

Report of Road Enquiry Tabled in the Legislature By Hon. Mr. Stewart

Commissioner Hartley Reviews the Evidence and Makes Recommendations of a Timely Nature— Administrator Assents to 36 Bills—Game and Fishing Licenses to be Increased Ten Per Cent. —More Estimates Passed.

The Legislature met at nine o'clock last evening, following the week-end adjournment and continued to sit until after one o'clock. Good progress was made with the Workmen's Compensation bill the largest of the session and estimates of the Department of Lands and Mines were passed.

After the formal proceedings, Sir J. Douglas Hazen, administrator of the government, entered the chamber and gave his assent to thirty-six bills. He was accompanied by his official secretary, Capt. T. C. Barker.

Among the bills introduced was one to amend the game act by Hon. Mr. Tilley. It provides for a ten per cent increase in resident and non-resident hunting and angling licenses and other changes.

The Road Enquiry
Hon. Mr. Stewart tabled the report of R. P. Hartley on the road enquiry. It is a voluminous document containing a review of the evidence taken and making recommendations likely to put a stop to such irregularities in the future.

THE OFFICIAL REPORT

Assembly Chamber,
March 28th, 1932.
The Sergeant-at-Arms announced that his Honor the Administrator had arrived, whereupon Mr. Speaker ordered that His Honor be admitted, and when His Honor Sir J. Douglas Hazen, Administrator of the government of the province of New Brunswick was seated upon the Throne, Mr. Speaker and the Clerk Assistant presented thirty-six bills for His Honor's assent and the titles having been read the Clerk Assistant announced that in His Majesty's name, His Honor the Administrator assented to the bills and ordered them to be enrolled.

Bills Passed
The following bills were read a third time,—to authorize Gloucester County to issue debentures; to amend the act fixing the taxation of the Admiral Beatty Hotel Company, Limited; to enable the town of Sackville to impose a license fee on non-resident workmen; relating to the town of Campbellton; respecting the Municipality of Restigouche; relating to the town of Campbellton; to authorize the funding of certain provincial expenditures.
The following bills were read a second time, to amend the Fisheries Act; to confer certain powers upon the Lieutenant-Governor-in-Council in respect to insurance; to provide for as-

sistance for Electric light and power in rural districts; to amend the Corporation's Act.

Notices of Enquiry
MR. RICHARD (Kent) gave notice of enquiry as to the amount of money collected during the past year from the tax on signs and camp licenses.

MR. GILL on behalf of Mr. Downey gave notice of enquiry as to materials and cost furnished to the government in 1931 by Messrs. F. W. Smith; W. H. Thorne Company, Limited; James S. Neill & Sons; McLellan Foundry Company, Limited, Smith Foundry; W. H. Duff & Son and Carl Duffy.

HON. MR. TILLEY introduced a bill to amend the Game Act. He said the principal changes were that the license fees would be increased 10%. The bounty was taken off bears and that on wildcats reduced from \$5. to \$3.

MR. MICHAUD inquired as to how the 10% increase affected the fees.

HON. MR. TILLEY said that each fee was marked up 10%. A bird license instead of being a dollar would be a dollar ten, and non-resident licenses costing twenty-five dollars would be up to twenty-seven fifty.

MR. MICHAUD "Simply a nuisance tax"

The Reason
HON. MR. TILLEY "It is simply to get a little more money in the shape of a luxury tax to try and help balance the budget."

HON. MR. STEWART introduced a bill to amend the Motor Vehicle Act. He said that it was simply to improve the phrasing for enforcement purposes. It provided a penalty for registration under a fictitious name and permitting the use of reflectors instead of lights on horse drawn vehicles.

HON. MR. RICHARDS introduced a bill to amend the Intoxicating Liquor Act, the amendments being suggested by the Board of Liquor Control for administration purposes with a view to better enforcement.

Workmen's Compensation

The House went into committee to consider the Workmen's Compensation Act. He said the bill had been before the House for some time, so that opportunity might be afforded all interests to make representation to the government and conferences had been held with several organizations and individuals. The bill was the result of the report of a Commission, though the government had not found it possible to concur with all the recommendations the Commission had made, but had gone as far as possible. He had carefully compared the bill with existing legislation for the purpose of accuracy and he would submit a number of amendments as the different sections came before the Committee.

