WORKMEN'S COMPENSATION ACT WAS ENLARGED AND AMENDED

Reduction Made in Maximum Sum Payable in Case of Death of Employe---Other Classes of Labor Covered by Bill as Amended---Highway Act and Many Other Measures Agreed to.

Fredericton, N.B., May 28.—The house met at 8 o'clock. Hon. Mr. Hazen moved to rescind the order for the third reading of the bill to amend the workmen's compensation act and that the same be recommitted for further consideration.

Hon. Mr. Hazen moved that the speaker leave the chair and that the house go into committee for consideration of certain bills.

The house then went into committee and agreed to the following bills: the bill to incorporate the Alexandra Lodge of Free and Accepted Masons; the bill to incorporate the master and wardens of Hiram Lodge No. 6 Free ond Accepted Masons; the bill relating to the town of Dalhousie, and the bill relating to the town of Marysville.

The house then went into committee for the purpose of reconsidering the bill to amend the workmen's compensation act.

Hon. Mr. Hazen said that since the bill was last under consideration the members of the legislature had had the opportunity of hearing delegations of employers and employes, who had each expressed their views very fully on the questions dealt with by the bill and the members had received, in consequence, a great deal of information. In the light of this further information it would be better that the bill should be read through again section by section.

Mr. Hatheway moved in amendment to the definintion of the expression "Workmen," excluding persons engaged in granite working, or a person employed as a clerk in an office or store, or as a seaman or fisherman, and also to amend the section so as to make it provide that where the injury is caused to a workman by reason of his own wilful act with intent to cause personal injury, or by his own neglect or carelessness or disobedience to the rules of his employer posted in a prominent position in the works, or where the injury is caused to such workman by reason of the malicious act or neglect of the fellow workmen.

Mr. Munro moved to add another clause to the section providing that where a workman is injured or killed through the negligence of a fellow workman under the influence of drink no compensation should be payable, unless the injured workman on becoming aware of the intoxicated condition of his fellow workman gives notice thereof to the foreman or other person in charge of the work.

Mr. Sproul said he thought there was a general consensus of opinion among the more enlightened section of the public that all possible safeguards should be thrown around the working classes in the performance of their daily labors. He held no special brief for the working man but it would be admitted by all that in those cases where compensation was becoming the law they must all keep in touch with the modern trend of public opinion. This was especially the case in regard to the proposed amendment. He did not believe that any intelligent working man would view that amendment with disfavor. It was in the public interest both of the employer and the employe that any measure along that line should meet with their approval. He congratulated the working man that in this the first session of the new legislature advanced legislation of the nature now under discussion was meeting with favor.

Mr. Lowell said that the representatives of the labor unions had clearly shown that the government had promised them the compensation act as first introduced into the house, but with the several amendments then proposed it looked as if the government intended to kill the bill.

Hon. Mr. Hazen said such a remark was most unpustifiable. Everything the labor unions wanted was provided for by the bill.

Mr. Lowell said the labor unions had had no opportunity to consider the proposed amendments.

Hon. Mr. Hazen said that as soon as the discussion on the amendments was concluded he would hold over the bill from its third reading as long as ever the hon. gentleman wished in reason, so that he might have all the opportunity he wanted to consider the matter.

Mr. McKeown said the bill was the result of an arrangement come to between the members of the labor unions and the government candidates for the city of St. John at the late election when certain promises were made by those candidates and the government should hold to them.

Dr. McInerney said they had heard a good deal about that celebrated bargain, but as he had stated emphatically the other day, so far as he was aware no such bargain was ever made. But they, as candidatee, did say before the 'longshoremen that they knew of no reason why they should vote against them as they, the candidates, would, if returned, see that a fair measure of compensation should be provided. The contention of the hon. members for St. John county was ridiculous in the extreme. How could they make a bargain when they did not occupy any authoritative position and did not even know if they ever would occupy one? He was glad, however, to know that the 'longshoremen had provided them with a majority and that was why they were there to see that a fair measure of compensation was given.

