child so dependent upon his earnings . . . . .shall include such an illegitimate child . . . . ." it has been held by high authority that dependency is a question of fact. Reference may be made to *Main Colliery Co* vs *Davies* (1909), *A. C.* 358; *Hodgson* vs *West Stanley Colliery* (1910), *A. C.* 229, *at p.* 238; *Mitchell* vs *Biggs* (1911), *S. L. T.* 293.

"Then, as to the question of sole dependency in fact, it is true that the plaintiff has been assisted by small sums earned by the daughter by taking in washing and spent in the common housekeeping and that another son, who is a farmer, sometimes gave her vegetables, but I think that notwithstanding these facts there was still ground upon which the Superior Court could hold that the deceased was the only support of the plaintiff at the time of the accident.

"The next ground of appeal is that the accident did not occur "by reason of or in the course of" the deceased's work.

"In construing these words it appears to me that, as a point of departure, we have to remember that whereas the responsibility of the employer at common-law rested upon fault under the act (sec. 1) it is the accident which "shall entitle the person injured or his representative to compensation."

"Unlike the English act, which subjects the master to responsibility only in case both of two conditions be accomplished, namely, that the accident shall have arisen "out of and in the course of" the employment, the language of our act and the French act is alternative, and the employer is made responsible if the accident falls within either one of the two categories mentioned, namely, either "by reason of" or "in the course of" the employment. It