

NINETEENTH ANNUAL REPORT
OF THE
UNITED STATES EMPLOYEES'
COMPENSATION COMMISSION

JULY 1, 1934, TO JUNE 30, 1935



COMMISSIONERS

JEWELL W. SWOFFORD, Chairman
HARRY BASSETT - JOHN M. MORIN



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NINETEENTH ANNUAL REPORT
OF THE
UNITED STATES EMPLOYEES' COMPENSATION
COMMISSION

NOVEMBER 15, 1935.

To the Senate and House of Representatives:

Report of the operations of the United States Employees' Compensation Commission for the fiscal year ended June 30, 1935, is herewith submitted in conformity with the act of September 7, 1916.

I. JURISDICTION OF THE COMMISSION

The United States Employees' Compensation Commission, created by the act of September 7, 1916, is charged with the duty of administering four laws providing workmen's compensation benefits for employees in certain employments within Federal jurisdiction, as follows:

1. The act approved September 7, 1916 (U. S. C., title 5, secs. 751-795), providing compensation for civil employees of the United States who suffer personal injury while in the performance of official duty.

2. The act approved March 4, 1927 (U. S. C., supp. 7, title 33, secs. 901-950), providing compensation for disability or death resulting from injury to certain employees in maritime employment upon the navigable waters of the United States.

3. The act approved May 17, 1928 (45 Stat. 600), providing compensation for disability or death resulting from injury to employees in certain employments within the District of Columbia.

4. The act approved February 15, 1934, providing compensation for certain employees on Federal Emergency Work projects who suffer traumatic injury while in the performance of duty.

The compensation law referred to as the act of February 15, 1934, is an appropriation act in which was included statutory authority extending the provisions of the Federal Employees' Compensation Act of September 7, 1916, subject to certain conditions and limitations, to employees of the Civil Works Administration. The conditions and limitations so changed the basic law in its application to this emergency employment that the effect is the same as a new and different compensation law. It might appropriately be designated as the Federal Emergency Workmen's Compensation law, especially in view of the fact that the provisions relating to compensation for disability and death have been made applicable to other emergency relief employments. The latter include enrollees in the Civilian

Conservation Corps and certain work-relief beneficiaries receiving security payments from funds provided by the Federal Emergency Relief Appropriation Act of 1935.

In contrast with the action of the Federal Government in providing protection in the form of workmen's compensation benefits for its own employees, including the several million employees on Federal work relief projects, is its failure to provide for similar protection for employees in private employments within exclusive Federal jurisdiction and subject only to Federal regulation.

The Commission in its last annual report commented upon the desirability of legislation to provide workmen's compensation protection for workmen in the employ of common carriers engaged in interstate commerce and for the officers and members of the crew of vessels of American registry. The need for Federal legislation for this purpose has long been recognized and during the past year there has been renewed interest in the fulfillment of this need. This is evidenced by proposed legislation introduced in the Senate of the United States during the first session of the Seventy-fourth Congress to provide workmen's compensation benefits for employees in interstate commerce. Evidence of interest in providing compensation protection for maritime employment is indicated by the deliberations and conclusion of the Arbitration Board appointed in connection with the settlement of the recent seamen's strike on the Pacific coast. These two large fields of commercial employment apparently cannot be brought within the scope of the State workmen's compensation laws. The principles of workmen's compensation legislation have been so universally accepted—such laws are in effect in 46 States and the several Territories—and its advantages have been so clearly demonstrated, both from a social and an economic viewpoint, that the Commission feels constrained to urge upon the Congress prompt steps toward the enactment of appropriate legislation to extend these principles to all employment subject to regulation by the Federal Government. The enactment of such legislation by the Federal Congress would not be an experimental venture as the long-shoremen's and harbor workers' compensation law approved March 4, 1927, furnishes a suitable precedent for such action. This law which has been administered by the Commission for more than 8 years demonstrates the feasibility of administering legislation of this character in an efficient and economical manner and the advantages of vesting the administrative responsibility in an independent commission. The application of this law with such appropriate changes as might be deemed necessary to meet conditions peculiar to these employments would seem to provide the most practicable and desirable method of carrying out this recommendation.

There appears to be only one other field of employment to which State workmen's compensation laws may not validly apply. In at least one case the Supreme Court has held that a State workmen's compensation law does not apply to territory beyond the authority of the State legislature. In order to meet this situation Federal legislation is apparently necessary. A bill (S. 3238) introduced in the first session of the Seventy-fourth Congress, if enacted into law, will appropriately meet this need. This bill proposes to require every contract entered into with the United States for the construc-

tion, alteration, or repair of any public building or public work, to contain provisions under which the contractor will be required to provide insurance or secure the payment of compensation under the provisions of the longshoremen's and harbor workers' compensation law for employees on work to which a State workmen's compensation law does not validly apply. The Commission recommends the enactment of this measure with certain modifications which will be submitted to the Congress in a special report upon the bill.

The only legislation enacted during the first session of the Seventy-fourth Congress affecting the jurisdiction of the Commission is that providing Federal compensation benefits for persons employed as civil employees of the United States on projects financed by funds allotted from the Federal Emergency Relief Administration of 1935. This legislation does not in any respect change the functions of the Commission but merely extends its jurisdiction to newly created emergency employments which, judging from present indications, will provide employment for $3\frac{1}{2}$ million workers. It will be observed that this employment alone involves between five and six times the number of employees normally within the scope of the Federal employees' compensation law. The increase in the volume of work the Commission will be required to perform is not evident merely from the comparison of the changes in the number of employees within the scope of this law, but it is also necessary to take into account the nature of the work program and the manner of its execution, which presents problems not ordinarily encountered in the regular Federal service.