Mr. Wilson said he wished to deny most emphatically the existence of any such bargain as had been mentioned. He was glad to say that the working men had sufficient confidence in him as shown by the manner in which they had so often given him their votes that it was quite unnecessary for him to make any bargain with them whatever. They knew him sufficiently well to trust him with their interests.

Mr. McKeown said it might be as the hon. gentleman said and he must take them at their word. But a few days ago the members of labor unions came to that house and said the bargain had been made and demanded that the promise be kept to support the bill before the house without amendments.

Mr. Hatheway said that when the bill was last before the house the hon. member who just sat down had characterized the section now under discussion as the very heart of the bill and he was surprised at the remarks which he had just heard. He had not himself been present when the alleged promise was made but had he been he would only have been too glad to have pledged himself to have given all the support possible to the bill.

Mr. Tweeddale said the bill did not provide for the great bulk of laboring men in the province. As a government measure it should. It was sectional and apparently only given in response to a pledge made to a certain labor union. On account of protests from manufacturers the government had gone into caucus and made amendments which destroyed the usefulness of the bill.

Hon. Mr. Flemming said this was one of the most important bills that could be brought before the house and deserved honest and full discussion instead of the captious remarks from the gentlemen opposite, who seemed to be anxious to get on both sides of the question at once. He was not surprised at this attitude on the part of the hon. member from the county of St. John, because he had been converted and reconverted to both sides of politics in a short career. This act with its amendments deserved support because it was taking a step forward further than ever taken before for the protection of the workingman and was designed to serve his interests without laying any unreasonable burden upon his employer. The amendments proposed were most reasonable and the hon. gentlemen opposite seemed afraid, probably with a view to their future political welfare, to express any opinion upon it.

Mr. Copp said the main objection he had to the bill was that the whole matter originated in the city of St. John. The late government had gone a long way in this legislation, but he would not say quite far enough, still we should be sure not to cripple the industries of the country though laboring men should be protected as far as possible, but not so far as to drive capital from the province. This bill was drastic and would have the effect of throwing cold water on schemes to employ labor in this province.

Mr. Wilson inquired of the last speaker if when he was referring to the bill originating in St. John, he did not know that a petition was sent from Moncton asking for it and said to be signed by some 700 men.

Mr. Robinson said there was a petition received from three men who stated they were representing the machinists of Moncton. They also stated they had had some correspondence with Mr. Hatheway and were communicating with him on that account. He thought every protection for labor should be given but the amendments introduced into this bill made its provisions somewhat doubtful without time for full consideration. He had been asked by the men at Moncton to see that the bill was passed as introduced and all amendments fought. It was a serious thing to hurry this measure through the legislature in the dying hours of the session. The whole matter had a peculiar flavor and he was in doubt as to what course to take. This was not the bill the laboring men wanted and it was certainly not what the employers of labor wanted.

Hon. Mr. Hazen congratulated his hon. friends opposite on the very skilful balancing act which they had performed in discussing the measure. They wanted to be in a position to go home and assure the laboring men that they were entirely in favor of complying with their request and also say to the employers of labor that they were opposed to giving labor further recognition.

Mr. Hatheway moved that Section 5, clause A, be amended by striking out the figure $2,500 and inserting $1,500, this sum to be the maximum of compensation in case of death.

Referring to the matter of insurance, he said, Messrs. Lockhart & Ritchie had told him they made no difference in regard to the age of workmen except in the case of young children. A prominent insurance expert in St. John had also said in his opinion that even with the maximum of $2,500 the rates would not likely be increased more than a very small fraction.

Dr. McInerney then moved the following clause be added: "Where a workmen has given notice of an accident he shall if so required by the employer, submit himself for examination once in each week after such accident, by a duly qualified medical practitioner provided and paid by the employer, and if he refuses to submit himself to such examinations or in any way obstructs the same, he shall not be entitled to compensation or to take any proceedings to recover compensation under this act during the time covered by such refusal or instruction."

