

would appear at first to have been proposed in France to make the act to accidents happening "dans leur travail," but upon discussion it was conceded that this was too wide and the words "survenu par le travail" were chosen so that that phrase would be limited to accidents which were the immediate consequence of the work, *Baudry—Lac et Wahl, Louage de Services* No 1951, but by the other phrase the act was made to apply to accidents brought about "à l'occasion du travail" which have been held to include an accident "qui, sans être la conséquence du travail, n'a pu se produire qu'à raison même du travail"; *ib. eod. vo.*"

"The object was to make the act apply to what one might call the sort of accidents which happen in industrial pursuits, and while on the one hand it is held that the act does not intend to cases of accident which do not arise out of the work—"qui se sont produits en dehors du travail de l'ouvrier, *ib. No 1958-1960 bis.*

"It is also held on the other hand that it does apply, even in case of the employee venturing upon work not his own or upon work which he had been told not to do, or in using tools which he should not have used, *ib. No 1967*, or while he was waiting for orders or in momentary illness.

"I consider that, notwithstanding that the deceased went from the immediate proximity of the steam drill, where he was working at cleaning the shot holes as a driller's helper, a distance of some sixty feet, towards the middle of the bottom of the quarry where other men were occupied loading the stone and was there killed by the derrick box, it was still an accident which happened "in the course of," though not "by reason of," the work.

"While I would have been disposed to reduce the dam-