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Fri.—BILLIE BURKE in "THE LAND OF PROMISE"

WORKMEN'S COMPENSATION ACT PASSES THE HOUSE

Men Working in the Lumber Woods and at Stream Driving to be Excluded From the Operation of the Bill—Mr. Tilley Raises an Objection and Gets an Effective Reply From Hon. Mr. Byrne.

The Workmen's Compensation Act was further considered in the House yesterday and finally agreed to with some amendments. A bill to impose a tax on patrons of moving picture and other theatres was also passed. In addition the House disposed of a number of private bills.

The House went into Committee with Mr. Burchill in the chair and took up further consideration of the Workmen's Compensation Act.

HON. MR. BYRNE moved that the section relating to Industrial Diseases stand as read. He stated also that the sub-section defining lumbering would be struck out, a new sub-section being added to the section stating the exceptions to the act.

MR. TILLEY asked for an explanation.

HON. MR. BYRNE said that it was thought to be better to name the classes of employees who would be excluded from the operation of the act, they being those in the woods and engaged in stream driving and rafting. The exact wording would be those engaged in "logging, cutting of lumber, pulpwood, firewood or railway ties, rafting, booming, transportation of lumber, pulpwood, firewood and railway ties."

MR. TILLEY asked why this change of heart on the part of the government? Why should not the provisions of the act apply to the men in the lumberwoods, and on the streams and rivers? He thought the act should apply to them. The lumber operators had been there and had formed an Association. Evidently one of their points had been impressed upon the government, for it might be remembered that one of them had said that the lumbermen had made and unmade governments and could do so again. Why should these men be excluded? If it were a matter of politics they would remember the government and would give a cold prod.

HON. MR. BYRNE said that no wonderful change such as that intimated by the hon. member for St. John had taken place. Different parties interested in the bill had appeared, and this particular section had been discussed. He could tell his hon. friend that the lumbermen had made no approaches to the government. He could tell him that the government was not under the control of the lumbermen. If the hon. member desired to spread that impression abroad, he was absolutely mistaken. Good reasons existed for this particular change in the Act being made. Possibly his hon. friend was not aware of the fact that a death had never taken place on the North Shore during stream driving operations. Work in the lumber woods and on the drives was of a casual nature. Stream driving was of short duration, not more than twenty or thirty days. The Commission had reported to the House that casual employees need not be included under the Act. The hon. member was simply trying to make a point against the government. He was very much mistaken if he thought that he could create the impression that the government was under the influence of the lumbermen. The changes suggested were satisfactory to the interests concerned.

MR. TILLEY—"What interests?"

HON. MR. BYRNE—"Those in consultation—the manufacturers, representatives of labor. I don't know whether the lumbermen were there or not. I would like my hon. friend to say directly whether or not he thinks this change was due to the influence of the lumbermen."

MR. TILLEY—"I believe that you changed this by reason of representations made to you by the lumbermen."

HON. MR. BYRNE—"The lumbermen had a perfect right to meet and to express their views on matters touched upon by this Act."

MR. SUTTON pointed out that the amendment was not in the list of amendments which had been furnished to members of the House.

HON. MR. BYRNE replied that all the amendments which it was proposed to make were not in that list; also that it was not unusual to bring in amendments in this way. He would inform the hon. member from St. John that the lumbermen of New Brunswick had rights as well as had the manufacturers, and it was the duty of the government to see that even-handed justice was handed out. There was no departure from the principle of the bill.

MR. SUTTON asked if lumbering was included under the provisions of the Nova Scotia Compensation Act.

HON. MR. BYRNE stated that he could not say, as the industry of lumbering had no sub-divisions.

HON. MR. VENIOT said that from the first time that the Commission began to hold sessions he had urged that the lumbering industry so far as the woods operations were concerned should not be called upon to come under the scope of the Act, as long as the existing system of operations was in vogue. The system of operations in the woods had changed from that in force some years ago. The big camps maintained by the operators had been done away with and small contractors did the work. In many cases family parties were organized to take sub-contracts. He did not think the lumber operators should be responsible for such parties under the

Compensation Act, as they did not have them under their direct control. Stream driving also was of a casual nature, and generally of short duration. In Gloucester county the hardest drive was not more than forty days and the average was twenty days. Another reason why this class of employment should not be included was that the circumstances were largely beyond control. Under the Compensation Act lumber mills could be so equipped with devices for the prevention of accidents that they could be given "meritorious rating." In the woods and on the streams the elements could not be controlled. The hon. member for St. John had made some reference to the influence of the lumbermen. He could not say that the speaker ever had been influenced by the lumbermen of his county. As a matter of fact he and the lumbermen had been at political loggerheads. In the matter of the amendment under discussion he had acted in all sincerity, and in the interests of industry and labor.

MR. SUTTON said that in the discussion on this point the hon. Attorney General had shown an unnecessary degree of heat. The House had before it a Bill prepared by a commission which had labored long and diligently and yet was making preparations to exempt one-third of the manufacturers of the province from the provisions of the bill. Large and influential interests had protested and their protests evidently had been effective. The proposed amendment would destroy the effectiveness of the Compensation Act, and would not be satisfactory to the province as a whole or to the labor interests. The hon. Attorney General had attempted to scare the members of the opposition into accepting this but had failed. When the people of the province became fully aware of what had been done the circumstance would reflect upon the government. Lumbering was included in the scope of the Nova Scotia Act and it should not be omitted in this province. Both sides of the House should work together and prepare an act which would be entirely workable.

MR. McGRATH said that coming from a lumbering country he felt that he was competent to express an opinion upon this matter. He would not class men working in the woods as engaged in manufacturing. They were furnishing raw material for manufacture. It might just as well be urged that the harvester in the western wheat field was engaged in manufacture because the produce he handled went to the miller. Conditions in Northumberland were similar to those in Gloucester so far as woods operations were concerned, small sub-contractors doing most of the work. He had no hesitation in saying that the people in the lumber woods would not object to being left out of the scope of the Compensation Act.

MR. MURRAY (Kings) asked how much the fund to be raised under the act would be reduced by the exclusion of this part of industry.

HON. MR. BYRNE replied that if his understanding was correct industries were so divided into classes and sub-classes that it would be difficult to make a statement.

MR. SMITH (Carleton) said that in this discussion the keynote had not yet been touched. The argument of the lumbermen before the House was principally that the raw material entering these sawmills was at least 75 per cent. unmanufactured. The argument was a sound one and had weight. But as this Act professed to give compensation to men injured in their occupations, the value of the Act would be largely destroyed if a large class of industry was cut off. Men in the lumber woods should have the same privileges as other workmen as far as compensation was concerned. Stream driving was extremely hazardous and a man on it took as great risk as the man in the sawmill. Under the proposed amendment the man at one of a mill was to be compensated and the man at the other was to be excluded from the benefits of the Act. The government had not given sufficient care to the consideration of this matter.

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