Mr. Hatheway moved that section 7 of the original act be amended by striking out "twelve" as the number of weeks' notice required to be given of an injury, and the word "two" inserted in lieu thereof.

On motion of Hon. Mr. Hazen a section was added to the bill providing for its coming into force on the 1st of November 1908.

The bill was agreed to as amended and adopted by the house.

The house then went into commitee, Mr. Clarke in the chair, and agreed to the following bills, the bill relating to the town of Sackville; the bill to enable the school trustees of the town of Newcastle to issue debentures; the bill relating to the St. Stephen water works; the bill relating to the town of Milltown; the bill to enable the municipality of Kent to effect temporary loans; the bill to provide for the establishment of a police commission for the city of Fredericton.

The speaker resumed the chair and the bills were reported as agreed to.

The house then went into committee, Mr. Sproul in the chair, on the bill relating to highways. Mr. Munro moved an amendment to permit of the operation of free ferries if desired, which was accepted. He also moved an amendment to permit of the inhabitants of a parish being assessed to provide for the cost of breaking winter roads.

Hon. Mr. Hazen thought likely the proposed amendments would lead to trouble and he suggested the matter, together with the further proposal of Mr. Munro to make the width of sleds four feet, had better stand over till next session, which was agreed to.

The house also agred to the following bills: the bill to provide for the assessment of real estate of married women; the bill to provide for the erection of permanent bridges; the bill to amend the general mining act; the bill relating to the survey and exportation of lumber and the bill relating to the New Brunswick Coal & Railway.

The house went into committee, Mr. Allan in the chair, and agreed to the bill relating to the Maine & New Brunswick Electrical Power Company. The house adjourned at 12.50 a. m.

A cricket match between an eleven of the High School and six veterans at the game will be played on the Victoria grounds this afternoon. The High School boys will be assisted by Sydney Beckley. The veterans will be represented by Rev. R. A. Armstrong, F. R. Fairweather, Gordon Sancton, A. L. Bogart, H. E. C. Sturdee and R. E. Walker. The game will begin at 4 o'clock.

The executive committee of the R. K. Y. C., last night elected the following members of the club:—Francis F. Burpee, George Crosby, Geo. R. Vincent and William H. Sharpe.

LOCH LOMOND BILL, CAUSE OF AN ANIMATED SESSION

Ald. Baxter And Ald. Frink Suggest That The Bill if Passed Will Open The Way For Another Raid Upon The City Treasury--R. G. Murray The Principal Representative of Land Owners.

Fredericton, May 28.—The Municipalities committee this afternoon continued the consideration of the bill promoted by residents of the parish of Simonds, St. John county, and which seeks to place the power in the owners of land adjoining Loch Lomond to get damages from the city for any injury which might be done to their land by an overflow from the works there in connection with the waterworks system of the City of St. John.

The bill was promoted by R. G. Murray, barrister, of St. John, and Alex. T. Johnston, owners of land in the section referred to. Those appearing in opposition to the bill included Ald. Pickett, Baxter, Frink, Sproul, Willet, Vanwart and McGowan, Recorder Skinner and Engineer Hunter and Barbour and Contractor M. F. Mooney as witnesses.

When the afternoon session of the committee opened Mr. Murray concluded the presentation of the case in favor of the bill. He claimed that since the dam erected as part of the water-works system by Messrs. Mooney as contractors, the water in the lake and above the dam had been made considerably higher and that it thus deprived himself and other owners of the land in the vicinity of the use of portions of their land. Before the dam was erected, the over-flow only occurred at freshet times but now there was an overflow all the time.

Recorder Skinner called Contractor Mooney and Engineer Hunter who told of soundings having been taken and records kept, which showed that the result of placing the dam had not been to make the water overflow the land any more than it did before the dam was placed there.

