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STATE OF WASHINGTON

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FIFTH ANNUAL REPORT

OF THE

Industrial Insurance Department

For the Twelve Months Ending September 30th

1916

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The Workmen's Compensation Act

Commissioners:

EDWARD W. OLSON, Chairman

JOHN M. WILSON

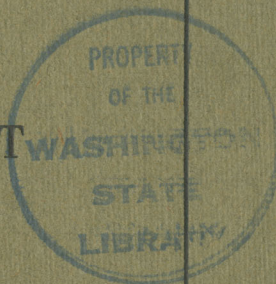
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LETTER OF TRANSMITTAL.

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OFFICE OF THE INDUSTRIAL INSURANCE DEPARTMENT,  
OLYMPIA, WASHINGTON, December 1, 1916.

*To His Excellency, Ernest Lister, Governor of the State of  
Washington:*

SIR: In compliance with Chapter 74, Laws of 1911, we have the honor to transmit herewith to you, and through you to the Legislature, this, the Fifth Annual Report of this Department for the year ending October 1, 1916.

INDUSTRIAL INSURANCE DEPARTMENT.

EDWARD W. OLSON,

JOHN M. WILSON,

FORREST I. GILL,

*Commissioners.*



### ACKNOWLEDGMENT.

The Department recognizing that whatever degree of success has been obtained in the administration of the Act is due to the hearty co-operation of the doctors, the majority of the employers, the assistance given by the Attorney General and other state, county and city officials throughout the state, and the loyal corps of employees of the Department who have labored early and late, wishes to take this opportunity to express its appreciation of the services rendered.

EDWARD W. OLSON, *Chairman,*

JOHN M. WILSON, *Commissioner,*

FORREST I. GILL, *Commissioner.*



## FOREWORD.

In presenting the following report the Department has striven to make it as instructive and interesting as it was possible to do so in handling dry facts and figures. Whether or not we have accomplished our end is for the reader to judge. Many of the subjects with which we have dealt have been mentioned in our former reports. However, we deem them of enough importance to be worthy of further comment at this time. The work of the Department is growing rapidly. In fact, it is growing so rapidly that it is very difficult to be able to forecast or estimate with certainty the volume of the work for the biennium. This rapid growth will continue as the resources of our great state are developed and Washington will take her place as one of the foremost manufacturing states of the Union.

The development of the state depends upon the protection given the industries and the welfare of the backbone of any community, the wage earner. The compensation act directly affects more industries and homes of wage earners than any other piece of legislation on the statute books. That this great piece of legislation should be made the football of the politician and the partisan press, who strive to tear down and destroy the result of years of work for no other reason than to further their selfish ends, is deplorable.

The Department asks only that in passing judgment upon the act or its administration, that the interests of the persons making the attacks be considered and extend to us the same measure of fairness as you would expect if the conditions were reversed.

It has been and is now the policy of the Department to be as just and impartial in dealing with the problems which confront us as it is humanly possible to be; the interests of the employers are as zealously guarded as are the interests of the injured workmen. The rights and welfare of the widows and orphans are religiously protected and conserved. If in any case the Department has erred, our only explanation is that we are human and therefore not infallible.



## REVIEW OF THE OPERATION OF THE WORKMEN'S COMPENSATION ACT

The passage of a compulsory Compensation Act in the State of Washington marked the beginning of a new era in Workmen's Compensation in the United States. The event which led to the framing of the bill, the fight in the Legislature, and the dramatic climax which was reached when a grim coal miner made his inspiring oration on the floor of the House which marked the turning point in favor of the bill, are now matters of history. During the experimental stage the Commissioners and their assistants were pioneers in the fullest sense of the word. To them fell the work of blazing the trail that others could follow; to them fell the work of educating the public at large to receive the benefits of this new piece of legislation; to them must be given due credit for what was accomplished, but the success of the act must be credited to the splendid co-operation of the employers, employees, doctors and the courts of the State.

### *Opposition of Casualty Companies.*

The Act was bitterly attacked by the casualty companies who, seeing the hand writing on the wall which spelled their doom, left no stone unturned, no act undone which would hamper the administration or discredit the Act in the minds of the employers. That their efforts were not crowned with success is due to the practical common sense and spirit of fairness with which the employers of the state are endowed. It has been said that the right to labor is the right to live. If this is true, surely the workman, who is injured while laboring that his wife and little ones may live as well, is entitled to just and sure compensation for such injuries without having to resort to the courts to pry loose from the grip of the liability company that which is justly his.

### *Constitutionality of the Law.*

The question of constitutionality was brought to a focus when the State Auditor refused to issue a warrant on a voucher

in favor of the Davis-Smith Company, of Tacoma. The case was carried to the State Supreme Court when the Act was declared constitutional. The Supreme Court of the State in declaring the Act constitutional at a time when its very existence was threatened stamped them as a body fully alive to the needs of the present hour, and as Ex-president Roosevelt said: "The most progressive court in the United States."

#### *First Aid to the Injured.*

Owing to the fact that the First Aid or Medical Attention provision was stricken by the Legislature when the Act was passed, there was no provision for the payment of doctor or hospital bills. Neither was there any provision to allow the doctor a fee for the making out of the doctor's report of the injured workman's condition. The result is where under the old regime, the employer guaranteed the payment of the doctor's bill, now the doctor must look to the injured workman for payment, and in a large number of cases he looks in vain. In spite of this, the Commission has found the doctors, as a class, ready to respond to any reasonable request made upon them with reference to the administration of the Act and due credit must be given them for their assistance. It is hoped that with the passage of a medical attention provision, that the medical profession will receive their just dues.

#### *Theory and Principle of Workman's Compensation.*

The principle underlying Workmen's Compensation Laws is that the cost of accidents occurring in any industry shall become a part of the cost of the production in that industry to the end that the consumer of the product will eventually bear the expense of same. This plan of social right and justice contemplates that the loss due to accidental injury is just as much a part of the cost of whatever article is being produced as is any other loss which might be occasioned in the destruction of material, by the breaking and wearing out of machinery and tools, or by the replacement of same, and should become a regular part of the ordinary overhead charge attending pro-



duction. By such reasoning, the conclusion is reached that compensation paid to workmen injured as the result of an accident "arising out of and in the course of his employment" bears as close relationship to the cost of producing a commodity as does the cost, expense, loss of equipment, or broken machinery of any kind.

The theory of the Compensation Law is that the industry rather than the individual, or the employer, shall bear the inevitable hazard of production, and that a workman injured in the course of his occupation shall receive some remuneration for the financial loss he suffers without regard to the cause of the accident. In support of these advanced ideas, the injury to a laborer, who in the ordinary factory is almost a human machine, has frequently been compared to the breaking of a machine, where the two actually operate side by side, and as the cost of repairing or replacing the machinery is borne by the industry, so should the burden of the injury to the workmen be likewise considered an incidental and necessary expense of the business.

#### *Fault No Longer a Factor.*

Nearly all compensation laws agree that personal injury losses, not intentionally incurred, arising out of and in the course of the production of an article, whether occasioned by the fault of the employer or of the injured workman, or without the fault of either, are as legitimately an element of the fair money cost of the production of a commodity as are expenditures for raw material, for machinery or wages.

The doctrine that an employer, or the product that he is manufacturing or producing, shall have charged against it the cost of injury occurring to laborers, without any consideration as to where the fault may lie, is practically a complete reversal of the rules of common law heretofore governing statutory liability of employers. The fact that the new law not only makes it possible, but legal, that the injured employee may receive compensation for injury received, even though the same may be really caused by his own contributory negligence, the negligence

of his fellow servant, or through the inherent risk of his employment, is a revolutionary change or an abrogation of the common law rules governing employers' liability.

Under the old system, the question of fault was generally the basis of recovery and successful recovery by the injured person was always difficult and expensive on account of tedious court procedure. Very often recovery was made impossible by court rulings decidedly out of harmony with present day progressive and humanitarian ideas regarding social relations and equality of justice. As against this, the fulfillment of the great objective of the new law is that it affords without recourse to litigation, a prompt and specific compensation for the disability resulting from industrial injury.

*Why Compensation Laws are Popular.*

There is no doubt that compensation legislation has come to stay, for the people of this great progressive country would not have expended the time, energy and money they have to advance and promote the compensation movement, were it not that a deep economic and humane principle is involved therein. Earnest, honest-thinking people long since reached the conclusion that the injustice and misery, as well as the great waste which attended the old system of disposing of accidents occurring in industrial life, was, in addition to being unnecessary, almost criminal in many instances. Under the old common law system, the operation of which was marked by tedious uncertainty as to recovery, the rule was long-drawn-out litigation which prevented relief at the time of greatest need, economic waste in lawyers' fees and court costs, disturbance of business, and creation of hostility between employer and employee, all of which has now been relegated to the past. Carefully prepared industrial statistics show that the great majority of industrial accidents occur outside of the line of negligence or fault of the employer, and as a consequence no redress or remuneration was possible to the workman who was the unwilling or unwitting victim of accidental misfortune.



In considering injuries of the character referred to, it was next to impossible to determine where the fault or negligence should lie, or what was the proximate cause to be held responsible for the injury. The inevitable result was that either an injustice was done the employer, by the natural feeling of the average jury to sympathize with an injured employe; or the Judge, under well established rules of law, denying apparent justice to a defendant, by taking worthy cases from the jury resulting in the widow being turned away without a dollar, to a possible life of misery and want.

The administration of this old common law system permitted continual abuses, too often evidenced by sympathetic juries rendering excessive damage verdicts, causing employers to leave the court room bankrupts, even though they were in no wise morally responsible for the accident. On the other hand, cases of the same nature, appealed to the higher courts and reversed, left the dependent orphans thrown upon the cold charity of the world.

#### *Increase in Claims Filed.*

Owing to an increased activity in the industrial condition of the state as well as to the fact that the applicability of the Act is becoming more generally known, the accidents reported to the Commission steadily increased during the last half of the year 1912, reached its crest in 1913, gradually subsiding during 1914 and the first part of 1915, again beginning its ascendancy during the last part of 1915, reaching the high water mark in August, 1916, with every indication that the coming year will witness a still greater increase in the number of claims filed. The number of claims filed by years is as follows:

1912.....	11,896	1915.....	13,162
1913.....	16,336	1916.....	19,494
1914.....	15,089		

The increase in the number of claims filed for the year 1916 is attributed solely to increase in industrial activities. It will

be noted that there has been an increase amounting to 49.6 per cent in the number of claims filed during 1916 over the preceding year. The increase in the number of claims filed means nothing of itself unless it can be compared with the total number of men employed.

As the audit of the payroll for the year 1916 will not be made until after the close of the year, it is impossible to forecast, with any degree of accuracy the actual increase in the number of men employed or the amount of wages paid, but from the information available, we know that there is a material increase in both. The adjustments for the year have not as yet been decided upon, but unless some catastrophe occurs the cost of carrying the insurance in the various classes will remain about the same as it was in 1915. However, it should be understood that the adjustment is made upon the close of the calendar, not the fiscal year. Whatever may be said of the cost of insurance for the year 1916 at this time is only approximate.

#### *Number of Workmen Benefited.*

Below is a summary showing number of employers engaged in extra-hazardous industries; also total number of employes as shown by the records of the Department, at the end of each fiscal year from Sept. 30, 1912, to Sept. 30, 1916.

SUMMARY	YEAR ENDING				
	September 30, 1912	September 30, 1913	September 30, 1914	September 30, 1915	September 30, 1916
Number of employers.....	5,750	8,891	9,980	13,020	14,257
Number of men employed in lumber industry (classes 10 and 29) .....	46,468	52,652	67,832	71,031	*106,262
Total number of men employed in all extra-hazardous em- ployments .....	138,084	162,970	176,820	158,351	*236,892

\* These figures for the year ending September 30, 1916, are estimated: the increase of accidents reported over previous years being used as a basis for such estimate. This increase in accidents was 49.6 per cent. more for 1916 than 1915.

*Comparative Statement of Cost.*

The following table shows the percentage of basic rate assessed each year for the first four years' operation of the act, also the average yearly percentage for the same period.

**ASSESSED AND AVERAGE YEARLY RATE PER CLASS FOR FOUR YEARS.**

CLASS NUMBER	PERCENTAGE OF BASIC RATE ASSESSED				Average Yearly Percentage of Basic Rate Assessed
	1912	1913	1914	1915	
1.....	66.66	66.66	50.00	33.33	54.15
2.....	66.66	66.66	50.00	50.00	58.33
3.....	66.66	75.00	100.00	83.33	81.25
5.....	66.66	50.00	50.00	50.00	54.16
6.....	66.66	50.00	50.00	33.33	50.00
7.....	50.00	33.33	83.33	50.00	54.16
8.....	66.66	50.00	50.00	50.00	54.16
9.....	25.00	50.00	50.00	.....	31.25
10.....	66.66	91.66	66.66	83.33	77.07
12.....	33.33	25.00	25.00	25.00	27.08
13.....	50.00	75.00	50.00	.....	43.75
14.....	25.00	25.00	25.00	.....	18.75
15.....	50.00	50.00	50.00	25.00	43.75
16.....	50.00	75.00	91.66	150.00	91.65
17.....	33.33	75.00	75.00	100.00	70.83
18.....	25.00	75.00	50.00	50.00	50.00
19.....	25.00	25.00	25.00	.....	18.75
20.....	50.00	75.00	50.00	25.00	50.00
21.....	25.00	25.00	33.33	33.33	29.16
22.....	8.33	16.66	25.00	25.00	18.75
23.....	50.00	75.00	50.00	25.00	50.00
24.....	100.00	75.00	75.00	50.00	75.00
25.....	50.00	50.00	25.00	100.00	56.25
29.....	41.66	50.00	58.33	50.00	50.00
31.....	50.00	75.00	50.00	66.66	60.41
33.....	25.00	50.00	25.00	.....	25.00
34.....	50.00	33.33	33.33	33.33	37.50
35.....	25.00	25.00	25.00	33.33	27.08
37.....	25.00	50.00	50.00	.....	31.25
38.....	25.00	25.00	25.00	16.66	22.91
39.....	25.00	25.00	25.00	33.33	27.08
40.....	8.33	16.66	16.66	16.66	14.58
41.....	8.33	4.16	8.33	.....	5.20
42.....	25.00	100.00	100.00	75.00	75.00
43.....	25.00	50.00	25.00	16.66	29.16
44.....	50.00	75.00	25.00	25.00	43.75
45.....	25.00	50.00	25.00	33.33	33.33
47.....	41.66	75.00	50.00	50.00	54.16
48.....	25.00	50.00	50.00	50.00	43.75

The basic rates for the subdivisions of the different classes vary and in order to get the true assessed rate in each subdivision of class it was necessary to use percentages. To find the cost per \$100.00 of payroll in any class or subdivision of class, multiply the basic rate by the percentage. Example: The



basic rate in Class 10 is .025, the average yearly cost is 77.07 per cent of the basic rate, therefore  $77.07 \times .025$  equals \$1.93, or in other words the average yearly cost per \$100.00 of payroll for the past four years in Class 10 was \$1.93.

### *Scope of the Act Broadened.*

In Section 2 of the Act, which defines extra-hazardous work, the following language is used:

"There is a hazard in all employments, but certain employments have come to be and to be recognized as being, inherently constantly dangerous. This act is intended to apply to all such inherently hazardous works and occupations, and it is the purpose to embrace all of them, which are within the legislative jurisdiction of the state, in the following enumeration . . ."

Then follows list of the extra-hazardous occupations.

"If there be or arise any extra-hazardous occupation or work other than those hereinabove enumerated, it shall come under this act, and its rate of contribution to the accident fund hereinafter established, shall be, until fixed by legislation, determined by the department hereinafter created, . . ."

The Commission has seldom exercised the power herein created other than to rate and classify minor operations that were incidental to industries that were enumerated under the law.

### *Extension of Act.*

In May, 1915, the Commission declared the operation of mercantile and storage warehouses, retail lumber and fuel yards, and the occupation of teamsters, truck drivers, handlers of freight, auto truck drivers and helpers as extra-hazardous, such operations to be listed in class 21 at a basic rate of two per cent. This ruling was generally accepted by the retail lumber and fuel yards and transfer companies. The order was resisted by the commission men operating mercantile and storage warehouses. A friendly suit was brought to determine once and for all the authority of the Commission to enlarge the scope of the Act to embrace industries which were in existence at the time of the passage of the Act, but which were not enum-

erated in the extra-hazardous list. The case was tried in the Superior Court of King County and was decided in favor of the Commission, whereupon an appeal was taken to the State Supreme Court and will probably be noted for hearing during the January, 1917, term.

In May, 1916, the Commission declared the operation of retail meat markets where power driven machinery is used as extra-hazardous, such operations to be listed in class 39 at a basic rate of one and one-half per cent. This ruling has been generally accepted, both the employers and employees being generally pleased at the action bringing them within the scope of the Act.

#### *Admiralty Jurisdiction.*

The question of applicability of the Act to workmen injured in the course of employment upon vessels operating upon the navigable waters of the State under admiralty jurisdiction is still a perplexing one. While the Commission has adopted a well-defined policy in the handling of such cases, owing to the conflicting jurisdictions, protection can not always be given the employer for the reason that the injured workman may elect to pursue his remedy in admiralty in lieu of taking compensation under the act.

Both stevedoring and longshoring are listed as one of the extra-hazardous occupations under the Compensation Act, but owing to the difficulty experienced in trying to segregate the time of the men who are constantly passing from the dock to the ship or vice versa, the Commission has levied upon the entire payroll covering such work and has paid compensation for accidents arising in such work regardless of whether the accident occurred on the ship or on the dock.

The Federal Court in passing upon this question has held in part that the State Legislature was without authority to take away an injured workman's right in admiralty, that he had two remedies—one, an action in the civil courts of the state and the other, an action in admiralty; the Compensation Act in tak-

ing away his right of action in the civil courts of the state granting him absolute and sure protection, but it did not affect his rights in admiralty, that with the workman lay the option of electing to pursue either remedy, but the election to pursue one remedy barred him from pursuit in the other. (See *John E. Thompson v. Schooner Fred E. Sander*.) Members of boat crews operating upon interstate waters or on the high seas are not under the provisions of the Act. (See *Jarvis v. Steamer Whatcom*.)

#### *Casual Employment.*

One of the most complex and distressing problems that the department continually has had to deal with from the beginning of operation of the Washington Compensation law is that of casual employment, which is not defined in the Act, although it is evident that the framers of the law intended that the casual employer and employe should participate in its benefits, this principle being generally concurred in by the courts.

However, in the absence of a special provision in the law dealing with this subject, the paying of claims to the casual worker is manifestly unfair to other contributors to the accident fund who are permanently engaged in the employment of labor in extra-hazardous occupations.

Under the present system should a doctor or lawyer or other professional man discover that a few shingles on the roof of his dwelling needed replacing he would employ a carpenter to do the work. Now the doctor or lawyer, as the case may be, is not engaged in repairing houses as a business and with the completion of the repair work may not again engage in any like work for years although it cannot be denied but that he is an employer of labor in an extra hazardous industry under the Act. If the job is of short duration, in the majority of cases the Commission is not notified and no contribution on the payroll is made, but should the carpenter fall and injure himself, a claim would be filed. The premium paid by the owner, plus a penalty of three times the regular premium for failure to report the pay-



roll to the Commission would amount to only a few cents and the accident fund is required to pay the claim which may run into the hundreds of dollars.

The point we wish to emphasize is that it is only when an accident occurs that the report of payroll covering small repair jobs is made to the Commission. Hundreds of repair jobs where no one is injured are never reported except by chance or when one of the representatives of the Commission should discover it.

From the workman's side the view point is changed. Carpenter work is enumerated as an extra-hazardous occupation under the Act; a carpenter has every reason to suppose that when the Compensation Act of the state assures him that if he is injured while in the course of employment that he will receive benefits as prescribed by law, that it will fulfill its promise. If he is shingling a roof for Jones, a contractor, and is injured, he is entitled to compensation without question. Therefore, if he is injured while shingling a roof for Smith, an attorney, why should not he be afforded the same protection, both jobs being equally hazardous. The Superior Courts of the State have adopted generally the latter view and declared the casual worker within the provisions of the Act.

From past experience in securing contributions from casual employers, the commission is convinced that the proper remedy to be applied would be to have the law amended so that the duty is imposed upon every employer who engages labor temporarily in an extra-hazardous occupation to forthwith report this fact to the commission, and in failure to so do, shall be penalized in a substantial sum, such penalty to be credited to the class fund.

#### *Delay in Handling Claims.*

The department has been freely criticized for delay in the payment of claims; a part of this criticism is merited; a far larger part is unjust and unfair to the Department. The Commission recently received from the regular clipping bureau an article clipped from a Hoquiam paper quoting a workman as

saying that the Industrial Insurance was a farce, that an injured workman would starve to death before he could receive any relief from that source, that he had been injured three months ago and had not received any compensation as yet.

An investigation of the files showed that the man was injured during the latter part of May, that the doctor's report of the injured workman's condition which was received by the Commission the latter part of July was the first notice the Commission had of the accident. The employer's report of the accident was received only after the second request was made for it; the workman was requested on two different occasions to file claim with the Department and his claim was not received until the first week in August; that claim was passed and vouchers mailed to claimant for signature within six days of the receipt of the claim. We assume in this case, as in hundreds of others, the injured workman was not familiar with the requirements of the act and did not know that he was required to file a claim for compensation although he was free to attribute the delay to the Department.

The Department can not assume the responsibility for delays in the payment of claims which have not been filed with it. Neither can it assume responsibility for delays in the handling of claims which are due to the workman shifting from point to point and not notifying the Department of his change of address. Section 14 of the Act is as follows:

"Whenever any accident occurs to any workman it shall be the duty of such workman or some one in his behalf to forthwith report such accident to his employer, superintendent or foreman in charge of the work, and of the employer to at once report such accident and the injury resulting therefrom to the department and also to any local representative of the department."

The principal reports in a claim are as follows:

1. The employer's report of accident.
2. The workman's claim for compensation.
3. The doctor's report of condition.

Failure to receive any one of these reports will delay the action on the claim.

In the handling of claims the Commission is placed upon the defensive at all times. To protect the fund and prevent fraud, certain regulations and safeguards have been provided. To comply fully with these regulations requires a reasonable length of time. The Department does not encourage the rushing of claims through the Department to accommodate a waiting claimant; in fact, it refuses to release any warrant for compensation until the employer has been notified of the award and given a reasonable time to file protest if same is not in order.

*Field Work.*

The work of adjusting claims in the field is assuming huge proportions. At the present time there are three adjusters, two of whom are devoting their entire time to adjusting and investigating claims, the third devoting part of his time to other duties. In addition to the adjustments in the field, a large number of personal adjustments are made by the Commission at the Olympia office, Monday and Tuesday of each week being set aside for that purpose. The personal adjustment of claims in the field by the Commissioners has been practically discontinued.

A force of thirteen auditors are engaged continuously in auditing payrolls for the contributors to the fund. All payrolls are audited at least once a year. In some instances semi-annual audits are made; in the construction class, monthly audits are taken.

The Commission is considering the advisability of requiring all contributors to render a monthly statement to the Department. The advantages of such a report from the departmental view point are many.

The collection of the small amounts due from delinquent employers has been taken over by the Department. It has been found that this method gives better results than the method of handling them through the attorney general's office and relieves that office from a large amount of work. The Department is considering the employment of a collector who would devote his



entire time to this work. It is believed that this would prove to be a profitable investment.

*Interstate or Federal Jurisdiction.*

The question of when the operations of a corporation or an individual is under state or federal jurisdiction still confronts the Department. It has been held on the advice of the Attorney General that the Act does not apply when the Federal government is the employer, neither does it apply to operations carried on within the confines of land purchased by the government for the erection of docks, forts, arsenals or other needful buildings whether the government is the employer or not, therefore, contractors erecting postoffice buildings, light houses or buildings in navy yards are not within the scope of the Compensation Act.

With reference to the operations of railways doing an interstate business, the Act applies only to the construction of such railways and does not apply to the operation of same. The repair or building of cars or tracks of such roads or of the construction of any buildings or bridge to replace existing structures if such work is carried on by the operating department of the railroad is considered incidental to operation. The Act does apply if such buildings or structures are built by individual contractors. The employees engaged in the construction work are working for the contractors and not for the railroad company. Hence the question of Federal jurisdiction does not apply.

The Commission has held that the Act applies to the operation of telephone and telegraph companies within the boundary of the state. The Postal Telegraph Company is contesting this point on the ground that their operations are of interstate character. The employees of a telephone or telegraph company who are covered, are the linemen, repair and construction crew. It has been argued by the Postal Telegraph Company that the linemen and repairmen are working upon poles and lines over which messages to all parts of the country are being sent as well as the messages sent to points wholly within the state and, there-

fore, the work of maintenance and repair is of interstate character. The case in point will be argued very shortly but it is not probable that a decision will be handed down before this report is published.

*Cost of Administration.*

The ratio of the cost of administration to the total premium collected varies from year to year depending principally upon the amount of premium paid for the period covered. The following comparisons may be of interest.

Period	Expense	Receipts	Ratio
Oct. 1, 1911 to April 1, 1913.....	\$155,000 00	\$1,703,556 90	9.10%
April 1, 1913 to April 1, 1915.....	221,971 00	3,174,168 26	7.02%
April 1, 1915 to Oct. 1, 1916.....	168,581 83	1,946,232 79	8.61%
Oct. 1, 1911 to Oct. 1, 1916.....	545,552 83	6,823,957 95	7.99%

It must be remembered that the figures given above include all cash expended for equipment as well as for salaries and other expenses. The ratio of expense is difficult to control for the reason that the effects of a sudden increase in the industrial activities of the state will be felt for quite a period after such activities may cease, and to keep continually adjusting the force to meet industrial conditions requires a close supervision of the work as well as a general knowledge of industrial conditions.

At the close of the biennium ending April 1, 1915, the sum of \$10,019.00 was turned back to the general fund. The legislature of 1915 in its wisdom, saw fit to use the pruning knife on the appropriation asked for the biennium ending April 1, 1917, with the freedom and abandon of a small boy carving a Jack 'O Lantern. It was only by making personal appeals to some of the members of the appropriation committee, that \$10,000.00 of it was replaced. The result is that owing to the increase in the number of claims filed, the Commission will be forced to ask for an emergency appropriation to tide them over until April 1, 1917, when the new appropriation will be available.

*Elective Adoption.*

Section 19 of the Act reads as follows:

"Any employer and his employees engaged in works not extra hazardous may, by their joint election, filed with the department, accept the provisions of this act, and such acceptances, when approved by the department, shall subject them irrevocably to the provisions of this act to all intents and purposes as if they had been originally included in its terms. Ninety per cent of the minimum rate specified in section 4 shall be applicable to such case until otherwise provided by law."

The legislature in making provision to bring non-hazardous employments under the act did not provide for classification.

The department acting upon the advice of the attorney general created a separate class known as Class No. 48, into which all contributions received on elective adoption agreements are credited. The minimum rate named in section 4 is \$1.50 for each one hundred dollars of payroll, ninety per cent of which is \$1.35. This rate has proven adequate. The average yearly assessed rate in this class for the past four years is fifty-nine cents for each one hundred dollars of payroll.

The attorney general has ruled that any non-hazardous business is eligible to come within the provision of the act as well as the non-hazardous occupations in connection with an extra hazardous business.

We believe the flat rate as applied to the various hazards in this class should be abolished and the Department granted the power to apply a differential rate to the various occupations based upon the experience of each class of risk as is shown by our records. If the application of this section was confined exclusively to bookkeepers, stenographers and other office employees, there would be no objection to a flat rate, but when the act is extended to embrace forest rangers and patrolmen, cooks, flunkies, bull cooks, janitors and stable men, a differential rate commensurate with the hazard should be applied.

The attorney general has also ruled that when the elective agreement has been signed by the employer and employee and approved by the Department, both the employer and employee are bound irrevocably to accept the provisions of the act so

long as the condition of employer and employe exists. Should any employe be discharged or resign of his own volition, the agreement is automatically canceled. Any new employe who succeeds to a position left vacant by a former employe who had signed the elective agreement is not within the scope of the act unless a new agreement is signed. The agreement covers the employe and not the position.

### *Agricultural Pursuits.*

The act does not mention agricultural pursuits although it was tacitly understood at the time the act was passed that any work incidental to agriculture would be excluded from its terms regardless of whether the work was extra hazardous or not.

Under this ruling, threshing machine outfits, hay balers, combined harvesters and threshers are not under, although such operations exact their toll of maimed and crippled workmen each year. There also arose many difficult questions, the principal one being, "When is a farmer not a farmer?" If a farmer clears his farm during the winter months and at the same time is cutting posts, cord wood or otherwise utilizing the products of his land, is he engaged in farm work or extra hazardous work within the meaning of the Compensation Act? The Commission, in passing upon this question, has held that if the farmer hires men exclusively to cut cord wood, posts, poles or ties, such operations were within the scope of the act, but if the farmer sent one of his farm hands to clear land, or to cut cord wood, such operations were considered incidental to farming and without the scope of the act.

It has been rather difficult to hew to the line, as each case comes before the Department from a different angle, and if the Department has been guilty of any inconsistencies on the question, it has been due to lack of information.

### *General Summary.*

To summarize the five years' operation of the Act, approximately 14,257 firms and individuals employing 236,892 workmen are operating under the Act at the present time. The



sum of \$6,595,857.55 is the total of premiums paid into the accident fund. The accrued interest on the average daily balance for the five years is \$33,941.89. The sum of \$2,204,526.66 has been set aside in reserve to guarantee the payments of pension to the widows and children of workmen killed while in course of employment. The reserve fund is invested in interest bearing bonds and the total of the accrued interest on the reserve fund to date is \$194,154.51, making a total of \$228,096.40 received in interest from all sources. The sum of \$4,251,722.51 has been paid out in claims, \$73,531.69 has been refunded to contributors, who have ceased operation permanently in the state, leaving a balance in the accident fund of \$355,828.22.

From the amount set aside in reserve, the sum of \$595,833.75 has been paid in pension. The sum of \$255,805.64 has been returned to the accident fund account of remarriages of widows and deaths of beneficiaries, leaving a balance in the reserve fund of \$1,547,041.78.

### *Claims.*

For the five year period, 75,977 accidents have been reported to the Department. Final settlements have been made in 57,128 cases; number of fatal cases reported, 1,503. Of this number, 786 have required pensions; 643 have not required pensions; 74 are in process of assembly and adjustment. There have been 59 total permanent disabilities, all of which have required pensions; 3,518 claims have been rejected; 1,773 claims have been suspended, pending receipt of claimant's address; 9,372 suspended account of claim not filed by workman, trivial cases; 2,086 claims in process of assembly and adjustment; 574 on continued monthly payments, account of disability still existing; 38 claims on partial disability account of temporarily reduced earning power. Payments made account of reduced earning power are made only until the condition of the workman has become fixed, at which time the permanent partial disability, if any, is rated, and the final settlement made.

*Problems of Adjusting Pensions Following a Second Accident.*

Subdivision (g) of section 5 of the Compensation Act provides as follows:

"Should a further accident occur to a workman already receiving a monthly payment under this section for a temporary disability, or who has been previously the recipient of a lump sum payment under this act, his future compensation shall be adjusted according to the other provisions of this section and with regard to the combined effect of his injuries and his past receipt of money under this act."

In applying this section the following case was presented:

A coal miner 64 years of age, while working was struck in the right eye by a piece of coal. The eye became infected and inflamed, and was reported as being infected with a pneumococcus which destroyed the eye. The man had suffered a similar accident to the left eye, in which he lost that eye and for which he was paid \$1,000.00, so that the second accident made him totally blind and brought him within the provisions of the law defining permanent total disability and entitling him to a pension. The amount that could be set aside by the law to pay the expectancy of a man 64 years of age would be \$1,321.26. If the \$1,000.00 which had been previously paid to this claimant was deducted from his actual reserve, there would remain but \$321.26, which would pay him a pension during the period of his expectancy of \$4.85 a month. Now it is plainly evident that the legislature never intended that this law should work out in that way. As an illustration: Had this man been 25 years of age instead of 61 when he received his first injury for which he received \$1,000.00 in payment, and within a short time he received a second accident which made him a pensioner, in which case he would have been entitled to a reserve of \$4,000.00, by deducting the \$1,000.00 previously paid, from the \$4,000.00 reserve, and considering it as an advance on his pension, his pension would have been reduced to \$15.00 a month for the rest of his life, whereas in the instant case the man at 64 years of age would receive but \$4.85 per month during his life. It would seem that there should be no difference in the amount which pensioners should receive monthly, as a result of difference in their age and surely the man at 64 is as much entitled to \$15.00 per month as the man at 25.

This case was submitted to the Attorney General for an opinion and after quoting subdivisions (b), (f), (g), and (e) of section 5 of the law, the opinion continues:

"It will be noted from these various provisions of the statute (1) that the workman having a permanent total disability, is entitled to \$20.00 per month; (2) that if he has previously received a lump sum payment under this act, his future compensation shall be adjusted

with regard to the combined effect of his injuries and his past receipt of money under the act; and (3) that there shall be set apart a sum of money from the accident fund estimated to be sufficient to compensate at the rate of his monthly payments for the years of his expectancy of life as fixed by the American Mortality Tables.

"We believe the system of compensation heretofore followed by your department is inequitable for the reason that it provides a different monthly allowance for workmen of different ages who are suffering from the same disability as a result of the same character of injuries.

"We think the error lies in computing the compensation upon the reserve and adjusting the monthly allowance to that, rather than computing the compensation upon the monthly allowance, which is definitely fixed by law, and adjusting the reserve to care for the monthly allowance during the period of expectancy.

"In order to give the proper construction to subdivision (g), above referred to, having regard to the combined effect of the injuries and the past receipt of money, the monthly pension should be fixed upon the basis of the ratio of the permanent partial disability payment to the maximum reserve fund for permanent total disability. Upon this basis the amount of monthly pension to be allowed in any given case should be to the maximum monthly pension of \$20.00 as the amount of the permanent partial disability payment is to the maximum reserve. For instance, in the given case: The amount of permanent partial disability paid for the loss of the first eye is \$1,000.00. This is to the maximum reserve of \$4,000.00 as one to four, or twenty-five per cent. The monthly pension should be reduced therefore to seventy-five per cent of the maximum, or \$15.00, and a reserve should be set aside sufficient to pay this pension during the years of expectancy. This system gives to every workman, regardless of age, the same monthly allowance for the same disability, thereby conforming to the plain intention of the law when it fixes the monthly allowance at \$20.00 to all single workmen, regardless of age."

Another difficult problem with which the department has had to deal is shown by the following circumstances.

By subdivision (f) of section 5 of the law, permanent partial disability means the loss of either one foot, one leg, one hand, one eye, one or more fingers, one or more toes, any dislocation where ligaments are severed, or any other injury known in surgery to be a permanent partial disability. For any permanent partial disability resulting from an injury, the workman shall receive compensation in a lump sum in an amount equal to the extent of the injury, but not in any case to exceed \$1,500.00. Bearing in mind this provision of the law, together

with subdivision (g) of section 5, above quoted, the Commission was called upon to determine the amount of compensation due in the following case:

A man fell off a logging train and sustained a fracture of the first lumbar vertebra, resulting in paralysis for several months and involvement of the bladder and bowels and then began to improve. The vertebra at site of fracture became ankylosed and in the course of a year and one-half he was able to get around and was not a permanent total disability case, but on account of his serious injury he was declared to be a maximum permanent partial disability case and was awarded \$1,500.00. Following this he returned to work and sustained an accident in which he lost an arm. This accident does not render him totally disabled so as to make him a pensioner under the wording of the law and he has already been paid the maximum permanent partial disability which the law allows. Query: How can he be paid for the loss of his arm?

This condition presents a question which should be considered by the legislature.

#### *Gillies Frauds.*

In November, 1915, it was discovered that fraudulent claims were being passed through the department by John F. Gillies, the then claim agent. Following this discovery a complete and thorough check of all claims filed in the department from the inception of the law was made, which disclosed that 52 fraudulent claims had been paid by the Department. Seventeen of these were for large amounts ranging from \$885.00 to \$1,340.00 in amount, and in all of these claims the workman's claim, the employer's report and the attending physician's report were forged *in toto*. The 35 other fraudulent claims ranging in amounts from \$12.00 to \$114.00, were among the list known as "waiting claims," that is, claims which were genuine and had been allowed by the Commission but for which no claimant had appeared to receive the warrants. The payments on these claims were obtained by forging the name of the claimant to the voucher and thus having the warrant issued. Gillies worked with a confederate, one Frank W. Stone, who did all of the writing in connection with the forging and returned the claims and vouchers to Gillies, who passed them through the Department. Gillies and



Stone were arrested and informations were filed against them, charging grand larceny and forgery. Gillies was tried and convicted on two charges, one of grand larceny and one of forgery, and sentenced to a combined minimum term of five and one-half years in the state penitentiary at Walla Walla, where he is now serving time. Stone confessed to his part in the frauds, implicated Gillies and testified against him at the trials. He entered a plea of guilty to the charge of forgery and was sentenced to the minimum term of one year in the state penitentiary at Walla Walla, where he is also serving time.

The total amount of these frauds was \$20,047.35.

The department is subject to numerous attempts at frauds by parties dealing with the department and constant vigilance is required to detect the same. The two following cases are among some with which the department has had to contend:

A laborer filed a claim for compensation, stating that he was walking through a mill and stepped into a pit, from which he received a broken jaw and eight teeth were knocked out. His employers reported that no accident happened to this man while working in their employment. The case was investigated and affidavits secured from other employees and the claimant on being confronted with the facts disclosed by the investigation, made the following request: "I desire to withdraw my claim for compensation for injuries sustained at the place and time above stated, as I was not in the course of employment when injured."

A rancher, who sometimes worked at the carpenter trade, had an injury to his hand, which resulted in septicemia involving the entire arm, for which the arm was amputated. He filed a claim for compensation, claiming that he was working as a carpenter building a house for another rancher at the time he was injured. The rancher for whom the house was built filled out a report as employer and paid about \$11.00 as premium on the wages paid the claimant. About this time the claimant died and the widow filed a claim for compensation with the department. An investigation of the claim was made and the

employer and his wife made affidavit to the effect that the deceased workman was hurt or cut his hand on a saw while engaged in sawing out logs for the purpose of putting in a window in the house and that this happened on the 6th day of April, 1916. Upon further investigation this was denied by three people living in the neighborhood and on interviewing the widow she stated that her husband did put in the window but that it was at least two and one-half months prior to his injury; that he was not hurt on the 6th day of April but on the 9th, which was Sunday; that he had gone to the postoffice and on his return was carrying a crosscut saw, which he intended to file, that the saw came in contact with some brush and that he fell down and cut his hand. She admitted that she knew the claim was fraudulent and gave as a reason for the claim being submitted, that the employer and her husband had framed up a claim after his arm was amputated and intended to divide the proceeds. Upon this investigation, of course, the claim was rejected. A charge of second-degree perjury was also lodged against the employer, the case not having come to trial at the time of writing this report.

