POOR DOCUMENT

THE SEMI-WEEKLY TELEGRAPH, ST. JOHN, N. B., MAY 6, 1903.

PROVIDES FOR COMPENSATION FOR INJURED WORKMEN

Details of the Bill Which the Government Has Introduced in the Legislature at Fredericton Show It to Be a Fair Measure-Hon. Mr. McKeown Handles the Opposition Financial Critic.

Fredericton, May 2—In the house today, Mr. Robertson introduced a bill to fix the assessment on the Portland Rolling Mill Company.

Hon. Mr. Tweedie introduced a bill to fix the person for whom the work or a certain part of its done, shall be liable for compensation for the injury as if the workman had been employed by him, and for that purpose be deemed the employer of the workman had been employed by him, and for that purpose be deemed the employer of the workman had been employed by him, and for the purpose be deemed the employer of the workman had been employed by him, and for the workman had been employed by him, and for the workman had been employed at the workman had been employed at the work or a certain part of its done, shall be liable for compensation for the injury as if the workman had been employed at the work or a certain part of its done, shall be liable for compensation for the injury as if the workman had been employed at the work or a certain part of its done, shall be liable for compensation for the workman had been employed by him, and for that purpose be deemed the employer of the workman had been employed by him, and for the workman had been employed at the work or a certain part of its done, shall be liable for compensation for the workman had been employed at the work or a certain part of the workman had been employed by him, and for the workman had been employed by this act; provided at ways, that any such contractor, or sub-ordinated the employed by the elections of the same ling of the workman had been employed by this act; provided at ways, that any such contractor, or sub-ordinated at the person for whom the work, or a certain part of the workman had been employed by the beet or such workman had been contractor, and the employed by the beet or such workman had been contractor, and the work or a certain part of the workman had been contractor, and the work or a certain part of the workman had been contractor, and the electors in the part of the workman had been contractor, and the m

commissioners in Campbellton on recom-mendation of the members for Resti-gouche. John Dawson and Lawrence La-points were also removed from the board gouche. John Dawson and Lawrence Lapointe were also removed from the board on their recommendation. In respect to Gustavus E. Asker and John Dawson the charge was made that they had been guilty of partisan conduct in the recent election, and also that Mr. Asker was unfit to perform the duties of his office. With regard to Mr. LaPointe, the charge was made that he had failed to attend meetings of the board and was unfitted for the discharge of the duties.

Hon. Mr. Tweedie laid on the table the

Mr. Pugsley Explains Workmen's Compensa-

The house went into committee on bills Mr. Allen in the chair. Hon Mr. Pugsley committed a bill respecting the liabilities of employers for injuries to workmen. He explained the provisions and on his motion maggress was responded so as to give of employers for injuries to worklines.

oxplained the provisions and on his motion progress was reported so as to give those interested an opportunity to become familiar with the bill. It will be again considered Wednesday. He thought the measure would be satisfactory. Subsection C of section 2 specifies the class of labor or some person in charge of the particular work, or the superintendent or foreman, unremains the same as at present in respect to the liability between employes and employers in regard to domestic servants, farm laborers, gardeners, fruit growing, mining and lumbering. Lambering does mining and lumbering. Lambering does to the employer of saw mills.

The amount of compensation recoverable to the defect or negligence act or omission, be deemed for the provisions and on his motion progress was reported so as to give improper or defective rule or byto be an improper or defective rule or byto those interested an opportunity to become the defect on egligence which caused his injury, and failed, without reasonable excuse, to give information to the employer, or some person in charge of the particular work, or the superintendent or foreman, unleft to the liability between employes and employers in regard to domestic servants, farm laborers, gardeners, fruit growing, in the employment of the defect or negligence, act or omission, be deemed to have a such workman knew of the defect on those employer or such particular work, or the superintendent or foreman, unleft the result of the recent elections was such a decided victory for the government. If there was anything that was needed to fix the determination of the employer, or such particular work, or the superintendent or foreman, unleft the east will not a provided, however, the employer or such particular work, or the superintendent or foreman, unleft the east value of the particular work, or the employer, or such particular work, or the employer, or such particular work, or the employer, or such particular work, or the endeted fo to which the act will not apply. The law remains the same as at present in respect to the liability between employes and employers in regard to domestic servants, farm laborers, gardeners, fruit growing, mining and lumbering. Lumbering does not apply to the employes of saw mills. In respect to the classes specified it was thought well to leave the law as it is. The law is tentative in its character and it is every to extend its operation if deout of the operation of the law for the