Since the several laws administered by the Commission apply to different employments it is not practicable to deal with the administrative features of each under one general heading. The most important of these are discussed briefly in connection with the report of operations under each law.

II. OPERATIONS UNDER THE UNITED STATES EMPLOYEES' COMPENSATION ACT

For a period of approximately 15 years prior to 1933 it was estimated that the number of employees within the scope of the Federal Employees' Compensation Act of September 7, 1916, did not exceed 700,000. The number since 1933 has materially increased, and the Commission believes that at the present time it is probably between 900,000 and 1,000,000. It is impracticable to obtain definite information in this respect because of the difficulty of determining the proper classification of the employees in all emergency employments. While the provisions of the act approved February 15, 1934, relating to compensation for disability or death have been made applicable to enrollees in the Civilian Conservation Corps and certain persons employed as civil employees of the United States on work-relief projects financed through funds provided by the Federal Emergency Relief Appropriation Act of 1935, the limited benefits extended to these emergency employments are not applicable to administrative and supervisory personnel employed in connection therewith. The administrative and supervisory staff of the Civilian Conservation Corps, the Works Progress Administration, and the Resettlement

Administration, are eligible for the full benefits provided by the act of September 7, 1916. Personnel employed by other establishments of the Government except relief beneficiaries receiving security payments are likewise entitled to the benefits of this law.

In providing for a special fund to be set aside from funds appropriated by the Federal Emergency Relief Appropriation Act of 1935 to cover the cost of compensation benefits extended to persons employed in connection with the relief program authorized by that act, it may be assumed that it was the intention of the Congress to avoid any permanent obligation against the regular employees' compensation fund on account of the emergency relief program. This end will not be achieved, however, and compensation benefits awarded on account of the disability or death of persons employed in administrative or supervisory positions in connection with the relief program are an obligation against this permanent fund. The cost of compensation benefits awarded in such cases will be reflected in the annual appropriation for this fund for a number of years.

Injuries reported.—During the calendar year ended December 31, 1934, the Commission received reports of 34,125 new injuries. This number does not include any cases involving injuries to emergency employees whose claims for compensation are within the scope of the act of February 15, 1934. This is the largest number of new cases ever reported in 1 calendar year under this compensation law, and represents an increase of nearly 37 percent over the number reported during the preceding year and an increase of 50 percent over the average number of new cases reported annually during the 10-year period 1923 to 1932, inclusive. The number of injuries distributed according to the reporting offices is shown for each 6-month period from January 1931 to June 30, 1935, in table 2. Upon reference to this table it will be noted that the increase in the number of new injuries has been more or less general throughout all Federal establishments.

TABLE 1.—INJURIES REPORTED AND CLAIMS RECEIVED SEPT. 7, 1916, TO OCT. 31, 1935

Period covered	Injuries reported			Percent increase over previous year	Claims received on account of loss of wages			Percent increase over previous year
	Nonfatal	Fatal	Total		Disability	Death	Total	
Sept. 7, 1916, to Dec. 31, 1917—	15,831	245	16,076	-----	6,429	227	6,656	-----
Year ending Dec. 31—								
1918.....	23,448	670	24,118	50.00	12,183	438	12,621	89.60
1919.....	25,203	610	25,813	7.00	13,425	499	13,924	10.30
1920.....	19,557	523	20,080	¹ 22.21	10,505	427	10,932	¹ 21.50
1921.....	18,028	362	18,390	¹ 8.40	7,857	310	8,167	¹ 25.30
1922.....	17,905	354	18,259	¹ 1.71	6,804	282	7,086	¹ 13.20
1923.....	17,713	279	17,992	¹ 1.46	6,466	236	6,702	¹ 5.40
1924.....	20,260	278	20,538	14.15	6,890	224	7,114	6.15
1925.....	20,377	314	20,691	.74	6,987	274	7,261	2.07
1926.....	19,208	319	19,527	¹ 5.63	6,830	274	7,104	¹ 2.16
1927.....	20,190	357	20,547	5.22	7,272	285	7,557	6.38
1928.....	21,886	303	22,189	7.99	7,928	259	8,187	8.34
1929.....	25,376	314	25,690	15.78	9,074	263	9,337	14.05
1930.....	25,775	294	26,069	1.48	9,077	206	9,283	¹ 1.58
1931.....	28,176	262	28,438	9.09	9,240	168	9,408	1.35
1932.....	25,117	231	25,348	¹ 10.87	7,639	190	7,829	¹ 16.78
1933.....	24,791	228	25,019	¹ 12.27	7,226	188	7,414	¹ 5.30

¹ Decrease.

TABLE 1.—INJURIES REPORTED AND CLAIMS RECEIVED SEPT. 7, 1916, TO OCT. 31, 1935—Continued.