Chairman Clarke of the committee in an endeavor to stop the flow of evidence remarked that he thought the evidence being produced was such that it should go to a court of law instead of a committee of the legislature for a decision. The bill, as he understood it, authorized the people of the Parish of Simonds and others, to recover damages from the City of St. John, which they claimed had resulted from the erection of works in connection with the St. John water extension. The city's contention was, that no damage had been done and if that was so why not let the bill pass and let the people go to the courts and have the matter settled there?

In answer to this Recorder Skinner claimed that the works were created under an Act which did not cause the city to pay damages even if any injury should occur in the section referred to now, and he contended that the owners of these properties should not now have the right to come in and make a claim for damages.

Ald. Baxter claimed that if the bill passed and became law, it would let in also the owners of property in the vicinity of the Spruce Lake work. He also claimed that as a result of the operations in the vicinity of Loch Lomond by the Messrs. Mooney the owners of land in that vicinity have received a more beneficial use of their land than before. It was a question as to how many times the city must pay for property at Loch Lomond and vicinity which were claimed to be injured. The city was not unwilling to pay damages for land which was really damaged but felt that first of all some damage should be really shown.

He also claimed that when Ex-Mayor White and a delegation from the common council of St. John came up here several years ago for legislation to carry on the work at Loch Lomond, they had to pay $15,000 for a property from the Messrs. Mooney which was really worth about $5,000. A former attorney general had acted in this matter and the city was held up and had to buy the property in order to get the legislation.

Mr. Mooney at this juncture, rose to state that it was not the late attorney general (Mr. Pugsley) but it was the late Mr. Trueman.

Ald. Baxter—Well, that is practically the same thing.

Continuing, Mr. Baxter said that he thought the best thing to do would be to have the observations go on, say for one, two or three years, and then to see just what damage was being done to the property when the matter, no doubt, could be arranged. He could not see why Ald. Kelley had to be sent for to fight this bill through in the legislature, when he could have used his opportunities at the common council.

Ald. Frink said that if the damages claimed were occurring that the city should expropriate the land and compensate the owners. It was the same condition as existed before at Spruce Lake when the city's treasury was looted and plundered for damages. He thought that the flow of water could be regulated by gates and appliances to suit all riparian owners on Loch Lomond.

Mr. Murray was about to speak again when Ald. Lewis rose and claimed that somebody else should have a chance to talk, as Mr. Murray had taken up more time than all the eight aldermen together.

Ald. Pickett contended that last year was an unusual year so far as water conditions at Loch Lomond were concerned and he felt that it would be best to follow the suggestions of Ald. Baxter and to take at least a year in which to have observations made so as to determine what damages, if any, were being done to the property referred to.

He also claimed that the representatives of the city of St. John had not been given a proper opportunity of seeing the bill under discussion and had been unable to get a copy of it before coming here.

Hon. Mr. Maxwell stated that the bill had been allowed to come into the house under the suspension of rules without having been properly advertised and it had only been at a very late hour that copies of the bill had been obtainable.

Mr. Johnson wanted to know if this matter was going to be left hanging for three years. If they couldn't get any better laws than they had now, he was going out to the North West to live. The people in his neighborhood had been living on promises for about ten years. Mr. Mooney had promised compensation for damages done when the pulp mill was erected, but all they got had been promises.

Ald. Frink stated somewhat emphatically that the promises of a corporation like the city of St. John would be somewhat better than those of a private individual and no doubt would be lived up to.

The proceedings were becoming somewhat enlivened when Mr. Murray, with his arms outstretched and his fists clinched, vehemently asserted, "Why, you haven't lived up to your promises now."

The chairman called for order and Ald. Frink stated that if Mr. Murray was going to assume an attitude of that kind he should remember that he (Frink) was somewhat of a boxer himself.

