

RIGHTS OF ALIEN ENEMIES.

Civil rights of an alien enemy have been under consideration in British Columbia, and one court has decided that he has a standing before them so long as he continues peacefully to follow his vocation. An Austrian who was injured while employed by a mining company sought to recover damages and was met by the plea that, as an alien enemy, he was not entitled to right of action. This plea was decided against by the lower court, and unless an appeal is taken and sustained, the action will be tried without reference to his national allegiance.

This decision may avert undesirable developments. If alien enemies have no standing before our courts they may be favored as employees in all hazardous occupations. The mine manager who knows that the death of a citizen through any of the accidents almost inevitable in his industry will entail heavy payments for dependents or relatives will naturally prefer employees with no such claims. If the plea had been sustained the alien enemies would be more profitable employees on account of the absence of risk of damage claims. Naturally, under such circumstances, the Austrian and German workmen would be the last discharged when the dull season approached and the first taken on when activity could be resumed. This would be highly detrimental to the men having the standing of citizens before the courts.

Similar influences have been observed in the carrying trade of the lower St. Lawrence. Vessels of European register and European insurance, when not held up to the rigorous requirements of British inspection and supervision, are able, in some lines of trade, to accept rates that make competition by British vessels extremely difficult. The absence of Governmental supervision gives the vessel owner an advantage, just as the absence of legal standing would give the foreigner a competitive advantage in employment. It is evident that so far as it is wise to allow an alien enemy to follow his vocation peacefully it is wise to accord him all the rights and claims of a citizen in regard to it. Any other policy would be injurious to our own people, especially while there is an onerous pressure of unemployment.