#### *Schedule of Contributors' Accounts.*

In accordance with Section 24, Paragraph 7, of the Act, the Department is now compiling, in addition to the statistics relating to hospital charges and expenses published in this report, statistics showing premiums collected from individual employers, also number of accidents occurring in the establishment of each employer and the amounts paid out on account of same.

From the fact that the appropriation made by the last legislature was scarcely sufficient to employ enough people to perform the regular duties of the Department, we are working under great difficulties in compiling this information, which will supplement this report by approximately 250 pages. Moreover, the amount appropriated for the expense of printing was insufficient to pay for the printing of these statistical tables, therefore it will be necessary to ask the next legislature for an emergency appropriation for that purpose, and if this is forthcoming, such statistics will be printed in a special report as soon thereafter as possible.

## AUDIT DIVISION

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During the fiscal year ending September 30, 1916, there have been added to the list of contributors 3,423 new accounts, bringing the total number of employers now listed on the books of the department to 16,444. Of this number approximately 12,000 accounts may be considered as active. Under our present system of reporting payrolls it is difficult to secure an accurate census of the number of employees engaged during any month or an average in any industry for the year.

The increase in the number of claims filed for the year ending September 30th, 1916, over the preceding year was 49.6 per cent. It is reasonable to suppose that the ratio of accidents to the total number of men employed is not changed materially from year to year. Therefore, taking as a basis for calculation the 158,351 employees under the act during the year ending September 30th, 1915, and increase it by 49.6 per cent, we have 236,892 as the number of employees under the act for the current year.

The department is now preparing for the legislature a statement of the contributions and disbursements in each class. This statement will show the amount of contributions as made by each employer, as well as the amount of claims paid on account of the operations of such employer. Owing to the shortage of funds in the printing appropriation it was impossible to incorporate the statement referred to in this report and it will be necessary to ask the legislature for an emergency appropriation before it can be printed.

### *Auditing Payrolls.*

The entire state has been gone over by the field auditors and as nearly as possible the payrolls of all employers engaged in extra hazardous industries have been audited. An unusually heavy burden of field expense has been placed upon the department from the necessity of keeping the traveling auditors in

constant search for small contractors, contractors from other states and various shifting enterprises.

Under Section 8 it is incumbent upon the Commission to reach the employer, secure the amount of his payrolls and make demand upon such employer for the proper contribution to the Accident Fund. This demand must be made before any employer is liable to the penalty of suit or before any penalty can be exacted for refusing to exhibit his payrolls.

*Payrolls Should be Reported to Commission.*

We are of the opinion that the solution of this problem is by legislative enactment requiring that every employer under the Workmen's Compensation Act of the State of Washington shall make report of his payroll to the department every thirty days. The auditors of the department would then become auditors in fact and would verify the correctness of the payrolls every four months in the manner of state bank examiners. This would work to the advantage of the employer in that such owner's statement of payrolls would be used as a basis for the necessary calls instead of an average or an estimated payroll.

Many problems that confront the Audit Division in the matter of determining the classification of the workmen would be simplified if the law was more explicit in its definition of the terms workman and employer.

*Attempts at Evasion.*

The subterfuges resorted to by employers are many. During the past year many co-operative companies have been formed apparently for the sole purpose of evading the payment of contributions. The Commission has consistently taken the position that all such organizations were but another method of the payment of wages and that the payrolls of such companies should be listed.

A case in point recently presented to the Commission is that of an employer who had sold some land in ten acre tracts, retaining the ownership of the timber. Each purchaser was given a job of cutting wood at a fixed price per cord, one-half to be

applied on the payment of the land and one-half to be paid in groceries. Each one of these men worked by himself and when he pleased and furnished his own tools. The owner of the land assumed no control of the men and was only interested in the results of the labor, measuring the cord wood and providing for the payment.

The question at issue was whether these purchasers of the land were employed by the other party as piece workers or whether they were independent operators. The Department took the position that the owner of the property exercised a certain supervision over the men who were removing his timber and held that the wood choppers should be considered as piece workers, and the owner of the timber held for contribution to the accident fund.

Another difficult problem is in determining the line between a contractor and a piece worker. A man building a house makes a contract or agreement with a carpenter to do all of the carpenter work for a stipulated sum, the owner to furnish the material, the contract not specifying whether the carpenter work was to be done by one man or if he should have the privilege of hiring other men to assist him. The Department takes the position that there is a contract express or implied in the hiring of any labor, either oral or written, and in the present example if the carpenter hired other men to assist him that he would be a contractor and should make contribution to the accident fund upon the wages paid to his employees. If the carpenter did all the work himself he would be a piece worker and the owner of the property should make contribution upon the contract price for the labor. In either case, under Section 17 of the Workmen's Compensation Act, the owner of the property affected by the contract shall be surety for the payment of the proper percentage of the total payroll on the work.

It is considered that agricultural pursuits do not come under the Workmen's Compensation Act, and all such occupations have been excluded from the operations of the act by the Commission under the interpretation that the act itself did not in-



tend to include employees in agricultural pursuits or domestic service.

The work of farm hands in clearing land merges very close upon the business of land clearing as a distinct industry and has presented some perplexing cases to the Commission in determining the boundary line beyond which the act should not be applied. If a farmer employing help in connection with the operation of his farm to keep his men employed instructed two of them to remove a stump in which they used powder, and one of the men was seriously injured should he receive compensation under the Workmen's Compensation Act? The department has rejected several such claims, taking the position that the men were employed for farm labor and not for land clearing. On the other hand, had the farmer engaged men for the sole purpose of clearing a certain tract of land they would have been considered in extra hazardous employment and had one of them been injured would have received compensation.

#### *Casual Employment.*

Casual employment is another problem before the Commission. The man employed at odd jobs hired by an employer who ordinarily has no employees and who has neither made a report to the Department of the employment of help or been found by the traveling auditor for the purpose of obtaining a payroll and contribution thereon, furnished one of these problems. A case in point is that of a man injured while repairing a roof of a house. The man fell and was badly injured, the premium for the work amounted to ten cents and required a payment of \$1,228.65 for permanent injury. Other states in dealing with problems of this character have minimized the difficulty by excluding employers who employ less than five workmen or operatives regularly in the same work or about the establishment. Accidents of this character are a continual drain upon the funds. We are of the opinion that a minimum premium should be fixed by law covering such cases.

We would suggest that the definition of the employer should be determined by legislative enactment as follows: Employers

shall include every person having in his service under contract of hiring or apprenticeship, written or oral, expressed or implied, any person engaged in any extra hazardous work in or about any extra hazardous industry, and where the services of the workman are temporarily let or hired to another person by the person with whom the workman has entered into such a contract, the latter shall be deemed to continue to be the employer of the workman whilst he is working for the other person.

### *Collections.*

The collection of delinquent assessments has become a serious problem with the Department, and it is recommended that two collectors be furnished the Department; one for the territory east of the Cascade Mountains and one for the western part of the state. While the loss up to this time will not exceed 2 per cent of the contributions paid, in case of financial stress this percentage will be greatly increased.

The following statement shows the receipts and disbursements in the accident fund during the fiscal year covering the period from October 1, 1915, to September 30, 1916:

Owing to the fact that we have not secured the complete audits of the payrolls for the year 1916 at the present time, we are unable to give the number of employees in each class. We have arrived at the figures shown below by increasing the number of employees under the act for 1915 49.6 per cent., which was the ratio of increase in accidents for the year 1916 over the year 1915.

STATEMENT OF THE ACCIDENT FUND FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1916.

DESCRIPTION	Class	Num- ber of Firms	Months Called Out of 60 Months	Balance October 1, 1915	Contrib- utions	Interest on Daily Balances	Refund of Excess Con- tributions	Claims Paid	Reserve to Secure Pensions	Return to Accident Fund on Account of Remar- riages, etc.	Balance September 30, 1916
<b>CONSTRUCTION—</b>											
Tunnels and sewers.....	1	330	34	\$59,319 55	\$14,444 21	\$1,062 66	\$6,515 54	\$6,013 65	\$10,344 97	\$500 00	\$52,152 26
Bridges and towers.....	2	192	26	15,560 89	8,093 70	201 32	415 47	6,767 75	4,000 00	.....	12,762 79
Pile driving.....	3	95	47	704 64	8,018 88	25 25	*205 72	3,869 48	.....	.....	5,085 01
General construction.....	5	3,746	34	40,230 94	69,574 60	727 56	6,764 63	54,737 20	37,704 92	2,692 00	13,928 44
Electric systems, gas and water.....	6	535	32	27,143 13	25,226 71	1,330 24	2,171 59	8,987 65	2,695 72	2,876 61	98,692 00
Railroads.....	7	348	32	20,252 67	59,899 62	485 00	1,193 53	42,211 00	48,560 64	2,111 81	10,783 88
Street and road work.....	8	768	34	50,069 89	51,883 10	394 64	3,384 94	33,010 28	11,414 28	220 07	55,368 20
Shipbuilding.....	9	83	18	20,180 85	1,211 73	315 33	8 81	10,788 50	.....	.....	10,910 60
<b>OPERATION—</b>											
Lumber mills, etc.....	10	2,644	48	18,680 18	537,121 51	182 44	1,709 70	486,187 23	153,956 54	45,614 42	*40,254 92
Dredging.....	12	23	16	7,342 37	3,750 68	155 09	398 27	3,385 75	.....	.....	7,514 12
Electric systems.....	13	121	24	25,207 43	3,082 55	415 09	5 47	3,803 55	13,509 66	2,539 25	14,025 64
Street railroads.....	14	21	14	13,890 48	16,910 34	294 49	.....	11,149 00	3,436 17	.....	16,480 14
Telephone and telegraph.....	15	84	24	8,973 16	2,809 95	145 59	13 05	1,620 95	.....	.....	10,294 70
Coal mining.....	16	52	45	17,479 26	157,918 65	131 84	8 41	62,434 60	128,568 28	16,617 48	1,201 04
Quarries.....	17	348	43	*95 90	32,144 87	.....	73 51	18,155 94	13,011 69	.....	807 83
Smelters.....	18	8	33	1,519 62	22,094 33	36 25	.....	21,218 10	2,287 01	.....	145 09
Gas works.....	19	13	12	5,542 05	*86 81	94 52	.....	1,025 85	.....	.....	4,523 91
<b>Consolidated with Class 9.....</b>											
Grain elevators.....	21	1,138	22	4,421 75	34,893 07	75 07	55 89	28,687 95	9,380 86	.....	1,245 19
Laundries.....	22	208	12	2,259 65	7,851 96	38 52	10 07	5,417 95	.....	.....	4,732 11
Water works.....	23	160	27	5,801 19	3,843 16	97 54	17 97	1,496 20	4,000 00	.....	4,297 72
Paper mills.....	24	8	45	3,628 00	6,908 62	54 39	.....	6,818 00	4,000 00	.....	*226 99
<b>Consolidated with Class 34.....</b>											

\* Overdrafts deducted.

## Statement of the Accident Fund for the Fiscal Year Ending September 30, 1916—Concluded.

DESCRIPTION	Class	Num- ber of Firms	Months Called Out of 60 Months	Balance October 1, 1915	Contri- butions	Interest on Daily Balances	Refund of Excess Con- tributions	Claims Paid	Reserve to Secure Pensions	Return to Accident Fund on Account of Remar- riages, etc.	Balance September 30, 1916
<b>FACTORIES—</b>											
Wood working .....	29	402	30	\$3,630 38	\$47,992 67	\$123 85	\$128 85	\$37,913 65	\$1,024 06	.....	\$12,730 34
Cement manufacturing .....	31	117	32	909 07	5,660 20	30 53	13 19	3,996 75	.....	.....	2,690 86
Fish canneries .....	33	63	15	26,468 34	2,835 67	459 60	112 33	3,669 15	.....	\$2,891 79	28,843 82
Steel manufacturing .....	34	996	24	12,477 89	27,392 76	123 17	99 35	31,116 09	652 00	.....	8,126 38
Brick manufacturing .....	35	56	22	1,306 53	5,485 33	65 76	.....	3,014 60	1,888 06	.....	2,454 96
Breweries .....	37	79	18	12,787 46	155 58	219 57	.....	4,723 95	4,000 00	.....	4,438 66
Textile manufacturing .....	38	208	14	5,641 94	2,876 69	99 42	26 59	2,954 90	.....	.....	5,636 56
Food stuffs .....	39	190	19	1,007 32	7,106 71	9 63	12 74	2,220 05	4,000 00	.....	1,890 87
Creameries .....	40	145	10	1,976 09	1,932 76	44 15	8 30	2,490 80	.....	.....	1,453 90
Printing .....	41	397	5½	5,503 30	579 08	95 24	1 80	2,234 10	.....	.....	3,941 72
<b>MISCELLANEOUS—</b>											
Longshoring .....	42	111	42	1,168 30	40,610 12	15 48	85	35,395 32	9,423 35	5,348 95	2,353 33
Packing houses .....	43	202	17	7,694 37	5,375 08	156 76	.....	6,844 65	2,613 07	2,588 42	6,856 91
Ice manufacturing .....	44	86	27	7,784 94	2,068 73	65 63	.....	4,683 20	.....	.....	311 10
Theatre employees .....	45	161	19	1,997 98	762 13	31 54	.....	959 30	.....	.....	1,832 37
Powder mills .....	46	5	9	*12,563 28	.....	.....	.....	70 00	.....	.....	*12,633 28
Croosetting works .....	47	5	29	1,512 09	1,037 29	28 39	.....	343 35	.....	.....	2,234 42
Electric adoption .....	48	63	24	1,998 08	3,233 62	27 76	14 48	1,986 50	.....	.....	4,046 48
Totals .....		14,257	.....	\$487,522 28	\$1,222,766 71	\$8,519 21	\$23,465 38	\$900,948 94	\$409,906 28	\$103,910 89	\$406,973 41
Transferred to dead file .....		2,187	.....	*12,689 18	*86 81	.....	* 205 72	.....	.....	.....	*53,145 19
Total listed .....		16,444	.....	\$474,883 10	\$1,222,679 90	.....	\$23,259 66	.....	.....	.....	\$355,828 22

The foregoing statement shows the contributions by classes during the past fiscal year and interest received from the bank on daily balances, refunds of excess contributions, claims paid, reserve set aside to secure pensions and the amount returned to the accident fund on account of remarriages and cessation of dependency.

Class 10, lumbering and logging, shows an overdraft as of September 30, 1916, of \$40,254.92. This overdraft is considered temporary, as a call was in process of collection which matured after the date of this statement. In addition to the overdraft, \$38,837.84 was set aside as a reserve for fatal accidents but not charged to the accident fund. Payments on the 6, 7 and 8 calls in Class 10 have provided sufficient funds to take care of the overdraft and reserve and at the date of printing this report Class 10 has a substantial balance.

Class 24, paper mills, also shows a small overdraft in the accident fund, amounting to \$226.99. A call was in process of collection but contributions were not received in sufficient time to show a balance in the fund. This overdraft has been taken care of and there is a substantial balance in the accident fund at the time this report is printed.

Class 46, powder mills, shows an overdraft in a considerable amount, namely, \$12,663.28, by reason of fatal accidents requiring pensions. All warrants in this class are marked "Not paid for want of funds in Class 46." A suit is now pending against the largest contributor in this class for the collection of the amount due, based upon payrolls for October, November and December, 1911, and on two months of 1912. Owing to litigation payment has not been received.

Class 17. This class comprises the operation of mines other than coal, reduction of ore, quarries, stone cutting, subject to quarry hazard and stone crushing at a basic rate of 5 per cent; the operation of gravel pits at 4 per cent.

The instability of this class is accentuated from the fact that but few units of the mining industry are in permanent operation, the great majority of them being temporary or fly-by-night concerns, thus making the contributions very small.



On January 1, 1916, an increase of rates in these operations became effective with a view of making them adequate to the hazards existing. However, the calls made for contributions on the aggregate of payrolls reported have since the close of the year demonstrated that in addition to paying \$9,828.32, the amount required for pension reserves which were held up pending collection of these calls, were not found adequate to take care of the accruing liabilities, among which appeared two additional fatal cases, which require pension reserves.

Under these financial conditions and in accordance with section 26 of the act, the Commission found it necessary on November 29, 1916, to adopt a resolution authorizing the state treasurer to stamp all warrants issued against this class "Not paid for want of funds." Under the section noted it therefore becomes incumbent upon the employer, on account of whose workman the warrant was drawn, to pay the same and he shall be credited upon his next following contribution to such fund the amount so paid with interest thereon at the legal rate from the date of such payment to the date of such next following contribution.

As of October 1, 1916, reserves in the following classes have not been charged to the accident fund pending the collection of calls outstanding:

Class 10 .....	\$38,837 84
Class 16 .....	12,373 66
Class 17 .....	9,828 32
Class 21 .....	4,000 00
Class 35 .....	4,000 00

The reserve fund comprises those amounts set aside from the accident fund to provide for the payment of pensions to the dependents of injured workmen where the accident results in death or total permanent disability. These funds are invested by the state treasurer in the class of securities provided by law for the investment of the permanent school fund. Statement of the reserve fund for the fiscal year and the investment of the fund is as follows:

STATEMENT OF THE RESERVE FUND FOR THE FISCAL YEAR FROM OCTOBER 1, 1915, TO SEPT. 30, 1916.

DESCRIPTION	Class	Balance October 1, 1915	Reserve Required	Returned to Accident Fund	Bond Investment Interest	Pensions Paid	Balance September 30, 1916
<b>CONSTRUCTION—</b>							
Sewers and tunnels.....	1	\$17,534 12	\$10,344 97	\$500 00	\$988 62	\$9,177 45	\$22,190 26
Bridges and towers.....	2	12,076 47	4,000 00	.....	747 17	1,862 30	14,961 34
Pile driving .....	3	12,342 89	.....	.....	597 52	1,537 55	11,402 86
General construction .....	5	88,752 15	37,704 92	2,602 09	5,239 14	15,666 58	113,427 54
Electric systems, gas and water.....	6	50,858 47	2,695 72	2,876 61	2,518 76	6,479 25	46,717 09
Railroads .....	7	130,444 58	48,560 64	29,111 81	9,888 85	21,698 70	195,063 56
Street and road.....	8	36,231 59	11,414 28	220 07	1,938 88	5,109 49	44,275 14
Shipbuilding .....	9	50,018 69	.....	.....	239 68	702 00	4,556 37
<b>OPERATION—</b>							
Lumber mills, etc.....	10	548,055 84	153,956 54	45,614 42	27,618 96	81,145 85	602,871 07
Dredging .....	12	4,459 00	.....	.....	219 61	426 00	4,252 61
Electric systems .....	13	32,905 88	13,509 66	2,539 25	1,927 98	3,628 40	42,175 87
Street railways .....	14	19,643 51	3,436 17	.....	1,108 37	2,845 35	21,842 70
Telephone and telegraph.....	15	8,650 59	.....	.....	430 88	1,020 00	8,050 97
Coal mining .....	16	139,131 89	128,503 28	16,617 48	9,321 57	31,247 41	299,091 85
Quarries .....	17	36,458 49	13,011 69	.....	2,311 17	6,646 15	45,135 20
Smelters .....	18	3,679 58	2,287 01	.....	216 39	644 00	5,538 98
Gas .....	19	.....	.....	.....	.....	.....	.....
Steamboats* .....	20	.....	9,380 86	.....	631 65	1,321 10	16,209 22
Grain elevators .....	21	7,517 81	.....	.....	.....	.....	2,556 95
Laundries .....	22	2,818 35	.....	.....	136 40	397 80	7,724 37
Water works .....	23	4,532 15	4,000 00	.....	296 47	1,014 25	.....
Paper mills .....	24	6,968 40	4,000 00	.....	351 22	949 15	10,370 47
Garbage works† .....	25	.....	.....	.....	.....	.....	.....

\* Consolidated with Class 9.

† Consolidated with Class 43.

## Statement of the Reserve Fund for the Fiscal Year from October 1, 1915, to September 30, 1916—Concluded.

DESCRIPTION	Class	Balance October 1, 1915	Reserve Required	Returned to Accident Fund	Bond Investment Interest	Pensions Paid	Balance September 30, 1916
<b>FACTORIES—</b>							
Wood working .....	29	\$15,605 89	\$1,024 06	.....	\$702 73	\$1,824 10	\$15,508 53
Cement manufacturing .....	31	15,074 32	.....	.....	708 01	2,689 37	13,092 96
Fish canneries .....	33	8,812 45	.....	\$2,891 79	309 53	809 30	5,420 89
Steel manufacturing .....	34	17,331 18	652 00	.....	846 41	2,622 65	16,306 94
Brick manufacturing .....	35	5,598 61	1,388 06	.....	324 19	1,454 35	5,896 51
Breweries .....	37	2,547 85	4,000 00	.....	129 70	1,829 85	4,847 70
Textile manufacturing .....	38	1,772 87	.....	.....	84 51	240 00	1,617 38
Food stuffs .....	39	3,403 15	4,000 00	.....	182 45	310 00	7,275 60
Creameries .....	40	.....	.....	.....	.....	.....	.....
Printing .....	41	.....	.....	.....	.....	.....	.....
<b>MISCELLANEOUS—</b>							
Longshoring .....	42	18,373 21	9,423 35	5,348 95	1,020 93	2,427 25	21,041 29
Packing houses .....	43	.....	2,613 07	2,688 42	.....	24 65	.....
Ice manufacturing .....	44	579 19	.....	.....	26 91	100 20	505 90
Theatre employees .....	45	.....	.....	.....	.....	.....	.....
Powder works .....	46	5,620 70	.....	.....	233 99	1,279 33	4,865 36
Cresosoting works .....	47	.....	.....	.....	.....	.....	.....
Electric adoption .....	48	2,668 85	.....	.....	129 40	300 00	2,498 25
Totals .....		\$1,315,408 72	\$469,906 28	\$103,910 89	\$71,377 50	\$206,799 88	\$1,547,041 78

All warrants in Class 46 charged to the reserve fund have been stamped "Not paid for want of funds."

BOND INVESTMENTS OF RESERVE FUND ON SEPT. 30, 1916.

These reserves are held to secure the maintenance of pensions.

School Bonds—

County	District No.	In- terest	Term Years	Amount	
Asotin .....	25	5 %	20	\$16,000 00	
Clallam .....	7	5 %	20	34,000 00	
Clarke .....	6	4½ %	20	100,000 00	
Cowlitz .....	36	5 %	20	27,000 00	
Grays Harbor.....	28	4½ %	20	90,000 00	
King .....	161	5 %	15	10,000 00	
King .....	49	5½ %	5	3,000 00	
King .....	1	4½ %	20	200,000 00	
Lewis .....	10	5½ %	5	3,000 00	
Okanogan .....	17-E	5 %	20	22,000 00	
Okanogan .....	17-D	5 %	20	2,800 00	
Pacific .....	32	4½ %	20	75,000 00	
Pierce .....	105	5½ %	5	1,000 00	
Pend Oreille .....	2	5 %	20	20,000 00	
Spokane .....	40	5 %	20	10,000 00	
Spokane .....	88	5 %	20	6,500 00	
Whatcom .....	82	5 %	15	11,000 00	
Whitman .....	1-D	5½ %	20	10,000 00	
Yakima .....	14	5 %	20	11,500 00	
Yakima .....	96	5 %	20	9,000 00	\$661,800 00

Municipal—

Centralia .....	5	%	20	\$75,000 00	
Elma .....	6	%	10	8,300 00	
North Yakima .....	5	%	20	5,000 00	
Oroville (water works).....	6	%	20	6,500 00	
Oroville (warrant ind.) .....	6	%	20	2,000 00	
Wenatchee (water bonds) .....	5½ %		20	27,000 00	
Wenatchee (water bonds) .....	5½ %		20	15,500 00	
White Salmon .....	6	%	20	9,000 00	148,300 00

Counties—

Clallam .....	5	%	20	\$365,000 00	
Snohomish (road bonds) .....	4½ %		20	300,000 00	665,000 00

Miscellaneous—

Port of Seattle:

East Waterway Improvement....	4½ %		20	\$22,000 00	
East Waterway Improvement (No. 2 gold bonds).....	5 %		20-30	50,000 00	
Lake Washington Improvement..	4½ %		20	13,000 00	
Central Waterfront Improvement	4½ %		20	16,000 00	
Smith's Cove .....	4½ %		20	32,000 00	133,000 00

Total Bond Investment.....\$1,608,100 00

Average rate of interest earned, 4.7652%.

**SUMMARY OF ACCIDENT FUND.**

Balance in the Fund October 1, 1915.....		\$474,833 10
Total contributions for the year ending September 30, 1916.....	\$1,222,679 90	
Interest on daily balances.....	8,519 21	
Return to the Accident Fund from Reserve Fund account remarriage or cessation of dependency .....	103,910 89	
Total .....	\$1,335,110 00	
Less refund of excess contributions.....	23,259 66	1,311,850 34
Total receipts .....		\$1,786,683 44
Claims paid—Year ending Sept. 30, 1916....	\$960,948 94	
Reserves set aside to secure pensions.....	469,906 28	1,430,855 22
Balance .....		\$355,828 22

**SUMMARY OF RESERVE FUND.**

Balance in Fund October 1, 1915.....		\$1,315,468 72
Total awards—Year ending Sept. 30, 1916..	\$469,906 28	
Interest received .....	71,377 50	541,283 78
Total .....		\$1,856,752 50
Pensions paid—Year ending Sept. 30, 1916..	\$205,799 83	
Return to Accident Fund account remarriages or cessation of dependency.....	103,910 89	309,710 72
Balance in Fund Sept. 30, 1916.....		\$1,547,041 78

**CASH FUND.**

Accident Fund balance.....	\$355,828 22	
Reserve Fund balance.....	1,547,041 78	\$1,902,870 00
Invested in bonds to secure reserves.....		1,608,100 00
Net cash balance.....		\$294,770 00

**STATEMENT OF ADMINISTRATION EXPENSES.**

From October 1, 1915, to September 30, 1916.

Salaries—Commissioners .....	\$10,800 00
Salary—Chief Medical Advisor.....	3,000 00
Salaries—All others .....	62,094 54
Transportation .....	6,734 08
Hotels, meals, etc. ....	6,329 93
Stationery and office supplies.....	1,650 77
Postage .....	7,118 26
Telephone and Telegraph.....	1,222 14
Printing .....	3,939 19
Court costs .....	2,626 30
Rents .....	1,948 00
Office furniture and equipment.....	987 95
Physicians and special examiners.....	5,315 25
General expenses .....	1,405 59
Total.....	\$115,172 00



**STATEMENT OF RECEIPTS AND EXPENSES.**

From June 7, 1911, to September 30, 1916, by Fiscal Years.

	Receipts	Expenses
June 7, 1911, to September 30, 1912.....	\$980,445 75	\$107,868 08
October 1, 1912, to September 30, 1913....	1,604,093 05	102,211 70
October 1, 1913, to September 30, 1914....	1,647,772 49	106,948 15
October 1, 1914, to September 30, 1915....	1,289,070 05	113,352 90
October 1, 1915, to September 30, 1916....	1,302,576 61	115,172 00
Total.....	\$6,823,957 95	\$545,552 83

**RATIO OF EXPENSE TO TOTAL RECEIPTS.**

June 7, 1911, to September 30, 1916.....	7.99 per cent
April 1, 1913, to September 30, 1916.....	8.61 per cent
October 1, 1915, to September 30, 1916.....	8.84 per cent

The law requires the state to pay the entire cost of administration of the Industrial Insurance Department, leaving the whole amount paid in by the employers to be devoted to the payment of awards for injuries.

The following changes affecting the classifications have been ordered by the Department:

All employes of cities connected with the cleaning of streets, the flushing of sewers and catch basins and all other city employees other than those engaged in office work, are engaged in extra hazardous employment and should be listed in Class 8 at a basic rate of 2 per cent.

The occupation of blacksmiths and repair men in automobile garages was declared to be extra hazardous and should be listed in Class 34 at a basic rate of 2 per cent.

School districts employing instructors in manual training departments where power driven machinery is used should be required to pay contribution upon the wages paid to said instructors.

Operations of retail meat markets where power driven machinery is used are declared extra hazardous and all employees of markets such as meat cutters, drivers, etc., with the exception of the office force are declared within the scope of the Workmen's Compensation Act.

The occupation of stitching and tufting mattresses is declared to be extra hazardous and to come within the scope of the Workmen's Compensation Act. Contribution should be

made upon such occupation and should be listed in Class 38 at  $1\frac{1}{2}$  per cent.

Workmen engaged in washing windows in buildings of two stories or more in height such as apartment houses, hotels, business blocks and other like structures, and the washing of the exterior of such buildings is declared to be extra hazardous and such operations should be listed in Class 5 at 5 per cent.

The following changes affecting the rates have been ordered by the Department:

Land clearing with or without blasting to be transferred to Class 7 at a basic rate of 5 per cent.

Interior decorating, consisting of inside painting, frescoing, kalsomining, to be listed in Class 5 at a basic rate of  $1\frac{1}{2}$  per cent. This does not apply to inside casing, paneling or laying of floors, such work to be listed under the head of carpenter work.

Well drilling, Class 1 at 3 per cent.

Plumbing, lathing, plastering and paper hanging, Class 5 at  $1\frac{1}{2}$  per cent.

Installation of electric apparatus in buildings; electric wiring and house heating or ventilating systems, Class 6 at  $1\frac{1}{2}$  per cent.

Quarries, stone cutting and mines other than coal, Class 17 at 5 per cent.

Operations of salmon canneries, canning of fish and manufacture of fish oil, Class 33 at 2 per cent.

Manufacture of brick and tile, fire clay and pottery, glass and fuel briquettes, earthenware and porcelain, Class 35, at  $1\frac{1}{2}$  per cent.

That the basic rate on stock yards, Class 43, be reduced to 2 per cent.

Class 10, that the basic rate on itinerant wood saw operations be listed at 5 per cent.

Class 7, grading of logging railways with or without blasting, be reduced to  $2\frac{1}{2}$  per cent.

Class 17, stone crushing, be raised to 5 per cent.

Class 34, glass beveling, reduced to 2 per cent.

## REPORT OF MEDICAL ADVISOR

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It would be futile to attempt to portray in words the important position that the Medical Division of the Industrial Insurance Department serves in the administration of the Workmen's Compensation Act. Every avenue of medical research is here brought into play, essentially for the purpose of establishing a correct basis for the proper adjudication of claims by the Commission.

In conducting the work in this division of the Department, every case which involves close pathological or surgical questions comes before it for special examination, and its findings form the basis for any award that may be made, especially all cases where permanent partial or total disabilities are involved.

While only a small percentage of the total number of claimants appear at the Olympia office to be specially examined, the majority of cases being referred to special examiners located at different points in the state most convenient to the injured workman, every medical report submitted by these special medical examiners is carefully scrutinized by the Chief Medical Advisor before the claim is finally passed to the Commission for final determination.

In order to properly safeguard the Department against fraudulent claims it became evident during the month of November, 1915, that it was necessary to have a check on claims with regard to signatures, and the only signature in a claim that can be checked to any advantage is the signature of the attending physician. Communications were therefore sent to all of the practicing physicians in the state making request that they furnish the Department with a sample of their handwriting; also their autograph signature. Cards were supplied for this purpose, and the requests were responded to by all of the doctors of the state at that time, also a large percentage of the physicians practicing in Portland and other Oregon cities near the Wash-

ington line, such as Astoria and The Dalles; also cities in Idaho and along the British Columbia boundary line.

Since that time the Medical Division has carefully checked all physicians' signatures to medical reports on Form 23 provided for that purpose. If a report is received from a physician whose signature is not on file, a card is immediately sent to him with a request to fill it out and return to this Department. In cases where the secretary of the physician is authorized to sign his name, we require the secretary's signature also to be on file, so that it may also be compared and checked.

The matter of obtaining signatures of claimants or employers for the purpose of safeguarding against fraud is obviously impossible from the fact that the employers' reports are usually signed by the foreman, secretary, or almost anyone connected with the company who may be authorized to do so. Through this system of checking the signatures of attending physicians, the Department feels amply secure that no claim of a fraudulent nature can pass through the Department without detection.

As a further precaution against fraud the Commission requests the physicians to mail all reports whether the original report on form 23 or monthly "condition reports" direct to the Commission and not turn same over to the claimant or employer for mailing. We have available a supply of self-addressed stamped envelopes which will be forwarded to any physician on request.

We recently received a letter from a physician requesting a copy of his original report on a certain case. He advised that he had turned same over to the claimant for mailing at the request of the claimant. His later request for a copy of the report was simply to determine whether or not it had been changed after it left his hands. The physician advises that he knows of instances where this scheme has been worked.

Another safeguard that has been added to the Department for the purpose of detecting cases where permanent disability awards have been made in connection with a previous accident to the claimant is that of a ledger alphabetically ar-

ranged, in which is recorded all permanent partial disability awards thus made since the Workmen's Compensation Act first came into operation. In case of a second injury resulting in a permanent partial disability, this Record is referred to in each case to determine whether an award has been made for a previous disability and the amount so paid. The compilation of this permanent partial disability ledger was a considerable task, since it necessitated the examination of every claim that has been filed since the law became effective, in order to secure the correct data for recording. This system will insure the Commission against allowing permanent partial disability awards in excess of the maximum of \$1,500.00 in any one case, as provided by law, which specifically states that all former awards must be taken into consideration. At the writing of this report the ledger has not been wholly completed, but this will be done by the first of the year, and from then on entries will be made daily as permanent partial disability cases arise.

#### *Fractures.*

This year we completed 14,818 Temporary Total Disability and 22 Permanent Total Disability claims. Of this number of injuries there were 1,664 fractures. A complete list of these fractures may be seen by referring to Table No. 33 in the Statistical Division of this report. It will be noted that the leg below the knee appears first in the list with 277. There were 93 disabilities having an average time loss of 21 weeks.

Fractures involving the femur number thirty-nine, thirty-three of which resulted in permanent disability. The average time loss resulting in each case from a fractured femur was 39 weeks. There were thirty-three fractures involving the humerus, twenty-two of which resulted in permanent disabilities, and the average time loss in each case was 19 weeks. There were 168 fractures of the forearm, forty of which resulted in permanent disabilities, the average time loss in each case being  $11\frac{1}{2}$  weeks. There were forty-nine fractures of the clavicle, ten of which resulted in permanent disabilities, with an average time loss in each case of  $13\frac{1}{2}$  weeks. There were twenty fractures involv-



ing the shoulder; seventeen fractures involving the pelvis, with permanent disabilities in seven cases; and twenty-three fractures of the skull not resulting fatally. By referring to Table No. 21 it will be noted that seventy-nine men were killed as a result of fracture of the skull. Of the twenty-three workmen receiving skull fractures and surviving, eleven have had more or less trouble as a result; the other twelve have completely recovered.

The amount of compensation paid as a result of fractures of all kinds during the year was \$250,065.30.

#### *Amputations.*

During the course of the year's work 423 cases involving amputations were adjudicated. By referring to Table No. 35 will be found a complete list of these amputations. The Workmen's Compensation Act provides for the payment of a lump sum in every case of amputation, the total amount paid out as a result of amputations, including permanent partial disability awards, during the year, being \$125,200.79. This is \$16,575.56 less than the amount paid out last year on 403 amputations, although the same schedule of rating has been followed, showing that the average amputation was not as severe.

#### *Infection.*

There were 1,029 cases of infection reported. By referring to Table No. 37 a complete list of these infections will be found. In addition to this list five deaths were caused from infection, which were payable under the Act. It will be noted that there were fifty-nine infections of the eye, fourteen of which resulted in permanent disability of more or less degree, and which required awards to the amount of \$10,446.25. Attention is called to Table No. 38, which classifies infection in regard to the manner of infliction. This table shows that 480, or nearly one-half the number of these 1,029 cases were puncture wounds, showing the necessity for free drainage.

#### *Scalds and Burns*

There were 345 cases of scalds and burns reported, 14 of which resulted in permanent partial disabilities. It is interesting

to note the number of burns to the eye, which was forty-four. These as a rule were caused by some flying substance, such as hot metal, acid, steel, sliver, etc. A complete list of these cases is shown in Table No. 36.

*Cuts.*

There were 2,993 cuts of various kinds, which are shown in Table No. 30. Of this number 209 resulted in permanent disabilities in various degrees. It will be observed that cuts are a considerable element of cost in compensation awards, the total amount paid out during the year being \$105,231.01.

*Sprains.*

There were 1,704 sprains of various kinds reported, a complete list of which will be found by referring to Table No. 32. Attention is called to the fact that the largest number of these sprains, or 444, involved the ankle. There were fifteen cases of disability resulting which proved to be fractures.

*Puncture Wounds.*

There were 628 puncture wounds reported, a list of which will be found by referring to Table No. 31. By referring to Infection Table No. 38 it will be found that 480 of these puncture wounds resulted in an infection, this being seventy-six percent of the total number. Next in importance is the fact that forty-four of these punctures involved the eye.

*Bruises.*

There were 5,379 bruises reported, 168 of which resulted in permanent disabilities. A complete record of these cases will be found by referring to Table No. 29.

*Dislocation.*

There were 160 dislocations reported, thirty-two of which resulted in permanent disabilities. Dislocations of the shoulder occupy first place, numbering forty-eight, the knee second with nineteen, the thumb third with seventeen, and wrist fourth. A complete list of dislocations may be found by referring to Table No. 34.

*Unclassified and Multiple Injuries.*

There were 493 unclassified and multiple injuries, a complete list of which will be found in Table No. 39. Among these were hernia cases as follows:

Inguinal Hernia (single).....	92
Inguinal Hernia (double).....	5
Hernia (femoral) .....	2
Hernia (strangulated) .....	1

All these cases, with the exception of one, submitted to operations. Three of the cases recurred and required re-operations. One became badly infected and healed by granulation, later developing an abscess at the site of operation, a general peritonitis following. During the course of this year's work, two ruptured urethras have been reported, and these have been very troublesome. Also there have been two cases reported of injury to the kidneys, where a kidney was removed as a result of trauma. These cases are described below.

*Kidney Removed by Operation.*

Laborer, 29 years of age, was injured September 16th, 1913, by being struck in the abdomen by a fall, rupturing right kidney. He was operated and kidney removed. Following this the wound in back at site of operation continued to discharge pus. This sinus continued to discharge until March 15th, 1915, and at that time he was reoperated. Following the operation it still continued to discharge, until about February 16th, 1916, the sinus closed and the man's general condition improved.

