

(2.) A seaman left his ship for his own purposes without obtaining the leave of the master, and in returning fell off the wharf and was drowned. It was held that the steamer and not the wharf was the scene or sphere of his duty, and that any accident that happened to him before he got back to the steamer could not be treated as having arisen out of his employment. (Decisions, Vol. x, p. 4).

(3.) A widow claimed compensation on account of the death of her husband who had separated from her and had been ordered to pay a weekly sum for her maintenance but had not paid her any money for several years. It was held that the expression "benefits received" (by partial dependants) in section 4 (b) of the Workers' Compensation Act, 1908, meant benefits actually received and could not include payments that ought by law to have been, but actually were not, made to the dependants of the deceased worker. The widow was therefore not a "partial dependant" of her husband. If she had been a "total" dependant, she would have been entitled to compensation. (Decisions, Vol. x, p. 11.)

(NOTE.—In consequence of this decision the Act was amended last session, entitling such persons to compensation.)

(4.) The son of a deceased worker was in an industrial school, and the father had been ordered to pay 7s. per week towards the cost of the boy's maintenance. This sum was sufficient to cover the cost of his food and clothing. The payments made under the order were in arrear at the time of the father's death. It was held that in these circumstances the boy was a total dependant, the deceased having maintained him, with a little assistance from the State. (Decisions, Vol. x. p. 17). This case is distinguished from the former in that in the former the widow was merely a partial dependent (hence the words "benefits received") whilst in the latter the boy was a total dependant.

(5.) An engine-driver at a sawmill, while stripping off the burrs from the back of his axe after work had ceased for the day, was struck in the eye by a piece of iron from the axe, and in consequence lost the sight of his eye. The keeping in order of his tools, although necessary to his work, had to be done in his own time, and did not come within the scope of the work he was employed to do. It was therefore held that this was not an accident arising out of and in the course of his employment, and that he was not entitled to compensation. (Decisions, Vol. x, p. 22.)

(6.) A plasterer's labourer who had been engaged in slacking lime, afterwards died of pneumonia. His widow claimed compensation on the ground that he had contracted the pneumonia as a result of inhaling poisonous fumes arising from the lime. It was held that the evidence did not establish the fact that the fumes had caused the pneumonia, and that even if that had been proved, it was not clear that this would be an injury by accident within the meaning of the Act. (*Labour Journal*, March, 1912, p. 175).

A matter to which some attention has been called is the fact that there is no provision in the Act requiring employers or insurance companies to pay compensation to workers within any specified time. No doubt in the majority of cases compensation is paid promptly enough, but there are cases here and there where complaints are made to the Department of compensation not being paid promptly. I do not think it is practicable, however, for any definite period to be fixed in the Act, as delay must sometimes occur in ascertaining the nature and extent of the injuries received, and, in complicated cases, in arriving at the amount of compensation due. It will probably be sufficient for any complaints as to alleged delay in the payment of compensation to be intimated to the nearest Inspector of Factories, who will make inquiries from the persons concerned as to the cause of delay. If it is found that undue delay takes place to any extent, action as deemed necessary can then be taken.

THE SHEARERS AND AGRICULTURAL LABOURERS' ACCOMMODATION ACT, 1908.

Very considerable improvements have been effected in the accommodation provided for shearers this season as compared with that of last year. About 33 per cent. more sheds were visited, with generally very satisfactory results. The Inspectors under the Act have had an exceptionally busy time, especially those stationed at Gisborne, Napier, Wairoa, and Tolaga Bay. These officers have inspected and reported on 167 stations, some of which take from two to three days' journey to reach. As a general rule attention was given by the station-holders to any requirements or suggestions made by the Inspectors for the improvements of existing accommo-