

SCHEDULE (A)—Continued.

Sections and Sub-sections.	Offences.	PENALTIES.			
		A fine not more nor less than amounts named.		Imprisonment not longer nor shorter than time specified.	
		MAX.	MIN.	MAX.	MIN.
6 (1) } 6 (2) }	Hunting partridge for purposes of exporting, or exporting same,	100	50	3 months	1 month
7 (1) (a)	Hunting, etc., without license, moose and caribou,	150	50	3 months	1 month
7 (1) (b)	Hunting, etc., moose, caribou or deer, in excess of limit,	150	50	3 months	1 month
7 (1) (c)	Hunting deer in excess of limit,	100	50	3 months	1 month
7 (1) (d)	Hunting, etc., moose or caribou in the night time.	150	50	3 months	1 month
7 (2) } 7 (3) }	Acting as guides, etc., without license,	80	40	2 months	1 month
7 (4)	Acting as guide for unlicensed hunter,	40	20	30 days	15 days
7 (5)	Hunting, etc., without license, deer, mink, etc., or game birds, etc., in Westmorland county, or acting as driver, guide, etc.,	100	50	3 months	1 month
7 (6)	Refusing to produce license,	20	20	20 days	20 days

62 V. c. 8, Schedule (a); 63 V. c. 39; 1 Edw. VII. c. 36; 55 V. c. 19, am.

SCHEDULE (B)

CLAIMANT'S STATEMENT.

To the Surveyor-General of the Province of New Brunswick:

I hereby state, that on the _____ day of _____ A. D. 19____, at _____ in the Parish of _____ in the County of _____ and Province of New Brunswick, I killed the wild cat (or lynx, as the case may be), the skin of which I now exhibit to _____ Game Warden, and I claim the bounty allowed by law for killing same.

Dated at _____ this _____ day of _____ A. D. 19____.

(Signature)

Claimant.

Subscribed and sworn to before me the day and year aforesaid.

(Signature)

Game Warden.

GAME WARDEN'S CERTIFICATE.

I hereby certify, that, as required by law, I have cut off the whole of the nose from the skin of the wild cat (or lynx, as the case may be), described in the certificate of _____ claimant, made before me the _____ day of _____ A. D. 19____, and have destroyed the same by burning.

Dated at _____ this _____ day of _____ A. D. 19____.

(Signature)

Game Warden.

62 V. c. 8.—Schedule (B).

CAP. XI.

An Act respecting the Liability of Employers for Injuries to Workmen.

Passed 9th May, 1903.

Be it enacted by the Lieutenant-Governor and Legislative Assembly as follows:—

1. This Act may be cited as "The Workmen's Compensation for Injuries Act."

2. In this Act, unless the context otherwise requires,

(a) "Superintendence" means such general superintendence over workmen as is exercised by a foreman, or a person in a like position to a foreman, whether the person exercising superintendence is, or is not ordinarily engaged in manual labor.

(b) "Employer" includes a body of persons, corporate or unincorporate, and also the legal personal representatives of a deceased employer, and the person liable to pay compensation under Section 4 of this Act.

(c) "Workman" does not include a domestic or menial servant, or servant in husbandry, gardening or fruit growing, or in mining or quarrying or lumbering or in driving, rafting or booming logs, where the personal injury caused to any such servant has been occasioned by or has arisen from or in the usual course of his work or employment as a domestic or menial servant, or as a servant in husbandry, gardening or fruit growing, or in mining or quarrying or lumbering, driving, rafting or booming logs; but save as aforesaid, means any railway servant, ship laborer, longshoreman, and any person who, being a laborer, servant, journeyman, artificer, handy-craftsman, or otherwise engaged in manual labor, whether under the age of twenty-one years, or above that

age, has entered into, or works under a contract with an employer, whether the contract was made before or after the passing of this Act, and whether such contract is expressed, or implied, oral, or in writing, and is a contract of service, or a contract personally to execute any work or labor.

(d) "Railway servant" means and includes a railway servant, tramway servant, and street railway servant.

3. Where personal injury is caused to a workman,

(a) 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

(b) 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

(c) By reason of the negligence of any person in the service of the employer to whose orders 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

(d) 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 by-laws 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

(e) By reason of the negligence of any person in the service of the employer who has the charge or control of any points, signal, locomotive, engine, machine or train upon a railway, tramway, or a street railway; or

(f) By reason of the negligence of any person in the service of the employer who has the charge or control of any engine, winch, machinery, sling or other appliances on or connected with any steamship or on or connected with any scow or other vessel, from or into which any cargo is being loaded or discharged into or from such steamship where such engine, winch, machinery, sling or other appliances are being used in or about the loading or discharge of cargo in respect to which such workman is employed; the workman, or, in case the injury results in death, the legal representatives of the workman, and any person entitled, in case of death, shall have the same right of compensation and remedies against the employer as if the workman had not been a workman of, nor in the service of, the employer, nor engaged in his work.

4—(1) Where the execution of any work has been carried into effect under any contract; and

(a) The person for whom the work, or any part thereof, is done, owns or supplies any ways, works, machinery, plant, buildings, or premises used for the purpose of executing the work; and,

(b) By reason of any defect in the condition or arrangement of such ways, works, machinery, plant, buildings, or premises, personal injury is caused to any workman employed by the contractor, or by any sub-contractor; and,

(c) The defect, or failure to discover or remedy the defect, arose from the negligence of the person for whom the work, or any part thereof is done, or of some person being in his service, and entrusted by him with the duty of seeing that such condition or arrangement is proper; the person for whom the work, or that part of the work is done, shall be liable to pay compensation for the injury as if the workman had been employed by him, and for this purpose be deemed to be the employer of the workman within the meaning of this Act; provided always, that any such contractor or sub-contractor shall be liable to pay compensation for the injury as if this section had not been enacted, so, however, that double compensation shall not be recoverable for the same injury.

(2) Nothing in this section contained shall affect any rights or liabilities of the person for whom the work is done, and the contractor and sub contractor (if any) as between themselves.

5. A workman, or his legal representatives, or any person entitled in case of his death, shall not be entitled under this Act to any right of compensation or remedy against the employer in any of the following cases:—

(a) Where personal injury is caused to such workman by reason of any defect in the condition or arrangement of the ways, work, machinery, plant, building or premises of the employer, unless such defect was not discovered or remedied, owing to the negligence of the employer, or of some person entrusted by him with the duty of seeing that such condition or arrangement is proper;

(b) Where personal injury is caused to such workman 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 by-laws 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, unless the injury resulted from some impropriety or defect in such rules, by-laws, or instructions; provided, where a rule or by-law has been approved, or has been accepted as a proper rule or by-law by the Lieutenant-Governor in Council, under and pursuant to any provision in that behalf of any statute in force in the Province, it shall not be deemed for the purposes of this Act to be an improper or defective rule or by-law.

(c) In any case where the workman knew of the defect or negligence which caused his injury, and failed, without