We then had this man thoroughly gone over to determine whether the remaining kidney was doing the work of the two and to find out his general condition. We found that the amount of urine voided in twenty-four hours was 1,550 CC. It was found to contain albumin; urea, 28.25 grams; uric acid, .50 grams; indican, trace; ammonia, trace. Upon this finding of elimination it showed that the other kidney was sufficient to carry on the body metabolism and possessed sufficient secretory capacity to carry out the work of both kidneys at that time; but micro-

scopic examination of urine showed pus cells and some blood, but not sufficient to account for all the albumin. There were no casts found.

Within a month's time, however, he called at a physician's office, complaining of more or less pain all over his body with some pain in the groin on the right side. At that time there was apparently no tumor and his temperature was normal. Three days following that, however, he was chilly and had a temperature of 101.8. There was a swelling apparent over the site of old scar, which fluctuated, and on being opened about an ounce and a half of pus was found which seemed to be under considerable pressure and which seemed to come from the same old sinus. Up to the present time, October 11th, 1916, this condition has continued, abscess still draining about the same as for the last few months. He is pale and anemic, and the discharge has been better and worse.

He attempted to do some light work recently. Following this the discharge was increased. At the present time the discharge is slight. Present indications are that unless he has more thorough operative procedure, he will continue to have trouble. The prognosis is not good.

#### *Kidney Removed by Operation.*

A logger, thirty-one years old, fell and as a result sustained a rupture of the left kidney. This happened April 30th, 1915. On April 26th, 1916, we had this man come here to test out the efficiency of kidney. We found that in twenty-four hours he was passing 1,650 CC. of urine with a slight trace of albumin. This twenty-four hour specimen contained urea, 29.50 grams; uric acid, .30 grams; chlorides, 18 grams; phosphates, four grams; sulphates, three grams; indican, trace; ammonia, none. Methylene blue was injected and color appeared in forty-five minutes after injection. From this examination it was concluded that the one kidney was sufficient to carry on the body metabolism, although the appearance of the methylene blue was slightly delayed. The small trace of albumin was found to be

pure sero albumin, and it is most likely due to increased pressure in the kidney itself. This would naturally follow the removal of one kidney. The general appearance was good and he was of an optimistic turn of mind and had taken up a different form of work. He was paid a permanent partial disability award and claim closed. We have heard nothing from him since that time.

#### *Summary of All Injuries.*

A complete list of all injuries will be found by referring to Table No. 41. Of the total number of 14,818 injuries, 1,381 resulted in permanent partial disabilities. It will be noted that the percentage of disabilities to the eye is very large, there being 516 of such injuries resulting in 100 cases of disability. The total amount of all awards allowed in cases of eye injuries was \$79,803.30. The average award for compensation for time loss to each workman was 26.35 days.

For a summary of all injuries, refer to Table No. 40. This gives the number of injuries in their proper classification, total number of working days lost, average duration, amount of compensation for time loss, and number of permanent partial disability awards, and the total amounts paid. The total cost of these 14,818 temporary total disabilities including permanent partial disabilities to the Accident Fund was \$925,827.27. These figures do not include the number of deaths and the amount of pension awards.

#### *Fractures of Long Bones.*

A complete summary of fractures to long bones which were reported during the years 1914, 1915, and 1916, will be found by referring to Table No. 42. Obviously no comment is made in regard to this table, which is printed especially for what it may be worth as a matter of analysis by the medical profession. A summary of same will be found by referring to Table No. 43.

#### *Cause of Death.*

For immediate cause of death refer to Table No. 21; for remote cause of death refer to Table No. 22.

*Tuberculosis.*

This disease continues to be one of the most perplexing conditions which complicates injury cases. It is also the cause of a great many claims being filed for compensation which have no connection whatever with an injury resulting from an accident. Below we cite a typical case.

A woman twenty-six years of age had been employed in a paper-box factory for three and one-half years, during which time she had been engaged in running a machine the treadle of which was operated by her foot. There was no accident resulting in an injury, but her foot became sore and swollen. This she attributed to the fact that she was required to use her foot on the treadle of the machine. She quit work and in the course of a few months it became evident that the metatarsal bones of her foot were involved in a tubercular condition which had no connection whatever with any accident, and under the terms of the Compensation Act no compensation could be paid.

*Example of Some Claims Filed.*

A workman, nineteen years of age, working in a lumber yard, claimed strain of back July 31st, 1915. He went to a physician who reported acute traumatic lumbago, and in October it was reported that his strained back had also affected his eye. The following paragraphs are quoted from this claim:

"September 20th. This man has now an extensive phlebitis of the retinal vessels, many minute hemorrhages, some rather large hemorrhages, and much exudative deposit along the course of the vessels. He has a negative Wasserman; denies recent infection. Sources of infection might be ethmoids or sphenoids; these are negative. The tonsils, mouth, spleen, and endocarditis are negative. A colitis could cause this via the liver."

"September 21st. Temperature 101; pulse 120; bowels very free; blood and mucuous stools; urine scanty. Twenty-four hours later reported urinal examination, albumin decreasing, hyalin and cylindrical casts, pus cells. Blood decreased slightly; increase in leucocyte count. Diagnosis, retinitis albuminurica with a tendency more towards hemorrhage than a retinal change and acute nephritis."

On November 8th his urine was negative. His vision was clearing with 9-10 each eye, but at site of hemorrhages he had small areas of blindness.



This boy was examined November 27th. There were no objective signs or symptoms of injury to back, nor there never were any other than subjective symptoms. At that time his vision in right eye was 20-20, in left eye 20-30. Urine examination was free of albumin and no sugar.

The claimant in this case was allowed \$120.00 compensation for time loss of 104 days. Without other complications entering into the case it may be said that this was entirely too long a time to recover from a strained back, and the allowance for compensation therefore was objected to by his employer. Cases of this kind are, however, difficult to properly determine, owing to other conditions which in fact have no relative bearing on the injury; yet to a great extent they incapacitate the workman while he is recovering from the real injury. In this case the Commission did not admit the eye or kidney condition as being in any degree the result of the accident.

About this time the family took up the correspondence, decrying every physician that had anything to do with the boy, also the Commission and everyone else concerned, saying that the physician first told them that in the absence of any specific lesion or tubercular condition, the eye trouble would have to be attributed to the strain; and then later this same physician told them that it was due to Bright's disease.

On July 25th, 1916, they sent in a petition stating that as a result of the injury the hemorrhage in the eyes had returned and he had practically lost the sight of one eye and the other one was weakened, and that he was wholly unable to work as a result of same. The Commission after thoroughly going over the claim denied the petition for reopening, as a complete investigation of the file and the various reports of physicians showed that there was no connection between the accident, as alleged, and the condition of the eyes and kidney found. On receipt of this notice they filed an appeal which has not yet been heard in the court.

*Death from Chronic Nephritis and Heart Disease.*

The following claim is mentioned as a typical illustration of some of the cases that are filed with the Department, a clear understanding of which can be gleaned from the synopsis of evidence which was produced in court at the hearing of the appeal of the case from the Commission's findings. It was claimed that this man died of septicemia, and attention is called to the evidence concerning the autopsy—spleen not enlarged. The claim was rejected by the Commission on the ground that the cause of death was not the result of an accident as claimed. An appeal was taken from this decision, and the case was heard in the superior court, the judge rendering a decision which sustained the findings of the Commission, that death was not the result of the accident. Following is a summary of the evidence in the case:

On a day late in November the patient, a millwright fifty-four years old, sustained a lacerated wound on the scrotum by tearing the skin, not a punctured wound, by slipping or falling against some brush in the logging camp where he worked as pump man. He did not report the wound to his employer or to anyone at the camp, but quit work about two days later, stating to his employer that his reason for leaving was illness from dropsy. At that time his face was swollen and he had trouble in breathing on slight exertion.

The wound received no attention from any physician for eleven days but was dressed several times in the course of the first week at home by his son. He made no complaint of pain or tenderness. Eleven days after the accident he went to a physician for treatment of the wound. The physician found the edges of the torn flap of skin were sloughing and he cleansed the wound and dressed it with antiseptics. There was then no evidence of any infection.

Seventeen days later the patient consulted another physician for shortness of breath and weakness. The examination by the latter showed hypertrophy of the heart, irregular pulse, aortic regurgitation, arterio sclerosis, dyspnea, edema of the feet and dilation of the superficial veins across the abdomen at the lower border of the ribs. Examination of the patient's urine showed albumen and granular casts leucocytes and red blood cells. The patient stated at that time that he had received a wound in the scrotum four weeks earlier but that it had completely healed and he requested the physician to report that fact to the Industrial Insurance Department. The patient's temperature was normal.

During the following seventeen days the patient lived in a rooming house, was not confined to his bed and ate three full meals daily. On the 17th day after the examination last mentioned and five weeks after the date of the injury to the scrotum the patient entered a hospital, where he remained nine days, until the day of his death. Upon entering the hospital he was given treatment of cardiac stimulants. The dyspnea did not yield to treatment and the patient was kept propped up in bed to facilitate breathing. He was delirious on several nights. Edema of the face and feet was marked during the nine days in the hospital. Within two or three days after he entered the hospital bronchitis developed. The patient's temperature varied from normal to ninety-nine degrees during the first three days and during the following week to the time of his death, an intermittent fever followed, the temperature varying from normal or slightly subnormal to 101.6 at maximum.

At the time the patient entered the hospital the attending physician, by auscultation, found a few scattered moist rales over both lungs. These rales gradually increased, especially over the posterior region and base of the lungs, and this condition gradually became worse up to the time of his death. There was, however, no evidence of consolidation.

While the patient was in the hospital the physician examined the wound on the scrotum and found it was perfectly healed. He also examined the inguinal glands by palpation and found no swelling or tenderness. The patient's pulse was at all times weak and irregular and at times during the last two days of his life was too faint to be counted. On the 9th day after entering the hospital he died.

Two days later an autopsy was performed and the following conditions were found: On section of the lungs compression produced an oozing of a pus-like fluid from the cut surface. No microscopic examination of this fluid was made. The heart was enlarged to twice normal size; the aortic valve was very hard, with calcareous deposit; the other valves appeared normal. The spleen was reddish in color and not enlarged. The kidneys were enlarged and the right kidney was about a third larger than the left. The capsules stripped fairly easily. The cortex was rough and nodular. The intestines and appendix were normal except that in the lower abdomen there was about a quart of serous fluid. The bladder, urethra and testicles were normal. The inguinal glands could not be palpated.

### *Leprosy.*

This was the case of a Greek laborer, thirty years of age, who met with an accident and had his foot caught between falling lumber in a saw mill, which resulted in a fracture of the astragalus and a dislocation of the scaphoid of the left foot, this being clearly shown by an X-ray picture made of his foot.

The accident happened on February 25, 1916, and the injured workman was confined to the hospital for a considerable length of time, being under the care of two physicians. On August 16th, 1916, he appeared before the Commisison with an interpreter and was given a special examination.

Upon inspection he was found to have a nodular appearance which had developed around his nose, a sort of a peculiar growth, and both feet also were enlarged. The soft tissues were much thickened and extended upward almost to the knees. The gastrocnemius muscle especially seemed to be enlarged and thickened. The skin was discolored, and there were hard nodules along same. There were also hard nodules underneath the skin on his face, and a few scattered about his body. The claimant was sent to Seattle for the purpose of having a diagnosis made, and his general condition proved to be that of leprosy, the case being turned over to the Seattle Health Department. Later the workman admitted that he had been employed more than twelve years ago by a man in Greece who was afflicted with leprosy.

#### *Typhoid Fever.*

This workman, twenty-nine years of age, claimed that on Septmber 4th, while he was cranking a car belonging to the company for which he was working, he strained his right hip. On September 6th he was examined by a physician and the diagnosis of typhoid fever was made. The fever having run its regular course, he was reported as able to work on February 18th, 1916. This claim was rejected on the ground that condition was not the result of the accident.

Another case was that of a workman thirty years of age, a teamster by occupation, who, while caring for his horses in the barn in the evening, was kicked by one of the horses, producing a compound fracture of tibia and fibula of left leg. The accident happened on April 15th, 1916. He received treatment in the hospital. The leg had united, and patient was up and around, having been down town on the Fourth of July, 1916, visiting a barber shop in company with another man who was

also a patient in the hospital. Upon returning to the hospital he complained of feeling bad, and this was later followed by a rising temperature. The diagnosis of typhoid fever was made, and on July 21st, 1916, he died as the result of a hemorrhage from the bowels. Owing to the fact that this man's fractured leg was practically well, having almost recovered sufficiently to leave the hospital, and that he died of hemorrhage as a result of typhoid, claim was made by his dependents for compensation, but this was denied by the Commission on the grounds that his death was not caused by the accident. Appeal from the decision of the Commission was taken in the case, which is now pending in the superior court.

#### *Cerebral Hemorrhage.*

A workman sixty-three years of age met with an accident on May 3d, 1916, sustaining an injury to his leg which laid him up for fifteen days, at the end of which time he was able to return to work. On the morning of the 22d of the same month, while on board a car on the logging train waiting for it to start to the woods, he suddenly fell off unconscious, and was carried to the cabin. It was found upon examination that he had suffered a paralytic stroke involving the right arm and leg. Owing to the fact that this man was not doing any work at the time this cerebral hemorrhage came on, and that it was not connected with any accident, the Commission held that the rupture of the blood vessel followed by paralysis was not an accident within the meaning of the Compensation Act. Therefore compensation was denied.

In this connection it is a matter of interest and analogy to cite a case of cerebral hemorrhage that came before the Industrial Accident Board of the state of Michigan, the claim having been rejected by the board, but upon appeal to the courts, the findings of the board were reversed and compensation ordered paid. This particular case is cited for the purpose of showing the line of demarcation in cases of this kind. It will be noted that in the case above mentioned, which was rejected by this Commission, the workman was not in the course of employment,

and was therefore not subject to any undue circumstances that would excite a condition which would result in the rupture of a blood vessel, while in the Michigan case it is clearly shown that the workman was working under conditions that could be attributed as the exciting cause.

In the Michigan case applicant suffered paralysis of one side of his body, caused by cerebral hemorrhage. The testimony tended to show that applicant was working in a room where the temperature was unusually high, and that heat tempered with over-exertion was the cause of the rupture in the brain and the resulting paralysis; arterial sclerosis being a contributing cause. The following is quoted from the report of the Michigan Industrial Accident Board relative to the case:

The evidence fairly tends to show that the paralysis resulted from the rupture of a small blood vessel in the brain. We say "small" because the paralysis was gradual, being first noticed by the dropping of a flask from the hand, later on by inability to use his arm, and still later by the paralysis of one side of the body. The work which applicant was doing was making bouillon from beef by boiling and certain other processes in a room and with retorts and appliances maintained for that purpose by respondent. The weather was hot and an extra amount of bouillon was made that week, so as to have enough to meet the demands of the plant while the apparatus was being transferred to a new room which was to be equipped for such work. A high degree of heat was required in the process, and although the retorts were so constructed as to protect the operator as far as possible from the heat and steam, a considerable quantity of both escaped into the workroom at the times of making the various changes connected with the process. No visible accident occurred, and no event causing external violence to applicant's body. It was apparently conceded on the hearing that the cause of the paralysis was in the brain, the applicant contending that it was the rupture of a cerebral blood vessel, while the respondent contended that the paralysis resulted from the clogging of such vessel. The testimony on behalf of the applicant tended to show that on account of the condition of his arteries a cerebral hemorrhage was likely to result from the increased pressure caused by unusual heat and over-exertion, and that in the opinion of his experts such hemorrhage did occur, resulting finally in the total paralysis of one side of the body. Was it an accident within the meaning of the law, and did it arise out of and in the course of applicant's employment?

Under the doctrine laid down in the "Spanner Case," so-called, and also in other and later English cases, this would be an accident. In *Fenton v. J. Thorley & Co.*, 5 W. C. C. 4, the question of what constitutes



an accident is exhaustively discussed, Lord MacNaghten's opinion being in subsequent cases regarded as authority and this being regarded as a leading case. Lord MacNaghten's opinion is an able discussion of the principle involved and a review of the authorities. In the opinion of Lord Robertson on page 9 it is said: "In the present instance the man by an act of over-exertion broke the wall of his abdomen. Suppose the wheel had yielded and been broken by exactly the same act, surely the breakage would be rightly described as accidental."

In *McInnes v. Dunsmuir & Jackson, Ltd.*, 1 B. W. C. C. 226, it is held that where over-exertion brings on a cerebral hemorrhage and paralysis, it is an accident entitling the workman to compensation. The court say on page 229:

"It is the giving way of an artery causing effusion of blood on the brain, and I am unable to see any distinction between this kind of physiological injury resulting in disablement, and the kind of injury we had to consider in the case of Stewart."

On page 230 the court quotes from the Thorley case as follows:

"If a workman has suffered an injury by breaking a limb or by a rupture while he is trying to lift a weight too heavy for him, then, according to the ordinary use of language, one should say that that injury was caused by an accident which he met with while he was engaged at his work. I think the same rule of construction applies to the question before us, and that we should say that this man suffered from the bursting of a blood vessel while trying to lift a weight too heavy for him. That it might not have been heavy for a man whose arteries were in a sound condition is nothing to the purpose. In the condition in which this man's arteries were he was undertaking a work which was too great for him."

In *Ismay, Imrie & Company v. Williamson*, 1 B. W. C. C. 232, it is held that where a seaman died from a heat stroke while raking the fire, that it was an accident entitling him to compensation. This is a House of Lords case and follows the rule laid down in the Thorley case.

In *Johnson v. S. S. "Torrington"*, 3 B. W. C. C. 70, it was held that where a fireman working in the hold of a vessel under great heat and drinking large quantities of water had an apoplectic stroke, it was an accident within the meaning of the Compensation Law. The court treats the principle as established and holds that the determination of the case was a question of fact.

In *Hughes v. Clover Clayton & Co.*, 2 B. W. C. C. 17 (the Spanner case), the court say:

"Every man brings some disability with him. Any exertion or any external action which might have been entirely innocuous to a man in good health may produce most serious results to the workman bringing with him, as I have said, some disability. This man brought with him a disability of a serious nature—an aneurism—which I quite agree might have caused his death at some time or other without any exertion usual or unusual. But in this case we have this fact found that a

strain incurred by the workman in the ordinary discharge of his duties caused the rupture from which he died. As I read the decisions in the House of Lords, it is not open to this court to say that this is not an accident. It is impossible, I think, to read the judgment of Lord MacNaghten in *Fenton v. Thorley* \* \* \* without seeing that this case is exactly and precisely within the language which he used. But if there were any doubt about that, the more recent decision of the House of Lords in *Ismay, Imrie & Co. v. Williamson* is really a much stronger case than this. In that case Lord Loreburn said: "To my mind the weakness of the deceased which predisposed him to this form of attack is immaterial. The fact that a man who died from a heat-stroke which was by physical debility more likely than others so to suffer can have nothing to do with the question whether what befell him is to be regarded as an accident or not." \* \* \* "If a workman in the reasonable performance of his duties sustains a physiological injury as a result of the work he is engaged in, this is an accident injury in the words of the statute."

In the case of *Broforst v. S. S. "Blomfield"*, VI B. W. C. C. 613, where a workman shoveling coal in the fire of a vessel had an apoplectic stroke which was found by the trial court to be due to the rupture of an artery in the brain which was attributed to heat and exertion, it was held that he was entitled to compensation and that the question was one of fact which the appellate court could not review.

From a careful examination of all the facts and evidence in the case, the board is of the opinion that the strain upon the weakened arteries of the applicant caused by over-exertion and excessive heat was more than they could stand and resulted in the rupture of a blood vessel in the brain, which was followed by a gradual effusion of blood resulting in the gradual paralysis, and finally disabling one side of the body.

### *Heart (Broken Compensation).*

Another case, in illustration, upon which the above mentioned court decision has a bearing was that of a machinist's helper who was assisting in putting on a locomotive tire which weighed 700 pounds. The tire, after having been heated in the forge for the purpose of expansion, was being carried to the locomotive to be placed on the drivewheel. Six other workmen besides the claimant were carrying the tire over rough ground, when some of them suddenly stumbled, which precipitated a great part of the weight of the tire upon claimant. After this sudden strain, claimant was taken with severe pains in the breast over the region of the heart, and was unable to continue

at work, but remained in the camp that night, and the next morning consulted a physician. He was found to have tachycardia—broken compensation of heart with mitral insufficiency. Upon investigation it was found that he had been under the care of a physician for treatment for his heart condition for some five months prior to the time of lifting the tire.

From the fact that this man was in the course of employment, and that immediately following the lift he was subject to the attack it was clearly evident that the strain was the exciting cause of the condition, and the claim was therefore admitted for payment.

This case well illustrates the necessity for examination of employes to determine who are substandard or are suffering from chronic conditions that may be excited by some particular kind of work. Where such conditions are found, the workmen should not be required to do work that they are not physically capable of performing. It is a mistake to allow a man in this condition to make a heavy lift, such as this one was required to do.

#### *Accidental Gunshot Injury.*

A night watchman who was carrying a revolver in a holster under his arm, while in a stooping position permitted the gun to slip out of the holster, striking on the concrete floor. It was discharged, and the ball entered just to the left of the symphysis of the inferior maxillary, passing directly backward and coming out just at the left of the third cervical vertebra. This accident happened on July 7th, 1916.

The examination resulted in showing some peculiar conditions. Upon inspection slight atrophy was found over the left clavicle, and also over the left scapula. There was no atrophy in the deltoid or any other muscles of the shoulder, arm, or forearm. He had complete active motion in shoulder, elbow, and wrist. There was no wrist drop. There seemed to be no involvement of the circumflex or musculo-spiral nerve, but in examining the hand it was found that he had very little power to extend his thumb, and some lack of power in the extension of index

finger. It was also found that he had partial ptosis of left eyelid; vision in right eye 20-20; vision in left eye 20-70. It is a difficult matter to reconcile this apparent involvement of the radial nerve with no involvement of the musculo-spiral. The claim was admitted; compensation for time loss being allowed, and case is still pending.

*Loss of Voice Due to Injury.*

A faller, twenty-five years of age, while wedging a tree claims he was struck on anterior surface of neck by a piece of metal that flew from the sledge, or wedge, producing a cut about one and one-half inches long. Report of attending physician shows that a small piece of steel about the size of a dime was located by X-ray. This, however, was not found in the operation.

Two radiographs were made, including base of skull, entire cervical, and half of dorsal region, but we were unable to locate anything abnormal. Whereupon, a third radiograph was made, placing a small wire clip about the size of a pin beneath his neck so that the rays would have to pass through the cervical vertebra before it would make a shadow. On developing this plate the wire clip was very clear and distinct; but we were unable to detect the shadow of any other foreign substance in the plate.

This man, however, claimed complete loss of voice and would not speak above a whisper. To determine positively that a man under these conditions is making his best effort to use his vocal chords, is practically impossible. As this man had returned to work, it was determined that this case should be kept under observation for a short time to see what would be the outcome.

A workman, millwright, accidentally came in contact with a moving belt which tore the skin just below the right eye and down on the cheek. He was taken to a hospital and when dressing was applied, which covered the right eye, he said that he noticed that he could not see with his left eye. The case was treated and he was discharged from treatment 24 days after accident.

Upon being discharged from treatment we received a letter from the claimant, stating that he was nearly blind in one eye and the vision in the other eye was impaired. Upon receipt of this letter we sent him to an eye specialist for an examination. This examination revealed the fact that this man was practically blind in left eye, had only light perception, no improvement with glasses, and that the vitreous of this eye (the left) was found to be full of fine floating opacities; and was undoubtedly due to an old chronic change in the choroid, was not recent, and had no connection whatever with the accident received. Vision in right eye was 6-13. Examination revealed no signs of injury to right eye but that he had myopic astigmatism and on placing a -1.00 cylinder at 65 degrees, his vision in this eye was 6-10. We then sent this man to two other eye specialists, each one separately, and on getting these reports they were all of the same opinion.

Conclusion: That the lowered vision in the right eye is not due to the injury, but to a refractive error, and that the condition in the left eye is due to disease and can in no way be connected with the injury.

#### *Fraudulent Claims.*

A man who was fireman on a donkey engine went to a physician February 8, 1913, stating that he had received an injury to left eye three days before that time. The doctor told him to come here for examination, but he did not come until February 11, 1913.

He said that his work was that of firing a donkey engine, and his statement at that time was that he was splitting wood and when striking a piece with the axe some dirt flew up and struck him in the eye, and that the engineer took the dirt out. He worked three days and then quit on account of pain in his head, but the eye did not pain him.

Upon examination we found no marks or scars on the cornea, sclera, or about the eyelids. The anterior chamber was perfectly clear, no hemorrhage or signs of any recent inflammatory con-

dition. The crystalline lens was completely enveloped by cataract which at that time had undergone absorption until about half the lens was absorbed. The lens had some dark specks on the anterior surface. There was an anterior synechia and the pupil would not react to light. He was entirely blind in this eye and no examination could be made of the fundus. This condition was found six days after the accident, as claimed, and no evidence of acute inflammation, the lens already undergoing absorption. In my opinion it was impossible for this condition to have been the result of the eye being struck with dirt, which accident did not lay him off at the time but he was able to work three days following.

Later he filed a claim stating that the accident happened February 2, 1913, and that he was cleaning flues and got some dirt in his eye. Upon the filing of this claim we had the matter thoroly investigated. The investigation showed that some months prior to the time he claimed accident that he and a man living in Aberdeen had had a fight, and at that time he was badly beaten up, which injuries most likely brot on this condition.

We had him examined by another eye specialist at that time and he makes this statement: "The history of this man's case together with the fact that there never has been any evidence of wound leads me to believe that he has had this condition of the eye for an indefinite period, probably for years, and is using this dirt accident as a cause for claim." Upon this showing the claim was rejected.

On November 1, 1916, we received a letter from claimant, stating that two years before he had an injury to his eye, that same had been bothering him, that on October 10th he had the eye removed, and that he wanted compensation for same. This petition for reopening was denied.

November 11, 1916, we received a statement from another physician, who states that the man claimed that a piece of steel struck him in the eye in May, 1913, and that he now has glaucoma as a result of that injury.



This case shows the great necessity for a good memory with regard to claims, so that things of this kind may be picked up, as more and more of them are coming before the Commission as time goes on.

*Attempted Fraud Discovered by Physician.*

A laborer on his first day working for a company went to work at 8 o'clock and at 8:45 claimed that he slipped and fell on a concrete floor and was bleeding from the ear. The company took this man immediately to a physician's office. The man appeared to be quite nervous and claimed that the right side of his head had struck the pavement and apparently blood was coming from his left ear.

The doctor took a headlight and speculum preparatory to examining the ear. The patient made a strenuous protest on having the ear examined, claiming that the physician would hurt him, but the doctor insisted upon an examination. He found the ear drum intact and no abrasion of the skin, and being attracted by the peculiar color of the blood he determined to make a closer examination. He scraped off some of the color material, making a smear. An examination under a microscope, and otherwise, demonstrated it to be an aniline preparation.

Now from the fact that this man had just begun work and had only worked three quarters of an hour and from the showing herein, it certainly appears to have been a deliberate attempt at fraud. Had it not been for the prompt action of the company in sending this man to the physician and the physician's prompt action, this case would have probably gone down as a fracture of the base of the skull with hemorrhage from the ear.

The case terminated abruptly, the company asking him to sign a release and while they were preparing the same he slipped out of the room and disappeared.

J. W. MOWELL, M. D.

*Chief Medical Advisor.*

## CLAIM DIVISION

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For the fiscal year ending September 30th, 1916, there were 19,494 accidents reported, an average of 1,625 per month. This was an increase of 50 per cent or 6,332 accidents more than the previous fiscal year ending September 30th, 1915. The largest number of claims received in any one month since the beginning of operation of the Workmen's Compensation Act was for the month of August, 1916, with 2,120 claims reported, an average of 81.5 per work day. Prior to this year the largest number received in any one month was 1,619 for the month of May, 1913.

Fatal accidents reported for this year numbered 314, or an average of 26.2 claims per month. The largest number in any one month was forty-five for the month of November, 1915. Of this number, thirty-one were from the Ravensdale mine disaster. The total number of fatal accidents for the five years' operation of the Act was 1,503, or a monthly average of twenty-five.

A detailed statement of the claims received and adjudicated each month of the fiscal year ending September 30th, 1916, is shown in the Claim Division Table No. 1. A comparative statement for each fiscal year's operations since the beginning of the Workmen's Compensation Act on October 1st, 1911, is shown in the Claim Division Table No. 2.

The volume of work has increased practically two-fold over that of previous years. This by reason of the large increase in the number of accidents reported and additional requirements now necessary to perfect claims so that the Accident Fund may be fully protected. The Claim Division now receives and disburses an average of over one thousand pieces of mail daily. This in itself is a fair criterion of the immense volume of work necessary to the proper conduct of the Claim Division.

Printed forms of notices, applications, and all information blanks required by the rules of the Department are furnished

on request by the Commission. Such forms must be used in all cases where they are prescribed. The mailing of these reports is in itself a great deal of work and incurs a considerable item of expense.

### *Filing of Claims.*

To complete a claim for compensation three reports are essential, namely: Employer's Report of Accident (Form 21), Attending Physician's Report (Form 23), and the Workman's Claim for Compensation (Form 22). As soon as any one of the above reports is received by the Department it is assigned a number and held in the assembly files until all the necessary reports to complete the files have been received. If the required reports are not forthcoming promptly, follow-up requests are made for those lacking to complete the claim.

After all reports are received, the files are examined as to the facts, so that they may be considered upon their merits. Compensation is payable whenever the four following facts appear conclusive:

1. That the business of the employer is within the scope of the Act.
2. That the employe was injured, and as a result of such injury is disabled from work. The disability must be established by medical proof of attending physician, as required by section 12 of the Workmen's Compensation Act.
3. That such injury occurred during the course of employment, which was extra-hazardous in nature.
4. That such injury was not caused by wilful misconduct. Otherwise the question of fault is no factor. If the workman was injured while in the course of employment it is sufficient that the industry caused the injury.

Whenever any accident occurs to any workman it shall be the duty of such workman or someone in his behalf to forthwith report the accident to his employer, superintendent, or foreman in charge of the work, and of the employer to at once report such accident and the injury resulting therefrom to the Department.

Upon receipt of Employer's Report of Accident, an acknowledgment of claim and assignment of number is made to the

employer on a return postcard (Form 66). To protect the Accident Fund and prevent fraud, this card requires that the return postcard be signed by some member of the firm and returned to this Department, and if the report of accident which has been filed with the Department is not genuine and correct the employer is instructed to advise us at once.

A request is also made of the employer that we be advised when the injured workman returns to work. If the employers would promptly advise this Department at such time as a claimant is able to resume work or has returned to work it would eliminate forty per cent of the delays in making awards.

In reporting accidents all questions on the blanks prescribed must be suitably answered in each report. The mere filling in of part of the blank does not constitute a report and will not be accepted. The fundamental rule everywhere in the matter of reports is that all questions must be answered. The person making the report is not at liberty to select a few of the matters or to decide for himself those that will remain unanswered. If in a few instances (and these instances should be few) it is impossible to give the answer, it should be so stated in the report.

Typewritten signatures will not be accepted, and all reports so signed will be returned for proper signatures. All Employer's Reports of Accidents should be signed by an officer or member of the firm. The signature of such officer must be accompanied by an appropriate designation of his official position or title.

Where a workman is entitled to compensation under this Act he shall file with the Department his application for such, together with the certificate of the physician who attended him.

Each claim received from an injured workman is acknowledged with general instructions of what is required to secure prompt adjustment of his claim. No application shall be valid or claim thereunder enforceable unless filed within one year after the day upon which the injury occurred, or the right thereto accrued.

The time loss from the disability, if temporary, or the character, if permanent, must be established by report of a licensed physician or surgeon. Under the law and rules of the Department, claim for compensation consists of the three reports mentioned above. These three forms are deemed absolutely essential in order to guard against collusion and fraud.

There are now coming to the Department many claims in which no physician's report appears. By referring to Table No. 3, "Claims Rejected," it will be noted there were 102 claims rejected for the reason that disability had not been established by medical proof of attending physician.

The practice of allowing claims without this report would open the way for collusion between employer and employe, and in a number of instances the Department has discovered and checked such fraud. We feel that unless we insist upon the report of attending physician that it deprives us of one important and effective check which the law expressly requires, and which experience has taught is necessary for the safe and efficient administration of the law. It is therefore the purpose of this Commission to require a strict compliance with this rule. There may be cases, however, wherein it is shown that no physician could be had or some other reason of equal force in which the rule might be relaxed.

The Commission desires and invites co-operation on the part of employers and attending physicians in the administration of the law, and particularly to this phase of the Act. It has a two-fold duty to perform; first, to give the workman all that he is entitled to under the law; and second, to guard the interests of the employer in the administration of the fund. We believe the enforcement of this rule will not tend to violate the first duty, and we know that it will tend to insure the fulfillment of the latter.

If the facts are insufficient to adjust at the time the three essential reports have been received, further investigation is made to determine all the facts in the case.

When the files are finally completed, computation is made by the Assistant Claim Agent, checked and verified by the Claim Agent, and submitted to the Commission for consideration upon their merits. Each and every claim is given consideration separately as to the merits of the case. Before an award can be made or claim rejected it requires the signatures of at least two Commissioners. All awards for Permanent Partial Disability require the approval of the Chief Medical Advisor.

If the injury sustained causes disability for less than a month, final settlement is made covering total time loss upon receipt of advice from the employer that claimant has resumed work, or from the attending physician that claimant is able to resume work. Vouchers are mailed to the workman for his signature, and when returned, properly signed, state warrant is issued and forwarded to the workman.

If the injury is such as to cause disability of more than a month, upon receipt of advice from the attending physician at the end of every thirty days from the date of accident compensation is allowed for monthly time loss, without the necessity of signing a voucher, which is required later, or when a final settlement is made.

At the time the award is made the employer is notified of the amount and the class to which same has been charged. Warrants are not delivered for a period of at least five days from date of Notice of Award to employer. This rule is for the purpose of allowing time for the employer to make any objections or present any additional information or facts that might change the status of the claim.

#### **COMPENSATION SCHEDULE.**

Awards for compensation are segregated under three sub-heads as follows: Permanent Total Disability, Temporary Total Disability, and Permanent Partial Disability.

##### *Permanent Total Disability.*

Permanent total disability means the loss of both legs or both arms, or one leg and one arm; total loss of eyesight;



paralysis, or other condition permanently incapacitating the workman from performing any work at any gainful occupation. Schedule of awards as follows:

If unmarried at the time of the injury, the sum of \$20.00 per month; if the workman have a wife or invalid husband, the sum of \$25.00; if the husband is not an invalid, the monthly payment of \$25.00 is reduced to \$15.00.

If the workman has a child or children under the age of sixteen, the monthly payment provided in the preceding paragraph shall be increased by \$5.00 for each child until such child shall have reached the age of sixteen, but the total monthly payment shall not exceed \$35.00 per month.

#### *Temporary Total Disability.*

When the total disability is only temporary, the schedule of payments in the preceding paragraphs shall apply so long as the total disability shall continue, increased fifty per cent for the first six months of such continuance, but in no case shall the *increase* operate to make the monthly payment exceed sixty per cent of the monthly wage (the daily wage multiplied by twenty-six) the workman was receiving at the time of his injury. No compensation is payable out of the Accident Fund unless the loss of earning power shall exceed five per cent (one and one-half days).

#### *Compensation for Time Loss.*

The following table shows the monthly awards allowed to injured workmen for time loss, which varies according to his conjugal status. The first column represents the minimum monthly awards; the second column, the compensation for one day based upon the minimum monthly award; the third column the maximum monthly awards, which is the minimum increased fifty per cent during the first six months' disability; the fourth column shows the compensation per day at the maximum amount; the fifth column represents the amount of wages the injured workman must have been earning at the time of the

injury to secure the full increase of fifty per cent, or the maximum monthly allowance for the first six months of disability.

	Minimum Awards		Maximum Awards		Wages Required to Secure Maximum Awards
	Per Month	Per Day	Per Month	Per Day	
Having an able-bodied husband.....	\$15 00	\$0 58	\$22 50	\$0 87	\$1 44
Unmarried .....	20 00	77	30 00	1 15	1 93
Having a wife or invalid husband.....	25 00	96	37 50	1 44	2 41
Having a wife or husband and one child under 16.....	30 00	1 15	45 00	1 73	2 89
Having a wife or husband and two or more children under 16.....	35 00	1 35	52 50	2 02	3 37

If the workman's wages were less than is required to secure the full increase of fifty per cent, or the maximum monthly award as shown in the above table, compensation is based upon sixty per cent of the monthly wage, provided same amounts to more than the minimum allowance, but in no case is the amount of compensation reduced below the minimum monthly award as shown above. The sixty per cent rule only applies as a limitation on the amount of increase in the minimum monthly awards during the first six months' disability. For instance, in a given case where the workman is unmarried at the time of the injury, his wage amounting to \$1.00 per day, he would be entitled to the minimum of \$20.00 per month, notwithstanding the fact that this amount is more than sixty per cent of his wages. If his wage at the time of the injury was \$1.93, or more, he would be entitled to the full increase of fifty per cent, or \$30.00 per month. If his wages were less than \$1.93 per day, compensation would then be computed on a basis of 60 per cent of the daily wage, the monthly allowance, however, not to be less than \$20.00.

There seems to be considerable misunderstanding among the workmen and a great number of the employers who believe that the injured workman should receive in all cases sixty per cent of the wages he was earning at the time of the accident. From the foregoing table it will be noted that there is a minimum

and a maximum, which is governed by the conjugal status of the workman at the time he received the injury.

Section 5 (d) of the Workmen's Compensation Act provides that so long as the present earning power is only partially restored the payments shall continue in the proportion which the new earning power shall bear to the old.

An employee who is recovering from an injury, and who has recovered so far that the disability is only partial, cannot reasonably be required in his partially disabled condition to go among strangers looking for work. Such requirements would not be reasonable, and the probability of obtaining work if required to so seek it would be very remote. On the other hand, if his employer has work suitable for him to perform in his partially disabled condition, and which he could do without causing suffering or inconvenience, and offers to give him such work, then it is the duty of such an employee to accept the work tendered, and thereby reduce the liability for compensation. Employers should recognize the importance, on the one hand, of helping the injured workman, and on the other of protecting the accident fund, by giving the workman some light work that he will be able to perform, as soon as he has recovered sufficiently to take up such work. If this rule would be generally followed by employers, it would obviate many difficulties that the Commission is confronted with in getting workmen to return to work, and especially would it tend to reduce malingering.