Period covered	Injuries Reported			Percent increase over previous year	Claims received on account of loss of wages			Percent increase over previous year
	Nonfatal	Fatal	Total		Disability	Death	Total	
1934								
January.....	2,812	28	2,840	21.68	1,046	23	1,069	31.65
February.....	2,297	13	2,310	40.43	663	11	674	14.04
March.....	2,865	29	2,894	59.71	834	25	859	43.41
April.....	2,314	19	2,333	37.99	731	19	750	57.23
May.....	2,615	19	2,634	44.96	707	19	726	38.55
June.....	2,864	29	2,893	43.43	747	21	768	36.41
July.....	3,197	26	3,223	72.35	692	14	706	29.30
August.....	3,479	30	3,509	57.92	914	24	938	68.65
September.....	3,051	22	3,073	55.28	990	19	1,009	82.46
October.....	3,264	29	3,293	41.03	1,142	17	1,159	99.48
November.....	2,710	22	2,732	10.43	886	21	907	28.11
December.....	2,368	23	2,391	13.90	772	25	797	11.93
Total.....	33,836	289	34,125	36.40	10,124	238	10,362	39.76
1935								
January.....	2,876	32	2,908	2.39	772	24	796	25.54
February.....	2,510	23	2,533	9.65	668	25	693	2.82
March.....	2,782	26	2,808	2.97	771	17	788	8.27
April.....	2,531	23	2,554	9.47	756	25	781	4.13
May.....	2,592	23	2,615	1.72	681	17	698	3.86
June.....	2,566	26	2,592	10.40	574	17	591	23.05
Total.....	15,857	153	16,010	.67	4,222	125	4,347	10.30
July.....	3,061	20	3,081	4.41	748	22	770	9.07
August.....	3,323	30	3,353	4.45	848	24	872	7.04
September.....	2,585	22	2,607	15.16	762	16	778	22.89
October.....	3,018	34	3,052	7.35	790	24	814	29.77

¹ Decrease.

TABLE 2.—INJURIES REPORTED BY ESTABLISHMENTS FOR 6-MONTH PERIODS JAN. 1, 1931, TO JUNE 30, 1935

Establishments	January to June, inclusive, 1931	July to December, inclusive, 1931	January to June, inclusive, 1932	July to December, inclusive, 1932	January to June, inclusive, 1933	July to December, inclusive, 1933	January to June, inclusive, 1934	July to December, inclusive, 1934	January to June, inclusive, 1935
War:									
Arsenals and Armory.....	374	495	313	286	272	229	394	323	301
Other ordnance.....	109	100	87	109	95	77	81	69	60
Engineers.....	1,690	2,715	1,780	2,816	1,801	2,474	2,480	2,636	1,650
Quartermaster.....	353	475	394	379	403	594	565	543	619
Emergency Conservation Work.....									151
Other War.....	437	569	530	434	403	501	391	446	397
Total, War Department.....	2,963	4,354	3,104	4,024	2,974	3,875	3,911	4,017	3,078
Navy:									
Yards.....	686	482	382	326	307	288	344	400	320
All other Navy.....	245	272	235	189	165	223	196	210	168
Total, Navy Department.....	931	754	617	515	472	511	540	610	488
Post Office:									
City mail service (clerical and supervisory).....	1,031	916	858	705	787	704	892	886	1,057
City mail service (letter carriers) and collector.....	2,652	2,187	2,271	1,753	1,970	1,688	2,401	1,882	2,667
Railway Mail Service.....	594	528	598	485	521	541	548	527	546
Rural Free Delivery.....	173	90	128	82	102	81	88	50	142

¹ May and June only.

TABLE 2.—INJURIES REPORTED BY ESTABLISHMENTS FOR 6-MONTH PERIODS JAN. 1, 1931, TO JUNE 30, 1935—Continued

Establishments	January to June, inclusive, 1931	July to December, inclusive, 1931	January to June, inclusive, 1932	July to December, inclusive, 1932	January to June, inclusive, 1933	July to December, inclusive, 1933	January to June, inclusive, 1934	July to December, inclusive, 1934	January to June, inclusive, 1935
Post Office—Continued.									
Special delivery messengers.....				² 55	148	133	151	129	168
Motor vehicle service.....				² 93	322	298	307	319	394
Custodial.....									205
All other.....	850	801	701	412	233	297	461	560	380
Total, Post Office Department.....	5, 800	4, 522	4, 556	3, 585	4, 083	3, 742	4, 848	4, 353	5, 559
Interior:									
National Park Service.....	118	408	114	429	171	449	356	611	432
Reclamation Service.....	175	183	196	145	138	145	183	222	268
Indian Affairs.....	129	144	152	110	115	158	313	323	325
All other.....	74	104	46	80	58	197	189	575	427
Total, Interior Department.....	496	839	508	764	482	949	1, 041	1, 731	1, 502
Treasury:									
Custodian.....	132	139	120	121	178	155	26	8	5
Customs.....	218	244	226	193	150	188	197	167	195
Engraving and Printing.....	58	61	50	38	40	42	37	51	35
Public Health Service.....	36	33	43	45	42	35	35	30	33
Emergency Conservation Work.....									1 50
Internal Revenue.....							45	165	188
Procurement.....							26	43	77
Mints.....								78	114
All other.....	122	113	125	130	116	168	142	110	105
Total, Treasury Department.....	566	590	564	527	526	588	508	652	752
Commerce.....	329	362	276	288	317	269	316	368	386
Agriculture:									
Animal Industry.....	150	143	125	139	133	129	191	257	210
Forest Service.....	702	2, 252	469	1, 889	630	1, 524	2, 170	2, 998	986
Public Roads and Rural Engineering.....	88	147	75	117	68	164	229	282	157
Plant Quarantine.....	95	103	87	86	61	226	304	136	251
Agricultural Adjustment Administration.....								93	68
Soil Erosion.....									200
Emergency Conservation Work.....									1 61
All other.....	186	273	202	269	203	283	285	376	182
Total, Agriculture Department.....	1, 221	2, 918	958	2, 500	1, 095	2, 325	3, 177	4, 142	2, 115
Labor Department.....	48	63	62	65	66	54	61	65	66
Department of State.....	5	3	5	7	5	11	66	135	121
Department of Justice:									
Prohibition Unit.....	130	174	159	221	187	84	51	(³)	(³)
Other.....	16	29	30	23	23	28	20	65	71
Miscellaneous:									
Government Printing Office.....	24	11	20	17	19	19	21	17	26
Other legislative establishments.....	6	12	7	14	20	8	14	21	14
Public Buildings and Public Parks.....	77	105	125	77	82	(⁴)	(⁴)	(⁴)	(⁴)
Shipping Board—Merchant Fleet Corporation.....	65	58	38	35	27	30	(⁵)	(⁵)	(⁵)
District government.....	257	378	311	389	392	548	368	428	424
Veterans' Administration.....	351	335	433	385	478	428	259	351	280
Tennessee Valley Authority.....						31	429	994	799
Other emergency relief administrations.....						61	200	194	256
All other.....	54	92	74	67	80	96	74	79	73
Grand total.....	12, 839	15, 599	11, 845	13, 503	11, 328	13, 657	15, 904	18, 221	16, 010