present. Section three, he said, is important. It refers to injuries caused by defective machinery, or by reason of neglect on the part of superintendants or foreman whose orders the laborer is bound to obey. As the law is now, the employe has no right of action because of negligence on the part of superintendants or foreman, because the employer can set up the defence of fellow servant. Under this bill, however, he is just as liable as if he himself had been guilty of negligence.

Railway companies are made liable for injuries sustained by conductors by reason of the negligence of the conductor, or to both of them through the negligence of any one employed on the train. Section three, he said, is important. It re-

any one employed on the train.

There is a section relating to ship labopers and makes the employer liable for injury caused by negligence of the man in diarge of the machinery used in the loading and discharging of cargo. Under the law at present there is no liability for progligence of that hind It was thought the law at present there is no liability for negligence of that kind. It was thought desirable to extend the liability in this class of labor ad it is not likely it will be a hardship because accident companies issue blanket policies in the case of ship laborers, and in this way employers are protected. The bill removed absolutely the defense of common employment. It ondersome the same provides for the amount of compensation which shall not exceed \$1.500. The bill does not take away the right of action under common law, but workmen must elect either one or the other. There is another important provision which enacts that no contract entered into between employer and employe waving a right of action, in case of injuries, shall be valid aunless adequate consideration has been given for such contract apart altogether from the wages. It is the intention of the government to press the measure at this session and they will be glad to receive any suggestions to the details.

Progress was reported with leave to sit againt.

The Telegraph here prints for the benefit of interested readers a digest of the bill. The act after defining terms used in it such as superintendence, employe, workman, rail way servant, provides that where personal injury is caused a workman he chall madies against the employer of the ways, works, machinery, plant, building or premises connected with, intended for, or used in, the business of the employer; or used in, the business of the employer or used in, the business of the employer or used in, the business of the employer who has any superintendence centrusted to him while in like any superintendence of the employer who has any superintendence of the myling of Corporations.

The Telegraph here prints for the benefit of interested readers a digest of the bill. The act after defining terms used in it such as superintendence, employe, workman, railway servant, provides that where personal injury is caused a workman he shall have the same right of compensation and remedies against the employer as if he had not been a workman of, or in the service of, the employer or engaged in his work; that is if his injury is caused:

By reason of any defect in the condition or arrangement of the ways, works, machinery, plant, building or premises connected with, intended for, or used in, the business of the employer; or

By reason of the negligence of any person in the service of the employer who has any superintendence entrusted to him while in the exercise of such superintendence; or

By reason of the negligence of any person in the service of the employer to whose urders or directions the workman, at the time of the injury, was bound to conform, and did conform, where such injury resulted from his having so conformed; or

By reason of the act or omission of any person in the service of the employer done, or made, in obedience to the rules or bylaws of the employer, or in obedience to particular instructions given by the employer, or by any person delegated with the authority of the employer in that behalf; or

the employer, with knowledge of the defect, negligence, act or omission, be deemed to have voluntarily incurred the risk of the injury.

The amount of compensation recoverable shall not exceed such sum as equivalent to the estimated earnings during three years preceding the injury of a person in the same grade of employment, or the sum of \$1,500, whichever is larger.

Notice of action must be given within 12 weeks and action begun in six months or, in case of death, 12 months. Action may be taken against the legal representative of a deceased employer.

Sections in the act provide for mode of serving notice of injury. It shall give name and address and state cause and date injury and be served on employer by delivery to him or at his place of business or residence or sent by post. A schedule of such notice is attached to the act.

