

IN THE DISTRICT COURT OF THE JUDICIAL DISTRICT OF MACLEOD,
HOLDEN AT COLEMAN, ALBERTA.

IN THE MATTER OF THE WORKMEN'S COMPENSATION ACT 1908.

No. of matter.

IN THE MATTER OF AN ARBITRATION BETWEEN;-

Dominic Cessarinni, Attorney for the
Dependants of Giacomo Di Marco, of
Michel, B. C.

APPLICANT.

-and-

E. G. Hazell, of the city of Lethbridge,
in the Province of Alberta.

RESPONDENT.

1. On the 29th. day of April A. D. 1911, personal injury by accident arising out of and in the course of his employment, was caused to Giacomo Di Marco, late of near Crow's Nest, in the Province of Alberta, deceased, a workman employed by E. G. Hazell, and on the said 29th. day of April A. D. 1911, the death of the said Giacomo Di Marco resulted from the said injury.
2. Questions have arisen:-
 - (a) As to whether the said Giacomo Di Marco was a workman to whom the above mentioned Act applied; and
 - (b) as to the liability of the said E. G. Hazell to pay compensation under the above mentioned Act to the dependants of the said Giacomo Di Marco, in respect of the injury caused to them by the death of the said Giacomo Di Marco; and
 - (c) as to the amount of compensation payable by the said E. G. Hazell to the dependants of the said Giacomo Di Marco under the above mentioned Act in respect of the injury caused to them by the death of the said Giacomo Di Marco.

- (d) as to who are dependants of the said Giacomo Di Marco, within the meaning of the above mentioned Act; and
- (e) as to the apportionment and application of the compensation payable by the said E. G. Hazell to the dependants of the said Giacomo Di Marco in respect of the injury caused to them by the death of the said Giacomo Di Marco.

3. An arbitration under the above mentioned Act is hereby requested between Dominic Cessarrinni, under power of attorney acting on behalf of the dependants of the said Giacomo Di Marco and the said E. G. Hazell, for the settlement of the said questions.

4. Particulars are hereto appended.

PARTICULARS.

1. The name of the deceased workman is Giacomo Di Marco, whose late address was near Crow's Nest, in the Province of Alberta.
2. The Respondent is E. G. Hazell, having his address at 803 Courtland Street, in the city of Lethbridge, in the Province of Alberta, being the operator and owner of "The Summit Lime Works" at near Crow's Nest in the Province of Alberta.
3. The deceased at the time of accident was employed by the Respondent in quarrying stone.
4. The accident occurred on the 29th. day of April A. D. 1911, while deceased was so engaged as aforesaid in quarrying stone, at "The Summit Lime Works" so operated by the Respondent as aforesaid and by a fall of stone was injured.
5. By said fall of stone the deceased was crushed to death on the said 29th. day of April A. D. 1911.
6. The average earnings of the deceased during his actual employment with the Respondent was \$18.00 per week.
7. No payments at all under the Act have been made to the deceased or to any other person on his account.

8. The name and address of the Applicant is Dominic Cessarinni of Michel, in the Province of British Columbia.

9. The Applicant applies for arbitration as attorney and personal representative of the dependants under a duly executed power of attorney to which the applicant craves leave to refer at the said arbitration proceedings.

10. The dependants of the deceased in whose behalf the application is made are Angelo Di Marco, father of the said deceased and Maria Di Marco his mother, both of whom reside at Digniano, in the Province of Udini, Italy, and who were partially dependant upon the earnings of the deceased at the time of his death.

11. The Applicant does not know of any other person or persons who may be entitled to claim to be dependants.

12. The amount claimed as compensation is the sum of \$1,800.00, which the applicant claims to have apportioned and divided equally between the said Angelo Di Marco and Maria Di Marco.

13. Statutory notice of accident was served on the Respondent on the 10th. day of July A. D. 1911, which said notice was in the words and figures following:-

Lethbridge, Alta., July 10, 1911.

E. G. Hazell Esq.,
803 Courtland St.,
Lethbridge, Alta.

Sir:- IN THE MATTER OF THE WORKMEN'S COMPENSATION ACT.
1908.

Please take notice that G. D. ^{Marshall} ~~Marco~~, a workman in your employ, sustained serious personal injury caused by a fall of rock, while working at the Crow's Nest Quarries on

April 29th., 1911, which said injuries resulted in death.

Compensation under the above mentioned Act is hereby claimed.

Yours obedient servant,

(John R. Palmer)

Agent and Solicitor for the said G. D. Marco, and all persons claiming through or under him.

The names and addresses of the Applicant and his Solicitor are

of the Applicant:-	Dominic Cessarinni, Michel, B. C.
of his Solicitor:-	John R. Palmer, Lethbridge, Alta.

The name and address of the Respondent to be served with this Application is

E. G. Hazell,
803 Courtland St.,
Lethbridge, Alta.

Dated this 24th. day of July A. D. 1911.

(Signed)


Applicant's Solicitor.

D.C.....J.D.A

IN THE MATTER OF THE WORKMEN'S
COMPENSATION ACT 1908.

IN THE MATTER OF AN ARBITRATION

BETWEEN: &

Dominic Cessarini

Applicant

-and-

F. G. Hazell

Respondent.

PARTICULARS OF CLAIM.

Aug. 4, 1911

Sheweth by *my* *honourable* *the* *1st*
day of *April* *1911*, a *sum* *of*
10 *pounds* *in* *the* *sum* *of* *10*
pounds *to* *John* *H.* *Palmer*,
claimant *vs* *John* *H.* *Palmer*,
respondent, *Alta*.

J.H.C.