¹ May and June only.² Reported with all other previous to Nov. 1, 1932.³ With other Justice.⁴ Transferred to National Park Service.⁵ Transferred to Commerce Department.

Cases on hand.—Unlike most of the workmen's compensation laws applicable to employment in private enterprise, the compensation law of September 7, 1916, does not limit the payment of compensation for permanent disability to a scheduled period of time or as to the aggregate amount of compensation that may be paid. Compensation for total disability is payable during the continuance thereof, and for partial disability, as long as there is a loss in wage-earning capacity due to such disability. Compensation for death awarded to the widows in fatal cases is payable during widowhood, and to certain other beneficiaries during the period of dependency. Payments to the latter are also limited to a statutory period of years. It is evident, therefore, that continuous examination of pending cases is necessary to determine whether additional compensation is payable and the rate at which it is to be paid. A sufficient examining force is necessary for this purpose, or delay in the payment of compensation will inevitably result. This should not be permitted to occur, for in many cases this compensation is the sole means for the support of the individual receiving it, and his family.

At the close of business on December 31, 1934, approximately 8,300 cases were open in the records of the Commission in which compensation was being paid currently or which were in various stages of adjudication. These cases may be divided into four general classes, namely, those in which the record is incomplete or which are awaiting the action of the Commission, temporary disability cases of probably short duration, permanent and long-continuing disability cases, and fatal cases. Approximately 3,700 cases were included in the first and second classes, 2,062 in the third class, and 2,464 in the fourth class. Compensation for permanent disability and death is the largest expense paid from the compensation fund, and for this reason brief reference to these two classes of cases appears warranted.

Permanent or long-continued disability cases.—On December 31, 1934, compensation for disability was being paid in 2,062 cases in which it appeared that the disability was permanent or of long indefinite duration. In 482 cases the disability was classified as total and in 1,580 cases as partial. The number of cases in which compensation was being paid for total disability shows a decrease of 22 as compared with the number at the close of the preceding year. This decrease was more than offset by an increase in the number of cases in which compensation was being paid for permanent partial disability. The latter shows an increase of 55 compared with the number of such cases pending at the close of the preceding year. The decrease in the number of permanent or serious total disability cases is due principally to the death of beneficiaries, the disability award in 22 cases having been terminated during the year for this reason. These 2,062 cases in which compensation was being paid on December 31, 1934, tabulated according to the year in which the injury occurred are shown in table 3. In approximately 15 percent of these cases compensation is being paid on account of injuries that occurred 15 or more years ago, and in more than half of the cases compensation has been paid for 8 years or longer. Compensation paid to injured employees in these cases to and including December 31, 1934, amounts

to nearly \$10,000,000 and the estimated value of future installments of compensation payable in these cases is approximately \$12,000,000. In addition to the compensation paid to injured beneficiaries the Commission has expended \$1,321,457 for medical attention furnished on account of these injuries. The estimated cost of future compensation in these cases takes into account the probable life expectancy of the beneficiary based on the actual experience for this class compiled from the records of the Commission. It does not make any allowance for probable future changes in the compensation award or include any allowance for medical care. The crude death rate for this class of beneficiaries computed on the basis of 8,400 years of exposure is 35.2 or more than double the normal rate for the same age distribution.

TABLE 3.—INCOMPLETE CASES INVOLVING LONG-CONTINUED OR PERMANENT DISABILITY SHOWING DURATION AND COST AS OF DEC. 31, 1934

TOTAL DISABILITY					
Year injured	Number of cases	Duration in days	Medical cost	Compensation to Dec. 31, 1934	Estimated future cost
Before 1916.....	9	21, 163	\$634	\$44, 522	\$56, 773
1916.....	2	4, 775	148	10, 256	16, 265
1917.....	15	73, 032	16, 474	155, 661	133, 903
1918.....	30	153, 473	25, 515	374, 110	367, 289
1919.....	46	208, 375	45, 550	510, 059	523, 242
1920.....	46	200, 980	66, 276	507, 270	533, 849
1921.....	33	134, 153	33, 889	317, 795	327, 595
1922.....	31	124, 427	28, 099	231, 473	394, 166
1923.....	31	108, 199	20, 560	254, 960	404, 486
1924.....	27	90, 693	15, 612	224, 188	299, 837
1925.....	30	81, 946	35, 348	205, 250	394, 344
1926.....	33	87, 221	62, 039	238, 740	444, 551
1927.....	28	71, 454	26, 286	193, 406	395, 811
1928.....	30	63, 099	26, 669	186, 331	514, 247
1929.....	32	57, 215	49, 024	160, 778	559, 216
1930.....	28	44, 304	12, 450	117, 088	561, 994
1931.....	35	43, 235	11, 866	120, 206	616, 396
1932.....	14	12, 638	11, 144	33, 987	212, 455
1933.....	12	6, 349	4, 083	13, 899	226, 375
1934.....	3	905	3, 820	2, 450	54, 004
Total.....	515	1, 587, 636	501, 486	3, 962, 368	7, 026, 848
Closed in 1934, included above.....	33	99, 061	27, 249	223, 745	-----