#### *Permanent Partial Disability.*

For any permanent partial disability resulting from the injury which causes an impairment of the earning capacity the workman shall receive compensation in a lump sum, in no case to exceed the sum of \$1,500.00, the maximum allowance under the Workmen's Compensation Act. The loss of one major arm at or above the elbow shall be deemed the maximum permanent partial disability. Compensation for any other permanent partial disability shall be in the proportion which the extent of such disability shall bear to the said maximum.

The scale for the maximum permanent partial disability is fixed at sixty degrees, which at \$25.00 a degree makes the maximum amount allowable under the Workmen's Compensation Act.

If the injured workman be under the age of twenty-one years and unmarried, the parent or parents shall also receive a lump sum equal to ten per cent of the amount awarded the minor workman for permanent partial disability.

All awards for permanent partial disability made under this section are according to the surgical scale of rating of the relative impairment of earning capacity. Previous wages or specialized value of lost members cannot be considered. Awards are not made until we have been furnished with surgical discharge and proofs that the injury has reached a fixed condition, as it is impossible to properly determine the amount of permanent partial disability before the injury has reached a final or fixed state.

#### *Accident Defined.*

Compensation for time loss or permanent partial disability is only payable when the disability is the result of an accident while in the course of employment. An accident as interpreted by this Commission is an unforeseen event occurring without the will or design of the person whose mere act causes it; an unusual or undesigned act; the effect of an unknown cause, or the cause being known, an unprecedented consequence of it; a casualty; something fortuitous or unexpected.

#### *Occupational Diseases.*

Under the provisions of the Workmen's Compensation Act, no compensation may be allowed for occupational diseases, a disease arising from causes incidental to the workman's occupation; as, for instance, lead poisoning among painters. Authorities state that lead poisoning usually does not arrive suddenly, but comes only after long exposure. It is a matter of weeks or months or years. It is brought about by inhalation, or by lead coming into the system with food through the ali-

mentary canal, or by absorption through the skin. In any case it is not the result of one contact, or a single event or accident, as defined by the Workmen's Compensation Act. In occupational diseases it is drop by drop, little by little, day after day, for weeks and months, and finally enough is accumulated to produce symptoms.

#### *Burial Expenses and Pensions.*

Where death results from the injury, expense of burial not to exceed \$75.00 in any case is allowed. If the workman leave a widow or invalid widower, a monthly payment of \$20.00 is made throughout the life of the surviving spouse to cease at the end of the month in which remarriage occurs by a final settlement equal to twelve times the monthly allowance. The surviving spouse shall also receive \$5.00 per month for each child of the deceased under the age of sixteen years at the time of the occurrence of the injury until such minor child shall reach the age of sixteen years, but the total monthly payments shall not exceed \$35.00. If the workman leave no widow or widower, the payments shall be increased to \$10.00 for each child under the age of sixteen years, until such minor child shall reach the age of sixteen years, with a maximum monthly amount of \$35.00. A stepchild of the injured workman is not considered a dependent unless legally adopted prior to the date of death.

If the workman leaves no widow, widower, or child under the age of sixteen years, but leaves an invalid child over the age of sixteen years, daughter between sixteen and eighteen years of age, father, mother, grandfather, grandmother, stepfather, stepmother, grandson, granddaughter, stepson, stepdaughter, brother, sister, half-sister, half-brother, niece or nephew, who were of necessity dependent in whole or in part for their support upon the earnings of the workman the monthly payment shall be made to each dependent equal to fifty per cent of the average monthly support actually received by such dependent from the deceased during the twelve months next preceding the occurrence of the injury, but the total payment to all dependents in any case shall not exceed \$20.00 per month.

If the workman is under the age of twenty-one years and unmarried at the time of his death, the parent or parents of the workman shall receive \$20.00 per month for each month after his death until the time at which he would have arrived at the age of twenty-one years, but if they were dependent upon the deceased minor workman for their support payments shall continue so long as the dependency exists, but only to the extent of 50 per cent of the amount that was contributed to the support of parents during the year previous to the accident.

If any child of an injured workman is under the age of sixteen years at the time of the occurrence of the injury the payment to such child shall cease when such child shall reach the age of sixteen years. The payment to any dependent shall cease if and when under the same circumstances the necessity creating the dependency would have ceased if the injury had not occurred.

From the above it will be noted a monthly payment is made to dependents of workmen when death results from the injury. At the time of an award to a dependent a sum sufficient to guarantee a continuance of the pension provided is set aside from the Accident Fund to the Reserve Fund, calculated upon the theory as provided in the Workmen's Compensation Act, that a monthly pension of \$20.00 to a person thirty years of age is equal to a lump sum payment according to the expectancy of life as fixed by the American Mortality Table of \$4,000.00, but the total reserve in no case to exceed the sum of \$4,000.00.

#### *Lump Sum Payments to Pensioners.*

It is manifestly clear that the purpose of the law was to provide that the compensation receivable under this Act should go to the persons or families entitled to same in monthly payments, the theory being that when so paid it would more effectually meet and relieve the wants of the injured employes and their families than if paid in a lump sum.

The law permits the Commission in its discretion to make lump sum settlements. The Commission has adopted the policy



that no lump sum payment be made unless for the protection of the property interests of the beneficiary. Therefore, lump sum payments will only be authorized in exceptional cases, where circumstances create the necessity for such action. The desire of the claimant to go to another state or country, or to buy property or to invest in business, etc., do not constitute sufficient reasons for lump sum payment. In general, conditions created by the action of the injured employe or his dependents after the accident do not constitute sufficient ground for such payment. As a general rule, the circumstances and conditions that will justify such payment are those existing prior to the accident or created by it, such as mortgage indebtedness on the home of the employe. In such cases both the indebtedness and attendant conditions must be set forth in detail, and if secured by mortgage the location and description of the property must be given, and the name and address of the mortgagee.

Experience has taught that pension awards in a lump sum have seldom afforded the beneficiary lasting security from destitution, and especially is this true where the expectancy of life exceeds ten years. While the monthly allowance may seem small, yet the assurance of this amount monthly during the tenure of life should be preferable to investing the lump sum in some business venture, and losing all or part of it within a few years.

The Commission feels that it has a duty to perform towards pensioners in this regard, and that if lump sum payments be granted, it would at least morally assume some responsibility in the matter, and by taking into consideration the principle that the pensioners should be guaranteed a certain income during life, the Commission cannot consistently grant requests unless as stated above, for the protection of the property interests of the beneficiary.

#### *Compensation Not Assignable.*

Numerous requests from employers, doctors, landlords, and others have been received, requesting that payment be made direct to them for such amounts as certain injured workmen

may have coming to them. Very often these requests are accompanied by an assignment from the workmen. Requests of this nature cannot be considered by this Commission, as section 10 of the Workmen's Compensation Act expressly provides that no money paid or payable under this Act out of the Accident Fund, shall, prior to the issuance and delivery of the warrant therefor, be capable of being assigned, charged, nor ever taken in execution or attached nor garnisheed, nor shall the same pass to any other person by operation of law. Any such assignment or charge shall be void.

This provision of the law is obviously necessary in order to protect the injured employe and his dependents. If the claim were made assignable, they could sell it for a small sum, and thus deprive his dependents of benefits to which they are entitled.

The compensation also is made exempt from the injured workman's debts, on the same principle that wages are now made exempt. The justice and fairness of this should be conceded by all.

#### *Reporting Accidents.*

One of the great difficulties with which the Department is continually confronted is the matter of securing reports of accidents promptly from the employers. This imposes a great volume of unnecessary work on the clerical force in continually making requests for these reports. Oftentimes three or four requests are necessary before the employer will respond. Especially is this true in cases where the employe is not familiar with the requirements of the law in regard to reporting his accident immediately to the employer, as well as in cases where the employe reports the injury to a foreman or sub-foreman who fails to transmit the report to the main office. Also in cases of injuries, seemingly trivial to the employer at the time that they are reported, which cause him to quickly dismiss the incident from his mind and when requested for a report from the Department two or three weeks later he feels that he is being imposed upon by both the workman and the Commission. However,

there are many cases on record where such seemingly trivial injuries have become seriously aggravated later on from infection or other complications, and a number of them have resulted in the death of the workman.

For that reason it is deemed imperative that every employer carefully record every injury reported and that he require his workmen to report every injury and the manner in which it occurred, also securing the names of witnesses to the accident. This practice in many cases will redound to the benefit of the employer and will act as a safeguard against fraudulent claims.

Many of the employers of the state have already awakened to the necessity of keeping a thorough record of every injury that occurs to the workmen during the course of employment. An example in this regard is the system that has been inaugurated by the Northwestern Improvement Company at their mines in Roslyn. This system is fully described in a letter received from Mr. John E. Morgan, assistant superintendent at the mines, which follows:

"To install the system required considerable publicity among our employes through the medium of their local unions and through the personal visit of the foreman to each individual employe. We furnished each foreman with a blank book and required him to take a record of every accident, no matter how trivial, occurring to the employes under his jurisdiction. Whenever an injury occurs to any workman he reports same to his foreman, either at the time of injury or at the close of the shift, and the foreman enters in the book provided for that purpose the workman's name, age, nature of injury, cause, date of laying off and time of returning to work.

"If injury is not sufficient to cause immediate time loss he notifies the workman to report to him again if complications set in; where injury is sufficient to cause time loss an immediate accident report is made out and mailed to this office, and when employe is able to return to work he is required to report at my office to enable us to get his correct time loss.

"The system is very simple and is generally observed by all our workmen."

Following are cited four cases in point which evidence the necessity of employers keeping an accurate record of all injuries:

Claim 60630.—Workman received an injury on August 18, 1915, while employed as fireman's helper handling some spaults. Being up on a pile of these approximately eleven or twelve feet in height, he slipped and fell, a spault striking him in the left groin. Workman was unable to return to work the following day and did not do so until December 14th, 1915. A few days prior to January 7th, 1916, while feeding a resaw, he got a sliver in the palm of his hand. On January 7th his hand became so badly swollen that he was compelled to quit work. On January 8th the doctor was called to attend claimant and found a badly infected left hand caused from the sliver. On January 26th the workman developed chills with wide swings of temperature. It was the doctor's opinion that claimant's vitality was greatly impaired by the first injury and that he was not able to combat the subsequent condition. The injury became worse, causing palmar abscess and on February 3d the workman died from septicemia as the result of the injury on January 7th.

In neither of the above injuries did the employer have any knowledge of the accident at the time. Requests were made for a report on January 20th, January 30th and February 15th, and under date of February 23d he forwarded what information he was able to secure at that late date. Only for the fact that at the time the workman received both injuries there were eye witnesses, a very great injustice might have been done to his widow for the lack of sufficient proof of an accident while in the course of employment. We were able to secure reports from eye witnesses to both accidents which enabled us to properly adjust the claim.

Claim 75175.—Workman sustained an accident on Thursday, September 7th, while employed as stoker in a gas plant. While dumping ashes into hopper to keep car from falling into hopper, he put his hand on frame and when the car dumped, it came back and pinched his finger on the inside. He continued to work until Saturday morning, September 9th. The workman reported to the foreman, but the foreman thinking the

injury trivial made no report to the office at the time. The doctor states that when he first got the case the claimant's finger was not in a bad condition but he had a well-developed felon as the result of the bruise, and that he was run down physically and had no resistance. The injury gradually grew worse and on September 17th the workman died of blood poisoning caused by the bruise. The employer's report of the accident was filed on September 18th, the day after the workman's death.

Had a definite system been in vogue as outlined by the letter from the Northwestern Improvement Company the above two cases would have been promptly reported to the office at the time of their occurrence and later saved time and expense to this Department. Also positive proof of accident would have been established by employer's reports if made at the time of the injuries. It would do away with the necessity of accepting witness statements at a late date.

The following case is given as an example of what might have resulted from accepting such statements:

Claim 74780.—Employer's report of accident filed on September 18th, 1916, gave the date on which accident occurred as July 23d, stating that the injured workman was in the course of employment when injured, and the accident described "while walking near pier, man was hit on jaw." From this, it will be noted the employer's report was not filed for nearly two months after the accident. From investigation of the case it was found that the man was not in the course of his employment when injured, that he had left the pier and was uptown when he was assaulted.

Claim 67367.—Workman received a bruise on the inner side of right foot during the last part of June, 1915, by a piece of sliver or knot which was torn from a shingle block and thrown by a rapidly revolving shingle saw. Claim for compensation was filed June 10th, 1916, nearly a year after accident occurred. In reply to our request for a report of accident the employer advised under date of June 15th, 1916:

"To our knowledge there was no accident, at least we didn't hear of it until this claim came up. Under these circumstances we would not care to sign up until first hearing from you as we do not want to be a party to an unjust claim.

"It might be well for you to send your man here to investigate the claim first and if you find it O. K. we will be glad to sign up."

On July 24th an investigation was made which failed to establish sufficient proof of an accident while in the regular course of employment. Accordingly, on August 2d the claim was rejected. On August 29th claimant secured three affidavits of fellow employes, one of them an eye witness to the accident and the other two saw claimant immediately after the accident happened; also an affidavit from a member of the firm by which he was employed, that:

"During the latter part of the month of June, A. D. 1915, the exact date of which affiant cannot at this time give, the said Joseph Rahrier complained of an injury to his right foot, alleged to have been caused by a check or splinter which was torn from a shingle block and thrown by a rapidly revolving shingle saw, and that after he heard of the said Rahrier complaining of such injury, there was a decrease in the number of shingles cut by the said Rahrier at the machine at which he was employed in said mill."

On September 30th the employer furnished this Department with Report of Accident, Employer's Statement, which stated that claimant was in the course of employment when injured. On September 22d claimant was examined at this office by the Commission. His condition was found to be very serious. The general appearances and development of the ulcers suggested malignancy—probably carcinoma, and a tendency to progress. It was very evident that claimant would only live a short time.

From the above it will be noted that the employer first stated that he had no record of the accident. His neglect in not insisting on report of every accident, also his failure to investigate and see who were witnesses at the time left him in the position of accepting witness reports at a late date, which certainly opens the way for collusion and fraud.

There are numerous cases on record where injured workmen supplemented their claims with statements from alleged



eye witnesses to the accident, which after an exhaustive investigation by the Commission divulged the fact that they were not actual eye witnesses, but were ready to assist the injured workman to secure compensation, and based their reports on his statement. Many cases also have been discovered where the employer would readily accept the statement of an employe regarding an injury without making a thorough investigation of the circumstances, and would then make a report of the accident to the Commission which to all purposes seemed reliable and authentic, but upon further investigation it was found that the employer's credulity had been taken advantage of. Employers should always feel a deep sense of responsibility in making reports and should not expect that the Commission is able to make a personal investigation of every claim filed with the Department, on the assumption that the employers' reports cannot be accepted as *bona fide* evidence that the accident actually occurred during the course of employment.

With the limited appropriation allowed by the legislature for the administration of this Department, it is impossible to secure secret service men to investigate all trivial accidents. It is, therefore, necessary that employers' reports of accidents should be reports of facts compiled at the time of the accident. This assistance from the employers would mean an additional safeguard to the accident fund, and we believe the Commission is entitled to this service.

#### *Workmen Seeking Assistance of Attorneys.*

The habit of injured workmen consulting attorneys in order to ascertain their rights under the law is becoming lessened year after year as they become better acquainted with its provisions.

The majority of cases of this kind now coming to the attention of the Department is where the workman, being obsessed with the idea that there are no legal limitations in regard to the amount that the Commission may award him for his injuries, becomes dissatisfied with the award made and rushes to an attorney with a view of seeking redress through the courts. Almost invariably the attorney is ready to assist the workman who

naturally exaggerates the extent of his injuries in order to make it appear that the Commission has handled his case arbitrarily and that the award made is not just.

These cases give the Department an unreasonable amount of trouble, for as a rule it is a difficult matter to convince the attorney that an injustice has not been done the workman. Usually the attorneys, not being familiar with the schedule of rating followed by the Commission in making permanent partial disability awards, are inclined to overestimate the disability in the proper proportion to the maximum allowance provided by law, and in consequence are persistent in making unreasonable demands for an increase in compensation under threat of bringing the case before the courts for review. In but few cases, however, is this threat carried out, for after a considerable exchange of correspondence between the Commission and the attorney, the latter is finally convinced that the claimant has been fairly dealt with and, therefore, drops the case. But not so with the claimant, who, having been greatly encouraged in his first interview with the attorney, does not understand why his case should finally be dropped, and therefore with a feeling of resentment against him secures some other attorney, who begins to bombard the Commission anew, going over the same ground as did the first attorney in arguing for an increased allowance. This performance in a great many cases is repeated several times until finally the claimant becomes exasperated and imbued with the idea that the attorneys and the Commission are tarred with the same stick, and therefore concludes that there is no way that he can obtain exact justice.

Such cases are numerous and it is not unusual that as many as six to eight different attorneys, one after another have interceded for a single claimant. This taxes the department with a tremendous amount of useless correspondence.



IN ADDITION TO THE ABOVE  
CLAIMS FINALLY ADJUSTED

Awards for continued monthly allowances .....	396	388	571	461	424	568	441	455	626	588	671	648	6,237	.....
Final settlements re-opened for additional compensation .....	60	46	56	39	47	51	26	48	45	55	70	52	605	.....
Rejections re-opened .....	3	3	6	4	5	6	6	.....	3	7	5	5	53	.....
Suspensions re-opened .....	5	6	5	4	3	2	4	.....	2	2	1	8	45	.....
Suspensions no claims re-opened .....	13	4	3	8	10	7	4	1	4	7	9	9	79	.....
Partial payments for time loss (account loss earning power and partial permanent disability later) .....	30	25	23	32	26	25	24	30	34	31	35	52	367	.....
Totals .....	507	472	664	548	515	659	515	537	714	690	791	774	7,386	.....

The above table shows the monthly and partial payments at the end of each month account of temporary or permanent partial disability still existing; claims in process of adjustment and files incomplete at the end of each month. It will be noted that the combined total of the claims passed upon amounts to 25,622.

\* The total fatal cases were adjusted by allowing pensions in 154 cases, 15 were rejected for cause and 127 were suspended account no dependents, or dependents, if any, unknown, and not under the Act.

In addition 4 fatal cases were reopened from suspension and claims rejected; 11 fatal cases were reopened from suspension and claims allowed; 4 fatal cases were reopened from rejection and claims allowed.

Table 2.

Comparative Statement Showing the Number of Accidents Reported and Claims Adjudicated During Each Fiscal Year Since September 30, 1912; also Fatal Accidents Which Are Included in the Total Number Reported by Months for Each Fiscal Year.

MONTHS	FISCAL YEAR ENDING					Total to September 30, 1916
	September 30, 1912	September 30, 1913	September 30, 1914	September 30, 1915	September 30, 1916	
October .....	547	1,242	1,489	1,276	1,285	
November .....	689	1,173	1,258	922	1,331	
December .....	769	1,188	1,146	962	1,200	
January .....	841	1,110	1,031	882	1,120	
February .....	836	1,206	1,039	834	1,142	
March .....	894	1,401	1,932	1,050	1,702	
April .....	965	1,428	1,967	1,041	1,650	
May .....	1,137	1,619	1,863	1,112	2,010	
June .....	1,396	1,488	1,404	1,289	2,079	
July .....	1,285	1,547	1,217	1,100	1,790	
August .....	1,455	1,550	1,366	1,423	2,120	
September .....	1,082	1,574	1,127	1,262	2,005	
Total accidents reported.....	11,896	16,336	15,089	13,162	19,494	75,977
Average per month.....	991	1,361	1,257	1,096	1,625	
Per cent. increase or decrease over previous year.....	.....	36.4% Incr.	7.6% Decr.	2.7% Decr.	49.6% Incr.	
ADJUDICATED						
Claims allowed (total temporary disability; full and final award) .....	6,356	12,180	12,584	11,190	14,818	57,128
Fatal accidents .....	257	319	347	210	296	1,429
Total permanent disability (pensions).....	2	13	13	9	22	50
Claims rejected (for cause).....	378	747	807	570	1,016	3,518
Claims suspended:						
(A) Claims not made by workmen; injuries trivial.....	1,532	2,980	1,914	1,224	1,693	9,372
(B) Unable to locate claimants, etc.....	348	519	356	259	291	1,773
Totals.....	8,893	16,767	16,021	13,462	18,130	73,279

Monthly payments (continued monthly account of temporary disability still existing).....	314	471	422	210	574	574
Partial payments .....	33	196	89	22	38	38
Claims in process of adjustment.....	933	462	469	436	947	947
Files incomplete .....					1,139	1,139
Totals.....					2,698	75,977

FATAL ACCIDENTS.

MONTHS	FISCAL YEAR ENDING					Total to September 30, 1916
	September 30, 1912	September 30, 1913	September 30, 1914	September 30, 1915	September 30, 1916	
October .....	28	24	41	20	19	
November .....	45	12	24	13	45	
December .....	22	11	26	11	21	
January .....	18	33	14	11	21	
February .....	15	42	15	16	13	
March .....	19	42	42	16	22	
April .....	27	41	43	16	29	
May .....	33	37	32	15	32	
June .....	22	24	21	26	27	
July .....	22	44	15	18	29	
August .....	16	40	18	31	27	
September .....	12	15	33	22	29	
Totals.....	279	371	324	215	314	1,503
Average number per month.....	23.8	30.9	27	18	26.2	



TABLE 3.

The following table shows by industrial classes, the number of fatal accidents reported during the fiscal year ending September 30, 1916:

<i>Class</i>	<i>Number</i>	<i>Class</i>	<i>Number</i>
1.....	2	24.....	0
2.....	2	25.....	1
3.....	1	29.....	1
4.....	1	31.....	1
5.....	17	33.....	2
6.....	3	34.....	2
7.....	10	35.....	1
8.....	11	37.....	0
9.....	2	38.....	3
10.....	160	39.....	0
12.....	2	40.....	0
13.....	5	41.....	1
14.....	5	42.....	1
15.....	0	43.....	0
16.....	57	44.....	0
17.....	12	45.....	0
18.....	2	46.....	0
19.....	1	47.....	0
21.....	6	48.....	0
22.....	0	Not under act.....	2
23.....	1		
Total.....			314

## STATISTICAL DEPARTMENT

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No. 1.

INTRODUCTION.

Our plan of gathering statistics is not merely for the purpose of filling space in a report, but for the purpose of having a specific plan to enable students of the law to take the results and make any deductions that may be of interest to themselves.

We divide the statistics into sub-divisions setting forth the principal features such as Temporary Total Disability, Permanent Partial Disability (which includes ten per cent Awards to Parents), Permanent Total Disability, Fatals, tables of various kinds of injuries and Mechanical and Non-Mechanical Accidents.

The statistics were taken from cases in which final settlements have been made during the fiscal year ending September 30, 1916, and should not be accepted as a financial statement or a complete record of accidents that have occurred and have been reported to the department.

Table 2.

SUMMARY—INJURIES AND AWARDS.

<i>Kind of Injury.</i>	<i>No. of Injuries</i>	<i>Total Amount Of Awards</i>
1. Non-Fatals:		
Temporary total disabilities.....	14,818	\$524,415 67
Permanent partial disabilities.....		399,325 00
Awards to parents of minors.....		2,086 60
Permanent total disabilities.....	22	*66,847 29
Total for Non-Fatal accidents.....	14,840	\$992,674 56
2. Fatals:		
Fatals not requiring pensions.....	142	
Fatals requiring pensions.....	154	
Reserve for pensions.....		\$480,279 41
Awards for burial.....		21,362 41
Total for fatal accidents.....	296	\$501,641 82
Grand total .....	15,136	\$1,494,316 38

In addition to the above claims there were 1,116 claims rejected for various causes as shown in table No. 3; 291 claims suspended

\*Reserve set aside to secure pensions.

and 1,693 claims, 205 of which waived right to compensation, and 1,488 were injuries which were trivial and no claims were filed.

This makes a total of 3,000 claims rejected or suspended, which added to the above 15,136 claims which were finaled during the year, makes a total of 18,136 claims disposed of which were handled and information tabulated upon the same by the Statistical department.

Table 3.

## CLAIMS SUSPENDED AND REJECTED.

## Rejected:

<i>Cause.</i>	<i>No.</i>
1. Applicant was compensated in full for time lost by employer .....	32
2. Applicant's time loss was less than 5 per cent.....	139
3. There is no proof of an accident in course of employment...	70
4. Applicant failed to comply with Section 14 of the Compensation Act, in not notifying his employer of the accident at the time same is alleged to have occurred.....	66
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11. Applicant was not an employee, but a member of the firm and had not elected to bring himself under the Act, prior to the date of accident.....	19
12. Disability not established by Medical proof of attending physician as required by Section 12 of Workmen's Compensation Act .....	102
Total suspensions and rejections.....	1016

## Suspensions:

<i>Cause.</i>	
1. Claimant not heard from.....	161
2. No proof of accident in course of employment.....	8
3. Suspended account of request for operation not granted.....	27
4. No Physician's report filed.....	91
5. Claimant decided to appeal to the court for settlement.....	4
Total suspensions .....	291

## No. Claims:

Waived right to compensation .....	205
Filed no claim on account of injuries being trivial.....	1,488
Total.....	1,693

Table 4.  
COST OF ACCIDENTS IN YEARS' LABOR.

KIND OF INJURIES	Fiscal Year 1913	Fiscal Year 1914	Fiscal Year 1915	Fiscal Year 1916
	Work Years	Work Years	Work Years	Work Years
For fatal cases.....	8,225	11,333	5,934	8,134
For temporary total disability.....	1,135	1,193	1,156	1,302
For permanent total disability.....	325	386	269	581
Total for injuries.....	9,685	12,912	7,359	10,017

An examination of this table shows the cost of accidents, using a year's labor as the unit of cost. We find that 10,017 years of life have been wasted as a result of the accidents during the year. The American Table of Mortality was used to estimate the expectancy of life in Fatal and Permanent Total Disability cases. In Temporary Total Disability cases the number of working days lost was divided by 300, that being the commonly accepted working year in compiling statistics. By using 35 years as the tenure of industrial service of an average person, it would require the lifetime labor of approximately 300 persons.

#### PERSONAL FAULT.

The question of personal fault becomes one of the most difficult to determine on account of the information given from time to time in the reports required by this department from the injured workmen and also the reports from the employers. Under the common law where the payment of compensation was based entirely upon Personal Fault, leaving the burden of proof mostly upon the injured workman, frequently the testimony of eye witnesses would vary regarding the cause of the accident and even a jury with the complete facts before it would be perplexed in arriving at a definite conclusion.

In many instances the friendly or unfriendly relationship that existed between the employer and the employee would affect the answer to these questions, because a mutual feeling of friendship would naturally lead to leniency on both sides, while an unfriendly feeling would result in the adverse position being taken. In many instances, the question regarding Personal Fault on our blanks has not been filled out and where the omissions occur we naturally examine into the nature of the accident and if it is not evident that the fault lies with either party, we naturally assume that it is merely a risk of the trade. There can be no doubt that some cases which are attributed to the risk of the trade are due to carelessness, but from the information at hand they cannot be classed as the fault of the workman or any other person.



Table 5.  
PERSONAL FAULT.

FAULT	1915		1916	
	Number	Per Cent.	Number	Per Cent.
Risk of trade.....	9,956	89	14,039	94.77
Workman's fault .....	589	5.3	417	2.8
Fellow servant's fault.....	163	1.5	320	2.16
Employer's fault .....	13	.1	11	.07
Foreman's fault .....	6	.05	5	.03
Third person's fault.....	17	.15	26	.17
Facts not ascertainable.....	446	3.9		
Totals.....	11,190	100	14,818	100

Table 6.  
ACCIDENT BENEFITS AND OTHER INCOME.

NUMBER OF SOURCES OF BENEFIT	Number Injured	Per-centage	Per Cent. Receiving Benefits
Year 1913—			
One source .....	1,619	13.1	14.5%
Two sources .....	145	1.2	
Three sources .....	27	.2	
No benefits .....	10,038	81.1	
Not determined .....	551	4.4	
Totals.....	12,380	100%	
Year 1914—			
One source .....	1,720	13.7	14.4%
Two sources .....	73	.6	
Three sources .....	14	.1	
No benefits .....	9,966	79.2	
Not determined .....	813	6.4	
Totals.....	12,586	100%	
Year 1915—			
One source .....	1,508	13.43	13.8%
Two sources .....	43	.38	
Three sources .....	4	.03	
No benefits .....	9,141	81.7	
Not determined .....	499	4.46	
Totals.....	11,190	100%	
Year 1916—			
One source .....	1,759	11.85	12.57%
Two sources .....	102	.67	
Three sources .....	8	.05	
No benefits and not reported.....	12,949	87.43	
Totals.....	14,818	100%	

This table includes Health, Accident and Liability Insurance and various sources of benefits. In the absence of a Workmen's Compen-

sation Act a majority of wage-earners engaged in hazardous occupations and who are the sole support of their families would leave their dependents destitute in the event of death from accident or without protection in the event of permanent disability, thereby becoming subjects of charity for the State. There seems to be no reason why the man who is subject to the occupational hazard should carry all the risk and the family assume the burden. This report shows that 94.77 per cent of all accidents are chargeable to occupational risks. If this is true why should not the occupation provide the best possible protection for those who are subject to this hazard?

As an evidence that State insurance is satisfactory to the workmen of the State, it may be pointed out in the foregoing table that they are depending less on other accident benefits as they become more familiar with the benefits derived.

Its operation in giving relief to both employer and employee by providing adequate protection for both at the least possible cost, and the fact that this is being done can best be demonstrated from the following table taken from the records of the Insurance Department of the State of Washington for the past ten years, reporting the Health, Accident and Liability Companies operating in the State. This statement shows the premiums collected and the claims paid by Health, Accident and Liability Companies for the years 1905 to 1915 inclusive, and we compare the result with the Industrial Insurance experience of the State of Washington.

Year	PREMIUMS		CLAIMS PAID	
	Health and Accident	Liability	Health and Accident	Liability
1905 .....	\$228,876 00	\$291,570 00	\$112,039 00	\$135,224 00
1906 .....	232,716 00	413,632 00	103,145 00	186,153 00
1907 .....	262,873 00	522,265 00	128,149 00	240,598 00
1908 .....	324,688 00	584,493 00	154,753 00	279,212 00
1909 .....	334,322 00	649,134 00	140,099 00	307,124 00
1910 .....	506,789 00	901,347 00	195,508 00	422,948 00
1911 .....	517,364 00	737,304 00	198,598 00	400,614 00
1912 .....	533,155 00	354,713 00	216,970 00	334,739 00
1913 .....	668,333 00	346,585 00	297,359 00	269,047 00
1914 .....	621,716 00	324,746 00	291,007 00	178,729 00
1915 .....	612,182 00	364,720 00	303,779 00	162,005 00
Totals.....	\$4,843,014 00	\$5,490,510 00	\$2,141,406 00	\$2,916,393 00

It is impossible to segregate the Health from the Accident Insurance, consequently must quote them together. The total amount of premiums collected from the State of Washington for ten years as above from Health, Accident and Liability Insurance amounts to \$10,333,524.00.

Total amount of claims paid by the same companies for this same period of time, \$5,057,799.00.

Out of the premiums collected for ten years only about 49 per cent of the amount was paid to those for whom this protection was

secured and this does not take into consideration any cost whatever, such as legal advice or court expense.

The 49 per cent, or losses paid according to this statement, does not represent the amount received by the injured and sick in this State for the reason that in many cases a large percentage of the awards was spent in litigation. While no accurate figures are obtainable as to the cost to the claimants of such litigation, it seems safe to say that it would amount to approximately 25 or 30 per cent of the total premiums paid.

It will thus be seen that the cost to those paying for this protection in the State of Washington, under the old plan was 51 per cent and the injured and sick received but a fraction of the amount of the total awards made. Under the Workmen's Compensation Act the cost of administration for four years amounted to 7.99 per cent which is raised by general taxation, thus leaving the employers of the State a very small portion of this amount, and from the premiums collected the injured workman receives 100 per cent.

The above 7.99 per cent which amounts to approximately \$545,552.00, the cost of the administration of the Industrial Insurance Law of the State of Washington for five years, is comparatively low as the Oregon report of June 30, 1915, states that:

"The experience of Wisconsin during the year 1914 was required to pay to the liability companies of that state \$2.07 to provide the injured workman with one dollar in benefits."

"The experience of the insurance company which, through its agents has been most effective in opposition to the Oregon Act, charge the employers of Wisconsin \$2.63 for every dollar paid out in 1914 on account of benefits to injured workmen."

The above report shows that for every dollar paid to the injured workmen in the State of Washington by the liability companies for ten years, \$2.02 was charged.

Up to the present time the Industrial Insurance Commission of the State of Washington have collected premiums and interest to the amount of over \$6,595,857.00, every dollar of which has or will be paid to the injured workmen or their beneficiaries.

If the same protection had been given by the liability companies based upon the experience of the State of Washington as shown in the preceding table from their ten years' operation, the employers of the State, instead of having paid \$6,595,857.00 which went directly into the funds to pay the claims of the injured workmen, would necessarily have had to pay more than double this amount, or \$13,460,933.00 during the same period of time, and instead of having paid \$545,552.00 for the administration of the law or all loadings over and above claims paid, would necessarily have paid \$6,865,076.00.

Our bond investment amounted to over \$1,600,000.00 which is set aside as a reserve to secure pensions and yields to the state an average of 4.77 per cent interest. If this amount was not to be reduced by the retiring of bonds or increased by new purchases this would produce over \$71,000.00 interest which would be credited to

the Reserve Fund each year. In addition to this the interest upon our cash deposits for the past year amounted to about \$8,500.00 which makes a total of over \$79,500.00 reverting to the Reserve and Accident Funds from this source, and the employers of the State receive the direct benefit. This interest can in no way be diverted from these funds to the general fund from which the cost of the administration of this act is paid, but if the law was administered outside of the State through Liability Companies this would be an absolute loss to the employers of the state. By the return to these funds of this amount in interest and the total cost of the administration for the last year, for which we were allowed approximately \$110,000.00 by the appropriation to this department, the employers of the State who are included in the extra hazardous occupations are getting in return from the investments more than their proportional amount of administration would be through the general taxation. When we compare the amount of benefits received by the injured workmen, together with the protection to the industries of the State, as well as the State in general in the care of the injured and their beneficiaries with the old plan of Liability insurance, we can readily see that the results speak very favorable for a State Administered Compensation Act, and it is to be desired that more reliance will be placed in the law by both employer and employee, this materially assisting the State in its administration.

Table 7.  
WAGES OF INJURED WORKMEN.

WAGES	Number Injured	Per Cent. of Total
\$1 25.....	111	.75
1 50.....	278	1.88
1 75.....	482	3.25
2 00.....	1,431	9.66
2 25.....	1,737	11.73
2 50.....	2,777	18.75
2 75.....	1,535	10.36
3 00.....	1,801	12.16
3 25.....	967	6.53
3 50.....	889	6.00
3 75.....	477	3.20
4 00.....	746	5.04
4 25.....	95	.64
4 50.....	635	4.29
4 75.....	52	.35
5 00.....	507	3.40
5 25.....	30	.14
5 50.....	78	.53
5 75.....	12	.08
6 00.....	112	.76
6 25 and over.....	76	.50
Totals.....	14,818	100.00

Average daily wage \$2.93.

The table of wages of injured workmen does not have any particular bearing upon conditions of hazard, but when we say that we

have so many claims in a certain class where the wages of the injured workmen are \$1.25 or \$2.25 per day or whatever the amounts may be, the average wage can then be obtained. By taking all totals and dividing this by the number of workmen reported we get the average wage of each class. Thus having the average wage, and taking as a basis the average number of working days, we can arrive at the average yearly wage, then dividing this amount into the total payroll we get approximately the number of men employed in each class or occupation.

Table 8.

## CONJUGAL CONDITION OF INJURED WORKMEN.

		Number	
Single .....		7,467	
Married, no dependents.....		2,308	
Married, one child.....		1,795	
Married, two children.....		1,474	
Married, three children .....		1,291	
Married, four children.....		264	
Married, five children.....		118	
Married, six children.....		62	
Married, seven children.....		23	
Married, eight children.....		10	
Married, nine children.....		4	
Married, ten children.....		2	
Total.....			14,818

	1913		1914		1915		1916	
	Num- ber	Per Cent.	Num- ber	Per Cent.	Num- ber	Per Cent.	Num- ber	Per Cent.
Single .....	6,778	54.7	6,698	53.2	5,704	51	7,467	50.4
Married .....	5,602	45.3	5,888	46.8	5,486	49	7,351	49.6
Totals.....	12,380	100%	12,586	100%	11,190	100%	14,818	100%

When this Act was introduced there was considerable concern regarding its policy of rating injured workmen according to their conjugal status and because of the higher ratings of married men with dependents. Great fear was expressed that the employers of the State would hire unmarried men to the exclusion of men with families. This has however been a false alarm as shown by this report, for the percentage of injured workmen with families has gradually increased from 45.3 per cent in the year 1913 to 49.6 per cent during the year 1916, while the percentage of single men has been reduced proportionately.

Table 9.  
NATIVITY TABLE.

(TEMPORARY TOTAL DISABILITY.)

STATE OR COUNTRY	1914		1915		1916	
	Number	Per Cent.	Number	Per Cent.	Number	Per Cent.
Washington .....	720	5.7	720	6.4	1,230	8.3
Other Pacific States.....	563	4.5	449	4.	679	4.58
West Central States.....	1,741	13.8	1,589	14.	2,025	13.67
South Central States.....	172	1.4	119	1.1	236	1.59
East Central States.....	2,001	15.8	1,740	15.6	2,275	15.36
South Atlantic States.....	437	3.5	404	3.6	515	3.48
North Atlantic States.....	586	4.7	480	4.3	642	4.33
New England States.....	231	1.9	155	1.4	269	1.89
United States (state not given)	105	.8	55	.5	109	.74
Canada .....	487	3.9	466	4.2	1,004	6.77
England .....	284	2.3	254	2.3	790	5.33
Scotland .....	99	.8	100	.9	676	4.56
Ireland .....	187	1.5	155	1.4	588	3.97
Sweden .....	746	5.9	816	7.3	506	3.42
Norway .....	589	4.7	559	5.	418	2.82
Finland .....	443	3.5	426	3.8	683	4.61
Germany .....	381	3.3	306	2.7	288	1.94
Austria-Hungary .....	840	6.6	680	6.1	378	2.55
Russia .....	368	2.9	336	3.	306	2.07
Italy .....	593	4.7	500	4.5	152	1.03
Greece .....	213	1.7	195	1.8	111	.75
Japan .....	163	1.4	129	1.2	186	1.26
All other countries.....	526	3.8	461	4.	636	4.29
Nativity not stated.....	111	.9	96	.9	116	.78
Totals.....	12,586	100.00	11,190	100.00	14,818	100.00



Table 10.  
**BIRTH, NATURALIZATION AND ENGLISH SPEAKING CONDITIONS.**  
 (TEMPORARY TOTAL DISABILITY.)