If the defendant in any action against an employer intends to rely for defence on want of notice, or insufficiency of notice, or on the ground that he was not the employer of the workman injured, he shall, not less than seven days before the hearing of the action, give notice to the plaintiff of his intention to rely on that defence, and the court may order and allow adjournment for enabling such notice to be given; and, subject to any such terms and conditions, any notice given pursuant to, and in compliance with, the order in that behalf, shall be held to be a notice in accordance with this act.

No contract or agreement made or entered into by a workman shall be a bar or constitute any defence to an action for the recovery under this act of compensation for an injury.

Unless, for such workman there was other consideration than that of his being taken into or continued in the employment of the defendant; nor

Unless, in the opinion of the court or judge, such contract or agreement in view of such other consideration, was not on the part of the workman improvident, but was just

Licensing of Corporations.

The house went into committee on the vincial corporations.

Mr. Hazen—Will this act apply to cor

porations already doing business in the ply to all foreign corporations but those now doing business in the province will not have to pay license under it until

By reason of the negligence of any person in the service of the employer who has the charge or control of any points, signal, locometive, engine, machine or train upon a railway, trainway, or a street relivay; or By reason of the employer who has the charge or control of any engine, winch, machinery or appliances on any steamship where such engine, winch, machinery or appliances are being used in or about the loading or discharge of cargo in respect to which in the service of the employer who has the charge or control of any engine, winch, machinery or appliances are being used in or about the loading or discharge of cargo in respect to which in the service of the employer who has the charge or control of any engine, winch, machinery or appliances are being used in or about the loading or discharge of cargo in respect to which in the service of the employer who has the charge or control of any engine, winch, machinery or appliances are being used in or about the loading or discharge of cargo in respect to which in the service of the employer who has the element of unfairness in this, as many one of the items just read over was not a just and proper expenditure. It will not do for him to rise in his place and denounce the administration for increasing the debt unless he is also prepared to denounce the items which I have just read over was not a just and proper expenditure. It will not do for him to rise in his place and denounce the administration for increasing the debt unless he is also prepared to denounce the items which I have just read over was not a just and proper expenditure. It will not do for him to rise in his place and denounce the administration for increasing the debt unless he is also prepared to denounce the administration for increasing the debt unless he is also prepared to denounce the administration for increasing the debt unless he is also prepared to denounce the administration for increasing the debt unless he is also prepared to denounce the administration for increasing the debt unless

ed, and it legalizes all the acts of the

Mr. McKeown on the Budget.

The order of the day being called Hor eration of the motion that you leave th

of this kind a member may bring up an

upon them by the opposition.

The public listened to all that these gen and eloquence came to the conclusion that they had advanced no reason which would induce them to withdraw their confidence

to that business with a great deal of as siduity. Year by year he has laid before you the result of his investigations in the public acounts, but if you take his speeche some members of the opposition to speak their financial criticism of the government as something which the government looking over the synoptic report of the speeches that have been delivered this session it will be seen clearly that this statement is not borne out by the facts the deductions from them so much at vaiance with fact that it requires only superficial glance to show their unrelia

this financial critic who represents the intelligent and progressive county of Ca leton, went into figures to show that the public debt of the province had increased and that it now amounted to \$3,076,140.

This statement is correct as far as it er or not this increase is improperly made It is not necessary to follow the figure each year of the decade between 1893 and 1902 inclusive. The net result of his figure will show that during that period the no debt has increased \$892,577.

debt has increased \$892,577.

This increase in the net debt arose in consequence of bonds being issued for the following objects: Moncton and Buctouche Railways, Albert Southern Railway, Central Railway, St. Stephen and Milltown Railway, Back Brook and Nelson branches, Gulf Shore Railway, Restigouche and Westmorland Railway, York and Carleton Railway, Woodstock branch, grain elevator on wharves, St. John; Dufferin and Eaton whenves, St. John; grain elevator on wharves, St. John Dufferin and Eaton wharves, Charlotte lunatic asylum, water supply and electric lighting, permanent bridges, bridges destroyed by freshet, and smallpox epidemic.

