

AUSTRIAN HAD RIGHT TO CLAIM DAMAGES

The Labor Department has received the judgment of Mr. Justice Macdonald of British Columbia, who decided that an Austrian laborer named Topay had the right to claim damages from the Crow's Nest Coal Co., for injuries received at Michel, said to have been due to negligence on the part of the company. The judgment reads in part as follows: "Generally speaking an alien enemy cannot resort to our courts for protection. It was thought advisable since the commencement of the war to provide an order-in-council as to the rights and liabilities of Germans and Austrians. It provides that all persons in Canada of German or Hungarian nationality shall so long as they quietly pursue ordinary occupations, be allowed to enjoy the protection of the law and be accorded the respect and consideration due to peaceful and law-abiding citizens." The defendant company argued that the protection of the law in this case should be restricted.