CLASS	Total Injuries	Foreign Born	Per Cent. of Injured That Are Foreign Born	Natur- alized	Not Natur- alized	Do Not Speak English	Speaks English Imper- fectly
1.....	80	57	71.2	11	18	2	5
2.....	85	35	41.1	7	9	1	.....
3.....	43	20	46.5	5	5	.....	.....
5.....	624	236	37.8	69	41	2	5
6.....	143	43	30	12	8	.....	1
7.....	432	228	52.7	36	60	15	17
8.....	474	202	42.6	44	46	11	8
9.....	355	182	51.2	76	31	1	2
10-1.....	2,864	1,333	46.5	207	360	13	35
10-2.....	3,357	1,622	48.3	306	502	89	143
10-3.....	891	225	25.2	67	52	9	8
10-4.....	163	53	32.5	17	12	2	6
12.....	62	35	56.4	7	11	.....	1
13.....	73	19	26	10	1	.....	1
14.....	185	69	37.2	31	10	2	6
15.....	38	4	10.5	2	.....	.....	.....
16.....	902	735	81.5	179	236	12	75
17.....	239	143	59.8	16	41	12	12
18.....	528	317	60	38	95	15	51
19.....	33	15	45.4	3	2	.....	.....
20.....	3	.....	.....	.....	.....	.....	.....
21.....	450	105	23.3	32	24	.....	1
22.....	72	29	40	12	3	.....	.....
23.....	29	12	41.3	7	1	.....	.....
24.....	186	55	29.5	12	14	1	3
25.....	3	.....	.....	.....	.....	.....	.....
29.....	590	237	40.1	55	69	5	20
31.....	63	21	33.33	6	4	1	2
33.....	83	43	51	15	9	.....	2
34.....	656	242	36.8	64	55	2	4
35.....	72	50	69.4	7	17	3	6
37.....	38	18	47.3	11	1	.....	.....
38.....	60	13	21.5	3	1	.....	.....
39.....	65	20	30.7	4	4	1	1
40.....	77	23	29.8	9	6	.....	.....
41.....	30	6	20	2	.....	.....	.....
42.....	555	283	50.9	97	50	1	1
43.....	151	91	60.2	21	35	4	5
44.....	37	6	16.2	.....	.....	.....	.....
45.....	4	.....	.....	.....	.....	.....	.....
46.....	1	.....	.....	.....	.....	.....	.....
47.....	16	8	50	1	2	.....	.....
48.....	6	3	50	2	.....	.....	.....
Totals.....	14,818	6,888	46.14	1,503	1,839	204	421

Table 11.  
TEMPORARY TOTAL DISABILITY.

CLASS	No. of Injuries	Total Duration (Work Days)	Average Duration of Work Days	Total Amount of Awards	Average Amount of Awards
1.....	80	2,293	28.6	\$3,156 80	\$39 46
2.....	85	2,532	29.7	3,415 95	40 18
3.....	43	1,745	40.5	2,178 30	50 65
5.....	624	22,954	36.7	32,253 55	51 68
6.....	143	4,194	29.3	5,216 40	36 47
7.....	432	14,311	33	17,524 60	40 56
8.....	474	15,657	33	21,103 40	44 52
9.....	355	5,794	16.3	7,665 20	21 59
10.....	7,275	194,328	26.7	254,553 89	34 99
12.....	62	1,202	20	1,647 60	26 57
13.....	73	1,679	23	2,462 40	33 73
14.....	185	4,431	24	6,433 45	34 77
15.....	38	615	16	976 50	25 69
16.....	902	23,840	25.9	37,033 05	41 05
17.....	239	7,716	32	10,235 60	42 82
18.....	528	10,373	19.6	14,662 85	27 76
19.....	33	467	14	655 80	19 87
20.....	3	63	21	78 25	26 08
21.....	450	12,461	27.6	17,604 85	39 12
22.....	72	2,154	29.9	2,435 30	33 82
23.....	29	647	22.3	1,068 60	36 85
24.....	186	3,007	16	3,995 00	21 47
25.....	3	91	30	146 25	48 75
29.....	590	12,466	21	15,545 76	26 35
31.....	63	1,345	21	1,832 75	29 09
33.....	83	1,708	20.5	2,311 25	27 85
34.....	656	11,932	18	16,405 25	25 00
35.....	72	1,574	21.8	2,089 40	29 02
37.....	38	1,912	50.3	2,608 10	68 63
38.....	60	1,061	17	1,248 75	20 80
39.....	65	1,090	16.7	1,371 90	21 10
40.....	77	1,356	17.6	1,790 70	23 25
41.....	30	666	22	814 35	27 14
42.....	555	18,089	32.6	25,416 22	45 79
43.....	151	2,576	17	3,540 25	23 44
44.....	37	1,250	33.7	1,795 40	48 52
45.....	4	229	57	159 30	39 82
46.....	1	26	26	45 00	45 00
47.....	16	460	28.7	622 10	38 88
48.....	6	207	36	315 60	52 60
Totals.....	14,818	390,501	26.35	\$524,415 67	\$35 39

TEMPORARY TOTAL DISABILITY.

We are including in this section all items pertaining to temporary total disabilities and the reports herewith show conclusively that there have been a greater number of trivial cases this year than in any preceding year. As will be seen from these figures, the number of claims finalized during the first week has increased considerably, for we find that the percentage has run from 13.6 per cent in 1913 to 20.84 in 1916, which is very much heavier than in any preceding year, also that the claims finalized during the second week of disability has been somewhat increased. The average duration of disability for this year has been reduced from 31 days as shown in the last report to 26.31 this year, while the average time award has been reduced from \$41.28 to \$35.39.

Over 47 per cent of the claims for which final settlements were made, were of less than two weeks' duration. This statement must not be misconstrued, for it must be remembered that the amount of these claims represents a very small percentage of the total amount of compensation paid.

#### SCHEDULE OF TEMPORARY TOTAL DISABILITY AWARDS.

The following table shows the minimum monthly awards allowed to injured workmen which varies according to the conjugal status. The amount is increased 50 per cent for the first 6 months but in no case shall the increase operate to exceed 60 per cent of the monthly wage (the daily wage multiplied by 26).

<i>Injured Workman</i>	<i>No Child</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three or More Children</i>
Having able-bodied husband.	\$15 00	\$20 00	\$25 00	\$30 00
Unmarried .....	20 00			
Having wife or invalid husband .....	25 00	30 00	35 00	35 00
Widow or widower .....	20 00	25 00	30 00	35 00
Invalid child over the age of 16 is considered a dependent.				

Table 12.

#### TEMPORARY TOTAL DISABILITIES.

##### CLASSIFICATION ACCORDING TO WEEKS' DURATION.

DURATION OF DISABILITY (Weeks)	1913		1914		1915		1916	
	No. of Claims	Per Cent.	No. of Claims	Per Cent.	No. of Claims	Per Cent.	No. of Claims	Per Cent.
Less than 1.....	1,681	13.6	1,816	14.8	1,865	16.6	3,087	20.84
1 to 2.....	3,157	25.5	3,138	24.9	2,805	25.0	3,889	26.26
2 to 3.....	2,113	17.1	2,175	17.4	1,742	15.6	2,413	16.29
3 to 4.....	1,365	11.0	1,262	10.0	1,067	9.5	1,329	8.97
4 to 5.....	1,139	9.2	1,164	9.2	867	7.7	1,097	7.40
5 to 6.....	658	5.3	555	4.4	470	4.2	602	4.06
6 to 7.....	439	3.5	469	3.7	456	4.1	480	3.24
7 to 8.....	281	2.3	277	2.2	243	2.2	305	2.06
8 to 9.....	330	2.7	349	2.7	370	3.3	372	2.50
9 to 10.....	160	1.3	150	1.1	131	1.2	141	.95
10 to 11.....	138	1.1	157	1.1	179	1.6	135	.90
11 to 12.....	100	.8	91	.7	89	.8	75	.50
12 to 13.....	131	1.1	225	1.8	184	1.64	169	1.14
13 to 14.....	54	.4	47	.4	36	.32	56	.38
14 to 15.....	65	.5	51	.4	25	.22	35	.24
15 to 16.....	43	.3	41	.4	50	.44	48	.32
16 to 17.....	21	.2	27	.2	15	.13	21	.14
17 to 18.....	93	.8	118	.9	108	.9	90	.61
18 to 19.....	15	.1	26	.2	21	.2	25	.17
19 to 20.....	36	.3	29	.2	30	.27	37	.25
20 to 21.....	28	.2	10	.1	13	.12	14	.09
21 to 22.....	71	.6	77	.6	85	.75	63	.43
22 to 23.....	23	.2	23	.2	8	.07	11	.07
23 to 24.....	13	.1	19	.1	11	.09	18	.12
24 to 25.....	10	.1	15	.1	8	.07	10	.07
25 to 26.....	44	.3	74	.6	74	.7	296	2.00
Over 26 .....	172	1.4	201	1.6	238	2.12		

**PERMANENT PARTIAL DISABILITY SCHEDULE.**

During the year just closed there were 1,381 awards out of the 14,818 temporary total disabilities which resulted in permanent partial disability. The total awards for these disabilities amounted to \$399,325.00 which averaged \$289.15. The percentage of the total number of accidents which resulted in permanent partial disability is 9.3 per cent as compared with 11.8 per cent during the previous year and the average award for permanent partial disability has been increased from \$286.02 during the previous year to \$289.15 during this year. When we examine the awards in their range of degrees we find an increase in the number ranging from \$12.50 to \$100.00, but a decrease in those ranging from \$100.00 to \$200.00 and from \$200.00 to \$300.00. There is also a considerable increase in awards ranging from \$700.00 to \$800.00 and about a 50 per cent increase in the number ranging from \$1,400.00 to \$1,500.00.

We find from the California report for the year 1914 that in their experience with permanent partial disabilities an average of four workmen engaged in extra-hazardous occupations in this state meet with accidents each working day of the year which result in injuries causing dismemberment or other permanent disability.

# CHART OF ACCIDENTS

## NON-FATAL

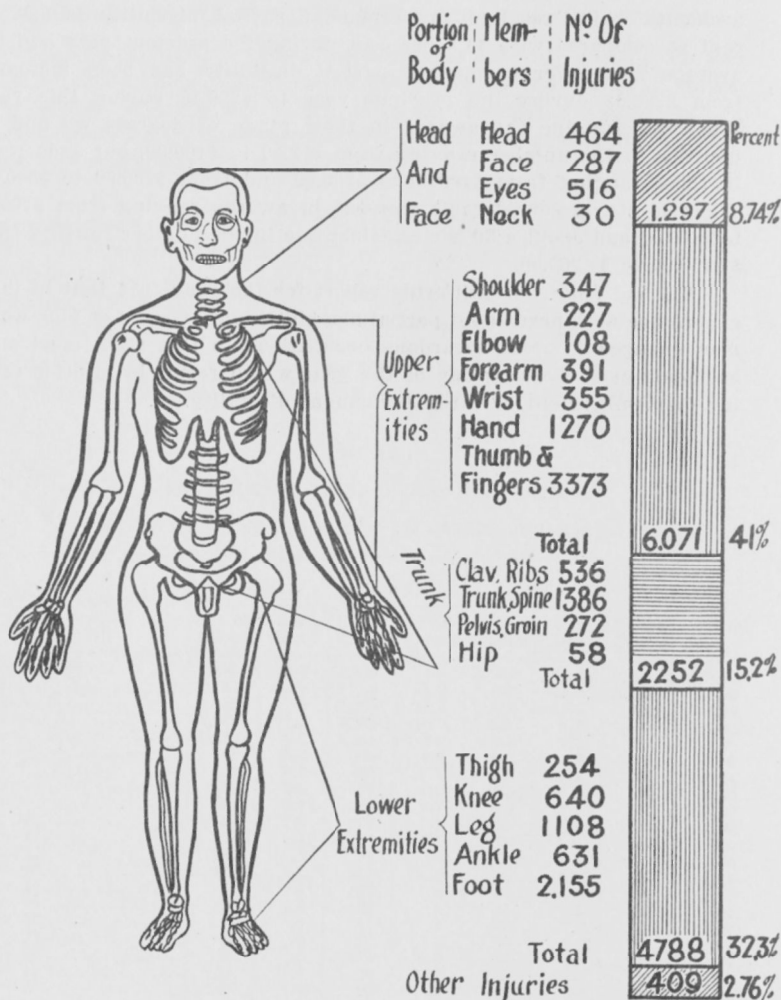


Table 13.

PERMANENT PARTIAL DISABILITIES AND TEN PER CENT.  
AWARD TO PARENTS AND MINORS.

CLASS	Number of Injuries	Total Amount	Average Amount	Number of 10% Awards	Total Amount of 10% Awards
1.....	7	\$775 00	\$110 71		
2.....	5	1,137 50	227 50		
3.....	3	1,812 50	604 15		
5.....	63	20,725 00	328 96		
6.....	12	5,300 00	441 66		
7.....	56	22,750 00	406 25	2	\$153 75
8.....	43	12,012 50	279 36	2	25 00
9.....	15	3,000 00	200 00	1	3 75
10.....	741	212,550 00	286 85	42	1,231 60
12.....	7	1,687 50	241 07	1	85 00
13.....	4	1,050 00	262 50		
14.....	12	4,550 00	379 16		
16.....	44	20,737 50	471 30		
17.....	29	9,237 50	318 50		
18.....	25	4,525 00	181 00	1	10 00
19.....	1	375 00	375 00		
21.....	39	9,087 50	233 00		
22.....	7	2,675 00	382 14		
23.....	2	162 50	81 25		
24.....	10	2,362 50	236 25	2	46 25
25.....	1	250 00	250 00		
29.....	102	22,775 00	223 25	19	395 00
31.....	5	2,425 00	485 00		
33.....	3	1,037 50	345 83		
34.....	61	13,537 50	221 92	6	31 25
35.....	3	775 00	258 33	1	12 50
37.....	8	2,262 50	282 81	1	32 50
38.....	6	1,975 00	329 16		
39.....	5	400 00	80 00		
40.....	6	487 50	81 25	1	16 25
41.....	6	1,387 50	231 25	2	33 75
42.....	32	8,200 00	256 25		
43.....	6	1,962 50	327 08	1	10 00
44.....	6	3,037 50	506 25		
45.....	2	800 00	400 00		
46.....	1	25 00	25 00		
47.....	1	300 00	300 00		
48.....	2	1,175 00	587 50		
Totals.....	1,381	\$399,325 00	\$289 15	82	\$2,086 60

Table 14.

## PERMANENT PARTIAL DISABILITY.

SHOWING NUMBER, PERCENTAGE OF THE TOTAL NUMBER OF INJURIES AND AWARDS PER CLASS.

CLASS	Number of Awards	Amount	Average Amount	Per Cent. of Injuries Per Class Resulting in P. P. D.	Per Cent. of All P. P. D. Awards in Each Class	Per Cent. of Total Amount of Awards Paid Per Class
1.....	7	\$775 00	\$110 71	8.7	.51	.19
2.....	5	1,137 50	227 50	5.8	.36	.28
3.....	3	1,812 50	604 15	6.9	.22	.45
5.....	63	20,725 00	328 96	10.0	4.56	5.19
6.....	12	5,300 00	441 66	8.3	.86	1.33
7.....	56	22,750 00	406 25	12.9	4.06	5.70
8.....	43	12,012 50	279 36	9.07	3.11	3.01
9.....	15	3,000 00	200 00	4.22	1.09	.75
10.....	741	212,550 00	286 85	10.18	53.66	53.22
12.....	7	1,687 50	241 07	11.0	.51	.42
13.....	4	1,050 00	262 50	5.5	.29	.26
14.....	12	4,550 00	379 16	6.4	.87	1.14
16.....	44	20,737 50	471 30	4.87	3.19	5.19
17.....	29	9,237 50	318 50	12.13	2.10	2.31
18.....	25	4,525 00	181 00	4.73	1.81	1.13
19.....	1	375 00	375 00	3.0	.07	.10
21.....	39	9,087 50	233 00	8.66	2.82	2.28
22.....	7	2,675 00	382 14	9.72	.51	.67
23.....	2	162 50	81 25	6.89	.14	.04
24.....	10	2,362 50	236 25	5.3	.72	.59
25.....	1	250 00	250 00	33.33	.07	.06
29.....	102	22,775 00	223 25	17.28	7.38	5.70
31.....	5	2,425 00	485 00	7.93	.36	.61
33.....	3	10,375 00	345 83	3.61	.22	.26
34.....	61	13,537 50	221 92	9.3	4.42	3.40
35.....	3	775 00	258 33	4.1	.21	.19
37.....	8	2,262 50	282 81	21.05	.58	.57
38.....	6	1,975 00	329 16	10.00	.44	.50
39.....	5	400 00	80 00	7.69	.36	.10
40.....	6	487 50	81 25	7.69	.44	.12
41.....	6	1,387 50	231 25	20.00	.44	.35
42.....	32	8,200 00	256 25	5.76	2.32	2.05
43.....	6	1,962 50	327 08	3.97	.44	.50
44.....	6	3,037 50	506 25	16.16	.44	.76
45.....	2	800 00	400 00	50.00	.14	.20
46.....	1	25 00	25 00	100 00	.07	.01
47.....	1	300 00	300 00	6.66	.07	.08
48.....	2	1,175 00	587 50	33.33	.14	.29
Totals.. .....	1,381	\$399,325 00	\$289 15	9.30	100.00	100.00

This table is designed to show the number of injuries which resulted in permanent partial disability, the total and average amounts paid, and gives a graphic statement of the relative seriousness of accidents in each class. For instance, in class 1, we find there were seven permanent partial disabilities which were paid \$775.00, or an average of \$110.71. In this class 8.7 per cent of all the injuries resulted in permanent partial disability or .51 per cent of the total number of awards were in this class, but only .19 per cent of the total amount paid for permanent partial disabilities were chargeable to the same class. Thus, by way of comparison, we find that 8.7 per cent of all injuries in class 1



and 10 per cent of all accidents in class 5 resulted in permanent partial disability. Class 5 was responsible for 4.56 per cent and class 10, 53.66 per cent of the total number of awards made for permanent partial disability. While class 10 was responsible for 53.66 per cent of the number, it was also responsible for 53.22 per cent of the total amount paid for permanent partial disability. Thus we find that any classes may be compared.

Table 15.

PERMANENT PARTIAL DISABILITY.

RANGE OF DEGREES				1914		1915		1916	
				Num- ber	Per Cent.	Num- ber	Per Cent.	Num- ber	Per Cent.
1 to 4 inclusive.....	\$12 50 to	\$100 00		630	42.6	504	38	599	43.4
4 to 8 inclusive.....	112 50 to	200 00		342	23.1	321	24.2	263	19
8 to 12 inclusive.....	212 50 to	300 00		132	8.9	141	10.6	118	8.5
12 to 16 inclusive.....	312 50 to	400 00		81	5.5	78	6	92	6.7
16 to 20 inclusive.....	412 50 to	500 00		67	4.5	69	5.2	75	5.4
20 to 24 inclusive.....	512 50 to	600 00		26	1.8	38	3	31	2.2
24 to 28 inclusive.....	612 50 to	700 00		18	1.2	21	1.6	19	1.4
28 to 32 inclusive.....	712 50 to	800 00		34	2.3	30	2.3	48	3.5
32 to 36 inclusive.....	812 50 to	900 00		45	3	23	1.7	34	2.5
36 to 40 inclusive.....	912 50 to	1,000 00		51	3.5	41	3	47	3.4
40 to 44 inclusive.....	1,012 50 to	1,100 00		2	.1	4	.3	4	.3
44 to 48 inclusive.....	1,112 50 to	1,200 00		8	.6	7	.5	6	.4
48 to 52 inclusive.....	1,212 50 to	1,300 00		15	1	16	1.2	5	.4
52 to 56 inclusive.....	1,312 50 to	1,400 00		4	.3	9	.7	2	.1
56 to 60 inclusive.....	1,412 50 to	1,500 00		23	1.6	25	1.8	38	2.8
Totals.....				1,487	100.0	1,327	100.0	1,381	100.0

The above table is a comparative statement of the number of degrees awarded for permanent partial disability during the past three years. Each degree is equivalent to \$25.00. Sixty degrees, or \$1,500.00, represents the maximum allowed by law for permanent partial disability. The awards are reduced to degrees for convenience in computing.

PERMANENT TOTAL DISABILITY.

The monthly pensions in permanent total disability cases and the reserves to guarantee the payment of same are based upon same schedule as in fatal claims.

Should the claimant die during the period of total disability from any cause, the surviving spouse is entitled to a monthly pension of twenty dollars for herself and five dollars for each child under sixteen years of age, the maximum monthly payment being thirty-five dollars. Payments to the children shall continue until they reach the age of sixteen years. At the death of the claimant the amount of unpaid reserve reverts to the accident fund and a new reserve is set aside to guarantee the monthly payments to the widow or children as in fatal cases.

Table 16.

## PERMANENT TOTAL DISABILITIES.

Claim No.	Class	Reserve	Pen-sion	Depend-ents		AGENCY	INJURY
				Wife	Chil-dren		
17,402*	1-1	\$4,000 00	\$25 00	1	.....	Explosion of powder...	Thigh fractured.
38,042*	5-7	4,000 00	25 00	1	.....	Falling sacks of cement	Spine fractured.
54,756	7-2	1,455 99	20 00	.....	.....	Caught by car.....	Spine dislocated.
51,268	7-2	3,190 49	19 35	.....	.....	Powder explosion.....	Eyes injured.
63,052	7-3	1,928 52	15 75	.....	.....	Splinter from pick.....	Loss of vision.
37,805	7-4	1,839 79	12 50	.....	.....	Fall from car.....	Legs crushed.
31,251	7-4	4,000 00	35 00	1	6	Struck by bar.....	Internal injuries.
52,705	10-1	756 30	20 00	.....	.....	Caught by engine.....	Foot bruised.
54,379†	10-1	3,595 24	20 00	.....	.....	Rolling rock.....	Skull fractured.
55,777	10-1	4,000 00	20 00	.....	.....	Fell from wagon.....	{ Skull fractured.
							{ Spine dislocated.
48,838‡	10-1	4,000 00	20 00	.....	.....	Rolling log.....	Dislocated spine.
64,896	10-1	4,000 00	25 00	1	.....	Runaway push car.....	Fractured skull.
43,396	10-2	4,000 00	35 00	1	3	Rolling log.....	Internal injuries.
29,282‡	10-2	4,000 00	35 00	1	3	Fall from lumber pile...	Fractured hip.
34,770	16-1	4,000 00	35 00	1	3	Falling coal.....	Skull fractured.
60,241	16-1	1,759 58	15 00	.....	.....	Flying fragment.....	Loss of vision.
43,969	16-1	2,290 40	25 00	1	.....	Falling rock.....	Injury to spine.
45,131†	16-1	1,671 10	17 00	.....	.....	Rock fell.....	Injury to side.
54,975†	17-2	1,828 32	20 75	1	1	Flying fragment.....	Loss of vision.
60,678†	17-3	4,000 00	30 00	1	1	Powder explosion.....	Loss of hand and eye.
59,646	39-1	4,000 00	20 00	.....	.....	Caught by cream beater.	Both arms and chest crushed and paralysis of arms.
50,206†	42-1	2,531 56	20 00	.....	.....	Fall from platform.....	Amputated thigh.
Totals..		\$66,847 29	\$510 35	10	17		

\* Lump sum settlements were afterwards made.

† Awards were afterwards changed because of cash advances, or change in dependency.

‡ Resulted in death and names transferred to the fatal list.

Table 17.

## PERMANENT TOTAL DISABILITY.

## STATEMENT OF AWARDS—PER CLASS.

Class No.	No. of Awards	Amount Monthly Pensions	Amount Reserve
1 .....	1	\$25 00	\$4,000 00
5 .....	1	25 00	4,000 00
7 .....	5	102 60	12,414 79
10 .....	7	175 00	24,351 54
16 .....	4	92 00	9,721 08
17 .....	2	50 75	5,828 32
39 .....	1	20 00	4,000 00
42 .....	1	20 00	2,531 56
Totals.....	22	\$510 35	\$66,847 29

Table 18.

NATIVITY OF PERMANENT TOTAL DISABILITY CLAIMS.

Washington .....	2	Austria .....	2
Wisconsin .....	1	Japan .....	1
Minnesota .....	1	Bulgaria .....	1
Maine .....	1	Germany .....	2
Texas .....	1	England .....	3
Kentucky .....	2	Scotland .....	1
Sweden .....	1	Not Given.....	2
Iceland .....	1		—
Total.....			22

Table 19.

CONJUGAL CONDITION.

Single .....	13
With wife only.....	4
With wife and one child.....	1
With wife and two children.....	2
With wife and five children.....	1
Widower with one child.....	1
Total.....	22

Table 20.

FATAL ACCIDENTS.

Class	Req. No Pen- sion	Req. Pen- sion	Monthly Pensions		Reserves for Pensions		Burial Awards	
			Total Amount	Average Amount	Total Amount	Average Amount	No.	Total Amount
1.....	1	2	\$45 00	\$22 50	\$6,344 97	\$3,172 48	3	\$225 00
2.....	1	1	20 00	20 00	4,000 00	4,000 00	2	150 00
5.....	4	12	277 20	23 10	34,299 13	2,858 26	16	1,200 00
6.....	1	1	20 00	20 00	2,695 72	2,665 72	2	150 00
7.....	13	7	228 15	32 59	34,457 29	4,922 17	23	1,725 00
8.....	2	6	120 00	20 00	14,192 65	2,365 44	8	590 00
9.....	1						1	75 00
10.....	69	62	1,548 40	24 97	184,674 14	2,978 61	137	10,242 41
12.....	2	1	20 00	20 00	2,127 37	2,127 37	2	150 00
13.....	3	5	95 00	19 00	13,509 66	2,701 93	8	600 00
14.....	2	1	20 00	20 00	3,436 17	3,436 17	3	225 00
16.....	15	40	1,129 35	28 28	133,970 66	3,349 26	56	4,200 00
17.....	5	2	45 80	22 90	5,670 27	2,835 13	8	600 00
18.....		1	20 00	20 00	2,287 01	2,287 01	1	75 00
21.....		6	155 00	25 83	14,977 24	2,429 53	6	405 00
23.....		1	35 00	35 00	4,000 00	4,000 00	1	75 00
24.....		1	35 00	35 00	4,000 00	4,000 00	1	75 00
25.....		1	20 00	20 00	2,613 07	2,613 07	1	75 00
29.....	1	1	10 00	10 00	1,024 06	1,024 06	2	150 00
34.....	2						1	75 00
35.....		1	35 00	35 00	4,000 00	4,000 00	1	75 00
37.....		1	35 00	35 00	4,000 00	4,000 00	1	75 00
41.....		1	20 00	20 00	4,000 00	4,000 00	1	75 00
42.....	2						1	75 00
	18*							
Totals.	142	154	\$3,933 90	\$25 54	\$480,279 41	\$3,118 69	286	\$21,362 41

\*Not under act.

Table 20b.

STATES AND COUNTRIES TO WHICH PENSIONS WERE ALLOWED  
DURING THE FISCAL YEAR.

Pennsylvania .....	2	Rhode Island .....	1
West Virginia .....	1	Austria .....	2
California .....	1	Finland .....	2
Michigan .....	2	Washington .....	137
Oregon .....	5		
Japan .....	1	Total.....	154

Table 21.

IMMEDIATE CAUSE OF DEATH.

Fractured skull .....	79
Fractured spine .....	10
Crushing of body (general) .....	93
Asphyxiation .....	36
Hemorrhage .....	6
Ruptured liver traumatic (1 gall bladder).....	3
Electrocution .....	7
Scalds and burns.....	9
Septicemia .....	4
Pneumonia (secondary) .....	3
Meningitis (tubercular) .....	1
Meningitis (traumatic) .....	1
Hyperthyroidism (acute) .....	1
Nephritis (acute infected).....	1
Heart disease (acute).....	3
Drowning .....	13
Shock from cold water.....	1
Hernia (strangulated) .....	1
Peritonitis (traumatic) .....	1
Internal injuries (indefinite).....	5
Total.....	278

Table 22.

REMOTE CAUSE OF DEATH.

Caught by donkey engine.....	3
Derailment of cars.....	3
Power driven saw.....	2
Caught between cars.....	4
Struck by car and train.....	7
Struck by auto.....	3
Automobile backfired .....	1
Fell under cars .....	7
Caught by conveyor .....	1
Saw started unexpectedly.....	1
Clutch on shaft.....	2
Belt and pulley.....	1
Log carriage .....	1
Fly wheel on press.....	1
Falling from cars .....	6
Hoist cage .....	2
Elevator fell .....	1
Contact live wire.....	8
Explosion of powder .....	7
Explosion of gas.....	34
Explosion of steam.....	5
Burn .....	2
Dragged by team.....	1
Run over by team.....	2
Kicked by horse.....	2
Fell in hole.....	1
Fell from ladder, platform, etc.....	15
Falling rock, coal, dirt, etc.....	17
Falling building .....	1
Fell with barrel.....	1
Lumber truck fell.....	1
Cave in or dirt falling.....	5
Lumber from hoist.....	1
Struck by cable, etc.....	11
Struck by falling trees.....	35
Moving logs or poles.....	43
Objects from saw.....	4
Fragments from blast, etc.....	4
Blow from crank .....	1
Flying bar .....	1
Falling scaffold .....	1
Puncture arm with meathook.....	1
Fell on pole step.....	1
Fell on pick point.....	1
Heavy lifting .....	4
Sliver in hand .....	1
Falling into water.....	13
Operation for hernia.....	1
Exhaustion handling lumber.....	1
Collapse of scaffold .....	1
Slipped and fell.....	3
Putting on belt.....	1
Sharp projection, knee punctured.....	1
Total.....	278

Table 23.

## NATIVITY—FATAL ACCIDENTS

Washington .....	11	Austria .....	16
Wisconsin .....	5	Norway .....	5
Ohio .....	4	Sweden .....	14
Illinois .....	2	Ireland .....	2
Wyoming .....	1	Holland .....	1
Minnesota .....	1	Russia .....	1
Maine .....	1	Denmark .....	1
Massachusetts .....	1	England .....	8
Pennsylvania .....	2	Scotland .....	2
Missouri .....	3	Germany .....	3
Oregon .....	1	Switzerland .....	1
California .....	2	France .....	1
Virginia .....	1	Belgium .....	1
Kansas .....	1	Finland .....	5
Arkansas .....	1	Wales .....	3
Nebraska .....	1	Japan .....	1
Iowa .....	2	Italy .....	16
So. Dakota .....	1	Montenegro .....	1
Michigan .....	3	Greece .....	1
United States .....	34	Nativity not given .....	102
Canada .....	9		
Poland .....	6	Total .....	278

In many of the above cases where Nativity is not known it has been impossible to find any dependents and nothing more than burial has been paid on these claims.

## FATAL SCHEDULE.

## Burial Expenses.

Burial expenses not to exceed.....\$75 00

## Monthly Pensions.

Widow or invalid widower .....	\$20 00
Additional for each child under 16 years.....	5 00
Children without parents under 16 years, each.....	10 00
Maximum amount .....	35 00

Invalid children over the age of sixteen years are declared dependents in the Act. Dependents other than the widow or children of a deceased workman are entitled to a pension based upon 50 per cent of the support contributed by the deceased workman during the year immediately preceding the date of death, but in no case shall the pension exceed \$20 per month.

Reserves are set aside in fatal cases to guarantee pensions to the dependents of deceased workmen, and the amount of reserve is based upon the expectancy of life as fixed by the American Mortality Table on the assumption that the sum of \$4,000 shall be sufficient to guarantee a pension of \$20 per month to a widow aged thirty for the remainder of her life, the expectancy at that age being 35.33 years.

The \$4,000 mentioned above is the maximum amount which can be set aside in any one case. Where a dependent is over the age of thirty years the reserve set aside is in the same proportion to \$4,000 as the expectancy of life at the given age bears to the expectancy of life at the age of thirty years. According to an opinion of the Attorney General no reserve may be set aside for children in addition to the reserve set aside for the pension of the widowed mother, but all monthly pension allowances in cases of that kind must be paid from a reserve set aside for that purpose, said reserve not to exceed \$4,000.00.

In summing up the fatal accidents of the State of Washington for this year we find that 296 workmen paid the toll of life to the industries of the state. There were in all 124 who either had no dependents or whose dependents could not be found, consequently nothing more than burial expense was allowed. Eighteen additional cases were rejected, which were not considered the result of accidents within the meaning of the Compensation Act. There were 154 fatalities which required pensions and reserves were set aside to secure the same. In addition to this there were nineteen claims re-opened during the year for revision of pensions or for the payment of pensions where the claim had been suspended and files were afterward completed, so that pensions could be awarded.

From these figures it will be noted that one fatality has occurred for each work-day in the year, excluding holidays.

From the report of California for the year 1914 we find two fatalities for each work day in the year. In summing up the number of years loss, according to the American Table of Mortality, we find that industry has sacrificed 8,134 years of industrial life as a result of the fatal accidents in the industries of this state. In addition to this, we have been required to set aside over \$480,000.00 in reserves to secure pensions for the beneficiaries of these injured workmen. Would it not be well for each workman in the State, as he starts out to his daily occupation to ask himself the question: "Am I to pay this toll today?" and keep ever in his mind the words "Be careful."



Table 24.

## DEPENDENTS OF FATAL CASES.

Wife with no children.....	44
Wife with one child.....	23
Wife with two children .....	19
Wife with three children .....	19
Wife with four children .....	14
Wife with five children .....	3
Wife with six children .....	1
Wife with seven children .....	2
Widower with one child.....	2
Widower with two children.....	2
Widower with five children.....	1
Mothers .....	11
Fathers .....	5
Father and mother.....	9
Total.....	155

We find by the above figures, from the fatals finalized during this year that there have been left dependent upon the State, 125 widows 220 children, 20 mothers, and 14 fathers. This does not include claims which did not come under the Act, nor pensions which were re-opened for awards.

Table 25a.

## STATES AND COUNTRIES TO WHICH PENSIONS ARE SENT.

Taken from pension list for October, 1916.

<i>United States</i>	<i>No.</i>	<i>Amount</i>
Washington .....	499	\$11,300 35
Minnesota .....	8	86 50
Oregon .....	30	643 00
Ohio .....	5	95 00
Illinois .....	2	39 25
California .....	14	198 00
Oklahoma .....	3	73 60
Michigan .....	6	89 85
Utah .....	1	10 00
Texas .....	1	15 00
Virginia .....	2	31 25
West Virginia .....	6	137 30
Idaho .....	3	50 00
Colorado .....	1	30 00
Wyoming .....	2	20 00
Alaska .....	3	52 50
Arkansas .....	1	10 00
North Carolina .....	3	45 00
Nevada .....	1	24 00
South Dakota .....	1	30 00
North Dakota .....	1	6 25
New York .....	3	75 05

Table 25a—Continued.

<i>United States</i>	<i>No.</i>	<i>Amount</i>
Maine .....	2	\$35 00
Nebraska .....	2	15 00
Wisconsin .....	2	45 00
Tennessee .....	1	19 00
Pennsylvania .....	2	50 00
Montana .....	2	50 00
Kansas .....	2	37 70
Iowa .....	2	70 00
Missouri .....	1	20 00
<b>Totals.....</b>	<b>612</b>	<b>\$13,404 20</b>
<i>Foreign</i>	<i>No.</i>	<i>Amount</i>
Austria .....	35	\$579 76
Italy .....	17	283 10
Scotland .....	1	33 00
Switzerland .....	3	34 60
Norway .....	11	89 75
Canada .....	9	167 00
Finland .....	12	208 89
Japan .....	6	124 15
Ireland .....	3	32 09
Denmark .....	2	31 25
Sweden .....	10	140 58
Germany .....	1	2 50
Russia .....	3	87 10
Greece .....	6	99 28
Azores Island (Port.).....	1	4 15
Syria .....	2	55 00
Bulgaria .....	1	30 00
England .....	1	5 00
Isle of Rhodes (Turkey).....	1	35 00
France .....	1	33 70
<b>Totals.....</b>	<b>126</b>	<b>\$2,075 90</b>

Of the 738 pensions referred to above 691 are on account of fatal accidents, 11 of which are either paid annually or semi-annually, and 47 for permanent total disability.

Out of the total number, 568 pensions on account of fatal accidents and 44 pensions for permanent total disabilities, making a total of 612 pensions amounting to \$13,404.20 or 86.6 per cent of the October pension roll, remained in the United States.

There were 123 pensions on account of fatal accidents and 3 pensions for Permanent Total Disabilities, making a total of 126 pensions amounting to \$2,075.90 or 13.4 per cent of the October pension roll, going to foreign countries.

Of the total number of pensions, 499 or 67.6 per cent amounting to \$11,300.35 or 73 per cent of the total October pension roll remained in the State of Washington.

Of the foreign countries Austria receives more than double the amount sent to any other foreign country.

Table 26.—SUMMARY OF INJURIES AND AWARDS PER CLASS.