PARTIAL DISABILITY

Before 1916.....	5	2, 753	\$115	\$5, 978	\$19, 191
1916.....	6	8, 658	1, 481	19, 195	19, 447
1917.....	33	54, 105	8, 818	117, 218	79, 980
1918.....	80	157, 837	42, 680	406, 057	293, 795
1919.....	99	218, 456	61, 308	580, 407	317, 997
1920.....	87	177, 216	43, 487	505, 851	289, 116
1921.....	76	128, 938	33, 196	377, 830	242, 820
1922.....	68	110, 932	35, 379	300, 518	205, 388
1923.....	53	106, 352	46, 694	238, 615	170, 949
1924.....	78	114, 229	45, 962	329, 069	281, 874
1925.....	83	119, 939	56, 248	323, 721	289, 905
1926.....	87	106, 810	41, 115	311, 164	245, 642
1927.....	87	106, 763	51, 060	295, 001	288, 955
1928.....	112	131, 866	64, 331	373, 683	309, 550
1929.....	127	113, 103	69, 858	345, 934	387, 166
1930.....	129	102, 140	83, 739	299, 943	384, 536
1931.....	135	86, 701	54, 847	223, 557	390, 053
1932.....	99	50, 986	41, 158	135, 904	321, 259
1933.....	107	36, 671	32, 256	91, 372	346, 693
1934.....	30	657	6, 339	15, 422	123, 237
Total.....	1, 580	1, 935, 112	820, 071	5, 296, 539	5, 007, 553

Fatal cases.—Compensation in the total amount of \$1,357,282 was paid during the year ended December 31, 1934, in the form of death benefits to 4,450 dependents of 2,522 deceased employees. Death benefits were awarded during the year in 188 new cases in which there were 437 dependents entitled to compensation. During the same period the award to 323 dependents terminated and 106 cases were closed. On December 31, 1934, compensation was being paid in 2,436 fatal cases to, or on the account of, 4,518 dependents of deceased employees. The dependents in these cases are 1,909 widows; 2,167 children; 347 parents; 94 brothers, sisters, grandparents or grandchildren; and 1 widower. The remarriage rate for widows receiving compensation, computed on the basis of 20,207 years of exposure, is only 2.05 per hundred years of exposure. Since only a relatively few of these widows remarry, most of them will continue on the compensation roll for life. This results in a cumulative increase in the number of fatal cases in which compensation is being paid as indicated by the following tabulation covering the period 1925 to 1934, inclusive.

Year	Active death cases at beginning of each year	Awards during the year	Cessa-tions during the year	Active death cases at end of year	Year	Active death cases at beginning of each year	Awards during the year	Cessa-tions during the year	Active death cases at end of year
1925-----	1,611	201	83	1,729	1930-----	2,044	207	82	2,169
1926-----	1,729	177	114	1,792	1931-----	2,169	153	81	2,241
1927-----	1,792	198	130	1,860	1932-----	2,241	144	87	2,298
1928-----	1,860	169	83	1,946	1933-----	2,298	159	103	2,354
1929-----	1,946	208	110	2,044	1934-----	2,354	188	196	2,436

The average monthly compensation award in fatal cases approved during the year ended December 31, 1934, is \$54.17. The average award in new cases approved during the 5 preceding years is respectively \$54.38 in 1933; \$56.74 in 1932; \$54.68 in 1931; \$54.99 in 1930; and \$58.83 in 1929. The compensation awards in fatal cases approved in 1934, distributed to show the various classes of dependents, the compensation award for each class, and the average monthly compensation, are shown in table 4.

TABLE 4.—AWARDS IN FATAL CASES APPROVED IN 1934

Relationship	Number of de-pendents	Average age	Monthly compensa-tion	Total esti-mated value of award	Average	
					Monthly award	Cost
Widows-----	139	40.0	\$6,659.36	\$2,110,833	\$47.91	\$15,186
Sons under 18-----	109	9.1	1,164.82	132,942	10.69	1,220
Daughters under 18-----	117	9.6	1,409.44	137,901	12.04	1,179
Those over 18 incapable of self support-----	3	49.0	35.41	2,682	11.80	894
Grandchildren-----	2	6.0	33.75	2,598	16.88	1,299
Brothers-----	6	12.7	58.79	3,211	9.80	542
Sisters-----	5	13.4	35.85	1,260	7.17	252
Fathers-----	25	60.6	338.24	25,844	13.53	1,034
Mothers-----	29	55.1	425.80	28,957	14.68	999
Grandmothers-----	1	73.0	8.75	555	8.75	555
Grandfathers-----	1	71.0	13.13	864	13.13	864
Total-----	437	-----	10,183.34	2,447,647	-----	-----

Compensation costs in 2,522 cases in which payments were made during 1934 are shown in table 5. The cases included in this table are distributed according to the year in which the injury occurred, and it will be noted that in more than 14 percent of the cases, compensation is being paid for injuries that occurred 15 or more years before. Nearly \$13,000,000 has been paid to the beneficiaries of deceased employees in these cases to and including December 31, 1934. The estimated value of future instalments of compensation payable to these beneficiaries is \$25,178,898. Other benefits in addition to death compensation amounting to \$761,235 have been paid in these cases as follows: \$202,042 for medical care, \$229,079 for compensation on account of disability prior to death, and \$330,114 for burial expenses. The estimated total cost of these cases is \$38,784,909.