Then Mr. Lowell of St. John, seconded by Mr. Murray of Kings, moved that the question be referred to a committee composed of Hon. Mr. Maxwell and Mr. McKeown to report when the committee met in the evening.

The municipalities committee this afternoon passed a resolution similar to that recently passed by the joint committee on municipalities and corporations in which the committee declared itself in favor of the principle of municipal control of local franchises, but declaring that the principle involved in the Moncton street railway bill was such that an exception to the rule had been made in that case on account of the franchise having formerly been held by a private company.

PORT ARTHUR FLOOD TAKES FIVE LIVES

Civic Dam Burst and Much Property Was Damaged---Three Trainmen Drowned.

Port Arthur, Ont., May 28—The civic dam on Current River burst yesterday, causing a disastrous flood, costing five lives and a money loss which will run to more than $500,000 while it is possible other lives are also lost.

The five deaths were caused by a C. P. R. freight train, while pulling into Port Arthur, running into a submerged track. The engine turned over and Engineer Savage, Fireman McBride and Brakeman Inman, who were in the engine at the time, were pinned under the wreck and drowned. Five cars were also turned over.

An effort is being made this morning to get out the bodies.

Conductor Rose, though severely injured, succeeded in stopping the express.

The C. P. R. will be the heaviest loser with miles of track washed away and two bridges.

The railway is using gasoline launches to carry passengers across.

Among the trains held up is the express with the steamship passengers for Quebec, who will miss their boat.

The funeral of Mrs. Mary Ann Day, who died on Wednesday night at the residence of Charles Kennedy, 69 Sheriff street, will be held on Saturday morning at 10 o'clock. Mrs. Day left one son, William Day of Cambridge, Mass., and one daughter, Mrs. Maggie Atkinson, of Lynn. One brother—John McGorman and two sisters—Miss Margaret McGorman and Mrs. Thomas Andrews of this city also survive.

The entertainment given by Miss E. Pauline Johnson and Walter McRaye, in Charlotte street United Baptist church last evening, proved very successful. The attendance was very large. Miss Johnson and Mr. McRaye were at their best in their selections.

WILCOX BROTHERS

BARGAIN LIST

for Thursday, Friday and Saturday

If you want any of the Lines Advertised in this List Now is Your Chance to Get Them

150 doz. Men's 10c White Handkerchiefs, Sale price ..... 3c.
200 doz. Men's 15c Braces, Sale price ..... 9c.
48 doz. Men's 25c Ties, Sale price ..... 13c.
60 doz. Men's 35c Ties, Sale price ..... 19c.
50 doz. Men's 35c Black Cashmere Hose, Sale price ..... 19c.
100 doz. Men's 60c White Dress Shirts, Sale price ..... 42c.
20 doz. Men's 25c Balb'n Shirts and Drawers, Sale price ..... 19c.
Men's 65c Duck Working Shirts, Sale price ..... 48c.
Men's 65c. Soft Front Shirts, Sale price ..... 48c.
Men's $1.00 Soft Front Shirts, Sale price ..... 69c.
Men's $1.50 Soft Front Shirts, Sale price ..... 98c.
Men's 15c Linen Collars, Sale price ..... 3 for 25c.
Men's $1.75 Canadian Tweed Pants, Sale price $1.24
Men's $3.00 Hewson Tweed Pants, Sale price 1.98
Men's $5.00 English Worsted Pants, Sale price 3.48
Men's $8.50 Canadian Tweed Suits, Sale price 6.48
Men's $10.00 Canadian Tweed Suits, Sale price 7.75
Men's $12.00 English Worsteds, Sale price 9.98
Men's $14.00 English Worsteds, Sale price 11.48
Men's $16.00 English Clay Worsted—black or blue, Sale price 11.98
Men's $10.00 Short Toppers, Sale price 7.48
Men's $10.00 Long Showerproof Coats, Sale price 6.48

In Boys' Department.