CLASS	Number Tempo- rary Disa- bilities	Number Per- manent Disa- bilities	Number Fatal Injuries	Total All Total Injuries	Awards Temporary Total Disabilities	Awards Permanent Partial Disabilities	10% Awards to Parents	Reserves for Permanent Total Disabilities	Reserves for Fatal Accidents	Burial Awards	Total Awards
1.	80	1	3	84	\$3,156 80	\$775 00	.....	\$4,000 00	\$6,344 97	\$225 00	\$4,501 77
2.	85	.....	2	87	3,415 95	1,137 50	.....	.....	4,000 00	150 00	8,703 45
3.	43	.....	.....	43	2,178 30	1,812 50	.....	.....	.....	.....	3,990 80
5.	624	1	16	641	32,253 55	20,725 00	.....	4,000 00	34,299 13	1,200 00	92,477 68
6.	143	.....	2	145	5,216 40	5,300 00	.....	.....	2,695 72	150 00	13,362 12
7.	432	5	20	457	17,524 60	22,750 00	\$153 75	12,414 79	34,457 29	1,725 00	89,025 43
8.	474	.....	8	482	21,103 40	12,012 50	25 00	.....	14,192 65	560 00	47,923 55
9.	355	.....	1	356	7,665 20	3,000 00	3 75	.....	.....	75 00	10,743 95
10.	7,275	7	131	7,413	254,553 89	212,550 00	1,231 60	24,351 54	184,674 14	10,242 41	687,603 58
12.	62	.....	3	65	1,647 60	1,687 50	85 00	.....	2,127 37	150 00	5,697 47
13.	73	.....	8	81	2,462 40	1,050 00	.....	.....	13,569 66	600 00	17,622 06
14.	185	.....	3	188	6,433 45	4,550 00	.....	.....	3,436 17	225 00	14,644 62
15.	.....	.....	.....	38	976 50	.....	.....	.....	.....	.....	976 50
16.	902	4	55	961	37,033 05	20,737 50	.....	9,721 08	133,970 66	4,200 00	205,662 29
17.	239	2	7	248	10,235 60	9,237 50	.....	5,828 32	5,670 27	600 00	31,571 69
18.	528	.....	1	529	14,622 85	4,525 00	10 00	.....	2,287 01	75 00	21,559 86
19.	33	.....	.....	33	655 80	375 00	.....	.....	.....	.....	1,030 80
20.	.....	.....	.....	3	78 25	.....	.....	.....	.....	.....	78 25
21.	450	.....	6	456	17,604 85	9,687 50	.....	.....	14,977 24	405 00	42,074 50
22.	72	.....	.....	72	2,435 30	2,675 00	.....	.....	.....	.....	5,110 30
23.	29	.....	1	30	1,068 60	1,162 50	.....	.....	4,000 00	75 00	5,306 10
24.	186	.....	1	187	3,995 00	2,392 50	46 25	.....	4,000 00	75 00	10,478 75
25.	.....	.....	1	4	146 25	2,950 00	.....	.....	2,613 07	75 00	8,684 32
29.	590	.....	2	592	15,545 76	22,775 00	395 00	.....	1,624 06	150 00	39,882 82
31.	63	.....	.....	63	1,829 75	2,495 00	.....	.....	.....	.....	4,297 75
33.	83	.....	.....	83	9,311 25	1,687 50	.....	.....	.....	.....	3,348 75
34.	656	.....	2	658	16,405 25	13,357 50	31 25	.....	4,000 00	75 00	30,049 00
35.	72	.....	1	73	2,489 40	2,775 00	12 50	.....	4,000 00	75 00	6,961 90
37.	38	.....	1	39	7,608 10	2,262 50	32 50	.....	4,000 00	75 00	8,978 10
38.	60	.....	.....	60	1,248 75	1,975 00	.....	.....	.....	.....	3,223 75
39.	65	1	.....	66	1,871 90	400 00	.....	4,000 00	.....	.....	5,771 90
40.	77	.....	.....	77	1,196 70	487 50	16 25	.....	.....	.....	2,294 45

Table 26.—SUMMARY OF INJURIES AND AWARDS PER CLASS—Concluded.

CLASS	Number Temporary Total Disabilities	Number Permanent Total Disabilities	Number Fatal	Total All Injuries	Awards Temporary Total Disabilities	Awards Permanent Partial Disabilities	10% Awards to Parents	Reserves for Permanent Total Disabilities	Reserves for Fatal Accidents	Burial Awards	Total Awards
41.....	30	.....	1	31	\$814 35	\$1,387 50	\$83 75	.....	\$4,000 00	\$75 00	\$6,310 60
42.....	555	1	2	558	25,416 22	8,200 00	.....	\$2,531 56	.....	75 00	36,222 78
43.....	151	.....	.....	151	3,540 25	1,982 50	10 00	.....	.....	.....	5,512 75
44.....	37	.....	.....	37	1,795 40	3,037 50	.....	.....	.....	.....	4,832 90
45.....	4	.....	.....	4	159 30	800 00	.....	.....	.....	.....	959 30
46.....	1	.....	.....	1	45 00	25 00	.....	.....	.....	.....	70 00
47.....	16	.....	.....	16	622 10	300 00	.....	.....	.....	.....	922 10
48.....	6	.....	.....	6	315 60	1,175 00	.....	.....	.....	.....	1,490 60
.....	.....	.....	*18	.....	.....	.....	.....	.....	.....	.....	.....
Totals...	14,818	22	296	15,136	\$524,415 67	\$399,325 00	\$2,086 60	\$66,847 29	\$480,279 41	\$21,362 41	\$1,494,316 38

\*These claims were not considered the result of an accident within the meaning of the compensation act.

In addition to the two hundred ninety-six fatalities as shown in the above figures there were nineteen claims re-opened for which pensions were allowed and the amount of these pensions is included in the above figures.

The above table is a statement of awards and has reference to claims which were finalized during the fiscal year and should not be confused with the financial table published by the auditing department, which is the proper table to refer to for amounts paid in each class during the year.

Table 27.—COMPARATIVE STATEMENT.  
SHOWING AVERAGE DURATION AND AWARDS FOR DISABILITY FOR THREE YEARS.

CLASS	TEMPORARY TOTAL DISABILITY						PERMANENT PARTIAL DISABILITY					
	Average Days Duration				Average Amount of Awards				Average Amount of Awards			
	1913	1914	1915	1916	1913	1914	1915	1916	1913	1914	1915	1916
1.....	31.2	33.1	39	28.6	\$42.00	\$51.42	\$58.65	\$39.46	\$207.81	\$241.25	\$255.88	\$110.71
2.....	38.4	29.9	42	29.7	54.80	43.09	58.27	40.18	326.70	422.50	430.35	227.50
3.....	38.8	26.5	33	40.5	49.69	38.52	46.56	50.65	333.00	150.00	120.83	604.15
4.....	32.4	32.3	42	36.7	46.07	34.97	40.53	51.68	341.35	278.85	341.97	323.96
5.....	23.9	25.1	37	29.3	37.99	33.18	47.73	36.47	213.82	271.00	321.88	441.66
6.....	28.3	35.8	36	33	35.81	45.92	43.07	40.66	310.00	341.62	325.76	406.25
7.....	31.2	36.1	34	33	43.24	48.88	44.26	44.62	234.00	295.20	441.66	279.36
8.....	30.9	23.9	23	16.3	40.08	33.76	37.15	21.59	281.94	242.18	152.08	200.00
9.....	28.1	27.9	30	26.7	37.49	39.15	39.32	34.99	287.18	272.20	288.00	286.85
10.....	28.5	33.1	17	20	36.07	35.37	22.37	26.57	.....	96.70	141.67	241.07
11.....	35	42.1	34	23	52.19	58.87	49.44	33.77	362.50	412.50	296.32	379.16
12.....	21.9	24.6	30	24	30.78	33.58	38.40	34.77	331.25	300.00	283.33	.....
13.....	39.1	37.4	26	16	53.88	54.38	35.61	25.69	373.11	383.40	302.61	471.30
14.....	23.3	27.7	34	25.9	35.19	42.20	49.95	41.65	373.11	383.40	302.61	471.30
15.....	30.6	36.7	33	32	41.64	51.67	42.00	42.82	359.71	440.21	348.62	318.50
16.....	28	33.2	31	19.6	36.91	43.20	42.40	27.76	255.83	167.76	270.83	181.00
17.....	19.1	13.3	14	14	25.94	17.89	18.90	19.87	168.75	167.76	150.00	375.00
18.....	39	.....	24	21	36.32	.....	35.77	26.08	118.75	.....	.....	.....
19.....	32.2	34.0	33	27.6	48.85	47.89	48.15	39.12	432.14	473.86	395.45	233.00
20.....	40.3	25.9	18	23.9	41.16	29.73	21.90	33.82	404.17	225.00	177.08	382.14
21.....	48.2	25.0	41	22.3	63.94	33.25	41.20	36.85	100.00	750.00	166.66	81.25
22.....	14.1	15.3	19	16	19.82	20.40	22.10	21.47	210.00	202.08	282.19	236.25
23.....	24.6	45.0	36	30	40.34	87.10	65.81	48.75	87.50	262.50	487.50	250.00
24.....	23	21.3	25	21	30.24	29.06	30.82	26.35	213.69	226.96	199.72	223.25
25.....	41.8	23.0	.....	.....	73.06	26.92	.....	.....	100.00	.....	.....	.....
26.....	21.5	26.9	36	21	28.46	37.25	44.34	29.09	382.95	219.45	527.08	485.00
27.....	26.3	39.4	23	20.5	36.88	50.59	30.83	27.85	146.68	173.89	118.18	345.83

Table 27.—COMPARATIVE STATEMENT—Concluded.

CLASS	TEMPORARY TOTAL DISABILITY										PERMANENT PARTIAL DISABILITY			
	Average Amount of Awards										Average Amount of Awards			
	Average Days Duration					Average Amount of Awards					Average Amount of Awards			
	1913	1914	1915	1916		1913	1914	1915	1916		1913	1914	1915	1916
34.....	19.8	21.0	22	18		\$26 27	\$28 52	\$30 15	\$25 00		\$287 23	\$235 07	\$209 32	\$221 92
35.....	29.6	17.5	31	21.8		38 16	23 33	38 85	29 02		228 59	104 16	45 83	258 33
37.....	26.6	23.6	29	59.3		43 84	32 80	46 15	68 63		475 00	189 28	146 43	282 81
38.....	23.2	15.7	16	17		26 20	15 85	17 85	20 80		117 86	115 00	200 00	329 16
39.....	18.7	31.6	28	16.7		17 60	34 87	30 03	21 10		341 67	88 85	226 15	80 00
40.....	15.3	18.4	19	17.6		17 61	22 88	24 68	23 25		75 00	64 37	237 50	81 25
41.....	22.7	21.5	16	22		28 67	29 62	20 33	27 14		203 13	329 17	18 75	231 25
42.....	39.4	33.4	36	32.6		53 54	46 73	46 81	45 79		325 00	161 10	188 58	256 25
43.....	19.5	16.8	16	17		25 27	21 52	21 96	23 44		380 00	62 50	87 50	327 08
44.....	24.9	24.7	34	33.7		37 18	32 45	45 96	48 52		.....	259 37	196 87	506 25
45.....	50.1	29.0	13	57		75 43	43 35	21 15	39 82		191 67	.....	.....	400 00
46.....	65.3	22.0	.....	26		110 77	25 35	.....	45 00		500 00	.....	.....	25 00
47.....	21	23.4	18	28.7		29 55	33 59	25 52	38 83		62 50	500 00	.....	300 00
48.....	42.2	42.7	52	36		57 43	60 35	69 90	52 00		.....	100 00	406 25	587 50
Totals.....	27.5	28.3	31	26.3		\$27 20	\$38 83	\$41 28	\$35 39		\$287 49	\$275 00	\$286 02	\$289 15

This comparative statement shows the average duration of disability, the average amount of time awards and the average amount of permanent partial disability awards, and presents in a graphic manner the increase or the decrease of the seriousness of the injuries resulting in each class from year to year. For instance, in class 37, the average duration of disability in regular order from 1913 to 1916 was as follows: 32.2, 34, 33 and 27.6 days, the average amount of awards for the same years was \$48.85, \$47.89, \$48.15 and \$39.12, while the average permanent partial disabilities were \$432.14, \$473.86, \$366.45 and \$233.00.

It can be seen from this that the average disability was increased in the second year and commenced to drop back in the third, in the fourth year the average was lower than in any previous year, while the average amount of awards varied a trifle from this, but were lower in the fourth year. The awards for permanent partial disability followed the outline of the average duration fairly well, being considerable lower for 1916. By the study of this table, the nature of the accidents one year as compared to another can readily be seen.

Table 28.

**WAGE LOSS AND MEDICAL TREATMENT VS. COMPENSATION.**

The following information has been gathered from claims which show the cost of medical treatment and where the claimants did not pay hospital dues.

Number cases reported which did not result in permanent partial disability .....	2,216
Number cases reported which did result in permanent partial disability .....	175
Total cases reported.....	2,391
Total number of days lost by the above claimants.....	115,955
Wages lost account of injuries:	
Those having permanent partial disability..	\$46,494 00
Those not having permanent partial disability .....	134,352 00
Total wages lost .....	\$180,846 00
Cost of medical treatment:	
Reports of those having permanent partial disability .....	\$15,499 00
Reports of those not having permanent partial disability .....	29,608 00
Total cost of medical treatment.....	45,107 00
Total cost to the above 2,391 injured workmen, wages plus medical treatment .....	\$225,953 00
Compensation paid by the employers of the State through the Industrial Insurance Commission.....	83,045 00
Net loss to this group of workmen.....	\$142,908 00
Percentage borne by the employees.....	63%
Percentage borne by the employers.....	37%

In addition to the above the industries have paid as a result of these injuries \$49,550.00 for permanent partial disability which goes to compensate the injured workmen for the loss of member or function of the same, and while we cannot fully repay an injured workman for loss of member, we assume that the one offsets the other, and do not make an attempt to show what the difference might be.

The above 2,391 claims upon which information has been received regarding medical treatment represents 16.1 per cent of the temporary total disability claims and we find that in addition to this 8,910 or 60.2 per cent according to the workmen's reports were paying hospital dues which leaves a balance of 23.7 per cent that did not make any report regarding these items.



Table 29.—BRUISES.

MEMBER	Number of Injuries	Duration of Disabilities (Work Days)	Average Duration of Disabilities (Work Days)	Amount of Time Awards	Average Time Awards	Number of P. P. D. Awards	Amount of P. P. D. Awards	10% Awards to Parents	Total Awards
Foot .....	712	12,821	18	\$17,210 05	\$24 17	11	\$2,600 00	...	\$19,810 05
First toe .....	273	3,713	13.6	5,169 80	18 33	3	1,075 00	...	6,244 80
One other toe .....	65	674	12	5,929 65	16 83	1	50 00	...	6,479 65
Two toes .....	69	900	14	1,364 70	18 21	4	112 50	1	1,882 50
Three toes .....	35	600	17	1,896 10	23 05	1	25 00	...	881 10
Four toes .....	11	172	15	236 10	23 27	...	...	...	236 10
Five toes .....	10	132	15	209 80	20 48	...	...	...	209 80
Leg .....	548	12,674	23	16,844 60	30 73	6	1,800 00	...	18,732 10
Thigh .....	134	3,354	25	4,254 20	31 75	4	1,650 00	1	5,904 20
Ankle .....	111	2,354	21	3,272 25	29 73	2	275 00	...	3,547 25
Knee .....	244	6,219	25	8,225 90	33 71	7	2,750 00	...	10,975 90
Hip .....	106	2,510	24	3,119 45	29 42	3	775 00	...	3,894 45
Hand .....	306	5,307	17	7,068 00	23 16	11	2,337 50	2	10,045 50
Thumb .....	195	3,401	17	4,501 45	23 08	13	1,932 50	1	6,491 45
First finger .....	190	2,851	15	3,921 35	20 63	8	937 50	...	4,858 85
Second finger .....	199	2,851	15	3,758 30	18 88	3	562 50	...	4,320 80
Third finger .....	166	2,491	15	3,182 90	19 17	3	225 00	...	3,407 90
Fourth finger .....	142	2,332	18.5	3,274 10	23 05	3	362 50	...	3,636 60
First and second .....	55	908	16.5	1,173 70	21 84	5	562 50	...	1,736 20
Second and third .....	58	1,050	18	1,271 15	21 91	4	350 00	1	1,627 15
Third and fourth .....	27	396	14.6	542 10	20 07	4	225 00	...	767 10
Three fingers .....	37	765	19	911 80	24 64	3	762 50	1	1,693 05
Four fingers .....	8	161	20	217 00	24 50	...	...	...	217 00
Thumb and one finger .....	10	218	21.8	287 05	28 70	...	...	...	287 05
Thumb and two fingers .....	6	101	16.7	132 75	22 12	...	...	...	132 75
Thumb and three fingers .....	2	43	21.5	58 65	29 32	...	...	...	58 65
Wrist .....	38	676	17.7	863 70	22 72	1	175 00	...	1,038 70
Forearm .....	83	1,277	15.3	1,795 10	21 62	2	1,100 00	...	2,895 10
Elbow .....	48	909	18.9	1,243 95	25 91	...	...	...	1,243 95
Arm .....	87	1,829	15.3	1,765 95	20 30	1	500 00	...	2,265 95
Shoulder .....	172	3,733	21.7	5,222 80	30 39	7	3,800 00	...	9,022 80
Neck .....	13	190	14.6	296 65	20 51	...	...	...	296 65
Spine .....	1	45	45	72 15	72 15	...	...	...	72 15
Back .....	300	7,894	26	10,705 15	32 35	7	3,200 00	...	13,905 15

Table 29.—BRUISES—Concluded.

MEMBER	Number of Injuries	Duration of Disabilities (Work Days)	Average Duration of Disabilities (Work Days)	Amount of Time Awards	Average Time Awards	Number of P. P. D. Awards	Amount of P. P. D. Awards	10% Awards to Parents	Total Awards
Chest .....	132	2,479	18.7	\$3,526 85	\$26 71	1	\$250 00	.....	\$3,776 85
Side .....	211	3,653	17.3	5,022 95	24 13	1	500 00	.....	5,522 95
Two ribs .....	2	16	8	34 50	27 25	.....	.....	.....	34 50
Buttock .....	2	727	15.1	957 85	12 37	.....	.....	.....	24 75
Abdomen .....	48	8	14.7	156 80	19 35	1	75 00	.....	1,032 85
Groin .....	8	118	20.9	1,145 15	19 60	.....	.....	.....	156 80
Testicles .....	41	857	30.2	3,606 95	27 33	.....	.....	.....	1,145 15
Head .....	87	2,628	11.0	267 75	41 45	6	2,675 00	.....	6,281 95
Skull .....	2	221	6	34 80	133 87	.....	.....	.....	267 75
Scalp .....	5	29	6	865 70	6 99	.....	.....	.....	34 80
Face .....	62	661	10.6	119 95	13 96	.....	.....	.....	865 70
Nose .....	6	78	13	119 95	19 99	.....	.....	.....	119 95
Forehead .....	5	56	11	81 40	16 23	.....	.....	.....	81 40
Serotum .....	2	18	9	27 20	13 60	.....	.....	.....	27 20
Sacrum .....	1	11	11	14 85	14 85	.....	.....	.....	14 85
Eye .....	170	2,485	14.6	8,608 10	21 22	26	10,537 50	.....	14,145 60
Ear .....	5	69	14	38 70	26 27	2	1,125 00	.....	1,218 70
Coccyx .....	4	73	18	106 10	49 34	.....	.....	.....	106 10
Multiple members .....	135	4,775	35.3	6,601 75	26 27	4	2,375 00	1 \$17 50	9,064 25
Totals.....	5,379	104,307	19.4	\$140,264 45	\$26 07	168	\$46,462 50	8 \$102 25	\$186,829 20

Table 30.—CUTS.

MEMBER	Number of Injuries	Duration of Disabilities (Work Days)	Average Duration of Disabilities (Work Days)	Amount of Time Awards	Average Time Awards	Number of P. P. D. Awards	Amount of P. P. D. Awards	10% Awards to Parents	Total Awards
Foot .....	233	4,983	21.4	\$6,513 30	\$27 95	5	\$512 50	1	\$7,080 80
First toe .....	69	1,410	20.4	1,833 80	26 57	4	287 50	...	2,121 30
One other toe .....	23	268	11	337 40	14 66	1	12 50	...	349 90
Two toes .....	9	141	15.6	179 35	19 93	...	...	...	179 35
Three toes .....	1	11	11	12 70	12 70	...	...	...	12 70
Four toes .....	1	78	78	180 00	180 00	1	50 00	...	230 00
Leg .....	140	3,356	23.9	4,326 25	31 16	2	800 00	...	5,126 25
Thigh .....	38	684	18	883 10	23 23	1	200 00	...	1,083 10
Ankle .....	34	693	20.3	855 45	25 16	...	...	...	155 45
Knee .....	144	3,017	20.9	3,909 55	27 56	5	2,575 00	1	6,662 05
Hip .....	2	25	8	136 40	45 47	...	...	...	136 40
Hand .....	402	6,268	15.5	8,441 05	20 99	26	2,650 00	1	11,097 30
Thumb .....	243	3,968	16.4	5,600 46	23 05	19	2,100 00	...	7,700 46
First finger .....	244	4,135	16.9	5,440 20	22 29	26	2,362 50	2	7,718 95
Second finger .....	150	2,325	15.5	3,244 60	21 63	11	2,800 00	...	4,044 60
Third finger .....	129	1,877	14.5	2,546 45	19 75	12	625 00	...	3,171 45
Fourth finger .....	98	1,591	16.2	2,155 85	22 00	13	475 00	...	2,630 85
First and second .....	64	1,378	21	1,839 95	28 74	12	1,967 50	2	3,864 95
Second and third .....	72	1,562	21.6	2,124 00	29 50	13	967 50	1	3,092 10
Third and fourth .....	30	554	18.5	2,822 90	27 40	4	2,337 50	...	3,795 15
Three fingers .....	45	1,059	23.5	1,418 90	32 19	12	2,337 50	1	3,795 15
Thumb and one finger .....	15	517	34.5	667 70	44 51	6	587 50	...	1,255 20
Thumb and two fingers .....	28	718	25.6	992 20	35 43	7	962 50	2	1,977 20
Thumb and three fingers .....	5	139	27.8	200 50	40 12	1	87 50	...	288 00
Thumb and four fingers .....	2	38	19	67 45	28 77	...	...	...	57 45
Wrist .....	1	14	14	29 30	29 30	1	12 50	...	41 80
Forearm .....	77	1,062	14.2	1,427 35	18 53	5	1,525 00	2	3,047 35
Elbow .....	70	1,335	19	1,627 90	27 56	7	4,600 00	...	6,527 90
Arm .....	16	255	16	392 00	22 64	...	...	...	392 00
Shoulder .....	34	648	19	861 00	25 32	2	275 00	...	1,136 00
Neck .....	12	120	10	168 40	14 03	...	...	...	168 40
Back .....	3	19	6.3	21 90	7 30	...	...	...	21 90
	36	905	29.5	1,291 05	35 85	...	...	...	1,291 05

Table 30.—CUTS—Concluded.

MEMBER	Number of Injuries	Duration of Disabilities (Work Days)	Average Duration of Disabilities (Work Days)	Amount of Time Awards	Average Time Awards	Number of P. P. D. Awards	Amount of P. P. D. Awards	10% Awards to Parents	Total Awards
Chest .....	3	42	14	\$49 65	\$16 55	.....	.....	.....	\$49 65
Side .....	9	113	12.5	168 00	18 66	.....	.....	.....	168 00
Buttock .....	1	4	4	4 60	4 60	.....	.....	.....	4 60
Abdomen .....	3	22	7	35 25	11 75	.....	.....	.....	35 25
Penis .....	1	7	7	9 45	9 45	.....	.....	.....	9 45
Scrotum .....	4	85	21	104 70	26 17	.....	.....	.....	104 70
Head .....	108	1,546	14.3	2,170 90	20 10	.....	.....	.....	2,170 90
Neck .....	132	1,946	14.8	2,528 35	19 15	1	\$400 00	.....	2,928 35
Scalp .....	110	1,130	10.6	1,573 65	15 21	.....	.....	.....	1,573 65
Face .....	16	257	16	358 80	22 40	.....	.....	.....	358 80
Nose .....	51	593	11.6	925 90	18 15	.....	.....	.....	925 90
Forehead .....	65	1,063	16.3	1,443 50	22 20	9	6,475 00	1	7,951 00
Eye .....	65	1,063	16.3	1,443 50	22 20	.....	.....	.....	1,443 50
Ear .....	13	388	29.8	479 65	36 80	1	187 50	.....	667 15
Multiple members .....	6	68	11	98 35	16 39	2	100 00	.....	198 35
Totals.....	2,993	52,487	17.6	\$70,849 16	\$23 67	209	\$34,075 00	14	\$105,231 01

Table 31.—PUNCTURES.

MEMBER	Number of Injuries	Duration of Disabilities (Work Days)	Average Duration of Disabilities (Work Days)	Amount of Time Awards	Average Time Awards	Number of P. P. D. Awards	Amount of P. P. D. Awards	10% Awards to Parents	Total Awards
Foot .....	209	2,527	12	\$3,377 65	\$16 16	3	\$212 50	.....	\$3,590 15
First toe .....	13	90	7	123 65	9 51	.....	.....	.....	123 65
One other toe .....	3	42	14	61 70	20 53	.....	.....	.....	61 70
Leg .....	28	349	12.4	520 35	18 58	.....	.....	.....	520 35
Thigh .....	14	198	14	249 25	17 80	.....	.....	.....	249 25
Ankle .....	10	85	8.5	121 55	12 15	.....	.....	.....	121 55
Knee .....	31	553	17.8	710 15	22 90	.....	.....	.....	710 15
Hip .....	8	39	13	45 55	15 18	.....	.....	.....	45 55
Hand .....	125	1,477	11.8	2,032 05	16 25	3	382 50	1	\$10 00
Thumb .....	16	259	16	363 00	22 08	.....	.....	.....	588 00
First finger .....	27	284	10.5	372 05	13 77	1	175 00	.....	547 05
Second finger .....	12	129	10.7	148 60	12 38	.....	.....	.....	148 60
Third finger .....	8	71	9	88 40	11 05	.....	.....	.....	88 40
Fourth finger .....	6	34	5.6	46 55	7 81	.....	.....	.....	46 55
First and second finger .....	1	13	13	15 60	15 60	.....	.....	.....	15 60
Second and third finger .....	1	6	6	9 35	9 35	.....	.....	.....	9 35
Third and fourth finger .....	3	16	5.3	19 85	6 62	.....	.....	.....	19 85
Wrist .....	12	68	5.6	99 85	8 31	.....	.....	.....	99 85
Forearm .....	19	226	11.8	324 00	17 00	.....	.....	.....	324 00
Elbow .....	6	89	15	144 05	24 01	.....	.....	.....	144 05
Arm .....	10	93	9.3	131 90	13 19	.....	.....	.....	131 90
Shoulder .....	3	15	5	17 90	5 96	.....	.....	.....	17 90
Neck .....	2	22	23	66 55	33 27	.....	.....	.....	66 55
Back .....	3	71	24	116 80	38 93	.....	.....	.....	116 80
Chest .....	5	76	15	96 35	19 27	.....	.....	.....	96 35
Side .....	7	7	7	12 10	12 10	.....	.....	.....	12 10
Buttock .....	3	28	9	47 10	15 70	.....	.....	.....	47 10
Abdomen .....	1	19	19	22 50	22 50	.....	.....	.....	22 50
Rectum .....	1	26	26	30 00	30 00	.....	.....	.....	30 00
Head .....	2	16	8	29 90	14 95	.....	.....	.....	29 90
Face .....	4	31	8	37 10	9 27	.....	.....	.....	37 10
Nose .....	1	5	5	5 75	5 75	.....	.....	.....	5 75
Forehead .....	1	18	18	20 75	20 75	.....	.....	.....	20 75
Eye .....	44	661	15	951 20	21 58	5	3,025 00	.....	3,976 20
Totals .....	638	7,667	12	\$10,459 40	\$16 65	13	\$4,000 00	1	\$14,469 40

Table 32.—SPRAINS.

MEMBER	Number of Injuries	Duration of Disabilities (Work Days)	Average Duration of Disabilities (Work Days)	Amount of Time Awards	Average Time Awards	Number of P. P. D. Awards	Amount of P. P. D. Awards	10% Awards to Parents	Total Awards
Foot .....	65	1,542	23.7	\$2,100 15	\$33 78	3	\$675 00	.....	\$2,871 15
First toe .....	4	42	10.5	56 45	14 11	.....	.....	.....	56 45
One other toe.....	2	27	13	43 80	21 90	.....	.....	.....	43 80
Leg .....	36	990	25.8	1,291 05	35 86	.....	.....	.....	1,291 05
Thigh .....	12	478	39.9	3,641 50	53 46	1	100 00	.....	741 50
Ankle .....	444	9,885	22	13,171 79	29 66	15	1,050 00	.....	14,221 79
Knee .....	143	4,816	33.6	6,678 05	46 69	7	2,250 00	.....	8,928 05
Hip .....	5	401	80	431 95	86 39	.....	.....	.....	431 95
Hand .....	16	279	17.5	406 10	25 38	.....	.....	.....	406 10
Thumb .....	28	352	12.5	507 50	18 12	1	100 00	.....	607 50
Second finger .....	5	63	12.6	90 45	16 09	.....	.....	.....	90 45
Third finger .....	1	10	10	11 55	11 55	.....	.....	.....	11 55
Fourth finger .....	1	6	6	8 65	8 65	.....	.....	.....	8 65
Wrist .....	191	3,192	16.7	4,433 80	23 21	3	1,187 50	.....	5,621 30
Forearm .....	10	160	16	245 10	24 51	1	300 00	.....	545 10
Elbow .....	23	369	17.3	546 95	23 78	2	200 00	.....	746 95
Arm .....	28	366	13	490 50	17 51	.....	.....	.....	490 50
Shoulder .....	91	2,235	24.5	3,071 25	33 75	5	1,450 00	.....	4,521 25
Neck .....	8	214	27	276 55	34 44	1	400 00	.....	676 55
Spine .....	1	145	145	239 25	239 25	.....	.....	.....	239 25
Back .....	514	9,810	19	13,775 60	26 80	5	2,525 00	.....	16,300 60
Chest .....	9	190	16.6	247 55	27 50	.....	.....	.....	247 55
Side .....	49	918	18.7	1,162 30	23 70	1	25 00	.....	1,187 30
Abdomen .....	8	149	18.5	136 05	24 38	.....	.....	.....	136 05
Groin .....	4	21	5	26 95	6 74	.....	.....	.....	26 95
Multiple members .....	6	276	46	365 95	60 99	.....	.....	.....	365 95
Totals.....	1,704	36,816	21.6	\$50,612 79	\$29 70	45	\$10,262 50	.....	\$60,875 29

Table 33.—FRACTURES.

MEMBER	Number of Injuries	Duration of Disabilities (Work Days)	Average Duration of Disabilities (Work Days)	Amount of Time Awards	Average Time Awards	Number of P. F. D. Awards	Amount of P. F. D. Awards	10% Awards to Parents	Total Awards
Foot .....	109	6,161	56.5	\$8,179 10	\$75 03	22	\$7,637 50	.....	\$15,816 60
First toe .....	69	1,880	27.2	2,703 25	39 17	2	275 00	.....	2,978 25
One other toe .....	31	868	28	1,078 30	34 78	.....	.....	.....	1,078 30
Two toes .....	6	249	41.5	478 90	79 65	1	287 50	.....	768 40
Three toes .....	2	75	37.5	85 55	42 77	.....	.....	1	95 55
Leg .....	277	84,630	195	44,972 73	162 35	93	24,725 00	.....	69,697 73
Thigh .....	39	9,107	233	10,694 00	274 20	33	15,800 00	1	26,569 00
Ankle .....	4	181	190	533 05	144 26	.....	675 00	.....	1,208 05
Knee .....	6	720	120	928 75	154 79	5	1,175 00	.....	2,103 75
Hand .....	63	2,686	42.6	4,131 60	65 58	11	1,925 00	.....	5,381 60
Thumb .....	39	1,544	39.5	2,335 40	57 31	9	1,925 00	.....	3,160 40
First finger .....	39	1,190	30.5	1,531 10	39 25	12	1,437 50	1	2,976 10
Second finger .....	30	822	27.3	1,176 87	39 23	5	212 50	.....	1,389 37
Third finger .....	29	700	24	979 65	33 78	4	982 50	.....	1,962 15
Fourth finger .....	41	1,162	28.3	1,521 10	37 10	9	400 00	1	1,926 10
First and second finger .....	1	20	20	24 66	24 66	.....	.....	.....	24 65
Second and third finger .....	3	134	44.6	195 00	65 00	1	250 00	.....	445 00
Third and fourth finger .....	5	165	33	230 55	58 11	.....	.....	.....	290 55
Three fingers .....	3	141	47	198 45	69 15	1	750 00	.....	948 45
Four fingers .....	2	130	65	182 00	76 00	1	337 50	.....	489 50
Thumb and two fingers .....	1	44	44	63 45	63 45	.....	.....	.....	63 45
Wrist .....	1	62	62	74 40	74 40	.....	.....	.....	74 40
Forearm .....	168	11,590	68.9	15,045 35	89 55	40	14,125 00	.....	29,170 35
Elbow .....	1	32	32	46 15	46 15	.....	.....	.....	46 15
Arm .....	33	3,769	114.2	5,057 45	153 25	22	3,875 00	.....	13,932 45
Clavicle .....	49	4,002	81.6	5,364 40	109 47	10	3,375 00	.....	8,739 40
Shoulder .....	20	1,640	82	2,044 05	102 20	6	2,925 00	.....	4,969 05
Neck .....	1	25	25	28 85	28 85	.....	.....	.....	28 85
Spine .....	5	1,498	299	2,133 45	448 33	3	3,450 00	.....	5,643 45
Sternum .....	2	64	32	91 15	45 57	.....	.....	.....	91 15
One rib .....	274	6,336	23	8,802 05	32 12	2	125 00	.....	8,927 05
Two ribs .....	155	5,447	35	7,700 00	49 68	2	1,850 00	.....	9,050 00
Three ribs .....	41	1,787	43.6	2,487 35	60 66	3	1,075 00	.....	3,562 35



Table 33.—FRACTURES—Concluded.

MEMBER	Number of Injuries	Duration of Disabilities (Work Days)	Average Duration of Disabilities (Work Days)	Amount of Time Awards	Average of Time Awards	Number of P. F. D. Awards	Amount of P. F. D. Awards	10% Awards to Parents	Total Awards
Four or more ribs.....	11	1,011	92	\$1,116 40	\$101 49	3	\$1,350 00	.....	\$2,466 40
Ilium .....	1	27	27	54 50	54 50	1	3,450 00	.....	504 50
Pelvis .....	16	1,906	116.4	2,683 10	167 69	6	3,400 00	.....	6,083 10
Skull .....	23	3,225	140.2	3,785 90	164 60	11	5,075 00	.....	8,860 90
Nose .....	35	689	19.7	902 55	25 78	1	50 00	.....	952 55
Superior maxillary .....	7	164	21.15	198 45	28 35	1	450 00	.....	648 45
Jaw .....	15	1,048	69.8	1,297 50	86 50	3	1,750 00	.....	3,047 50
Multiple members .....	7	1,080	147	1,366 30	195 18	5	3,250 00	.....	4,616 30
Totals.....	1,664	108,261	65	\$142,492 80	\$85 63	328	\$107,475 00	\$97 50	\$250,065 30

Table 34.—DISLOCATIONS.

MEMBER	Number of Injuries	Duration of Disabilities (Work Days)	Average Duration of Disabilities (Work Days)	Amount of Time Awards	Average Time Awards	Number of P. P. D. Awards	Amount of P. P. D. Awards	10% Awards to Parents	Total Awards
Foot .....	4	218	54.5	\$339 10	\$84 77	1	\$300 00	.....	\$639 10
First toe .....	1	42	42	49 05	49 05	1	75 00	.....	124 05
Ankle .....	9	430	46	530 60	58 95	.....	.....	.....	530 60
Knee .....	19	1,260	66.7	1,489 90	77 85	4	1,825 00	1 \$40 00	2,815 90
Hip .....	9	1,231	137	1,532 95	170 33	4	1,825 00	.....	3,457 95
Hand .....	7	562	80	602 35	94 62	2	800 00	.....	1,402 35
Thumb .....	17	376	22	476 95	27 85	2	125 00	.....	604 45
First finger .....	4	53	13	67 20	16 80	.....	.....	1 2 50	67 20
Second finger .....	4	38	9.5	55 55	13 88	.....	.....	.....	55 55
Third finger .....	3	98	33	154 95	51 65	.....	.....	.....	154 95
Fourth finger .....	2	45	22.5	53 95	26 97	.....	.....	.....	53 95
First and second finger .....	1	12	12	14 40	14 40	.....	.....	.....	14 40
Second and third finger .....	2	29	14.5	36 10	18 05	.....	.....	.....	36 10
Second and fourth finger .....	2	32	32	43 20	43 20	.....	.....	.....	43 20
Third and fourth finger .....	1	58	29	66 90	33 45	.....	.....	.....	66 90
Three fingers .....	2	396	36	566 45	51 49	1	50 00	.....	616 45
Wrist .....	11	353	50.5	448 75	64 10	3	1,275 00	.....	1,723 75
Elbow .....	7	333	84	420 15	105 04	1	300 00	.....	720 15
Clavicle .....	4	2,552	52	3,866 40	70 10	10	4,012 50	.....	7,878 90
Shoulder .....	48	31	15	59 00	29 50	.....	.....	.....	59 00
Neck .....	2	650	216.6	1,030 00	343 33	3	2,475 00	.....	3,505 00
Spine .....	3	.....	.....	.....	.....	.....	.....	.....	.....
Totals .....	160	8,792	54.9	\$11,454 90	\$71 59	32	\$12,662 50	2 \$42 50	\$24,159 90

Table 35.—AMPUTATIONS.

MEMBER	Number of Injuries	Duration of Disabilities (Work Days)	Average Duration of Disabilities (Work Days)	Amount of Time Awards	Average Time Awards	Number of P. P. D. Awards	Amount of P. P. D. Awards	10% Awards to Parents	Total Awards
Foot .....	5	780	158	\$658 85	\$191 77	5	\$4,387 50	2	\$5,346 35
First toe .....	7	326	46	323 95	60 56	7	437 50	1	873 95
One other toe .....	7	324	33	327 25	46 75	7	237 50	1	564 75
Two toes .....	3	154	51	904 10	68 03	4	300 00	1	511 60
Three toes .....	3	221	74	327 60	109 20	3	412 50	1	740 10
Four toes .....	1	338	338	320 00	320 00	1	400 00	1	720 00
Leg .....	7	1,443	206	1,831 75	261 68	7	9,230 00	1	11,081 75
Thigh .....	7	674	96	968 39	136 91	7	10,300 00	1	11,608 39
Hand .....	8	473	59	674 15	84 27	8	6,587 50	1	7,261 65
Thumb .....	45	1,980	44	2,000 05	57 77	45	6,787 50	5	9,437 55
First finger .....	71	2,438	34	3,468 85	48 85	71	8,125 00	9	11,707 60
Second finger .....	60	2,357	39	3,219 00	53 65	60	4,437 50	4	22 50
Third finger .....	40	1,449	36	2,037 05	50 90	40	2,975 00	2	7,679 00
Fourth finger .....	53	1,650	31	2,426 90	45 79	52	2,912 50	2	5,015 80
First and second finger .....	26	1,182	45	1,581 00	60 83	26	5,587 50	4	5,418 15
Second and third finger .....	13	718	55	997 35	73 65	13	2,300 00	4	73 75
Third and fourth finger .....	13	499	38	725 85	55 83	13	2,300 00	1	3,257 35
Three fingers .....	19	1,133	59	1,630 80	85 85	19	6,987 50	5	3,049 60
Four fingers .....	10	607	61	880 60	88 05	10	4,762 50	1	161 25
Thumb and one finger .....	9	406	45	481 25	53 47	9	3,300 00	2	5,653 10
Thumb and two fingers .....	7	513	92	659 60	94 21	7	3,825 00	2	3,901 25
Thumb and three fingers .....	2	208	104	408 25	101 62	2	1,300 00	1	4,620 85
Thumb and four fingers .....	1	78	78	112 50	112 50	1	625 00	1	1,703 25
Forearm .....	1	104	104	140 40	140 40	1	1,400 00	1	737 50
Arm .....	4	328	82	377 10	94 27	4	5,775 00	1	1,540 40
Scrotum .....	1	90	90	103 85	103 85	1	350 00	1	6,294 60
Totals .....	423	20,392	48.2	\$27,832 04	\$65 75	423	\$96,262 50	44	\$125,200 79

Table 36.—SCALDS AND BURNS.