TABLE 5.—MONTHLY COMPENSATION AND COST OF ALL FATAL CASES ACTIVE IN 1934 BY YEAR OF APPROVAL

Year	Number of cases active in 1934	Number of dependents on roll 1934	Monthly cost	Cost in 1934	Cost to Dec. 31, 1934	Estimated future cost of compensation
1916-17-----	80	93	\$2,984.55	\$32,007	\$663,482	\$546,813
1918-----	83	104	3,327.58	34,957	669,309	493,942
1919-----	196	251	8,776.61	93,486	1,701,757	1,523,975
1920-----	148	192	6,888.93	73,425	1,187,804	1,192,401
1921-----	117	163	5,776.58	61,813	950,951	972,571
1922-----	114	183	5,967.53	63,934	929,065	1,041,406
1923-----	117	181	5,948.99	65,002	837,160	1,141,239
1924-----	109	180	5,821.06	63,337	738,509	1,130,435
1925-----	116	217	6,682.45	70,881	789,691	1,285,239
1926-----	132	248	6,935.98	71,422	726,434	1,251,836
1927-----	173	304	8,313.67	87,469	776,775	1,450,538
1928-----	141	272	8,011.90	86,275	681,538	1,510,641
1929-----	199	361	10,474.38	110,986	746,777	1,978,479
1930-----	188	357	10,132.05	109,556	586,207	2,115,324
1931-----	144	283	7,342.39	77,937	324,820	1,561,143
1932-----	141	300	7,920.43	82,619	267,948	1,649,226
1933-----	136	322	8,264.14	88,267	166,994	1,980,604
1934-----	188	429	10,030.10	83,909	99,555	2,353,086
Total-----	2,522	4,450	129,579.32	1,357,282	12,844,776	25,178,898

Year	Total paid and estimated cost of compensation	Medical and transportation costs	Compensation before death	Burial and transportation costs	Total cost
1916-17-----	\$1,210,295	\$1,581	\$934	\$6,497	\$1,219,307
1918-----	1,163,251	1,166	1,029	6,071	1,171,517
1919-----	3,225,732	6,123	4,450	16,430	3,252,735
1920-----	2,380,205	6,983	10,119	13,186	2,410,493
1921-----	1,923,522	5,220	11,642	10,587	1,950,971
1922-----	1,970,471	6,604	13,339	10,596	2,001,100
1923-----	1,978,399	10,062	18,568	12,882	2,028,919
1924-----	1,868,944	22,409	23,749	11,448	1,926,550
1925-----	2,074,930	13,687	27,274	11,044	2,126,935
1926-----	1,978,270	12,784	7,698	14,419	2,013,171
1927-----	2,227,313	13,901	7,967	23,590	2,272,771
1928-----	2,192,179	8,755	11,565	24,316	2,236,815
1929-----	2,725,256	20,883	13,782	33,476	2,793,397
1930-----	2,701,531	24,026	22,517	32,745	2,780,819
1931-----	1,885,963	11,427	12,736	24,344	1,934,470
1932-----	1,917,174	10,078	13,054	21,506	1,961,812
1933-----	2,147,598	11,089	11,990	23,691	2,194,368
1934-----	2,452,641	15,174	16,666	33,286	2,517,767
Total-----	38,023,674	202,042	229,079	330,114	38,784,909

Cases disposed of.—During the year ended December 31, 1934, a total of 31,890 cases were conditionally closed in the records of the Commission. It is to be expected, however, that an indeterminate but relatively small number of these will subsequently be reopened on account of the recurrence of disability and for consideration of applications for review by the Commission. The reasons for closing and the number of cases closed for each of the several reasons were: Compensation paid, 8,274; period of disability covered by leave with pay, 4,456; no time lost, 12,699; duration of disability 3 days or less, 3,889; disapproved by the Commission, 2,244; miscellaneous, 328. All of these cases necessitated some administrative action and the fact that compensation was not paid in a large number of cases does not indicate that such cases involved no expenditure of funds. More than 59 percent of the 12,699 cases in which disability did not cause loss in time from work involved expenditures for medical attention, thus necessitating an administrative examination of these cases to determine whether the compensation law was applicable and the injured person entitled to treatment or other benefits. Medical expense was incurred in approximately 51 percent of all noncompensated cases at a total cost of \$144,471. The total amount expended for medical treatment in all cases reported as closed in this report is \$561,156. This amount does not take into account the value of medical treatment provided through Government facilities for which no payment was made by the Commission. The value of services rendered by United States medical officers and hospitals cannot be stated exactly, but from the information available, the Commission believes that this service may be conservatively estimated at about \$500,000.

The number of cases disapproved by the Commission in 1934 represents 6.7 percent of all cases disposed of during that year. The number of such cases is less than in the preceding year when 8.8 percent of the cases disposed of were closed for this reason. The percentage of cases disapproved in 1932 was 6.6; in 1931, 6.5; and in 1930, 5.6. The following tabulation shows the number of cases disapproved by the Commission for the 4 years, 1931 to 1934, inclusive, and the reason for disapproval.

