be upon the employer or upon the person owning the machinery. One of the greatest difficulties in connection with the trials in workmen's actions for compensation heretofore has been that the proof that the machinery was not protected precisely as it should have been has been difficult, and the workman has often been compelled at great expense to call experts in machinery to establish his first proposition, to show that the machinery was out of order or did not comply with the requirements of the law. This expense has often been enormous, so much so that it almost always happens when the workman obtained a verdict the expense has been so great that by the time he has paid his costs there is very little left for him, it having been frittered away in expenses and witness fees. It appeared to him, therefore, that the onus of proof might well be thrown upon the owner of the machinery to show he kept his machinery in proper condition and that dangerous places were covered or protected wherever it was required to be by the act. It does not follow, he pointed out, that in all cases a verdict would go against the employer, even if the proof that the requirements had not been observed was forthcoming, as there are three or four propositions to be established before the plaintiff could get a verdict. It might, for instance, be shown that the workman was guilty of contributory negligence; secondly, that it was not owing to the defect in the machinery used which gave rise to the action. In view of these facts it was proposed to throw the onus of proof upon the owner. The court will determine in each case what the effect of that onus is. The bill also provides for a simplification of the litigation and will perhaps lessen the expense of litigation. Other clauses of the bill give the option to the plaintiff, and in that sense to the defendants also, of having the case disposed of by arbitration before the County Judge. The practice under the English act absolutely requires that all these cases shall be disposed of by arbitration before the County Judge. The Canadian law is somewhat different. What is now proposed is that the plaintiff shall, if he desires to have an arbitration disposed of before the County Judge, within three or four months, a reasonable period, give notice that he proposes to arbitrate, and the defendant has ten days in which to decide whether he will accept arbitration or apply to a Judge of the High Court in Chambers for an order showing that the matter involves difficult questions of law, that complicated questions of fact arise, in which case the Judge may order the matter to proceed by action in the ordinary way. It is left to the plaintiff to decide whether he will proceed to arbitration or by Judge and jury. The costs are to be as in the County Court; $10 will be the utmost fee that will be charged for arbitration, and the fees of the court will be the ordinary County Court fees. The award of the arbitration is to be fyled with the court, and an appeal will lie to the Divisional Court, whose decision shall be final. The costs will be small, and it will render useful to a much larger extent the workmen's compensation act. In addition to lessening the expenses it will expedite procedure. It might be asked why the whole English act was not accepted, and his reply was because the public mind is not ripe for it in this country. It was, therefore, better to await a longer experience of its workings in order that some of its difficulties may be removed and simplified. He had, therefore, adopted some of its best clauses which are applicable to the conditions existing in Canada.

Mr. Whitney Approves.

Mr. Whitney, while not desiring to discuss the subject at this stage, expressed a preference for the bill introduced by the hon. member for West Toronto (Mr. Crawford), which, speaking broadly, appeared to him more desirable in some respects than that of the Attorney-General. He was glad to observe that in both bills there is a tendency to make the greatest possible effort to simplify the method and manner by which rights under this act can be proved and recovered in a court of law. He saw no reason why the same methods should not be successfully adopted to simplify all legal procedure, and he hoped the time is not far distant when some person occupying the position of his hon. friend (Hon. Mr. Hardy) would adopt the same principle to the entire legal procedure of the Province.

Questions by Members.

In reply to Mr. Whitney, Hon. Mr. Harcourt said: There are no patients in any of the asylums who have been admitted from other Provinces of the Dominion or from the United States. There are no patients in any of the jails of the Province who have ever been refused admission into any of the asylums, while the admission of patients from other Provinces or the United States has been allowed. The question of the admission of patients not belonging to the Province is governed by cap. 317, sec. 36, R.S.O., which section provides for their return to the place of nativity or residence if their insanity appears within thirty days after coming to Ontario. The practice in London, England, is not to deport any foreigner or non-resident or traveller who may be overtaken with insanity in that city, as it is understood that the due observance of international comity would prohibit the deportation in such cases when seized with insanity in the city.

In reply to a question by Mr. Whitney, Hr. Hardy stated that Mr. Thos. Dawson has been appointed Sheriff of Frontenac, but that a telegram received by Hon. Mr. Harty from a Mr. Lawson had no connection with the appointment.

The Meagher Abduction.

Mr. Powell (Ottawa) moved for all correspondence in connection with the abduction of an Ontario man named Meagher by a customs officer of the United States of America. He declared