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Workmen's Compensation Cases

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that have come up,' which should end with the words: have been put up.

" 'If you want something more satisfying than Bismarck has to offer, we have a broad Missouri river, at the end of which Mandan lies, and where they claim the west begins.' This should read: If you want something more exhilarating than Bismarck has to offer, we have a large magnificent bridge over the Missouri river, at the end of which Mandan lies and where the (they) say the west begins.

" 'You will see from there one of the most panoramic views that we have in our city.' This should read: You will see from there one of the most beautiful panoramic views that we have in our State.

" 'If any of you play golf, we have Mr. Cox up there who will take care of you. If any of you are tennis players he will take you on and accommodate you in that line.' This should read: If any of you play golf or tennis Chairman Cox up there will take care of you. If any of you are golf players he will take you on and accommodate you in that line.

"Where I mention the trip to old Fort Lincoln I am quoted as saying: 'This is where Custer died, and it is connected with one of the saddest historical events that has happened in this neighborhood.' This is not correct and should read: This is where Custer lived and it is connected with on (one) of the saddest historical events that has happened in the Northwest.

"Would you kindly see that this is corrected for me personally, and also for the Burleigh County Bar Association which I represented in delivering that Address of Welcome. Everybody knows that General Custer did not die at old Fort Lincoln, and everybody knows that heard my address that I never said any such thing, and besides this, I have a typewritten copy of the Address delivered, except a few preliminary remarks made at the beginning.

"I would be pleased to hear from you soon if this can not be corrected in the Bar Briefs.—L. J. Wehe." (All matter in parenthesis is ours.)

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WORKMEN'S COMPENSATION CASES

Compensation can not be awarded for accidental injury to a wooden leg. A wooden leg is a man's property. The injury was not a personal injury.—London Guaranty & Accident Co. vs. Industrial Commission, 249 Pac. 642 (Colo.).

—o—

One employed "off and on" by a farmer in the erection of a filling station which the farmer intended thereafter to operate is engaged in casual employment not in the usual course of the employer's occupation.—Lackey vs. Industrial Commission, 249 Pac. 662 (Colo.). (This is one decision that does not appear to justify recognition as precedent.—R. E. W.)

—o—

A finding of "no dependency" by Industrial Commission, supported by evidence, can not be disturbed on appeal; and where employee had sent no money to his father for at least a year prior to accident resulting in death, it was correctly held that father was not wholly or partly dependent on son for support.—Industrial Commission vs. Ahel, 249 Pac. 866 (Colo.).

Although policemen may not be employees, where insurance policy expressly covers policemen they are to be treated as employees during term of employment.—Maryland Casualty Co. vs. Wells, 134 S. E. 788 (Ga.).

—o—

Workman, who had lost foot and leg to within three inches of knee in childhood, received injury to same leg to extent of 50 per cent of remaining portion. Held, that he was entitled to compensation for 50 per cent permanent disability of leg.—American Mutual Insurance Co. vs. Brock, 135 S. E. 103 (Ga.). (This is not in accord with most of the later decisions.—R. E. W.)

—o—

Teamster, furnishing own horses and stabling them at home, was injured while unhitching team in his own yard after work. Held not in course of employment.—Johnson vs. State Highway Commission, 134 Atl. 564 (Maine).

—o—

Employee "held up" and shot because he failed to raise his arms quickly enough was held entitled to compensation for injury in course of employment.—Willner vs. Katz, 134 Atl. 611 (N. J.).

—o—

Conclusions of Industrial Commission are final as to questions of fact where there is any evidence to sustain them.—Herrod vs. Eddie Mill & Elevator Co., 249 Pac. 395 (Okla.).

—o—

Claimant, driving truck for employer, suffered a breaking out on limbs from poison ivy. He was unable to state time or place where he might have come in contact with poison ivy and claimed he would not know it if he saw it. Held that claimant failed to sustain burden of proving injury in course of employment.—Adams vs. Superior Oil Corporation, 249 Pac. 700 (Okla.).

—o—

The statutory period for review of award of Industrial Commission can not be extended by the Commission through entertaining a motion to modify the award.—Hale vs. Morris, 250 Pac. 73 (Okla.).

—o—

Employee suffering from endocarditis (leaking valves of the heart) was employed in work that was too hard for him, and subsequently suffered a stroke as a result of such work, from which he died. Held that aggravation and acceleration of the disease is not compensable.—Frederickson vs. Industrial Commission, 249 Pac. (Utah). (The theory of proportional liability looks better than this. —R. E. W.)

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Death from smallpox developed in hospital while receiving treatment for broken leg held compensable. (The Court divided equally, three and three, resulting in affirmance of award, under rule of Court.) —Schafer vs. Varney, (Wis.).

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LAW—WHAT IS IT?

Blackstone—"A rule of action which is prescribed by some superior and which the inferior is bound to obey."

Wilson—"Law is that part of the established thought and habit, which has been accorded general acceptance, and which is backed and