Reason for disapproval	1934		1933		1932		1931	
	Non-fatal	Fatal	Non-fatal	Fatal	Non-fatal	Fatal	Non-fatal	Fatal
Disability not due to injury.....	1,431	46	1,726	30	1,160	33	1,105	58
Injury not sustained while in performance of duty.....	256	11	257	18	184	13	215	16
Claim not filed within the statutory limit.....	51	2	52	0	131	5	129	4
Claimant not a civil employee.....	61	5	37	2	20	3	32	4
Accepted retirement, no compensation paid.....	5	0	13	0	5	0	4	0
Accepted compensation from Veterans' Administration.....	1	0	2	0	3	0	0	0
Intoxication proximate cause of injury.....	1	0	7	0	2	0	4	0
Injury due to willful misconduct.....	1	0	6	0	1	0	1	0
Miscellaneous and incomplete.....	373	0	69	0	136	0	199	0
Total.....	2,180	64	2,158	50	1,642	54	1,689	82
No time lost.....	12,699	-----	9,618	-----	9,643	-----	9,571	-----

In 16,526 time-lost cases closed during 1934, the injury caused temporary total disability resulting in 366,643 days lost in time from work. Approximately 22 percent of the loss in time, or 81,087 days, was covered by leave of absence with pay, most of which may be assumed to have been sick leave. Although not reflected in compensation costs this loss in time from work, which is equivalent to a year of employment for nearly 1,200 employees, represents part of the cost to the Government for injuries to its employees. Compensation was paid in these cases for 295,413 days of disability in the amount of \$594,531. The average duration of disability in all temporary disability cases closed during the year is 22.2 days. The average duration in compensated cases is 37.5 days, and the average compensation award amounted to \$75.18 per case. The average duration and compensation awarded in cases closed in 1934 is materially less than in 1933, when the average duration was 50.9 days and the average award \$114.92. The average duration of disability in similar cases closed in 1932 is 58 days, and in 1931, 41 days. The average award in the respective years is \$132 and \$101. Table 6 shows the number of temporary disability cases by reporting offices, the duration of disability, and the amount of compensation paid. The numerical and percentage distribution of temporary total disability cases according to duration of disability covering all cases closed prior to January 1, 1935, is shown in table 7.

TABLE 6.—ACCIDENTS CAUSING TEMPORARY TOTAL DISABILITY INVOLVING LOSS OF TIME, SHOWING NUMBER, DURATION, AND COMPENSATION AWARD IN CASES CLOSED DURING 1934

Establishment	All cases				Compensated cases					
	Number of cases	Days duration (including leave)	Days leave	Average days duration	Number of cases	Days duration (including leave)	Days leave	Award	Average	
									Duration	Award
Agriculture.....	3,641	74,855	6,383	20.6	2,337	67,658	1,328	\$127,571	29.0	\$54.59
Commerce.....	229	6,397	1,780	27.9	94	4,999	460	10,420	53.2	110.84
Interior.....	1,170	31,117	4,167	26.6	679	27,387	1,070	52,479	40.3	77.32
Justice.....	68	2,140	1,048	31.5	9	1,292	207	3,547	143.6	355.60
Labor.....	58	1,114	604	19.2	6	617	111	1,476	102.8	246.00
Navy.....	793	24,887	2,993	31.4	462	22,340	901	54,954	48.4	118.76
Post Office.....	4,480	81,194	39,605	18.1	1,022	47,199	6,789	107,277	46.2	104.96
Treasury.....	494	10,347	4,828	20.3	106	6,643	1,227	14,184	62.7	133.81
War.....	3,675	101,941	12,837	27.7	2,169	89,845	3,502	177,123	41.4	81.20
Veterans' Administration.....	427	9,133	4,284	21.4	87	5,823	1,040	10,377	66.9	119.28
District of Columbia.....	294	6,465	453	22.0	149	5,881	123	9,071	39.5	54.17
Tennessee Valley Authority.....	931	14,536	505	15.6	693	13,579	182	21,766	19.6	31.41
Other emergency units.....	114	1,659	961	14.6	26	961	300	1,583	37.0	60.88
All others.....	152	1,858	639	12.2	49	1,189	43	2,703	24.3	55.16
Total.....	16,526	366,643	81,087	22.2	7,888	295,413	17,283	594,531	37.5	75.18
Included above:										
War, Emergency Conservation Work.....	164	6,733	174	41.1	135	6,594	129	15,536	48.8	115.08
Agriculture, Emergency Conservation Work.....	81	1,520	488	18.8	37	1,065	39	2,131	28.8	57.59
Interior, Emergency Conservation Work.....	33	758	264	22.9	8	513	62	633	64.1	79.13
Forest Service.....	2,677	57,438	3,221	21.5	1,844	53,338	721	102,488	28.9	55.58
Letter carriers.....	2,124	35,300	17,114	16.6	506	20,753	3,181	48,273	41.0	95.40
Navy yards.....	495	17,520	1,703	35.3	309	16,260	628	44,528	52.6	144.10
War engineers.....	2,230	59,176	7,066	26.5	1,353	52,946	2,019	101,138	39.1	74.76

TABLE 6.—ACCIDENTS CAUSING TEMPORARY TOTAL DISABILITY INVOLVING LOSS OF TIME, SHOWING NUMBER, DURATION, AND COMPENSATION AWARD IN CASES CLOSED DURING 1934—Continued