Boys' $3.00 Two-Piece Suits $1.98
Boys' $3.00 Buster Brown Suits $1.98
Boys' $4.50 Three-Piece Suits 2.98
Boys' $6.00 Three-Piece Suits 4.98
Boys' Fancy Top Overcoats ..... $2.98 to $7.00
20 dozen Boys' 65c Knee Pants, Sale price ..... 48c.

Men's Hat Department.

Men's $2.00 Hard Hats $1.48
Men's $2.00 Soft Hats 1.48
Men's Straw Hats ..... 98c to $1.98
Every well dressed Man wears the King Hat, $2.50

In Shoe Department.

Men's Tan Oxfords ..... $3.48 up
Men's Patent Oxfords ..... 2.98 up
Women's Tan Oxfords ..... 1.48 up
Women's Patent Oxfords ..... 2.48 up

Ladies' Clothing Department.

Ladies' $9.00 White Allover Silk Lined Waists, Sale price $6.48
Ladies $7.50 White Allover Silk Lined Waists, Sale price 5.48
Ladies' $6.50 White Allover Silk Lined Waists, Sale price 4.48
Ladies' $5.25 White Allover Silk Lined Waists, Sale price 3.98
Ladies' $4.50 White Allover Silk Lined Waists, Sale price 3.25
Ladies' $3.75 White Allover Silk Lined Waists, Sale price 2.98
Ladies' $8.50 White Silk Waists, Sale price 6.48
Ladies' $7.00 White Silk Waists, Sale price 5.48
Ladies' $6.25 White Silk Waists, Sale price 4.98
Ladies' $4.75 White Silk Waists, Sale price 3.98
Ladies' $2.75 White Silk Waists, Sale price 1.98
50 doz. Ladies' 95c White Lawn Waists, Sale price ..... 65c.
25 doz. Ladies' 75c White and Colored Waists, Sale price ..... 48c.
5 doz. Ladies' White Lawn Waists—samples ..... 75c to $3.00
Ladies' $1.25 White Lawn Waists ..... 98c.
Ladies' $2.25 White Lawn Waists 1.75
Ladies' $3.25 White Lawn Waists 2.75
Ladies' $4.75 White Lawn Waists 3.75

Ladies' 50c P. C. and D. & A. Corsets, Sale Price 39c
Ladies' 75c P. C. and D. & A. Corsets Sale Price, ... 58
Ladies' $1.00 P. C. and D. & A. Corsets, Sale Price, ... 78
Ladies' 1.50 P. C. and D & A. Corsets Sale Price, ... 1.18
Ladies' 50c Fancy Lisle Hose, black or tan, ... 39
Ladies' 25c Fancy Lisle Hose, black or tan, ... 19
Ladies' Black Cotton Hose, 2 pairs 25
Ladies' 50c Hose Supporters, ... 36
Ladies' 25c Hose Supporters, ... 19
Ladies' 15c Hose Supporters, ... 05
Ladies' Fancy Lace Collars, ... 15c to 75
Ladies' 50c black and tan Leather Belts, ... 30
Ladies' 75c black and tan Leather Belts, ... 50
Girls' Fancy Sunshades, 49c up
Children's Dresses, worth from 75c to $1.00, your choice, ... 58
Children's Dresses, worth from $1.00 to $1.25, your choice, ... 75
20 dozen Ladies' $2.25 Undressed long Kid Gloves, ... 1.48
Ladies' $2.50 long black or tan Gloves, ... 1.98
Ladies' short Kid Gloves, ... from 75c to 1.50
Ladies' $12.00 Tweed costumes, Sale Price, ... 6.98
Ladies' 18.00 Costumes, black, blue or brown Venetian 14.96
Ladies' $15.00 Costumes, black or blue Vicuna, ... 11.98
Ladies' 30.00 Costumes, black, blue or brown Panama, ... 25.00
Ladies' short Box or Tight fitting Coats, ... $2.98 to 14.00
Ladies' long loose Coats, ... 7.98 to 15.00

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