

Balance of Estimates Passed by the House Early This Morning

The Legislature Had An Exceedingly Busy Day and Got Through With a Large Amount of Work—Spirited Debate Over the Public Works Estimates—A Division Over the Insurance Bill—Discussion Over the Kiley Bridge at Kings-clear.

The Legislature met yesterday at 11 o'clock in the morning and it lacked a few minutes of 2.30 this (Friday) morning when a motion to adjourn was carried. All of the remaining items of Supply in the Department of Public Works, the Health Department and the Department of the Provincial Secretary-Treasurer were disposed of. The items in the Department of Public Works as usual created a lot of discussion, which was featured by spirited debates between Hon. Mr. Stewart and leading lights of the Opposition. Opposition speakers seemed to display an inclination to bait the Minister with a view of prolonging the discussion.

The Opposition again divided the House on the Insurance Bill, of which they seem to think it worth watching. They seized upon an opportune time, as the division was called soon after the House had re-assembled in the evening and when there were a number of vacancies in the government benches. The motion to throw out the bill was lost by a vote of 17 to 13, the closest division in a number of years.

Exactly one hundred bills have been introduced this Session and the two Supply bills to come will bring the total up to 102. Last year the number was 117.

The bill to amend the Workmen's Compensation Act was passed yesterday with some amendments. A bill to amend the Motor Vehicle Act was also agreed to.

Assembly Chamber, March 31st, 1932.

The House met at 11.25 a.m. HON. MR. RICHARDS moved that the reading of the Journals be dispensed with.

The following bills were read a second time, to amend the Schools Act, to amend the Public Utilities Act, to amend the Interpretation Act.

HON. MR. REILLY submitted the report of the Standing Rules Committee.

HON. MR. RICHARDS moved that the bill confirming the title of the town of Campbellton to certain streets be read a second time and placed on the order paper for reference to the Committee of the whole House.

HON. MR. RICHARDS moved that the Public Accounts Committee have leave to meet during the sittings of the House until the close of the session, also that the fees on the Mount Allison Alumni and Alumnae bills and the Roman Catholic Sailors' Club bill be refunded.

Workmen's Compensation
The House went into Committee to consider the Workmen's Compensation bill. There was some discussion on the section providing for a right of appeal from the decision of the Board on questions of law.

MR. FAIRWEATHER said it was sometimes difficult to define what was fact and what was law. He cited a case of a man injured in coal mining, getting compensation for six weeks, going back to work and being unable to see the foreman going to work and while later in the day talking to the foreman being injured by the lift so seriously that he died. In this case the Compensation Board had ruled he was not an employee of the company and therefore his widow had no claim. The Chief Justice gave right of appeal and after hearing the facts of the case in his judgment, said the Court thought there should be compensation, but under the act, he would have to rule that no appeal lay. He (Fairweather) thought that in framing the present bill, provision should be made to prevent as far as possible such cases of hardship.

Mr. Taylor's Views

MR. TAYLOR said the best way to carry out the intention of the act was to prevent accidents. Among the coal operators, he had tried to get a Safety Association formed but had found it difficult of accomplishment. He thought if the Board was given power to make safety regulations and power to enforce them that the burden of providing for compensation would be greatly lessened. For instance, he held that no person should be allowed to enter a mine without an order from or the knowledge of the operator. He had been disappointed that the Commission did not emphasize the importance of safety provisions. There should be provision for the enforcement of safety regulation. Experience showed that accidents through direct disobedience of employees had caused heavy claims and he advised closer co-operation between the Board and the Operators or employers of labour generally and some forceful means devised for the observance of safety regulations. Small lumber operators were a class that needed some supervision. He knew of one, who over a short period, paid in about \$300 to the Board and yet during that time his accidents cost the Board \$15,000. As was sometimes done, some small employers of labour without financial responsibility, killed a man by accident and then went out of business to avoid the claim and left other employers in his own class to carry his load. Sometimes, he said irresponsible men started mining, em-

ploying eight or ten men, without showing any financial responsibility and when they had accidents, well established mines had to provide compensation. It cost money to provide safety which added to the cost of production and he thought that employers, who made that expenditure should be recognized by the merit rating system.

