

not arise in the course of the plaintiff's work, because at the moment the plaintiff had no work to do, as it was only his duty to stand aside.

I think that position is entirely unfounded. This Court of Review, in a recent case where a fireman on an engine in the service of the Grand Trunk who was employed solely for the purpose of firing his engine, got down from his engine for some necessary purpose and was injured while he was off his engine, the Court held unanimously that he was injured in the course of his employment.

I have seen also during the present summer several cases under the English Compensation Act, where it was held that, in any case where a workman was injured under circumstances which could be deemed an accident, he was entitled to recover even although the work for the day had come to an end, until the workman had entirely left the premises upon which the work was performed. I think this is entirely in accordance with the spirit of the Workmen's Compensation Act, which was intended to relieve the workman from the obligation of proving that his employer was in default in respect of his accident, but, on the other hand, diminishing the damages which the workman could recover if he took his action under the common law and relied upon proving the fault of the employer.

With regard to the contention that the court had no right to order quarterly payments, the Statute specially gives the Court that right. With regard to the question whether plaintiff has proved permanent damage, that also comes under the observation I have made with regard to the contradictory character of the evidence. Several doctors claim that indoubtedly there is permanent partial incapacity. I think, in any event, we might assume that the members