These bonds total up \$1.037,846, which s more by \$140,000 than the increase the debt during the same period, showing that the government by their saving in other lines had been able to meet a considerable portion of this expenditure.

Now if there is any force in the criticism of the member for Carleton that the debt has increased he must be able to show that it has been improperly increas ed. It is not right for any member to say that because the debt of a government has increased, its financial record is not a good one. If the services for which the money was expended were necessary, the government should receive praise instead November next.

Mr. Hazen—It strikes me that there is that any one of the items which I have

more necessary expenditures incurred the member must take one position or the on one or more of these items and say "Here you did wrong."

I know that the honorable gentleman goes about with a halo of financial genius

surrounding him.

But he should know that to stop all necessary expenditures would simply mean that the country must stand still. Like who refused to aid his beleaguered fellow citizens, but wandered up and down the walls of the city, shouting, "woe, woe to this place," until a missile from the enemy put an end to his lamentations and his nember for Carleton is destined to go up woe to this place," as long as his political

That is not a wise policy for any public man to pursue. Let me suggest to my honorable friend that he devote his great talents to the advancement of the country rather than being a drag upon its pro

Another member for Carleton who spoke last evening resented with some heat the suggestion that he was responsible for the giving away of our forest lands by the was not responsible because he was not born then. But it is impossible for a man to detach himself from the public record of the party to which he belongs and it is proper that we should compare the record of those who were in power prior to 1883 the present opposition as of the same the patriotism of every member should keep him from doing anything that is like There are lines of political action higher than mere party differences, and there are times when a man should turn

redecessors who were the political an

his back upon these things for the good of

ion government of \$41,070, making the total debt at that date \$1,229.444. But this was not all. In addition to this debt, which had been created between

1867 and 1882, a surplus of \$970,000, which was to the credit of the province at the time of confederation had all been spent, so that in 15 years these predecessors of the opposition had got rid of \$2,199,837, or more than double the increase of the debt for the last ten years, of which the honorplains. Can we wonder that with such record the government of 1882 was driven

There is no portion of the public record of this government upon which it rests with more confidence than its financial record. Its administration of the affairs of the country has been such as to reflect credit upon it and to advance the interests of the province.

In the financial transactions and the pro-

gressive administration of the government there are two ideas to be kept in mind. One idea is to keep down the debt, and this feeling is ever present with a member of the government who feels his responsi-bility. But, side by side with this, are country's prosperity may be laid broad and deep. These two considerations have to be weighed against each other and should be kept steadily in view at all times by a government which desires to be truly representative, economical and progressive Hon. Mr. McKeown moved the adjourn ment of the debate and the house adjourned at 6 o'clock until Monday.

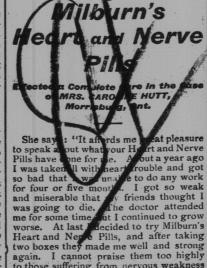
to anticipated trouble in the building trades, the lath market is decidedly dull

Was Unable to do any Work for Four or Five Months.

Was Weak and Miserable.

Thought She Would Die.

Doctor Could Do No Good.



does he mean to say that if he and his friends should come into power the progress of the country is to be slopped, and TO MAKE GOOD HIS CHARGES.

took the chair at 3 o'clock.

Hon. Mr. Tweedie said he obeserved that a bill had been introduced into the dominion parliament respecting the Resti-gouche Boom Company, a corporation which had been incorporated by an act of the New Brunswick legislature. He thought that as this was a local corporation a protest should be entered against such legislation being introduced into the fed-

Hon. Mr. Pugsley said it had been too much the practice at Ottawa to declare works to be for the general advantage of is impossible to conceive how a measure vantage of Canada. The government will present at Ottawa their views against legislation of this character in order to carry out the true spirit of the British North America act. Local works should North America act. Local works should be dealt with by the provincial legislature.

Mr. Hazen quite agreed, but he thought this bill might not be so objectionable as at first blush it appeared for they might be proposing to operate in Quebec province.

