

order, any more than I can disregard the hardship on old and ageing men from the amendment if held valid.

OLD MEMBERS' HARD LOT.

"That the order may suffer if the present plan is retained is clear enough. Assumptions of antiquity, an euphonious, well-sounding name, the enthusiasm of fraternity, are well enough, but when it comes to paying a death claim they are found wanting. The cold, grey light of a failing bank account makes perfectly manifest that cheap insurance is a sin against actuarial science, and the wages of this sin, too, is death.

"On the other hand, these aged and ageing men have paid for years money which went to pay for the support of those left behind by comrades, believing that, so long as they, during their own lifetime, paid their fees as fixed for them their widows and orphans would be provided for in like manner.

"They are now told that they must pay an increased amount, which many of them will find most difficult, some impossible to pay, or lose all the benefit of their past payment of money which they could ill spare. It would be hopeless for them to expect to be admitted to another benevolent society. Their lot is a hard one. Truly, those who organize such societies undertake a tremendous responsibility. The failure of any such always results in tragedy.

"I cannot but think that these individuals have the higher claim to consideration. I cannot think the order is so rotten, so near bankruptcy, that it will go to pieces before a regular meeting can be held, at which will appear delegates fully instructed, while, if I permitted the new rates to go into operation, very great hardship might result."

RIGHTS OF MINOR UNDER QUEBEC WORKMEN'S COMPENSATION ACT.

The rights of a minor child to full damages under the Workmen's Compensation Act, for the death of his father, have been upheld by a judgment handed down by Mr. Justice Dunlop in the Montreal Superior Court, His Lordship awarding the child the full amount claimed in virtue of the act. This is the first time since the going into effect of the measure, that this phase of the act has been brought into relief. The suit was that of Raffaele Palmieri vs. the Grand Trunk Railway, the plaintiff seeking recovery of \$1,000, on account of the death of his father, who was the victim of a fatal accident whilst engaged in working for the company. The action was opposed on the grounds that the plaintiff was a minor child under sixteen years of age, and that, in accordance with the provisions of the Compensation Act, the company employer was liable only to the extent of a sum as would provide for the maintenance and education of the boy till he had reached his sixteenth year. The boy, Huberto Palmieri, in whose interests the suit was taken, is an orphan, his mother having died prior to the accident to his father.

Mr. Justice Dunlop, in disposing of the case, referred to the section of the act on which the company relied in advancing its contentions and declared that, as far as he understood the act, it was provided that compensation should be paid in case of the death or injury of an employee. In case of death the com-

pensation was to be equal to four times the annual salary of the victim, with a minimum award of \$1,000, and a maximum of \$2,000 except when there was inexcusable fault on the part of the employer.

His Lordship having referred to English decisions continued:—"I am, therefore, of the opinion, that the plaintiff, represented by his tutor, is entitled to a sum equal to four times the annual salary of the deceased—or \$1,878, plus \$25 funeral expenses. This seems a hard case for the employer, but it is no harder than the cases which I have cited—amongst others, the case where the widow was awarded \$450 though her husband had not earned any wages. I have no right to reduce the claim to \$1,000. This can be done only in cases where the annual salary multiplied four times does not equal \$1,000. The defendant, when the deceased entered its employ, knew that it would have to pay four times the average yearly salary in event of the death of its employee. Thus I award damages to the extent of \$1,903."

Loretto Palmieri, the victim, was killed February 8th, 1911, while working on the Victoria Bridge. He was struck by an engine, and died a few hours later. At the time of the mishap the boy in whose behalf the action was entered, was fourteen years and forty-one days old, and the company contended that it was liable only for the maintenance and education of the youngster until he should attain the age of sixteen years—or until 20th December, 1912.

Personal Paragraphs.

Mr. H. B. Smith, of Owen Sound, Ont., has been elected a director of Richelieu & Ontario Navigation. He was formerly a director of Northern Navigation.

Mr. W. A. Cornwall, manager of the Canadian Bank of Commerce, at Clarendon, Ont., was fatally injured in an automobile collision in Chicago on Monday.

It is announced from London that Mr. R. H. R. Burder, the London manager of the Western Assurance Company, of Toronto, finding his time fully occupied with the marine business, will in future be the marine underwriter and secretary of the London office of the company, and Mr. William A. Miles, at present the company's manager for Australia at Melbourne, has been promoted to be fire manager at the London office.

Mr. Randall Davidson, general manager for Canada of the North British and Mercantile Insurance Company, who has visited Western Canada every year for a quarter of a century, is again at his office, having returned from a western trip on which he was accompanied by the Right Hon. Munro Ferguson, M.P., Mr. Charles Dalziel, directors and Mr. Owen D. Jones, the general manager of the North British in Edinburgh, all of whom are delighted with the progress of the West. The party visited Winnipeg, Calgary, Edmonton, Moosejaw, Saskatoon, Regina and the coast cities, and everywhere they went evidences of prosperity and western push were plainly visible. Mr. Randall Davidson believes that a great manufacturing community will be built up beyond the lakes.