

come of the bill introduced by the unfailing Mr. Mitchell as a result of the commission's report. Its chief points have been summarized above.

Two weeks' injury required. All accidents arising out of and in the course of the employment excepting the injury be for less than two weeks or caused by drunkenness.

Serious and wilful misconduct invalidates only a claim for partial incapacity, but claims for total and permanent incapacity and death are not so invalidated.

An attempt to rescue a fellow workman shall not be construed as misconduct. The Act was slightly amended in 1912.

In 1916 an entirely new Act became law, which is now in force and is considered in detail later.

NEW BRUNSWICK.

The first employers' liability bill was introduced in the Legislature in 1902, but was referred to a standing committee and remained there. In 1903 there was enacted into law "An Act respecting the Liability of Employers." In introducing the bill Mr. Pugsley said that it was intended to exempt lumbermen and miners, the latter being excluded in order not to prevent capital coming into the province to develop a young industry. The bill did not yield, he said, to the "demands to make the employer liable for the negligence of a fellow servant who is not a foreman or entitled to give orders. We have, however, to this rule made two important exceptions. We have provided that where a workman is injured by the negligence of a man who has charge of signals or points on a railway—or who is in charge of a winch engine on board a ship that is being loaded—liability attaches." The Act created liability on the part of the employer for defective machinery or negligence on the part of a foreman. The sponsors for the bill claimed that it was in line with advanced legislation. Suggestions made in the House that cases be settled by arbitration were not accepted, and matters arising under the Act were left to the courts. Synoptic Reports of the Proceedings of the House for 1903 contain records of the debates.

The bill was slightly amended in 1907. The labour unions asked that the fellow-servant doctrine be abolished entirely, but this was refused on the ground that great injustice might be done; they asked that the danger to skilled labour from working with unskilled men be removed, but this was refused on the ground that the unions compel both classes to be accepted for employ-