MR. DYSART said he understood the Federation of Labor had made some suggestions.

HON. MR. RICHARDS said that the

Federation's recommendations had been considered and followed as far as possible.

Industrial Diseases

MR. DYSART requested that clause (b) of Section 2, relating to industrial diseases be held over for further consideration. He said that representations had been made to him in regard to the matter, and there had been complaints regarding the discretionary powers of the Board, and he was inclined to think that the point was well taken. He cited a case where a man had been awarded compensation although at the time unknown to the Board he was suffering from heart disease. Subsequently, when the Board became aware of the fact, they altered the finding.

HON. MR. RICHARDS said that he was quite willing that the section should stand for further consideration, although he would point out that no representations had been made by the Commission on the subject. With reference to Section 6, which referred to members of a family residing with an employer, he said that the general principle was to exclude them from compensation.

Compensation

MR. DYSART, speaking to Section 7, relating to compensation, said that there had been dissatisfaction over decisions of the Board in some cases where injury had been sustained. He knew of a young man who had strained himself while endeavoring to make a tree fall in a certain direction. A sudden gust of wind had thwarted his efforts. He had sustained a severe injury, which later developed into tuberculosis, resulting in his death. The case had been investigated by a representative of the Board, but the injured man was conversant with only the French language while the investigator could speak only English. The employer of the man had acted in the capacity of interpreter. The result was that the applicant was not allowed compensation. He (Dysart) believed that in cases of that kind the investigator should be familiar with both languages.

Presents a Problem

HON. MR. RICHARDS said that he was inclined to agree with his hon. friend with respect to the particular cases he had cited. No doubt it was a problem which presented some difficulties, and a better definition of the word "accident" might be provided, so that it would include strains and sprains. Representations on the subject had been made to the Commission and he assumed had been fully considered, but no recommendation had been made. After all the decision in such cases as had been referred to, were made by laymen, and their interpretation in the case cited appeared to be reasonable. He would be quite willing to confer with his hon. friend in regard to the matter.

MR. DYSART thought there would be no great difficulty provided the Board was willing to exercise ordinary intelligence in arriving at a decision.

HON. MR. RICHARDS said that the legislation was based on the assumption that the Board should exercise reasonable judgment, in making a decision.

Questions of Fact

MR. FAIRWEATHER thought that there should be some provision by which errors of the Board on questions of fact be rectified. He cited a case in his own experience where the Supreme Court had decided that the Board had been wrong on a question of fact.

HON. MR. TILLEY said that a wrong decision with respect to an accident might often create a hardship. In the case of a longshoreman, at work loading a vessel, if he were to slip while carrying a heavy load, it would be called an accident. On the other hand, if he were to exercise too much strength and strain himself, it was not classified as an accident.

MR. DYSART thought that provision should be made in the law to guard against lack of judgment on the part of the Board.

MR. RICHARD (Gloucester) said that he had never been able to get a satisfactory explanation from the Board as to what constituted an accident.

MR. TAYLOR asked if railways were responsible for their employees who injured workmen of an industry.

A Change Urged

MR. DYSART, speaking in regard to tenure of office of members of the Board, said that the amendment of a few years ago which permitted the removal of such members at the will of the government, had not, he thought, made for the best functioning of the Board.

HON. MR. RICHARDS said it had not been thought well at this juncture to change the provision of the amendment referred to by his hon. friend, although he appreciated the point he had taken. He might say, speaking quite frankly, that it was the intention of the government to try to bring the Board up to strength so that it could function properly.

Beyond Influence

MR. MICHAUD thought the officials of the Compensation Board should be men above reproach and not subject to removal by the influence of any class or clique upon the government. The Board had extra judicial power, in that there was no appeal from their ruling. He, therefore, felt that the members should be independent of all influences and removable only for cause, infirmity or old age. The amendment of 1927 made the

Board tools of the government and suspicion had been created in the public, that certain influences were all powerful. He thought in the public interest there should be no suspicion that the Board could be influenced. He felt this bill was to enable the government to change the present Board, and it was most unfair to use this legislation to remove men who had acted properly in the discharge of their duty.