Hon. Mr. Pugsley said if the company proposed to operate in Quebec they should be conserved to the Quebec legislature. The have gone to the Quebec legislature. The government will make the most earnest protest against this measure, for if this company propose to build a boom across the Restigouche it would be extremely

Mr. McLatchey said some portions o the company's bill were objectionable. They have booms on the New Brunswick erect piers and place booms on the side of the river. But this bill seems to go much further and proposes to give them authority to build booms up the Restigouche. He therefore thought the action of the river, but only to erect sheer booms.

Hon. Mr. Sweeney presented the petition of F. W. Sumner and others for a bill to incorporate Moneton Exhibition As-

debt of the province amounted to \$321,374.

The bonded debt was \$867,000, and there of the lands of the New Brunswick Railway Company. He explained that it was to enat not more than 75 cents an acre.

St. John Bills Killed.

Mr. Allen presented the report of the committee on municipalities against the bill to amend th St. John assessment law to amend the St. John assessment law, to regulate bill posting in St. John, and to authorize the construction of sewers in

the committee on corporations and reported that the bill respecting the St. John Canal and Dock Company had been with-On motion of Hon. Mr. Pugsley the time

for the introduction of private bills was extended until Tuesday.

Hon. Mr. McKeown introduced a bill to amend an act incorporating the New Brunswick Pharmecutical Society; Hon. Mr. Tweedie a bill relating to Chatham.

The house went into committee on the bill respecting local improvement asso-ciations. Hon. Mr. Pugsley explained that the bill was to enable 10 or more persons into an association for encouraging agriculture or horticulture or improving or ornamenting the streets. The bill was

agreed to.

The house went into committee on bills, Mr. Jones in the chair. Mr. Allen explained that the bill regulating civic elections in Fredericton was intended to re-turn to the old ward system. It was agreed to with amendment, which requires a vote of the citizens before it comes into

The bill to authorize Fredericton to assess for agricultural purposes, and to extend its water system and change the public landing was agreed to, the section clating to the town plot of Fredericton peing struck out.

The bill authorizing Fredericton to pro-

ide a modern system of lighting for its public streets, etc., was agreed to.

The bill to authorize the construction of coal pockets upon wharves in St. John was agreed to, Mr. Loggie in the chair.

thorize the aldermen of St. John to receive \$200 a year instead of \$100. Mr. Robertson said the aldermen have a great re-sponsibility and a vast amount of work, and should be better paid. Sometimes they had to attend 300 committee meetings in one year. He thought \$200 no remunera tion for their services. It was merely to enable them to meet the incidentals per-

taining to their position.

Mr. Lantaium said he was sorry he could not agree with his colleague. He had been a member of the council for some years and thought the work now that \$100 was quite enough. St. John wa under great expense; taxation was increasing and the people could not afford to pay their aldermen any more than now He moved further consideration be post poned for three months.

Mr. Purdy said he had voted for this

bill in committee and thought he did right. He had been a member of the council and knew the work was very heavy. Sometimes he had attended three committee meetings in one day. The small sum of \$200 was no remuneration, and he though the bill should pass.

Board of Trade Against the Bill. Hon. Mr. McKeown said it was not

not given them as pay, but as an in-demnity. They had good aldermen under the old system and he did not believe that Milburn's Heart and Nerve Pills are their necessary expenditure had increased for cents per box, or 3 for \$1.25 at all during the past three years, so there was dealers, or dealers, or

THE T. MILBURN CO., Limited,
TORONTO, ONT.

THE TORONTO, ONT.

Fredericton, N. B., May 1—The speaker to gauge public opinion in regard to it than the board of trails.

Hon. Mr. Tweedie said he observed than the board of trails.

It did not look well to see the council Mr. Hazen moved in amendment to the applying for more pay. The members of the council have not the mandate of the the council have not the mandate of the electors to do this, because they do not represent a majority of the people. Half the persons who pay taxes in St. John are deprived of their votes on election day, because their taxes have not been paid. He looked to the time when wiser taxes have not been paid.

counsel would prevail and the franchise would not be denied them.

