Zealand a year before his death, and during that year had remitted various sums to Victoria for the upkeep of his wife. His wife contended that it was his intention to make a permanent home in the Dominion, and relied on statements in his letters to prove that contention. The Court held, however, that there was not sufficient proof of the assertion that the deceased intended to make his permanent home in New Zealand; the fact that during his year's residence he had not saved any money wherewith to bring over his wife and family told heavily against such an assertion. In giving judgment, the Court held that "although residence may be some small *prima facie* proof of domicile, it is by no means to be inferred from the fact of residence that domicile results, even although it may not appear that the party had any other residence in existence or contemplation. The plaintiff has failed, therefore, to discharge the onus of proving that her husband had abandoned his domicile of origin and acquired a domicile in New Zealand, and judgment must be for the defendant." (Decisions, &c., Vol. ix, p. 13.)

(2.) In an action brought by a bushfeller against his employer, the evidence showed that while plaintiff was (on a Sunday) putting a new handle in his axe he accidently cut off his left thumb. The decision hinged on the question whether the accident arose out of and in the course of plaintiff's employment. In holding that the accident did so arise, the Court said. "The tools used by the workers engaged in bushfelling are provided by the employer, and it is the duty of the workers to keep these tools in proper order. We are satisfied from the evidence that it is customary for the work of repairing and sharpening tools to be done outside the ordinary working-hours, and that this work is frequently done on Sundays. In proceeding to put a new handle in his axe the plaintiff was doing part of the work which it was his duty to perform. He was doing this work on his employer's premises, and at a time which is recognized as a proper time for doing such work. That he was doing this work with the knowledge and approval of the defendant is proved by the fact that the latter supplied him on Sunday with the new handle that was to be put into the axe. These facts bring the case clearly within the terms of the Act, and the plaintiff is entitled, therefore, to compensation." (Decisions, &c., Vol. ix, p. 21.)

(3.) In an Otago case a threshing-mill worker claimed damages in consequence of an accident sustained in the course of his employment. The Court, in deciding the question of liability, declared that the case was on all-fours with that of Attwood *v.* Smith (W. C. Reports, Vol. ii, p. 24), and that the person liable was therefore the farmer whose corn was being threshed, and not the mill-owner who was doing the threshing. (Decisions, Vol. ix, p. 25.)

(4.) In another Otago case the plaintiff was a bagger on defendant's threshing-mill, and, while travelling from one farm to another, he was told by the defendant to hold the riddle on one of the wagons. He slipped, and the wheel caught and jammed his foot. He was able three months after the accident to do light work, but his foot still required medical attention. In giving judgment, the Court said, "The case cannot be distinguished from Attwood *v.* Smith (W. C. Reports, Vol. ii, p. 24). According to that judgment, claimant is a mere volunteer. If the claimant was a servant at the time, what were the wages? If there were no services there could be no wages, and therefore absolutely no basis to go upon. The owner paid nothing at all while going from farm to farm, and any service rendered he got for nothing. It was unsatisfactory, but the claimant does not seem to have been employed between farm and farm. Judgment for defendants." (Decisions, Vol. ix, p. 26.)

(5.) The plaintiff in a Canterbury case was driving a cart along a street when he received an air-gun pellet in his eye. The pellet was fired by a mischievous boy, who, however, swore that he fired at the plaintiff's back, and that the accident was caused by the plaintiff's suddenly swinging round in his seat. The question for decision was whether the injury sustained by the plaintiff in these circumstances could be said to have arisen out of and in the course of his employment by the defendant. The Court held that the accident was not the result of any peculiar danger incidental to the employment of driving, nor was it the result of anything the plaintiff was doing in the course of his work. It therefore could not be said to have arisen out of his employment, and judgment must be for the defendant. (Decisions, Vol. ix, p. 28.)

The Shearers and Agricultural Labourers' Accommodation Act, 1908.

The Inspectors under this Act throughout the Dominion have had a busy time during the year, and, as a result, the accommodation generally shows a further improvement on the conditions which previously existed. A very pleasing feature of the year's work has been the manner in which the Department's requirements have been met by a large proportion of the sheep-farmers upon whom notices for improvements have been served. In some cases the farmers have asked to be furnished with plans and specifications of the accommodation the Department considered necessary