Approves Suggestions
MR. MICHAUD said the suggestions of the hon. member from Sunbury should be taken to heart by the Board. Generally speaking, he thought, the small employers starting business without care for safety, had penalized similar industries to a heavy extent. Referring to the case mentioned by the hon. member for Kings, he thought that doubt as to right of appeal might be eliminated by giving such right of appeal to the Supreme Court whether the ground was either law or fact.

To Protect Workmen
HON. MR. RICHARDS said the desire of the government was to get legislation that would protect the workmen without being unfair to the employer and he suggested an amendment that would perhaps help in that direction.

MR. DYSART said the past actions of the Board were worth considering and he had a case of a man hurt in a mill in 1926, who received compensation for seven months and was then dropped but ever since had been and was likely to be a hopeless cripple. A reputable physician had given him frequent examinations and had had an X-ray taken showing that one of the vertebrae was crushed yet the Board had decided they would not reopen the case. He thought in framing the bill some machinery should be provided so that justice might be obtained.

HON. MR. LEGER said it looked as if there was something wrong with the Board as it had been constituted. MR. RICHARD (Gloucester) said that in a case of a man injured in the woods as was clearly shown by the doctor's report, the Board had decided the man was injured at home and not in the woods. Therefore no compensation was available to him, but the inconsistent part of it was that the Board paid his hospital bill for six weeks.

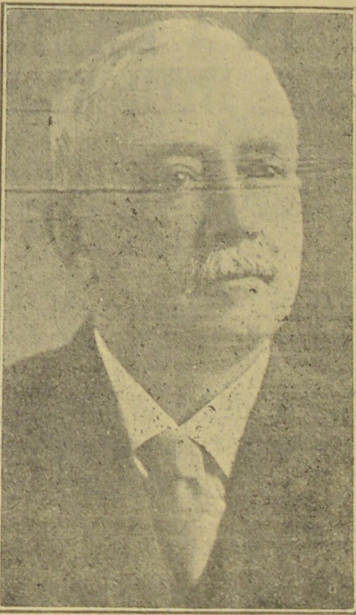
Clause Deleted
HON. MR. RICHARDS moved the deletion of a clause which would assist in rectifying such cases as quoted by the hon. member for Kings. He said cases had come to his attention which led him to think that perhaps they were due to a lack of proper understanding by the Board of the intentions of the act. In Ontario, there was no appeal from the Compensation Board for any cause, but the Board was given authority to reconsider cases on application and to give decision without being bound by any previous action. He thought it was not perhaps advisable to go the whole way in giving the right to appeal and he thought that with a properly constituted Board, having thereon a representative of labour and two other men of broad principles with a competent and unbiased physician, that most of the difficulties should be eliminated. He gave a history of a case from Doaktown that he had looked into and the evidence certainly showed that the applicant for consideration was certainly trying to claim compensation to which he was not entitled.

Labor Not Represented
HON. MR. TILLEY said that as a member of the House when the act was first introduced, and in strong sympathy with the same, he had listened attentively to the discussion. Most of the causes of complaint had been directed against the Board on the grounds of unsympathetic attention. That was true in certain individual cases mentioned. He believed if labor had had a representative on the Board similar to the former efficient labor representative, such as the late James Sugrue, perhaps some of the cases referred to would not now be under discussion. Neither would there be such a demand for a general right of appeal as presented this morning, which right of appeal, labor members are largely opposed to. He believed the sooner labor was represented on the Board the better.

Right Of Appeal
MR. DYSART said it was not quite correct to say that complaints had been only recently, because the case he had mentioned dated back to 1926. He did not think either it was quite fair for the Premier to present the case he had as an offset to the case, he (Dysart) had presented, which was certainly no attempt at malingering. Why, he would ask, had there not been a labor representative on the Board during the last few years? The government was condemning itself for its inaction. Unless, he said, some means was provided in the bill before the Committee to enlarge the right of appeal, members were not carrying out the duty devolving upon them here.