No Change Made

HON. MR. RICHARDS said it not correct to imply that the present Board was to be dismissed because of certain actions it had taken and at any rate the government's power was as complete under the old act as under this bill.

MR. MICHAUD "Has any change been made in the personnel of the Board recently?"

HON. MR. RICHARDS "No."

The committee rose and reported progress and the House accepted the report with the leave to sit again.

Bills Agreed To

The House again went into Committee, to consider the following bills which were agreed to, the bill to amend the act respecting compulsory attendance at school; the bill to incorporate the Farmer's Co-Operative Company; this bill having been amended in committee to give the shareholders power, instead of directors, to decide to whom stock should be sold; the bill to amend the act incorporating the Alumni Society of Mount Allison College; the bill to incorporate the Alumnae Society of Mount Allison Ladies' College; the bill to incorporate the Roman Catholic Sailors' Club.

Crown Land Estimates

The House went into committee on Supply and took up items for the Department of Lands and Mines.

HON. MR. TILLEY on the item, mining development \$6,200, said the diamond drill had been boring for oil in Albert County and lately at Adam's Island for copper. It had been working under a per diem charge. The operator had been for many years an annual retainer. His fee had been reduced this year. The item also included salary paid to Dr. Wright for investigation work.

MR. DYSART said people had been led to believe, by the Publicity Bureau and through the press, generally, that due to the new mining act there was and would be great activity in mining development in the province. Now, he understood, from the Hon. Minister's remarks that the province only had one machine, a machine which he knew to be obsolete and there was really nothing to induce men to prospect. Nova Scotia had a number of modern drills which were doing a great deal of work. They could work rapidly and efficiently as he knew from personal experience.

Not Consistent

HON. MR. TILLEY said that hon. friends opposite, ever since the session started, had been calling for curtailment of expenditure and yet, on every department that had come under discussion, they were urging increased expenditure. He thought if they wished to make any impression on the public, they should have some consistency. If his hon. friends wanted five or six diamond drills for this province, where, he would ask, would he put them at work? The one machine, now owned by the province had been idle for six months in the year.

MR. MICHAUD said the opposition had not asked for more expenditure but they were asking the government to make better use of the money the House voted them. It was unfair for the Minister to say that the opposition was asking for new machinery, but they were asking him to abandon an old useless machine and spend the money to better advantage.

MR. GROOM said the government diamond drill had done good work in his locality and Mr. Schofield, the gentleman who ran on the opposition ticket in Saint John, was well satisfied with what it had done and with the prospects for nickel which it had disclosed. He had assured the people down there that as soon as financial conditions improved, he hoped to develop a mining industry.

The Forest Service

HON. MR. TILLEY on the item of \$73,000 for forest rangers, inspectors, scalars, etc., said that the amount actually expended last year was \$87,837.37. For game wardens, game referees, equipment, etc., the sum of \$65,000 was asked while last year \$89,794.74 was expended. The total appropriation for the present year was \$183,000 of which \$33,000 was to be voted, the balance being fixed by law.

MR. MICHAUD wanted to know why there was such a difference between the amount voted last year and the amount actually expended. He noticed that it was \$25,000 on two items.

HON. MR. TILLEY said that the policy of the government was to economize as much as possible this year and with that end in view, every department was holding down expenses.

MR. MICHAUD said that that was not an answer to his question. He had pointed out that last year \$25,000 over the amount appropriated was expended, and the Hon. Minister had replied that it was on the ground of economy.

Expenditure Cut

HON. MR. TILLEY said that he had merely pointed out why the expenditure was so high.

(Continued on page six)

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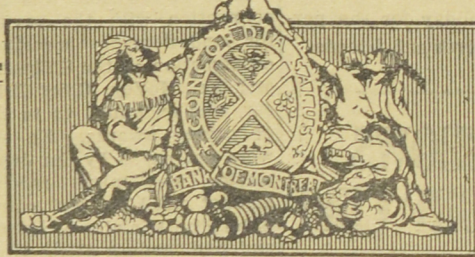
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