Mr. Robertson was amazed at the attitude of his colleague. The aldermen are our local legislators, and urrier a system of home rule represent the people and speak for them. This legislature would be taking a great responsibility if it objects to this bill.

to this bill.

Mr. Lantalum said he was sorry he could not agree with the last speaker, but thought the taxes were already nigh enough in St. John. He withdrew his former resolution and moved that progress be reported. This motion was put and

Premier Thought Members of the House Would Want More ray Next.

Hon. Mr. Tweedie thought the bill was not right. No one was obliged to serve as an alderman unless he wished, and if this bill was passed there would be a general demand among the members of city and town councils for pay. Besides, it they gave \$200 to a St. John alderman, the members of this house would think \$300 was not enough for them, and the government would be pressed to increase the indemnity. He had no intention of acceding

country.

The bill was agreed to on a division, 24 went into committee on the bill to incor-porate the Miramichi Natural History As-

Company, to make the shares \$100 instead of \$10. It was agreed to.

Mr. Whitehead introduced a bill to continue and amend the acts relating to the St. Take Waller & Prival de Lourellywe

with the work. Mr. Whitehead said the company

prepared to give ample proof of their financial ability.

The house resumed at 7.30. Hon. Mr. Pale, Anaemic and Easily Tired Girls Pugsley introduced a bill with respect to the licensing of extra provincial corporation. the licensing of extra provincial corporations. The object was to impose a tax on companies incorporated outside the provinciance. The bill provides for corporations having a capital of \$100,000 or less, a license fee of \$50; above \$100,000, a fee of \$100 to be paid annually, but not applicable to companies that have to pay license under any other provincial law. It does not affect commercial travelers, but only companies having place of business in the province. It is not improbable that at another session the legislature will be asked to approve of a law which will require a license fee to be paid by all the corporations. The present law wall not come in force until July 1, so that all corporations may have due notice, and they will not be required to take out a license until November 1.

Hon. Mr. Pugsley introduced a bill for encouragement of the manufacture of rail-

encouragement of the manufacture of rail-way cars and other rolling stock in the province. The demand for railway roll-ing stock was very large, and was certain to increase with the increase in railways. The bill proposed that in the case of any company which in the future received provincial aid, it shall be required to purchase its rolling stock in the province, if in the opinion of the government, it can be obtained at a reasonable price and of

good quality.

He had observed with pleasure that the Portland rolling mills were contemplating the erection of an establishment of this

The Independence of Parliament Act. Hon. Mr. Dunn moved the resolution notice of which was given yesterday by

Hon. Mr. Pugsley.

Mr. Hazen argued two day's notice should have been given. The contention of the government would be this was a question of privilege, but he contended it was not misplaced.

in order.

His decision was that it was unquestionably a matter of privilege, and the resolu-tion was therefore entitled to be put im-mediately. Rule 38 expressely states that,

Hon. Mr. Tweedie said the leader of the

The government is simply dealing with the "I challenged him to formulate a charge

The resolution was carried on the same vote reversed and the house adjourned at midnight.

HOW TO OBTAIN BRIGHT EYES AND ROSY CHEEKS.

In young girls we look for abundant health and strength, rosy cheeks, bright eyes, firm, plump flesh and constant cheer-fulness. How often, however, we meet young girls who seem prematurely old, feeble, pale, listless, thin and irritable.

These abnormal and dangerous conditions are due to a general veakness of the

member for Northumberland there was no personal reference to any member of the government. Mr. Hazen cited autharities as supporting his contentions.

Hon. Mr. Tweedie said it had been the rule and practice of this house that, when charges of this nature have been made against the government or any member thereof, that a motion for investigation must be immediately made. against the government or any member thereof, that a motion for investigation must be immediately made.

The speaker retired for 10 minutes to consider the matter, and at the end of that time ruled that the resolution was the genuine with the full name, "Dr. Williams' Pink Pills for Pale People," on every large the genuine with the full name, "Dr. Williams' Pink Pills for Pale People," on every large the genuine with the full name, "Dr. Williams' Pink Pills for Pale People," on every box. If your dealer does not keep them they will be sent post paid at 50

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