablement or death is caused by his own negligence,—the burden of proof of such negligence being upon the railway company ; but if such injury, disablement or death occurs by reason of the handling or use of trains, locomotives, cars or appliances which are out of repair, or insufficient, or not in accordance with the provisions of this Act, the railway company shall not be allowed to plead contributory negligence on the part of the employee so injured, disabled or killed.

Negligence of another employee.

8. In any suit for damages by an employee against a railway company, the act, default or negligence of any fellow employee shall not be pleaded or given in evidence on behalf of the company as a defence to such suit.