HON. MR. TILLEY asked if the hon. gentleman was in favor of right of appeal for all cases.

MR. DYSART said he would not go quite so far as that and off hand he could not suggest how the demand could best be met, but he would be



HON. DR. H. I. TAYLOR
Minister of Health and Labor

glad to confer and see what could be done.

Good Judgment Needed
MR. ATKINSON: "Good judgment on the Board will cure the ills."
MR. DYSART: "I think the wish is father to the thought."

HON. MR. TAYLOR said he would like to know if there had been any compliance by the Board with the demands for consideration in the cases mentioned. In general he thought the Board should always be willing when new evidence came up to reconsider. For instance, another doctor or a specialist might be called into the case and new facts be brought out that in fairness demanded consideration. He thought the Board should be impressed with the necessity of considering this point of view.

MR. DYSART said that when fresh facts were obtainable, the Board should be compelled to open a case for reconsideration.

The House took recess at 1.10 p.m. till 3 p.m.

Afternoon Sitting
The Committee resumed at 3.10 p.m. and continued consideration of the Workmen's Compensation Bill which was taken up section by section and agreed to without any amendments as to principle.

MR. WOOD referring to the section providing for extra assessments on the different classes of industry, said that he had protests from two of the manufacturing companies in Sackville. Also objection had been taken to including office help in the number of employees listed and there was a further protest against enlarging the scope of the bill to take in all businesses, such as retail groceries, dry-goods and hardware. He had thought when the act was introduced that it was to take care of the hazardous occupations and that to bring in all these various lines of business was needlessly saddling expense upon them.

Can Make Change

HON. MR. RICHARDS said the matters to which the hon. member from Westmorland took objection were specific recommendations from the Commission and he felt that the House could very well adopt the same and if they were found not to work out well, a change could be made later. In regard to the extra assessment, this was merely to provide for an emergency and not likely to be perhaps used and if so, not likely to be burdensome. He would add, that opportunity had purposely been given to all interested to make objections to the provisions of this bill and up till the present no objections had been taken. The bill was agreed to, and reported to the House.

MR. ATKINSON submitted the report of the Municipalities Committee.

The Library Report

MR. EVANS submitted the report of the Library Committee, stating that twelve hundred books had been taken out during the year and \$83. received in fees. The Committee recommended an appropriation of \$200 for purchase of books during the present year. As recommended by the Committee last year, the four large Audubon Volumes and copy of the fireproof library of the University on loan. The Committee recommended that one of the three sets of the Encyclopedia Britannica in the Library be loaned to the Normal School. Attention was called to the fact that in past years, books taken from the Library and not returned. There was some information that many of these books were in possession of citizens of the province and the Committee recommended that a call be made for their return to the Library as soon as possible. The Committee recommended that Dr. W. C. Kierstead, Dr. H. H. Hagerman, Mrs. James Neville and Miss Mabel Sterling be added to the purchasing Committee of the present year.

MR. AGAR submitted the report of the Committee on Contingencies.

HON. MR. RICHARDS moved that a bill relating to the Town of Campbellton be placed on the order paper for reference to the Committee of the whole House.

The House then went into committee with Mr. Fairweather in the chair, and agreed to bills relating to the valuation of assessment purposes of the city of Saint John; to fix the valuation for assessment purposes of certain industries in the City of Moncton; to amend

the Saint John City Assessment Act, 1918; and to enable the Town of Campbellton to secure a title to certain streets.

Fire Insurance Bill
The House again went into committee, with Mr. Fairweather in the chair and took up consideration of a bill to amend the Fire Insurance Policy Act of 1931.

HON. MR. RICHARDS said that the object of the bill was to secure uniformity and it had been recommended by the Committee on Uniformity of Legislation. Similar bills had been introduced in some of other provinces, but he had learned that they had not been proceeded with. For that reason, he would move that progress be reported.