MEMBER	Number of Injuries	Duration of Disabilities (Work Days)	Average Duration of Disabilities (Work Days)	Amount of Time Awards	Average Time Awards	Number of P. P. D. Awards	Amount of P. P. D. Awards	10% Awards to Parents	Total Awards
Foot .....	29	595	20.5	\$801 45	\$27 63	1	\$150 00	.....	\$851 45
Leg .....	20	564	28.5	711 25	35 56	1	50 00	.....	761 25
Thigh .....	6	30	15	107 80	17 96	.....	.....	.....	107 80
Ankle .....	6	224	37	299 35	49 89	.....	.....	.....	299 35
Knee .....	1	12	12	13 86	13 85	.....	.....	.....	13 85
Hand .....	64	1,422	22	1,825 85	28 32	4	1,075 00	.....	2,900 85
Thumb .....	5	89	18	136 15	27 23	.....	.....	.....	136 15
First finger .....	2	16	8	24 55	12 27	.....	.....	.....	24 55
Second finger .....	2	44	22	63 80	31 90	.....	.....	.....	63 80
Third finger .....	1	3	3	3 45	3 45	.....	.....	.....	3 45
First and second finger .....	3	68	23	121 65	40 55	.....	.....	.....	121 65
Second and third finger .....	1	18	18	17 75	17 75	.....	.....	.....	17 75
Third and fourth finger .....	3	59	20	78 50	26 16	.....	.....	.....	78 50
Three fingers .....	1	18	18	16 90	16 20	.....	.....	.....	16 20
Four fingers .....	1	7	7	15 15	15 15	.....	.....	.....	15 15
Thumb and one finger .....	3	91	30	147 50	49 16	.....	.....	.....	272 50
Thumb and two fingers .....	2	61	30	57 75	28 87	1	125 00	.....	236 50
Wrist .....	9	72	10	107 80	15 33	1	162 50	\$16 25	107 80
Forearm .....	18	245	13	300 50	16 69	.....	.....	.....	300 50
Arm .....	16	202	12	254 70	15 92	.....	.....	.....	254 70
Shoulder .....	1	8	8	9 25	9 25	.....	.....	.....	9 25
Back .....	4	152	38	244 10	61 02	.....	.....	.....	244 10
Side .....	3	40	13	46 15	15 38	.....	.....	.....	46 15
Abdomen .....	3	22	7	29 25	9 75	.....	.....	.....	29 25
Penis .....	1	6	6	6 90	6 90	.....	.....	.....	6 90
Face .....	31	422	13.6	716 00	23 10	.....	.....	.....	716 00
Eye .....	44	2,061	10.4	759 05	17 25	1	525 00	.....	1,284 05
Multiple members .....	67	2,031	30.3	2,715 85	40 53	5	1,375 00	.....	4,090 85
Totals .....	345	7,041	20.4	\$9,631 05	\$27 91	14	\$3,462 50	1	\$13,109 50



Table 38.

CAUSE OF INFECTIONS.

MEMBER	No. of Bruises	No. of Cuts	No. of Punc- tures	No. of Frac- tures	No. of Scalds and Burns	No. of Poi- sons	For- eign Sub- stance	Totals of Infec- tions
Foot .....	14	8	34	1	6			63
First toe .....	5	1	2					8
One other toe.....	4	2						6
Two toes .....	1	1	1					2
Leg .....	31	12	5	4				52
Thigh .....	1	2	1					4
Ankle .....	3	3	4		2			12
Knee .....	16	25	11					52
Hip .....	1	1	1					3
Hand .....	62	58	152		7	1		279
Thumb .....	13	21	53		2			89
First finger .....	17	18	58		2			95
Second finger .....	19	33	65	1	1			119
Third finger .....	19	8	34					61
Fourth finger .....	12	5	19					36
First and second fingers.	2	1	3					6
Second and third fingers.	1	3	1					5
Three fingers .....			3					3
Four fingers .....			1					1
Thumb and one finger...	1	1	1					3
Thumb and two fingers..	1							1
Wrist .....	2	9	6					18
Forearm .....	4	8	12		1	2		22
Elbow .....		7						7
Arm .....	2	4	5	1	1			13
Neck .....		1						1
Back .....		1						1
Side .....	2							2
Buttock .....	1							1
Scrotum .....	1							1
Scalp .....		1						1
Forehead .....		1						1
Eye .....	13	2	8		3		33	59
Multiple members .....		1				1		2
Totals.....	247	233	480	7	25	4	33	1,029

Table 39.—UNCLASSIFIED.

MEMBER	Number of Injuries	Duration of Disabilities (Work Days)	Average Duration of Disabilities (Work Days)	Amount of Time Awards	Average Time Awards	Number of P. P. D. Awards	Amount of P. P. D. Awards	10% Awards to Parents	Total Awards
Foot .....	2	776	388	\$720 00	\$300 00	1	\$825 00	.....	\$1,345 04
Ankle .....	1	6	6	9 35	9 35	*	150 00	.....	159 35
Knee .....	.....	.....	.....	.....	.....	1	200 00	.....	200 00
Hand .....	1	125	125	175 00	175 00	1	700 00	.....	875 00
Third finger .....	1	11	11	8 45	8 45	*	100 00	.....	8 45
Three fingers .....	1	4	4	4 60	4 60	1	312 50	.....	100 00
Four fingers .....	.....	.....	.....	.....	.....	*	250 00	.....	317 10
Thumb and two fingers .....	2	71	35	101 40	50 70	1	1,500 00	.....	250 00
Arm .....	1	1,133	1,133	1,267 30	1,267 30	2	1,950 00	.....	1,601 40
Spine .....	1	9	9	13 00	13 00	.....	.....	.....	13 00
Back .....	1	52	52	64 60	64 60	.....	.....	.....	64 60
Chest .....	2	37	18	52 00	29 00	.....	.....	.....	52 00
Side .....	2	372	186	394 20	197 20	3	1,750 00	.....	2,144 20
Ruptured urethra .....	2	394	182	612 20	305 10	1	250 00	.....	862 20
Pelvis .....	2	23	23	96 55	95 55	*	.....	.....	276 55
Scrotum .....	1	48	16	67 80	29 60	.....	.....	.....	67 80
Testicles .....	1	156	156	180 00	180 00	1	1,500 00	.....	1,680 00
Head .....	1	18	18	30 75	30 75	.....	.....	.....	30 75
Scalp .....	2	42	14	51 90	30 75	.....	.....	.....	51 90
Inhalation gas .....	2	94	17	68 65	34 82	.....	.....	.....	68 65
Shock .....	25	538	22.3	723 92	28 95	.....	.....	.....	723 92
Concussion brain .....	35	280	6.5	324 55	9 27	.....	.....	.....	324 55
Eye—Foreign substance .....	3	23	9	40 95	13 65	.....	.....	.....	40 95
Traumatic orchitis .....	2	188	94	166 15	83 07	.....	.....	.....	166 15
Hernia—Femoral .....	3	169	36	159 55	53 18	.....	.....	.....	159 55
Hernia—Scrotal .....	1	81	81	140 20	140 20	.....	.....	.....	140 20
Hernia—Strangulated .....	89	4,897	55	6,431 90	72 26	2	750 00	.....	7,181 90
Single hernia .....	5	452	90	451 50	90 30	.....	.....	.....	451 50
Double hernia .....	39	2,971	30	3,930 65	39 70	45	37,525 00	.....	41,625 65
Miscellaneous—Eye .....	.....	.....	.....	.....	.....	.....	.....	2	\$170 00

\*Recopened, payment in addition to previous amount awarded.



Table 39.—UNCLASSIFIED—Concluded.

MEMBER	Number of Injuries	Duration of Disabilities (Work Days)	Average Duration of Disabilities (Work Days)	Amount of Time Awards	Average Time Awards	Number of P. P. D. Awards	Amount of P. P. D. Awards	10% Awards to Parents	Total Awards
Internal injury .....	3	89	29.6	\$120 00	\$40 00	.....	.....	.....	\$120 00
Prostate gland .....	2	219	104	325 70	162 85	.....	.....	.....	325 70
Kidney, ruptured, removed and displaced ..	6	388	66.3	534 05	97 36	.....	\$720 00	.....	1,324 05
Spinal cord .....	2	965	497	1,027 50	513 95	2	2,075 00	.....	3,102 90
Ear .....	1	58	58	117 10	58 55	1	450 00	.....	567 10
Other members .....	4	328	82	570 90	142 47	1	1,250 00	.....	1,820 90
Multiple members .....	186	7,068	38	11,039 72	59 36	.....	11,287 50	5 \$18 50	22,512 22
Totals.....	493	21,950	44.5	\$29,992 49	\$60 83	79	\$63,025 00	7 \$355 00	\$93,972 49

Table 40.—SUMMARY OF INJURY TABLES.

KIND OF INJURY	Number of Injuries	Duration of Disability (Work Days)	Average Duration (Work Days)	Amount of Time Awards	Number of P. P. D. Awards	Amount of P. P. D. Awards	10% Awards to Parents	Totals of All Awards
Bruises .....	5,379	104,307	19.4	\$140,264 45	168	\$46,462 50	\$102 25	\$186,829 20
Cuts .....	2,933	52,487	17.6	70,849 16	209	34,075 00	306 85	105,231 01
Punctures .....	638	7,667	12	10,459 40	13	4,000 00	10 00	14,469 40
Sprains .....	1,704	36,816	21.6	50,612 79	45	10,262 50	.....	60,875 29
Fractures .....	1,664	108,261	65	142,492 80	328	107,475 00	97 50	250,065 30
Dislocations .....	160	8,792	54.9	11,454 90	32	12,662 50	42 50	24,159 90
Amputations .....	423	20,392	48.2	27,882 04	423	96,262 50	1,106 25	125,200 79
Scalds and burns .....	345	7,041	20.4	9,631 05	14	3,462 50	16 25	13,109 80
Infections .....	1,029	22,788	22.1	30,826 59	70	21,037 50	55 00	51,914 09
Unclassified .....	436	21,850	44.5	29,992 49	79	63,625 00	355 00	93,972 49
Totals .....	14,818	390,501	26.35	\$524,415 67	1,381	\$399,325 00	\$2,086 60	\$925,827 27

Table 41.—SUMMARY OF INJURY TABLES.

MEMBER	Number of Injuries	Duration of Disabilities (Work Days)	Average Duration of Disabilities (Work Days)	Amount of Time Awards	Average Time Awards	Number of P. P. D. Awards	Amount of P. P. D. Awards	10% Awards to Parents	Total Awards
Foot .....	1,431	32,890	23	\$43,392 00	\$30 32	55	\$18,200 00	1	\$91,597 02
First toe .....	444	7,629	17	10,533 65	23 72	17	2,150 00	1	12,696 15
One other toe .....	127	2,558	18.5	3,166 25	24 93	9	300 00	2	3,466 25
Two toes .....	89	1,569	18	2,171 40	24 40	9	700 00	2	2,883 90
Three toes .....	41	907	22	1,231 95	30 05	4	437 50	1	1,669 45
Four toes .....	13	588	45	756 10	53 16	2	450 00	1	1,216 10
Five toes .....	10	182	15	269 80	30 98	.....	.....	.....	209 80
Ankle .....	631	14,828	227	19,689 74	30 25	17	2,150 00	.....	21,239 74
Leg .....	1,108	57,061	51	74,394 83	67 15	114	37,725 00	1	112,127 33
Knee .....	640	17,715	28	23,666 50	36 87	29	10,275 00	2	33,969 00
Thigh .....	254	14,653	58	17,886 54	70 40	46	28,550 00	2	46,361 54
Hip .....	129	4,258	33	5,367 00	41 60	7	2,100 00	.....	8,067 00
Hand .....	1,270	23,216	18	31,675 35	24 95	80	18,325 00	4	50,636 60
Thumb .....	677	13,314	19	18,238 65	26 95	38	13,062 50	7	31,381 16
First finger .....	672	12,650	19	17,132 55	25 48	130	14,287 50	12	31,557 55
Second finger .....	581	11,142	19	15,359 97	26 43	91	7,887 50	4	23,269 97
Third finger .....	439	7,729	17	10,376 60	23 63	63	4,387 50	2	14,817 85
Fourth .....	379	7,797	21	10,445 84	27 56	84	4,487 50	5	15,016 89
First and second fingers .....	157	3,600	23	4,895 85	31 00	43	8,137 50	6	13,114 60
Second and third fingers .....	155	3,600	23	4,712 35	30 40	32	4,112 50	1	8,886 45
Third and fourth fingers .....	82	1,721	21	2,522 95	30 75	21	2,750 00	1	5,236 70
Three fingers .....	110	3,145	28	4,309 35	38 40	35	10,337 50	7	15,435 60
Four fingers .....	38	1,484	38	1,948 60	51 27	18	6,000 00	1	7,958 60
Thumb and one finger .....	53	1,600	30	2,189 10	41 30	18	4,762 50	4	7,094 10
Thumb and two fingers .....	22	868	41	1,160 20	52 70	*9	4,325 00	3	5,637 70
Thumb and three fingers .....	6	289	48	519 35	66 55	2	1,900 00	.....	1,819 35
Thumb and four fingers .....	2	92	46	150 80	70 90	2	637 50	.....	779 30
Wrist .....	355	5,837	16	7,981 95	22 48	10	2,337 50	2	11,014 45
Forearm .....	391	15,564	39.8	20,632 00	52 76	53	22,200 00	.....	42,882 00
Elbow .....	108	2,110	20	2,887 35	26 73	5	1,475 00	.....	4,362 35
Arm .....	227	7,477	33	9,796 85	43 11	31	18,425 00	1	28,364 35
Shoulder .....	336	9,424	28	12,880 05	38 33	24	9,662 50	.....	22,542 55
Scapula .....	11	570	80	1,020 00	92 73	4	2,625 00	.....	3,545 00
Neck .....	30	582	18	729 60	94 32	1	400 00	.....	1,129 60
Clavicle .....	53	4,383	82	5,784 55	109 14	11	3,675 00	.....	9,459 55
Sternum .....	2	64	82	91 15	45 57	.....	.....	.....	91 15
Chest .....	150	2,769	19	3,865 00	26 56	1	250 00	.....	4,235 00
Abdomen .....	63	939	15	1,240 90	19 65	1	75 00	.....	1,315 90

Table 41.—SUMMARY OF INJURY TABLES—Concluded.

MEMBER	Number of Injuries	Duration of Disabilities (Work Days)	Average Duration of Disabilities (Days)	Amount of Time Awards	Average Time Awards	Number of P. P. D. Awards	Amount of P. P. D. Awards	10% Awards to Parents	Total Awards
Side .....	277	5,011	18	\$6,853 35	\$24 75	2	\$625 00	...	\$7,378 35
Back .....	869	18,837	22	26,273 70	30 58	12	5,725 00	...	31,968 70
Spine .....	11	3,471	315	4,802 15	436 55	8	7,875 00	...	12,677 15
Ribs .....	483	14,618	30	20,160 30	41 73	10	3,900 00	...	24,060 30
Pelvis .....	18	2,270	126	3,295 30	183 07	7	3,650 00	...	6,945 30
Buttock .....	7	56	8	83 65	11 95	...	...	...	83 65
Groin .....	12	139	11	183 75	15 30	...	...	...	183 75
Scrotum .....	9	244	27	310 75	34 53	...	600 00	...	910 75
Testicle .....	44	905	21	1,212 95	27 58	2	...	...	1,212 95
Traumatic orchitis .....	8	28	9	40 95	13 65	...	...	...	40 95
Penis .....	2	13	7	16 85	8 17	...	...	...	16 85
Sacrum .....	2	11	11	14 85	14 55	...	...	...	14 85
Ilium .....	1	27	27	54 50	54 50	1	450 00	...	494 50
Coccyx .....	4	73	18	105 10	26 27	...	...	...	105 10
Rectum .....	1	26	26	30 00	30 00	...	...	...	30 00
Hernia .....	100	5,727	57	7,849 30	73 49	2	750 00	...	8,069 30
Head .....	138	4,346	22	5,987 75	30 24	7	4,175 00	...	10,162 75
Scalp .....	139	2,024	15	2,604 65	18 73	1	400 00	...	3,004 65
Skull .....	25	3,446	137.8	4,053 65	162 14	11	5,075 00	...	9,128 65
Forehead .....	58	676	11	1,043 65	17 80	...	...	...	1,043 65
Forearm .....	19	515	27	690 45	36 33	4	1,762 50	...	2,452 95
Ear .....	58	1,029	17	1,387 05	23 90	1	50 00	...	1,437 05
Nose .....	207	2,234	11	3,192 45	15 42	...	...	...	3,192 45
Face .....	516	8,894	17	12,588 30	24 40	100	66,962 50	\$252 50	79,803 30
Brain concussion .....	25	558	22	723 92	28 98	...	...	...	723 92
Spinal cord .....	2	995	497	1,027 90	513 95	2	2,075 00	...	3,102 90
Jaw, lower .....	15	1,048	23	1,985 45	86 50	3	1,750 00	...	3,047 50
Urethra (rupture) .....	7	164	186	394 20	28 35	1	450 00	...	648 45
Prostate Gland .....	2	219	110	325 70	197 10	3	1,750 00	...	2,144 20
Kidney injuries .....	6	398	66	584 05	162 85	...	...	...	395 70
Internal injuries .....	3	80	29	120 00	97 34	1	750 00	...	1,334 05
Shock .....	2	34	17	68 65	40 00	...	...	...	130 00
Inhalation of gas .....	3	42	14	51 90	34 82	...	...	...	68 65
Other members .....	4	328	82	570 90	142 75	...	1,950 00	...	51 90
Multiple injuries .....	409	15,276	37	22,294 42	54 50	31	18,387 50	202 50	40,884 42
Totals .....	14,818	300,501	26.35	\$241,415 67	\$35 39	1,381	\$399,325 00	82 \$2,086 60	\$925,827 27

Table 42.—LONG BONE FRACTURES.

NAME OF BONES AND TREATMENT USED	Number of Injuries			Average Weeks Duration of Disability			Number of Permanent Partial Disability Awards			Average Amount of Permanent Partial Disability Awards		
	1914	1915	1916	1914	1915	1916	1914	1915	1916	1914	1915	1916
<b>FEMUR—</b>												
Plated (plate removed).....	4	1	2	59	61	48	4	1	2	\$653 12	\$300 00	\$525 00
Plated (plate not removed).....	8	2	5	36	41	48	7	2	3	435 70	250 00	858 33
Wired (not removed).....	1	1	1	45	26	26	1	1	1	500 00	1,500 00	1,500 00
Murphy's bone splint.....	2	1	1	35	52	52	1	1	1	550 00	750 00	750 00
Ivory peg.....	1	1	1	36	30	30	1	1	1	250 00	550 00	550 00
Long screw.....	28	31	29	29	40	37	18	26	25	332 64	392 30	375 40
All other.....												
Total Thigh.....	44	34	39	34	41	39	32	29	33	\$373 43	\$379 30	\$479 00
<b>TIBIA—</b>												
Pott's.....	14			18			5			\$500 00		
Malleolus.....	5			16								
Murphy's bone splint.....	1	1		19								
Plated (not removed).....	3	1		29			1			500 00		
Plated (removed).....		1		35	13		2	1		225 00	\$150 00	
Wired (wire not removed).....		1		37	52				1			\$100 00
All others.....	146	44	37	17	18	21	38	15	9	252 00	232 50	225 00
Total Tibia.....	172	45	38	17	18	22	46	16	10	\$247 29	\$227 50	\$212 50
<b>FIBULA—</b>												
Plated (plate removed).....		1			39							
Green stick.....	1			3								
Malleolus.....	3	4		8	13							
All others.....	37	68	84	15	13	12	2	12	13	\$312 50	\$300 00	\$258 65
Total Fibula.....	41	73	84	14	14	12	2	12	13	\$312 50	\$300 00	\$258 65

Table 42.—LONG BONE FRACTURES—Continued.

NAME OF BONES AND TREATMENT USED	Number of Injuries			Average Weeks Duration of Disability			Number of Permanent Partial Disability Awards			Average Amount of Permanent Partial Disability Awards		
	1914	1915	1916	1914	1915	1916	1914	1915	1916	1914	1915	1916
<b>TIBIA AND FIBULA—</b>												
Non-union .....	1	6	25	56	8	12	1	1	6	\$500 00	.....	.....
Malleolus .....	1	4	2	21	21	24	1	1	1	150 00	.....	.....
Wired (not removed) .....	1	2	4	47	52	57	1	2	4	500 00	\$412 50	500 00
Plated (not removed) .....	1	19	37	12	20	16	1	2	3	400 00	275 00	633 33
Pott's fracture .....	4	1	.....	.....	36	.....	1	1	9	175 00	131 00	229 16
Murphy's bone splint .....	.....	1	.....	.....	78	.....	.....	1	.....	.....	175 00	.....
Wired (removed) .....	.....	1	.....	.....	49	56	.....	3	6	.....	200 00	.....
Plated (removed) .....	.....	3	7	.....	31	61	.....	1	1	.....	833 00	183 33
Bone peg .....	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	150 00	150 00
All others .....	65	114	79	20	31	27	33	58	44	253 00	295 00	291 43
Total Tibia and Fibula .....	73	150	155	27	30	24	38	75	70	\$265 15	\$292 50	\$274 82
Total Fractures of Leg .....	286	268	277	19	24	21	86	103	93	\$256 70	\$192 50	\$265 86

Table 42.—LONG BONE FRACTURES—Continued.

NAME OF BONES AND TREATMENT USED	Number of Injuries			Average Weeks Duration of Disability			Number of Permanent Partial Disability Awards			Average Amount of Permanent Partial Disability Awards		
	1914	1915	1916	1914	1915	1916	1914	1915	1916	1914	1915	1916
<b>HUMERUS—</b>												
Wired (not removed).....	1	1	.....	26	12	.....	1	1	.....	\$375 00	\$1,000 00	.....
Plated (not removed).....	3	.....	2	17	.....	22	.....	.....	1	.....	.....	.....
Plated (removed).....	1	1	2	48	15	42	.....	.....	1	1,250 00	.....	.....
Murphy's bone splint.....	1	.....	.....	12	.....	.....	.....	.....	.....	.....	.....	25 00
Wired (removed).....	.....	1	.....	.....	19	.....	.....	.....	.....	.....	.....	.....
Internal condyle.....	.....	1	.....	.....	.....	19	.....	.....	1	.....	.....	500 00
Olecranon process.....	.....	1	.....	.....	16	.....	.....	.....	.....	.....	.....	.....
All others.....	24	23	27	14	16	17	11	11	19	332 27	570 00	413 15
Total Arm.....	30	26	33	16	15	19	13	12	22	\$423 00	\$606 00	\$403 30
<b>ULNA—</b>												
Plated (not removed).....	1	.....	.....	17	.....	.....	.....	.....	.....	.....	.....	.....
Olecranon process.....	.....	.....	2	.....	.....	11	.....	.....	1	.....	.....	\$850 00
Wired (not removed).....	.....	.....	1	.....	.....	22	.....	.....	.....	.....	.....	.....
All others.....	24	24	24	10	8	9	4	4	6	\$506 00	\$162 50	479 16
Total Ulna.....	25	24	27	10	8	10	4	4	7	\$506 00	\$162 50	\$332 15
<b>RADIUS—</b>												
Green stick.....	1	.....	.....	8	.....	.....	.....	.....	.....	.....	.....	.....
Colles.....	7	.....	.....	11	.....	.....	.....	.....	.....	.....	.....	.....
Colles.....	.....	.....	.....	.....	.....	.....	1	.....	.....	\$25 00	.....	.....
Styloid process.....	3	.....	.....	5	.....	.....	.....	.....	.....	.....	.....	.....
All others.....	61	57	49	8	9	9	5	7	10	\$275 00	\$305 00	\$195 00
Total Radius.....	72	57	49	8	9	9	6	7	10	\$233 30	\$305 00	\$195 00



Table 42.—LONG BONE FRACTURES—Concluded.

NAME OF BONES AND TREATMENT USED	Number of Injuries			Average Weeks Duration of Disability			Number of Permanent Partial Disability Awards			Average Amount of Permanent Partial Disability Awards		
	1914	1915	1916	1914	1915	1916	1914	1915	1916	1914	1915	1916
ULNA AND RADIUS—												
Colles .....	13	43	53									
Styloid process .....			7									
Wired (removed) .....	1			15	11	10				\$87 50	\$175 00	\$246 15
Wired (not removed) .....	1			20		8				700 00		
Plated (not removed) .....	2			30								
Plated (removed) .....	1		2	30						150 00		625 00
Murphy's bone splint .....			1			49			2			500 00
Bone peg .....			1			52			1			150 00
All others .....	35	12	28			37				343 18	209 00	558 33
Total Ulna and Radius .....	53	55	92	15	13	13	15	17	23	\$273 30	\$194 10	\$397 40
Total Fractures of the Forearm .....	150	136	168	11	11	11½	25	28	40	\$301 00	\$215 00	\$353 12

Table 43.—SUMMARY OF LONG BONE FRACTURES.

NAME OF BONE	Number of Injuries			Average Weeks Duration of Disability			Number of Permanent Partial Disability Awards			Average Amount of Permanent Partial Disability Awards		
	1914	1915	1916	1914	1915	1916	1914	1915	1916	1914	1915	1916
THIGH—												
Femur .....	44	34	39	34	41	39	32	29	33	\$373 43	\$379 30	\$479 00
LEG—												
Tibia .....	172	45	38	17	18	22	46	16	10	\$247 29	\$227 50	\$212 50
Fibula .....	41	73	84	14	14	12	2	12	13	312 50	300 00	258 65
Tibia and Fibula .....	73	150	155	27	30	24	38	75	70	295 15	292 50	274 82
Total Leg .....	286	268	277	19	24	21	86	103	93	\$256 70	\$192 50	\$205 86
ARM—												
Humerus .....	30	26	33	16	15	19	13	12	22	\$423 00	\$306 00	\$403 30
FOREARM—												
Ulna .....	25	24	27	10	8	10	4	4	7	\$506 00	\$162 50	\$332 15
Radius .....	72	57	49	8	9	9	6	7	10	233 30	305 00	195 00
Ulna and Radius .....	53	55	92	15	13	13	15	17	23	273 30	194 10	307 40
Total Forearm .....	150	136	168	11	11	11½	25	28	40	\$301 00	\$215 00	\$353 12

Table 44.—MECHANICAL INJURIES.

AGENCY	Fatal Acci- dents	Per- manent Total Disabil- ities	Tem- porary Total Disabil- ities	All in- juries	Work Days Lost	Safe Gr'ded	Not Safe Gr'ded	Other
Motors (engines, dynamos, flywheels, etc.).....	4	1	113	118	3,033	23	11	79
Air fans, steam pumps, etc.....			5	5	85	1		4
Gearing (cogs, etc.).....			126	126	3,819	39	27	60
Set screws.....			10	10	128	2	5	3
Shafting.....	2		37	39	1,725	9	8	20
Belts and pulleys.....	2		93	95	2,390	23	6	64
Cables.....	11		427	438	14,574	33	16	378
Conveying and hoisting machinery.....			12	12	526		4	8
Elevators and lifts.....	3		26	29	1,264	8	4	14
Cranes and derricks (steam, electric, portable, etc.).....	1		49	50	1,982	10	2	37
Slab and spalt conveyors.....	1		72	73	1,846	14	6	52
Hoisting and conveying ap- paratus, n. e. s.....			58	58	1,686	6	1	51
Steam shovels.....			3	3	24		1	2
Coupling cars, etc.....	4		62	66	1,739	1	2	59
Falls from trains.....			1	1	26			1
Struck by train or cars.....	8	2	64	74	1,814		1	63
Collisions and derailments.....	3	1	56	60	2,261	1	1	54
Hand cars, push cars, speeders			16	16	278	1	1	14
Coal cars, dump cars, tram cars.....			66	66	1,404	5	2	59
Other railway causes.....			1	1	22			1
Hand brakes.....			12	12	288	2	1	9
Saws (power driven).....	3		740	743	19,897	416	44	280
Planers.....			70	70	1,845	23	4	43
Jointers.....			44	44	1,252	23	5	17
Shapers.....			12	12	237	2	1	9
Lathes.....			9	9	109	3		6
Log carriages.....	1		56	57	1,809	15	3	38
Live rolls, cables, chains and blocks.....			102	102	2,144	31	8	63
Heading machines (cooper- age, etc.).....			1	1	24			1
Other wood working machines.....			19	19	375	2	2	15
Paper making machinery.....			20	20	231	3		17
Printing presses, paper cut- ters, stitchers, etc.....	1		20	21	329	7	1	12
Textile machinery, sewing machines, etc.....			6	6	91		2	4
Laundry machines.....			16	16	593	6	3	7
Automobiles and motorcycles..	5		68	73	2,598	3	3	62
Drilling and milling machines..			62	62	1,259	18	7	37
Lathes.....			5	5	64	2		3
Drop and other power hammers			23	23	521	6		17
Shears.....			19	19	369	5	4	10
Cement mixers.....			6	6	132			6
Polishing machines.....			6	6	81	1		5
Contact with grindstones, emery wheels, etc.....			11	11	98	1	1	9
Struck by fragments of pol- ishing wheels.....			8	8	36			8
Others.....			47	47	888	5	2	40
Machines used in bakeries and confectionery establishments..		1	15	16	261	2		13
Machines not elsewhere specified			46	46	1,278	18	4	24
Totals.....	49	5	2,740	2,794	77,435	769	193	1,778

### MECHANICAL ACCIDENTS.

In presenting the table of mechanical accidents we desire to call attention to the fact that there were 15,118 claims finalized during the past year, 2,794 of which were attributed to mechanical agencies. This shows a reduction in the number of mechanical accidents as compared with the previous year which was 2,501 or 22.8 per cent while this year they have been reduced to 18.48 per cent, showing a decided decrease in the number of mechanical injuries which has been due in a large extent to the careful and thorough work which is being performed by the labor department in safeguarding and accident prevention. When we compare the number of mechanical injuries in this State with those of other states the results are very gratifying.

The number of accidents occurring upon safeguarded machines this year have been reduced, for our records show that there were 799 last year out of 11,387, while the records for this year show there were only 769 out of 15,118. We find the number of injuries due to the lack of safeguarding for this year is 193 as compared with 145 in the previous year showing somewhat of an increase over last year in the number of injuries on machines not safeguarded, yet the percentage, this year remains the same as last year, or 1.27 per cent.

As usual there have been quite a number of injuries on gearings, cables and power-driven saws and the injuries from cables are especially prominent, in that eleven workmen were killed by being struck with cables or cable hooks and we believe greater care should be observed in the operation of these devices, especially when they are used for lifting or carrying burdens. The largest number of fatal accidents attributed to any one mechanical agency comes from this source, the next one in order, being that of trains and cars. Accidents occurring caused by cables are considered mechanical but in most instances cannot be attributed to the lack of safeguarding.

Table 45.  
NON-MECHANICAL INJURIES.

CAUSES	Fatal Acci- dents	Per- manent Total Disabil- ities	Tem- porary Total Disabil- ities	All Non- Mechan- ical Injuries	Work Days Lost
Explosives (powder, dynamite, etc.).....	7	3	17	27	851
Explosions and ignition gases, dust, etc.....	35	.....	70	105	1,836
Explosion of boilers, steam pipes and other machines .....	.....	.....	15	15	583
Other injuries from steam and hot liquids.....	4	.....	48	52	896
Caustics .....	.....	.....	21	21	315
Explosions of molten metals.....	.....	.....	19	19	652
Other accidents from molten metals.....	.....	.....	79	79	1,365
Vats, pans, etc. (containing hot water, liquids or caustics) .....	1	.....	28	29	570
Electricity .....	8	.....	35	43	890
Fire and heat, n. e. s.....	2	.....	46	48	795
Fall from ladder.....	21	2	344	367	13,005
Fall from machinery, trucks, engines, etc.....	12	2	186	200	6,531
Fall caused by collapse of support.....	.....	.....	169	169	7,027
Fall through opening in floor, etc.....	.....	.....	96	96	2,704
Fall in hoisting, shaft, etc.....	.....	.....	8	8	680
Fall on stairs, steps, etc.....	.....	.....	30	30	673
Fall on level by slipping.....	.....	.....	969	969	22,387
Fall on level by tripping.....	.....	.....	182	182	4,360
Fall by jumping.....	.....	.....	112	112	3,218
Other falls .....	.....	.....	376	376	11,744
Falling overhead coal, rock and earth (mining, quarrying, excavating, etc.).....	.....	4	454	458	12,205
Slide or cave-in (earth, rock, etc.).....	4	.....	37	41	2,039
Falling pile of material (grain sacks, coal, cement, etc.) .....	.....	1	60	61	1,857
Falling timbers, lumber, etc.....	1	1	758	760	18,224
Falling trees .....	34	.....	275	309	13,095
Rolling or moving logs.....	44	1	473	518	17,605
Other falling objects (walls, doors, lids, etc.)..	21	.....	1,096	1,117	27,706
Tools or weights dropped by persons injured..	.....	.....	116	116	2,117
Falling objects dropped by other persons.....	.....	.....	31	31	515
Fall of material from trucks, cars or trains in transit .....	.....	.....	64	64	2,166
Handling trucks, wheelbarrows, scrapers.....	.....	.....	468	468	9,699
Handling or moving heavy machinery, stone or other materials.....	.....	.....	528	528	10,626
Handling of lumber, timbers, etc.....	.....	.....	546	546	10,290
Cause insufficiently described for classification	.....	.....	11	11	131
Lifting .....	4	.....	436	440	8,974
Struck in eye by piece of metal, glass, emery dust, etc.....	.....	2	410	412	6,613
Other injuries from flying objects.....	7	1	559	567	13,103
Vehicles and accidents caused by animals.....	6	.....	229	235	9,474
Hand tools (hammers, knives, wrenches, files, meat hooks, etc.).....	1	.....	367	368	6,138
Tools in hands of fellow workmen.....	.....	.....	98	93	1,761
Caught on nail, sharp projection, etc.....	4	.....	355	359	4,936
Cut on glass.....	.....	.....	49	49	852
Cut by ax or adz.....	.....	.....	637	637	12,808
Injured by stepping on nail, etc.....	.....	.....	157	157	1,641
Injured by cross cut saw.....	.....	.....	179	179	2,317
Injured by peavy, pick, pickeroon.....	.....	.....	172	172	2,504
Injured by hand brakes (street cars, etc.).....	.....	.....	2	2	42
Puncture by splinter, cable strand, etc.....	.....	.....	431	431	6,079
Inhalation of poisonous gas.....	.....	.....	3	3	42
Fall in water, drowning and not otherwise explainable .....	9	.....	.....	.....	.....

Table 45.—NON-MECHANICAL INJURIES—Concluded.

CAUSES	Fatal Accidents	Per- manent Total Disabil- ities	Tem- porary Total Disabil- ities	All Non- Mechan- ical Injuries	Work Days Lost
All other .....			186	186	3,944
Swinging door .....			34	34	679
Devil's club .....			12	12	147
Exhaustion from handling lumber.....	1				
Operation strangulated hernia.....	1				
Chilled in water.....	1				
Fell upon upturned pick.....	1				
Totals.....	229	17	12,078	12,324	291,385

# NON-MECHANICAL ACCIDENTS.

The principal object of the above table is to show the agency which is causing the largest number of accidents to the end that through education and safeguarding the number of accidents may be reduced. It will be noted that the largest number of fatal accidents were caused by rolling logs; asphyxiation or explosion of gases being second. The reason that the second number is so large is due to the Ravensdale disaster which occurred in November, 1916, in which thirty-one miners lost their lives. This is an abnormal condition and it is not probable that this agency would rank second in next year's experience. Next in order is falling limbs and trees. In the temporary total disability list, falling objects caused the largest number of injuries, with falls ranking second.

## **LEGISLATIVE RECOMMENDATIONS**

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The Commission respectfully recommends the following changes and amendments to the law:

### **EMPLOYERS TO SUBMIT MONTHLY PAYROLLS.**

Every employer within the provisions of this act shall furnish the department on or before the tenth day of each month a true and accurate statement of his payroll showing the aggregate number of work days, that is men-days, during which workmen were employed by him for the preceding month, also the total amount paid to workmen during said month; such statement to show the segregation of employment in the different classes as provided in the act and the sufficiency of said statement shall be subject to the approval of the Commission.

Every employer shall keep a record of his employment from which the above information may be obtained and such record shall at all times be open to inspection by the department or its traveling auditors, agents or assistants as provided in section 15 of the act.

In all cases where partners or other persons are excluded on the payroll such statement shall state both the names and occupations of the parties excluded and no such person shall be entitled to compensation unless notice in writing that such excluded person has been included is received by the department prior to the date of injury to such person.

Failure on the part of the employer to keep such record and make such report shall subject the offending employer to a penalty of \$100.00 for each offense, to be collected by civil action in the name of the state and paid into the accident fund, and the individual who shall fail to comply with the foregoing provisions shall be guilty of a misdemeanor.

### **DEFINITION OF WORKMAN.**

Amend the definition of workman as found in section 3 of the act by striking therefrom all of that portion of the provision



contained in the proviso referring to injury to a workman occurring away from the plant of his employer.

#### **DEFINITION OF EMPLOYER.**

Change the definition of employer as it now appears in section 3 of the act to read as follows: "Except as when otherwise expressly stated, employer means any person, body of persons, incorporated or otherwise, and the legal representatives of a deceased employer having in his services under contract of hiring or apprenticeship, written or oral, express or implied, any person engaged in any extra hazardous work in or about any extra hazardous industry, and when the services of the workman are temporarily let or hired to another person by the person with whom the workman has entered into such a contract, the latter shall be deemed to continue to be the employer of the workman while he is working for the other person."