Mr. Dysart Skeptical

MR. DYSART on the committee taking up consideration of a bill to confer certain powers upon the Lieutenant-Governor-in-Council with respect to insurance, said that he had already presented his views on the proposed legislation and it was not necessary to repeat them. In his opinion, such an act as that proposed was not needed, and the government should not be empowered to legislate upon a matter of such importance by Order-in-Council.

The Premier Explains

HON. MR. RICHARDS said that he wished it to be distinctly understood that it was not the intention of the government to set up a Department of Insurance, and would not attempt to do so under the legislation now before the committee. He thought that he had on a previous occasion made that abundantly clear to the committee. Whether or not insurance companies had their head offices in New Brunswick was not altogether relevant as the fact remained that they were carrying on business in the province. If the Dominion Insurance Act had ceased by virtue of a decision of the Privy Council, federal control would also cease, and so far New Brunswick had not attempted any assumption of control. What was proposed by the bill was that in the event of a contingency arising, the Governor-in-Council would be empowered to adopt such measures as would meet the situation, but so far he had not contemplated any particular line of action.

MR. DSART: "Then this bill does not contemplate the creation of any new department."

No Necessity For It

HON. MR. RICHARDS said that he had already made that statement twice and thought it should be accepted by his hon. friend. He had stated positively and definitely that there was no necessity of the government setting up a Department of Insurance until such time as they found out what the situation was going to be. Still he considered that it was important to have on record in the form of legislation the fact that the government had taken recognition by legislation of the situation in Canada regarding insurance, and would be in a position to deal with it should the occasion arise.

Urges Regulation

MR. DYSART said that knowing the way the insurance business was carried on in Canada he could not see why legislation could not be introduced regulating the companies, as they came into the province. He wanted to know why the government was not in a position to forecast the situation, and bring in the necessary legislation. The present bill seemed to him to be in the nature of blank cheque legislation, and it seemed to him to be an unwise step to introduce a bill of that character. What was wanted was legislation of a character which would give control of the companies. He thought the principle of the bill before the committee was wrong, and he did not like it.

Federal Control

HON. MR. RICHARDS said that a bill regulating the companies might not be necessary, as it would depend on the federal legislation, but it seemed to him to be the part of wisdom and economy to take the preparatory measures which were being adopted by the bill now before the House. Regarding the control of insurance, he would point out to his hon. friend that two bills had been introduced in the Senate by Rt. Hon. Arthur Meighen, but had been withdrawn on the question having been raised regarding the right of the federal government to enact such legislation. While Ontario had an Insurance Department, it was passing legislation identical with that now before the House, and Saskatchewan and Alberta were doing the same thing. It was only a temporary expedient until such time as they what should be done.

MR. RICHARD (Gloucester) said that in view of the decision of the Privy Council he held that the Federal Government could not usurp the right to legislate on the matter of insurance.

HON. MR. RICHARDS said that it was well known that the Federal Government was trying to retain every possible control over insurance. Two bills had been introduced in Parliament and withdrawn and another was being prepared. Perhaps in the end control of operation might be handed over to the provinces, but so far the Federal authorities had not divested themselves of control.

Control Needed

MR. GROOM said that as a representative of a border county he was glad that the government was taking action which would give them power to take control of insurance companies. He thought it better to be in a position to exercise control over American companies who might wish to do business in the province, rather than leave the matter up in the air. Foreign companies should not be permitted to come into the province and do business as they pleased.

MR. DYSART said that something which would enable the government to regulate insurance companies should be embodied in the bill and the matter should not be left wholly in the hands of the Governor-in-Council, as was proposed.

The bill was agreed to.

Motor Vehicle Act
The Committee next took up consideration of a bill to amend the Motor Vehicle Act.

(Continued on page three)

ORANGE PEKOE BLEND
"SALADA"
TEA
"Fresh from the Gardens"

Wise birds know there are plenty Nations don't understand each other of worms and that the early worms er because they are as selfish as individuals. are no better than the others.

Unless we misinterpret Will Rogers A man who is proud of his candor the greatest triumph of a world tour instead of cautious with it will over is getting back home. do it.

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