#### **EMPLOYERS CARRIED ON PAYROLL.**

Amend that part of section 3 of the act which refers to employers who are carried on the payroll being entitled to benefits by adding the following provision: "*Provided*, That no such employer or the beneficiaries or dependents of such employer shall be entitled to benefits under this act unless the Commission has received notice in writing of the fact that such employer is being carried upon the payroll at least ten days prior to the date of the injury as the result of which claims for compensation are made."

#### **PENALTY FOR FAILURE TO FURNISH AN ESTIMATED PAYROLL.**

Amend section 4 of the act by striking therefrom the following words: "The Commission may waive the whole or any part of such penalty."

#### **INJURY ARISING OUT OF AND IN COURSE OF EMPLOYMENT.**

Change the definition of injury as found in section 3 of the act to read as follows: "The word injury and injured as used in this act refers only to an injury arising out of and in the

course of employment and resulting from some fortuitous event as distinguished from the contraction of disease."

#### COMPENSATION TO WIDOWS.

Provide for the payment to every widow of a deceased workman within the provisions of this act an immediate lump sum payment of \$250.00 in addition to the monthly allowance provided by section 5 of subdivision (a) and (1) of the present act.

#### INCREASED PAYMENTS TO PENSIONERS REQUIRING THE SERVICES OF ATTENDANTS.

Amend that part of paragraph 3 of section 5 by adding thereto the following provision: If the nature of the injuries sustained by any workman is such as to cause permanent total disability, and to render such workman helpless and require the constant services of an attendant, the monthly payment for such workman shall be increased twenty dollars (\$20) a month.

#### PAYMENTS TO INVALID CHILD.

Amend sentence of paragraph 1 of section 5 which refers to payment to minor children as follows: And the surviving spouse shall also receive five dollars (\$5) per month for each child of the deceased under the age of sixteen years at time of the occurrence of the injury until such minor child shall reach the age of sixteen years, *and for each invalid child until such invalid child shall recover*, but the total monthly payment under this paragraph (1) of subdivision (3) shall not exceed thirty-five dollars (\$35).

#### THE RESERVE FUND.

The law should be so amended as to provide the setting aside of an additional reserve to care for pensions paid on account of children under sixteen years of age and to provide that any balance or over-plus occurring on account of death or remarriage shall remain in the reserve fund.

#### DELINQUENT PREMIUMS AS LIEN UPON PROPERTY.

All delinquent payments of premium due to the accident fund shall be made a prior lien on any real estate or personal

property of any employer within the state and no property affected by the labor upon which assessment on payroll was levied under this act shall be subject to lease, sale or transfer until such premiums are first paid.

#### **LIMITATION ON SALARIES.**

Amend section 22 so as to remove the limit of per diem wage which may be paid to any auditor or assistant to the Commissioners.

Amend section 23 so as to remove the limitation of \$5,000 per month for the expense allowed for auditors and assistants to aid in the administration of the act.

#### **INCREASE IN SALARIES.**

Experience has disclosed that men in private business capable of performing duties of like importance to those performed by the various heads of the departments, *i. e.*, chief auditor, claim agent, chief medical advisor, and secretary, command salaries far in excess of those which are allowed or permitted by the restriction of the present provision of the Workmen's Compensation Act. We, therefore, recommend that provision be made for the increase of salaries of the officers above mentioned, and that an appropriation adequate for such increase be made.

#### **MINIMUM ASSESSMENT OF CASUAL EMPLOYMENT.**

Experience has taught that under the present system the premiums on payrolls of casual employers are ridiculously low, and inadequate to meet the demands for compensation due to accidents in this class of employment. We, therefore, recommend that a minimum assessment on such employment be fixed at not less than \$1 on each such payroll.

#### **RESPONSIBILITY FOR PREMIUMS OF CONTRACTORS AND OWNERS IN PRIVATE WORK.**

Section 17 of the law should be so amended as to provide that contractors and owners engaged in private work shall be

primarily liable for the payment of premiums on all work performed by subcontractors.

#### **FOREIGN PENSION WARRANTS.**

Great difficulty is experienced in the delivery of warrants to pensioners residing in foreign countries due to the fact that these warrants can not be made payable to any one except the beneficiary in person. We recommend that the law be changed so as to authorize the payment of these warrants to the consul or consular agent of the respective foreign countries residing in this country to whom faith and credit is given by the laws of this country in all questions affecting the rights of citizens of foreign countries.

#### **COURT REVIEWS.**

We recommend the amendment of section 20 of the act so as to define more clearly the matters resting in the discretion of the department which shall not be subject to review. The extent of permanent partial disability; whether the disability is permanent partial or total; the extent of time loss; and the questions of the proportionate amount of compensation due a claimant based upon the maximum compensation provided by law, are all questions which should be decided finally by the members of the Commission and should be declared to rest solely in the discretion of the Commission.

#### **MEDICAL, SURGICAL AND HOSPITAL SERVICE.**

The interests of the workman, the employer and society in general all imperatively demand the enactment of a law providing medical, surgical and hospital treatment for injured workmen. Hundreds of cases before the department demonstrate the fact that lack of such attention following injuries results in prolonged suffering and time loss, increased permanent disability and consequently an increase in compensation, both temporary and permanent. A few cases here cited illustrate the necessity of such legislation.

Claim No. 75989.—Claimant was injured on September 23, 1916. Falling tree hit object which hit claimant on head, face,

lower jaw was fractured, and claimant was unconscious for a long period of time, resulting in affection of eyesight and mental defect. Claimant stated he did not recover full consciousness for nearly a whole month and was shipped to his brother in Seattle before he knew anything.

He was examined on November 8, 1916, by our special examining physician at Seattle, who reported as follows: "This man is not right yet and should be under treatment, especially of some one skilled in nervous troubles." Claimant is receiving a monthly allowance. His period of disability would undoubtedly have been shortened and his permanent disability lessened by proper medical treatment.

Claim No. 66212.—Claimant was injured on May 1, 1916. While loading a vessel a cargo hook caught beam and beam fell on leg, breaking femur at middle third. Claimant had no hospital card and was treated at a city hospital. The day after the operation he broke the bone plate by walking on the leg. The plate had to be removed and infection followed. On November 18, 1916, when examined by our special examiner at Seattle, there was a discharging sinus at site of fracture, about two inches shortening of the leg, and claimant was found to be mentally unbalanced. On November 29, 1916, claimant appeared at the Olympia office and it was found that by reason of this mental condition he had been neglecting himself, his treatment could not be controlled, and he was not getting proper care. His condition was such that he was committed to the Western Hospital for the Insane by order of the superior court. Unquestionably the extent of this man's disability was greatly increased by reason of the fact that he had not proper medical care and attention following his injury.

Claim No. 31260.—This man, a carpenter, was injured August 8, 1913. Fell from a ladder, sustaining a rupture of urethra. Was married and had a family to support. Was not paying hospital dues to any physician at the time of accident.

An examination made December 23, 1913, by one of our special examiners indicated that an operation on urethra was the

only course to pursue to obtain a recovery. Claimant was unable to have this done on account of his financial condition, and the case dragged along until March 10, 1914, when we again had our special examiner report on his condition. This report showed that there had been no improvement whatever and that his condition was worse, if anything. We again had an examination in 1915 by a specialist in troubles of this kind. This doctor's report showed that there could be no relief from the condition until an operation was performed. The claimant, however, did not wish to submit to an operation on account of the large bills that same would involve. His family had no other means of support except the small amount received from the Commission, and it required considerable management to allow them to live on this monthly allowance.

This man was paid time loss for twenty-four months and a considerable sum for permanent partial disability. Had there been a first aid provision in the Compensation Act, the time loss would have been greatly shortened and the award for disability considerably lessened.

Claim No. 49982.—This claimant, a logger, was injured December 12, 1914. While at work he dropped a choker hook on right heel, resulting in ulceration of the injured parts. He had a hospital ticket and received hospital care for some time.

He was discharged from the hospital and left for an adjoining state while the wound on foot was still unhealed. He has been under the care of a number of physicians in the city where he now resides, sometimes being treated at the city hospital and at other times at the clinics of a medical school. There is no improvement in his condition. He receives \$20 per month from the Commission, which does not allow for proper treatment. His hospital agreement in this state has expired, and he cannot get back into the hospital here. Indications are that we will eventually have to pay this man for the loss of a foot.

Claim No. 41354.—A laborer, employe of the state highway department, working on Hoods Canal road, cut his foot



with an axe on August 7, 1914. He had no treatment whatever for about ten days. Was not under hospital contract and was allowed to shift for himself, according to his own statement. Had one dressing at Shelton and showed up here some twelve days after the accident. The foot was very badly infected, much swollen, and discharging very freely. He had no money to even take care of himself with, let alone provide the necessary hospital and medical attendance.

Owing to the fact that his foot was so badly infected, it was evident that he would have a lot of permanent partial disability. The Commission made an advance of \$50, that he might receive some care. He, however, went around from one physician to another and did not receive the kind of care that he should have had. Owing to the fact that he received no attention in the beginning, this man was disabled for ten months, and at that time his foot was practically useless. He was given, in addition to his time loss for ten months, \$700 permanent partial disability. One hundred dollars spent in doctor bills at the beginning of this case, would have probably saved, or should have saved, the \$700 and saved at least half of the time loss.

Claim No. 52125.—This man, a laborer, was injured June 12, 1915, while employed by a construction company in eastern Washington. No hospital ticket.

At the time of accident was given a superficial examination by a physician, and for some months treated for sciatica. The man was without funds, and during this period drifted from place to place. In the fall of 1915 the chief medical advisor of this Commission, while in Bellingham happened to see the claimant, and on examination found that there was a fracture of hip and non-union. The man was advised that he should place himself under the care of a competent physician. This he did, and was operated to bring the bones together, but on account of lack of funds was compelled to leave the hospital and the doctor's care shortly after the operation—result, operation failure. Claimant then went to another city where he was under the



care of different physicians for a short period, but the \$20 per month he received from the Commission was not sufficient to allow for proper treatment, and the final outcome was that we had to pay for total permanent disability of the injured leg, in addition to the seventeen months' compensation for time loss which he received.

Had the Commission been able to pay for proper treatment in this case, the time loss would have been greatly shortened and the disability award a great deal smaller.

The cases cited are not extraordinary, but only typical of hundreds of similar ones. Cases such as these arise every day and bring to mind very forcibly the pressing need of some sort of first aid legislation. The amount allowed under the law for time loss in the case of an unmarried man is barely sufficient to meet his living expenses, let alone pay hospital or doctor's bills; and in the case of a married man with a family to support, the distress is intensified. Under present conditions where no hospital arrangement is enforced and where the injured man is unable to secure proper treatment, he is left a cripple in a great many instances where he should have been strong and able-bodied if he had received proper care. This condition is an injustice both to the man and to the accident fund.

It also works a great hardship on the physician. In a large per cent. of the cases he never knows whether he will receive anything for his services, and in fact receives nothing in so many cases that he cannot be blamed if reluctant to take a case of this kind and give the man the time, care, and attention he should have. It is only fair to the doctor that he should know he will be paid.

E. W. OLSON,  
JOHN M. WILSON,  
FORREST I. GILL,

## SUPREME COURT DECISIONS

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The Supreme Court of the State of Washington in construing the Workmen's Compensation Act has invariably given it a broad interpretation extending its scope liberally in favor of the working classes. Following is a brief summary of the more important recent court decisions construing this law.

*State v. Business Property Security Co.*, 87 Wash. 626. This was an action to recover premiums due the Industrial Insurance Department based upon the payrolls of the defendant in their extra hazardous business of installing electrical apparatus in buildings, of painting buildings and structures and of carpenter work. The defendant denied its liability on the ground that the only business in which it was engaged was the managing and superintending of business properties for the owners, including the collection and disbursement of rentals and maintenance of buildings and that the employment of carpenters, painters and electrical workers was incidental only to such management and not within the scope of the Workmen's Compensation Law.

The court held: The defendant's liability is not to be determined by an answer to the question whether it is *principally* engaged in an extra hazardous business, but if it conducts any department of its business, either large or small, as an extra hazardous business within the meaning and terms of this act, its workmen would come under the class designated by the act. A department of defendant's business is clearly the "repair" of buildings, which is one of the occupations stated in the act as extra hazardous. The defendant is liable for the premiums.

Closely allied to this case in principle is the case of *Replogle v. Seattle School District*, 84 Wash. 581. This action was brought by Replogle to recover damages for personal injuries due as alleged to negligence of the Seattle School District.

Plaintiff was employed by the school district as a truck driver and store keeper's helper, working under the direction of

one Moseley, who directed plaintiff to accompany one Osborn, the defendant's electrician, to a certain school building and there under Osborn's direction assist him in repairing an electric motor. While thus employed the plaintiff was injured. The school district defended on the ground that the occupation of the plaintiff at the time of the injury was extra hazardous and within the scope of the Workmen's Compensation Act and that no action could be maintained for said injury. The trial court held: That plaintiff's regular employment as truck driver and store keeper's helper was not extra hazardous and that he was not entitled to compensation under the Workmen's Compensation Law.

The Supreme Court in reversing the lower court held that while it may be conceded that plaintiff's regular employment as truck driver and store keeper's helper was not extra hazardous, yet the fact is that he was injured while he was occupied, by Moseley's direction, as assisting the electrician in installing the electric motor: that the installation of the electric motor was extra hazardous under the law, therefore he was entitled to compensation under the Workmen's Compensation Act and could not maintain the action against his employer for damages.

The effect of these two decisions and other similar decisions of the court places a construction upon the law, which raises many troublesome situations for the department. The occasional employment, so frequently of short duration, cannot be discovered and audited by the auditors in the field and the premiums on payrolls on much of this work is lost, while invariably if an accident occurs a claim is filed and compensation must be awarded. Some change should be made in the law, to remedy this condition.

The case of *Meese v. Northern Pacific Railway Co.*, recently decided by the Supreme Court of the United States, settles definitely the status of workmen injured in the course of employment at the plant of the employer by parties other than their employer. In this case Benjamin Meese, an employee of the Seattle Brewing and Malting Co., was injured while in the course

of his employment at the plant of the employer, by reason of a car being switched on a siding by the Northern Pacific Ry. Co., colliding with the car in or about which Meese was working. An action for damages was brought by the widow and on behalf of minor children against the railroad company in the District Court of the United States for the western district of Washington. The railroad company demurred to the complaint on the ground that the deceased was at the time of the accident employed within the scope of the Workmen's Compensation Act and, therefore, no action for damages would lie.

The trial court held: That the purpose of the Workmen's Compensation Act was not merely to end controversies between employers and employees in respect to injuries of the latter, but to end all suits at law for the injury or death of employees while engaged in certain occupations, no matter by whom injured or killed; and dismissed the suit.

This action of the trial court was reversed by the Circuit Court of Appeals, and upon appeal to the Supreme Court of the United States the decision of the Court of Appeals was in turn reversed and the holding of the trial court sustained. A claim for compensation was filed with the Industrial Insurance Commission and after the final decision of the court, pension was awarded to the widow and children.

*State ex rel Jarvis v. Industrial Insurance Commission*, 87 Wash. 253. This was an application for writ of mandamus to compel the members of the Industrial Insurance Commission to make demand upon the Puget Sound Navigation Co. for premiums based upon their payroll of employees on the Steamship "Whatcom" engaged in carrying passengers and freight on Puget Sound for hire.

The relator, Frank Jarvis, was in the employ of said company, working upon the steamship as an oiler. While thus engaged he was injured. He presented a claim for compensation to the Industrial Insurance Commission, which was rejected for the reason that the Commission had no jurisdiction over the steamship company. The company had never paid any prem-

iums and no demand had been made upon them for premiums under the Compensation Act.

The case presented the question of whether or not a seaman employed upon a boat operating upon Puget Sound and engaged in interstate commerce is covered by the provisions of the Industrial Insurance Act.

The court held: That the state legislature could not by the passage of the Workmen's Compensation Act modify or abrogate the Maritime Law of the United States under which an injured seaman could pursue his remedy in Admiralty; that for this reason the State could not give the employing company the equal protection of the Laws, which is given to other employers within the Act. The writ was denied.

*Stertz v. Industrial Insurance Commission*, 49 Wash. Decisions 320. This was an appeal from the ruling of the Industrial Insurance Commission rejecting the claim of a widow for compensation by reason of the death of her husband. The facts were as follows:

Stertz, who was a foreman of a logging camp, had suspended for misconduct a workman named Steele, but had reinstated him. Some weeks later Steele was discharged by the manager of the company. Three days after his discharge he procured a gun and proceeded to a point along the logging railway where switching was done and there shot Stertz and three other workmen. Stertz and two of the other workmen died, and their widows filed claim for compensation with the department, which claims were rejected and appeals taken to the Superior Court, and it was stipulated that all three claims should be governed by the result of the trial in the Stertz case.

The Commission contended that the injury was not one which arose out of the employment and that there was no causal connection between the employment and the accident. The Supreme Court reversing the trial court, which upheld the Commission, held: That under the Workmen's Compensation Law the workman has absolute insurance while on the employer's premises and that the well known principle incident to Industrial Compens-

sation Laws, namely, that the accident must arise out of the employment was not present in our act; and directed that compensation should be paid; and accordingly pensions were allowed in each of the three cases.

This construction of the Law broadens its scope materially and gives food for thought, which may well be considered by employers and the legislature.

*Ross v. Erickson Construction Co.*, 89 Wash. 634. This case presents and decides an interesting question in relation to the Workmen's Compensation Law. Ross, an employee of the Erickson Construction Co., was injured while in the course of employment and under circumstances which entitled him to compensation under the act. A claim was filed and compensation granted. He then sued his employer for damages alleged to have been suffered by reason of the malpractice of the attending physician, who was employed to do surgical and hospital work for the construction company.

The defendants contended that no recovery could be had for the reason that the plaintiff, Ross, had been compensated for all injuries resulting from the primary injury, or proximately attributable thereto.

The Supreme Court held: That the purpose of the Workmen's Compensation Act was to end all litigation growing out of, incident to, or resulting from the primary injury, and in lieu thereof, give the workman one recovery in the way of certain compensation, and to make the charge upon the contributing industry alone. When a workman is hurt and removed to a hospital, or is put under the care of a surgeon, he is still within every intendment of the law in the course of his employment and a charge upon the industry and so continues as long as his disability continues.

This opinion has far reaching results, both with reference to employers and the administration of the Law by the department and as a result of this interpretation, employers should give careful attention to the nature and character of medical, surgical and hospital treatment furnished the injured work-



man and the Commission under the provisions of Section 24, subdivision 4 of the Act, should give more careful supervision and attention to medical, surgical and hospital treatment. The legislature should bear in mind this requirement in considering appropriations for the administration of the act. We believe a more rigid exercise of this provision of the Law would be an economic saving to the industry and of a great benefit to the injured workman in securing better results from treatment. As an illustration of some of the problems which confront the Commission in the administration of the Law and upon which this decision has a bearing, we cite the following instance:

On July 31st, 1914, a logger had fracture of right femur and was treated by extension and splints, then by cast and a long side splint and in February, 1915, the bone was healed with some forward and outward angulation and deformity and  $2\frac{7}{8}$  inches of shortening. This condition rendered it impossible for the workman to go about without crutches. He appeared before the Commission and urged a settlement in the condition in which he was, giving as one of the reasons for a settlement at that time, that he might have an operation performed with a view of remedying the condition of his limb. He was paid time loss up to that time and paid for two-thirds of the loss of a leg, and his claim was closed. In May, 1916, he wrote the Commission with reference to reopening his claim and on Sept. 2nd, he made a formal application for a reopening of his case, filing his own affidavit and affidavits of a number of physicians, which proved that after his settlement with the Commission and after he had consulted other physicians an attempt was made to straighten and improve his leg by operation. Lane's plate was applied to the femur, following which he had a cerebral embolus and as a result of the same they were unable to control the patient, so that this operation was a failure. Then on June 7th, 1916, he was re-operated and an autogenous intermedullary bone grafted and two small wire nails applied; that as a result of said operation the petitioner suffered an attack of paralysis affecting his left side, arm and leg; that later two



operations followed and again on the 14th day of June, 1916, claimant was examined and it was found that the fracture was still un-united and another operation was performed for the purpose of undertaking to obtain a union by using a transplant taken from another bone and placed in the shaft of the fractured femur. According to the advice of the physicians who have performed these various operations and who are now attending the claimant, it is apparent that his disability will not cease short of the loss of a leg.

The Commission in considering the application for a reopening of his case was confronted with the fact that the man had been paid for the disability which was found to exist at the time when settlement was made, and that his present condition was probably due to the failure of the subsequent operations which were made upon the advice of physicians in the belief that the claimant's condition would be improved thereby. The first impression of the Commission was to reject this application for reopening, but a close study of the case of *Ross v. Erickson Construction Co.*, above cited, leads us to conclude that in the light of the broad interpretation of our Act as declared in that and other decisions of our Supreme Court, it would be error to reject this application for reopening. In this decision the court adopted the ruling in the Burns' case, 218 Mass. 8, 105 N. E. 601, (which was a case in which the immediate cause of death was bed sores, which finally produced blood poisoning, and a finding that death resulted from injury) and held: "The mere circumstance that there have intervened, between the wrongful cause and the injurious consequence, acts produced by the volition of animals or of human beings, does not necessarily make the result so remote that no action can be maintained. The test is to be found, not in the number of intervening events or agents, but in their character, and in the natural and probable connection between the wrong done and the injurious consequence. So long as it affirmatively appears that the mischief is attributable to the negligence as a result that might reasonably have been foreseen as probable, the legal

liability continues.' Nor would it have been material, if that had been found to be the fact, that the bedsore was due to the mistake or the negligence of the physicians acting honestly." Again the court adopts the following language: "If a person receives an injury through the negligent act of another, and the injury is afterwards aggravated, and a recovery retarded through some accident not the result of want of ordinary care on the part of the injured person, he may recover for the entire injury sustained, as the law regards the probability of such aggravation as a sequence and natural result likely to flow from the original injury."

In passing upon this case the Commission had in mind the doctrine that if the chain of causation is broken by a *novus actus interveniens*, so that the old cause goes, and a new one is substituted for it, that is a new act, which gives a fresh origin to the after consequences, but we are convinced that the present condition of the claimant is the natural consequence of the chain of circumstances following the original injury and for this reason the claim was reopened and time loss allowed pending a final determination of the extent of the claimant's disability.

## OPINIONS OF ATTORNEY GENERAL

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OLYMPIA, WN., September 9, 1912.

*Industrial Insurance Commission, Olympia, Wn.:*

GENTLEMEN: We have your letter of the 27th ult., referring to us communications from Howell-Hill Mill Co., Tacoma, and files relative to A. L. Butterworth and Arlington Shingle Co.

It appears that Mr. Butterworth is an individual employer who himself was actively engaged in the work of manufacturing shingles, and one of your reports states that his name was carried upon the payroll as a filer at \$5.50 per day. He was injured last July.

It appears from the letter of the Howell-Hill Mill Co. that the name of J. O. Howell is carried upon the payroll of the Howell-Hill Mill Co. It also appears that he has been injured, but whether before or after his name went upon the payroll is not disclosed. The nature of his employment and the amount of his salary or wage is not shown. Nor is it stated whether this company is a corporation.

You refer us to section 3 of chapter 74, Laws 1911. So much of said section as is material reads as follows:

"Any individual employer or any member or officer of any corporate employer who shall be carried upon the pay roll at a salary or wage not less than the average salary or wage named in such pay roll and who shall be injured, shall be entitled to the benefit of this act as and under the same circumstances as and subject to the same obligations as a workman."

You ask, "Does an individual employer become entitled to an award, in event of injury, by the mere act of carrying his name upon the payroll, whether his occupation would be considered extra-hazardous or not?"

As it is asked, we must answer the question in the negative. An individual employer is entitled to the benefit of the act "under the same circumstances as and subject to the same obligations as a workman" is so entitled; that is, he must be engaged in an enterprise or business, or in the particular employment or department of such enterprise or business which is extra-hazardous within the meaning and intent of said act. This does not prevent an employer from electing to come under the act, as provided in section 19, upon filing with the Department notice of such election. Merely carrying the name on the payroll is not a sufficient election.

You then ask this question: "If an employer who has not carried his name upon the payroll be injured, can he by placing his name thereon and tendering payment to this Department, compel an award in event of injury already sustained?"

This question, also, must receive a negative answer. The law is intended to apply where the relation of master and servant exists, and to

provide compensation for an injured workman. It is not intended to create a plan of compulsory insurance for employers, and imposes no obligation upon an employer to pay any contribution upon his own payroll. It does, however, permit an employer to elect to come under the act and to obtain its benefits "under the same circumstances as and subject to the same obligations as a workman." Until the election is made the employer is not covered by the law, and we are of opinion that the election can be made only in the way indicated; that is, by carrying the name of the employer upon the payroll and paying contribution thereon. It is a necessary conclusion from this that an employer cannot receive compensation for an injury received prior to the time that his name is put upon the payroll and his contribution thereupon is made to the proper fund. We might add, that a name must be carried upon the payroll at the actual salary or wage of the employer, unless such salary or wage is less than the average of the payroll, when it must be carried for the purposes of your Department at least at such average.

You then say, "Can such employer who may have carried his name upon the payroll but who has never been reached by the Department for the purpose of auditing his books and obtaining contribution of premiums, require an award to be made for an accident which occurred before such contract and contribution?"

This question must receive a negative answer, in view of what we have already said.

Yours very truly,

S. H. KELLERAN,  
*Assistant Attorney General.*

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OLYMPIA, WN., October 18, 1913.

*Industrial Insurance Commission, Olympia, Wn.:*

GENTLEMEN: In answer to your letter of the 19th ult., wherein you ask if the parents who are receiving a monthly payment under the compensation act by reason of the death of a son, avail themselves of the benefit of the "colony" in connection with the state soldiers' home at Orting, whether the compensation should be discontinued on that account.

In reply thereto I have to advise you that such compensation should not be discontinued. I may suggest, however, that the board of control does not admit persons to the colony unless they are indigent and unable to earn a living. The fact that they are receiving a compensation from the state would probably be taken into consideration by the board in determining whether they should be admitted to the home.

Yours respectfully,

W. V. TANNER,  
*Attorney General.*

OLYMPIA, WN., November 22, 1913.

*Industrial Insurance Commission, Olympia, Wn.:*

GENTLEMEN: We are in receipt of your letter of recent date, which reads in part as follows:

"We understand that private contractors are drilling oil wells on the Tulalip Indian reservation. Would these operations come under the provisions of the workmen's compensation act?"

This question involves the jurisdiction of the state over Indian lands under the provisions of article 26 of the state constitution, which is a re-enactment of the second paragraph of section 4 of the enabling act, providing that until title to Indian lands "shall have been extinguished by the United States, the same shall be and remain under the absolute jurisdiction and control of the Congress of the United States."

In the case of *Draper v. United States*, 164 U. S. 238, the supreme court of the United States said that "in reserving to the United States jurisdiction and control over Indian lands, it was not intended to deprive that state (Montana) of power to punish for crimes committed on a reservation, or Indian lands, by other than Indians or against Indians \* \* \*." The case of *State v. Howard*, 33 Wash. 250, is to the same effect. It has also been held that a sheriff has the right to enter an Indian reservation and levy execution on personal property of residents thereon other than Indians (*Stiff v. McLaughlin*, 19 Mont. 302), and that a board of county commissioners has the authority to establish voting precincts within the boundaries of Indian reservations (*State v. Denoyer*, 6 N. D. 599). In the latter case, the court said:

"It (the reservation made by the Enabling Act) did not take Indian lands out of the jurisdiction of the state where located, in the sense that the lands in another state are excluded. The United States retained all jurisdiction necessary for the disposition of the land and the title thereto; all jurisdiction necessary to enable it to carry out all treaty and contract stipulations with the Indians; all jurisdiction necessary to enable it to protect and civilize its unfortunate wards. But the state had jurisdiction to tax the property of its citizens within the reservation, to enter thereon for the purpose of enforcing, by levy and sale, the collection of such tax. It had jurisdiction to punish its citizens for crimes committed one against the other thereon. And the principle of these decisions logically and necessarily lead further, and give the state the right to extend to its citizens lawfully upon such Indian lands all the privileges and immunities of the laws of the state, where the same in no manner conflict with the reserved jurisdiction of the United States."

From the foregoing authorities, it seems clear that the jurisdiction of the state extends over Indian reservations. Answering your question directly, therefore, you are advised that the operations of private contractors in drilling oil wells on the Tulalip Indian reservation, come within the provisions of the industrial insurance act (Laws of 1911, ch. 74).

Yours respectfully,

W. V. TANNER,  
Attorney General.

OLYMPIA, WN., July 1, 1914.

*Industrial Insurance Commission, Olympia, Wn.:*

GENTLEMEN: In answer to your letter of the 29th ult., you are advised that a child legally adopted by a third person is not entitled to compensation under the law by reason of the death of his or her natural father.

Yours respectfully,

W. V. TANNER,  
*Attorney General.*

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OLYMPIA, WN., December 24, 1914.

*Industrial Insurance Commission, Olympia, Wn.:*

GENTLEMEN: *Re* Claim No. 43512—Jessie Waggoner. We have your favor of recent date requesting advice upon the following statement of facts:

"W," a laborer, was fatally injured while engaged in employment within the scope of the workmen's compensation law. He was a widower and left surviving him three children, namely, a son over 18 years of age, one daughter under the age of 16 years and a daughter 22 years of age. You ask whether the son and eldest daughter, upon proving dependency, would be entitled to compensation.

The law is specific both in the definition of a dependent, under section 3 of the act, and under subdivision 3 of section 5 of the act, fixing compensation, that a dependent is not entitled to compensation except in the case where a workman leaves no widow, widower or children under the age of 16 years. It would therefore seem clear that in the case stated—there being a child under 16 years surviving—no dependency would exist.

Respectfully yours,

JOHN M. WILSON,  
*Assistant Attorney General.*

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OLYMPIA, WN., March 26, 1915.

*Industrial Insurance Commission, Olympia, Wn.:*

DEAR SIRs: We have your request for an opinion on the following statement of facts:

A workman was injured under circumstances which entitle him to compensation under chapter 74, Laws of 1911 of the State of Washington. His injury resulted in a temporary total disability which has continued since May, 1914. His wage at the time of his injury was \$2.00 per day. You ask us to state the amount the workman is entitled to while suffering this disability. We assume that you intend to refer to the first six months of such disability, as there could be no question of the amount of compensation due after that period of time.



Your question involves the construction of subdivision (d) of section 5 of the workmen's compensation act.

Subdivision (b) of said act reads, in part, as follows:

"When permanent total disability results from the injury, the workman shall receive monthly during the period of such disability: \* \* \*

"(3) If the workman have a wife or husband and a child or children under the age of sixteen years, or, being a widow or widower, have any such child or children, the monthly payment provided in the preceding paragraph shall be increased by five dollars for each such child until such child shall arrive at the age of sixteen years, but the total monthly payment shall not exceed thirty-five dollars."

Subdivision (d) of the same section, so far as is material to this inquiry, reads as follows:

"When the total disability is only temporary, the schedule of payment contained in paragraphs (1), (2) and (3) of the foregoing subdivision (b) shall apply so long as the total disability shall continue, increased 50 per cent for the first six months of such continuance, but in no case shall the increase operate to make the monthly payment exceed 60 per cent of the monthly wage (the daily wage multiplied by twenty-six) the workman was receiving at the time of his injury."

The provision that "in no case shall the increase operate to make the monthly payment exceed sixty per cent of the monthly wage \* \* \* the workman was receiving at the time of his injury," as found in the above last quoted subdivision, was evidently intended as a limitation on the *amount of increase* and cannot reasonably be construed to mean a limitation on the amount of compensation as provided by paragraphs (1), (2) and (3) of subdivision (b). Otherwise, the provision would tend to work a hardship rather than a benefit upon the injured workman, which is manifestly contrary to the purpose of the act.

For instance, in the given case, the workman in paragraph (3), subdivision (b), should receive \$35.00 per month. This increased fifty per cent would, but for the limitation, entitle him to \$52.50 per month during the first six months of his total temporary disability. To apply the limitation of sixty per cent of his wage would reduce his allowance to \$31.20, an amount less than is expressly given him by the preceding section. Had this been the intention of the law, there would be no necessity for the words "the increase operate to make," as used in subdivision (d), but it would read, in no case shall the monthly payment exceed sixty per cent of the monthly wage, etc.

A more equitable rule, and one which we believe is clearly contemplated by the act, is to apply the sixty per cent limitation to the increase only, which, in the given case, would completely efface the increase but give the workman the maximum provided without it, or \$35.00 per month. In other words, the operation of the sixty per cent clause should in no case reduce the compensation below that fixed in subdivision (b).

Respectfully yours,

JOHN M. WILSON,  
Assistant Attorney General.



OLYMPIA, WN., July 15, 1915.

*Industrial Insurance Commission, Olympia, Wn.:*

DEAR SIRs: Some time ago you requested an opinion as to the right to compensation under the workmen's compensation act of this state of a workman employed by an employer operating within the law in this state, but who was injured in the course of his employment without the state.

Without considering the question fully, we wrote you informally, expressing our views of the matter. We now submit the following opinion.

A review of the authorities on this question shows that they are not harmonious. Under the Ohio act, which provides for injuries "wheresoever incurred," it is held that an employee of an Ohio employer, injured in a foreign state in the course of his employment, is entitled to compensation.

Under the New Jersey law a workman employed in New Jersey and injured in New York, was held to be entitled to compensation, the court in its opinion saying:

"The statute can have no extraterritorial effect but it can require a contract to be made by two parties to a hiring, that the contract shall have an extraterritorial effect."

The general rule, however, is that unless clearly intended to the contrary, statutes have no effect beyond the territorial limits of the state in which they are enacted.

Hence it was held in England that the dependents of a workman employed by English employers under a contract entered into in England, who was killed by accident while working beyond the limits of the United Kingdom, could not recover compensation.

*Tomalin v. S. Pearson & Son*, 2 K. B. 61.

In *Keyes-Davis Co. v. Aldendyce*, Detroit Legal News, May 3, 1913, the Michigan industrial accident board held that an employee injured in Buffalo, New York, while in the course of his employment under a contract with a Michigan employer, was not entitled to compensation.

To the same effect is *In re Gould*, 215 Mass. 480, 4 N. & C. C. A. 60, where the Massachusetts act was held not to be extraterritorial in its scope.

In enacting the workmen's compensation statutes the legislature rather than seeking to extend their powers beyond the borders of the respective states, have, by the general tenure of the statutes, and sometimes by express words, limited their operation to the territorial limits of the respective states. This is shown by an examination of the several statutes upon this subject and the point is usually decided upon the language of the various acts as indicating a purpose to make its terms applicable to injuries received outside of the state.

An examination of our act discloses an intention to limit its application. By section 2 it is declared that the act is intended to apply to

and embrace all inherently hazardous works and occupations which are within the legislative jurisdiction of the state.

By section 3, under the definition of workman, the following language is used: "Workman means every person *in this state* who is engaged in the employment of an employer carrying on or conducting any of the industries scheduled or classified in section 4, etc."

Under section 18, regulating the application of the act to interstate commerce and providing for voluntary acceptance of the provisions of the act by employers and their workmen, the right of acceptance is confined to those "working only in this state."

These and other provisions of the act denote an intention to confine the provisions of the law to the territorial limits of the state, in conformity to the general rule above stated.

From these declarations of intention and the greater weight of authority as we find it, we advise that the provisions of the law are not extraterritorial and that a workman employed in this state, who is injured outside of the state, is not entitled to compensation by reason of such injury.

Respectfully yours,

JOHN M. WILSON,  
Assistant Attorney General.

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OLYMPIA, WN., March 2, 1916.

*Industrial Insurance Commission, Olympia, Wn.:*

GENTLEMEN: In a recent communication to this office you request an opinion as to whether, after an employer and employe have jointly elected to avail themselves of the benefit of the workmen's compensation law, they may withdraw from the provisions of the law after giving the Commission due notice of their intention so to do.

The elective provision of the law, found in section 19 thereof, reads as follows:

"Any employer and his employees engaged in works not extra hazardous may, by their joint election, filed with the Department, accept the provisions of this act, and such acceptances, when approved by the Department, shall subject them irrevocably to the provisions of this act to all intents and purposes as if they had been originally included in its terms. \* \* \*"

There is no provision in this section, or anywhere in the law, for a withdrawal of the election after it has been made. On the contrary, this section expressly provides that such an election shall subject the parties *irrevocably* to the provisions of this act; and we are therefore of the opinion that when an election is once made, the parties are bound thereby as long as they continue in the relation of employer and employee within the general terms of the workmen's compensation law.

Respectfully yours,

JOHN M. WILSON,  
Assistant Attorney General.

OLYMPIA, WN., March 2, 1916.

*Industrial Insurance Commission, Olympia, Wn.:*

GENTLEMEN: Under date of February 29th you wrote us that you are having trouble obtaining physician's reports on claimants whom they have treated as attending physicians under the provisions of the workmen's compensation act, and you request an opinion as to whether physicians can be compelled to make reports of this character.

By section 12 of the act it is provided that "where a workman is entitled to compensation under this act he shall file with the Department, his application for such, together with the certificate of the physician who attended him, and it shall be the duty of the physician to inform the injured workman of his rights under this act and to lend all necessary assistance in making this application for compensation and such proof of other matters as required by the rules of the Department without charge to the workman."

By section 24 of the act the Commission is authorized to establish and promulgate rules governing the administration of the act, and to supervise the medical, surgical and hospital treatment to the intent that same may be in all cases suitable and wholesome.

By section 24a a penalty in the sum of \$250.00 is provided against anyone who shall violate or fail to obey, observe or comply with any rule of the Department promulgated under the authority of this act.

We are of the opinion that section 12, above referred to, imposes a duty upon the attending physician not only to the claimant but to the state; and that the provisions of that section are mandatory. We are also of the opinion that any rule of the Department, based upon any provision of the statute, is enforceable and mandatory, provided such rule has been formally promulgated as is contemplated by the first subdivision of section 24 of the act.

We therefore advise that a formal demand be made upon any physicians who are refusing to comply with the provisions of this act and the rules of the Department, for the information desired; and in case the same is refused, that the matter be referred to this office and proceedings be had for the purpose of testing the authority conferred by the act.

Respectfully yours,

JOHN M. WILSON,  
*Assistant Attorney General.*

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