Establishment	Noncompensated cases									Additional awards
	Covered by leave			No claim filed			3 days and under			
	Number of cases	Days duration (including leave)	Days leave	Number of cases	Days duration (including leave)	Days leave	Number	Days duration (including leave)	Days leave	
Agriculture.....	424	4,702	4,645	100	819	64	780	1,675	346	37
Commerce.....	90	1,291	1,282	4	19	0	41	88	38	9
Interior.....	215	2,874	2,872	30	322	33	346	530	192	13
Justice.....	44	819	819	-----	-----	-----	15	29	22	9
Labor.....	37	470	469	-----	-----	-----	15	27	24	2
Navy.....	177	2,017	1,976	18	211	24	136	319	132	32
Post Office.....	2,119	31,065	30,880	28	281	5	1,311	2,649	1,931	79
Treasury.....	256	3,404	3,365	2	21	-----	130	279	236	18
War.....	681	8,795	8,723	80	748	37	742	1,556	575	59
Veterans' Administration.....	230	3,071	3,057	3	16	-----	107	223	187	7
District of Columbia.....	37	290	284	13	103	6	95	191	40	9
Tennessee Valley Authority.....	25	301	297	50	260	-----	163	396	26	-----
Other emergency units.....	46	613	608	-----	-----	-----	42	85	53	-----
All others.....	53	570	558	-----	-----	-----	50	99	38	-----
Total.....	4,434	60,282	59,795	328	2,804	169	3,876	8,144	3,840	274
Included above:										
War, Emergency Conservation Work.....	7	39	28	4	61	13	18	39	4	-----
Agriculture, Emergency Conservation Work.....	35	437	435	-----	-----	-----	9	18	14	-----
Interior, Emergency Conservation Work.....	17	198	194	1	30	-----	7	17	8	-----
Forest Service.....	225	2,283	2,256	73	540	39	535	1,177	205	23
Letter carriers.....	960	13,099	13,025	17	129	1	641	1,319	907	31
Navy yards.....	101	1,048	992	1	13	8	84	199	75	25
War engineers.....	381	4,834	4,801	56	461	4	440	935	242	39

TABLE 7.—NUMERICAL AND PERCENTAGE DISTRIBUTION OF TEMPORARY TOTAL DISABILITY CASES, ACCORDING TO NUMBER OF WEEKS DISABLED IN CASES CLOSED DURING CALENDAR YEAR 1934, AND CUMULATIVE EXPERIENCE SEPT. 7, 1916, TO DEC. 31, 1934

Number of days' disability	Sept. 7, 1916, to Dec. 31, 1934			1934			
	Number of cases	Percent of total number of cases	Cumulative percent	Number of cases	Duration in days	Percent of total number of cases	Cumulative percent
1 to 3.....	51,675	20.37	20.37	3,854	8,092	23.29	23.29
4 to 7.....	53,270	21.00	41.37	3,332	18,239	20.14	43.43
8 to 14.....	53,164	20.96	62.33	3,542	37,531	21.41	64.84
15 to 21.....	27,987	11.03	73.36	1,660	29,461	10.03	74.87
22 to 28.....	16,139	6.36	79.72	1,032	25,572	6.24	81.11
29 to 35.....	11,831	4.66	84.38	668	21,187	4.04	85.15
36 to 42.....	7,885	3.11	87.49	471	18,355	2.85	88.00
43 to 49.....	6,158	2.43	89.92	394	18,061	2.38	90.38
50 to 56.....	4,587	1.81	91.73	285	15,145	1.72	92.10
57 to 63.....	3,668	1.45	93.18	219	13,171	1.32	93.42
64 to 70.....	2,720	1.07	94.25	190	12,608	1.15	94.57
71 to 77.....	2,000	.79	95.04	150	11,085	.91	95.48
78 to 84.....	1,610	.63	95.67	89	7,204	.54	96.02
85 to 91.....	1,349	.53	96.20	82	7,246	.50	96.52
92 to 98.....	1,065	.42	96.62	81	7,688	.49	97.01
99 to 105.....	864	.34	96.96	61	6,204	.37	97.38
106 to 112.....	696	.27	97.23	38	4,126	.23	97.61
113 to 119.....	615	.24	97.47	41	4,754	.24	97.85
120 to 126.....	590	.23	97.70	35	4,316	.20	98.05
127 to 133.....	468	.18	97.88	26	3,374	.16	98.21
134 to 140.....	421	.17	98.05	21	2,884	.13	98.34
141 to 147.....	350	.14	98.19	27	3,888	.16	98.50
148 to 154.....	325	.13	98.32	32	4,858	.19	98.69

TABLE 7.—NUMERICAL AND PERCENTAGE DISTRIBUTION OF TEMPORARY TOTAL DISABILITY CASES, ACCORDING TO NUMBER OF WEEKS DISABLED IN CASES CLOSED DURING CALENDAR YEAR 1934, AND CUMULATIVE EXPERIENCE SEPT. 7, 1916, TO DEC. 31, 1934—Continued

Number of days' disability	Sept. 7, 1916, to Dec. 31, 1934			1934			
	Number of cases	Percent of total number of cases	Cumulative percent	Number of cases	Duration in days	Percent of total number of cases	Cumulative percent
155 to 161.....	289	0.12	98.44	20	3,165	0.12	98.81
162 to 168.....	231	.09	98.53	11	1,803	.07	98.88
169 to 175.....	207	.08	98.61	8	1,372	.05	98.93
176 to 182.....	163	.06	98.67	8	1,419	.05	98.98
183 to 365.....	2,258	.89	99.56	115	28,303	.69	99.67
366 to 547.....	549	.22	99.78	28	12,552	.17	99.84
548 to 730.....	228	.09	99.87	11	6,937	.07	99.91
Over 730.....	338	.13	100.00	15	15,139	.09	100.00
Total.....	253,700	100.00	100.00	16,546	355,739	100.00	100.00

Permanent disability cases closed during 1934 numbered 282 as compared with 315 closed during the preceeding year. In 35 of these cases, no compensation was paid as the entire period of disability amounting to 552 days was covered by leave of absence with pay. It cannot be stated that all of these cases have been finally closed, and it is reasonable to anticipate that some of them will probably be reopened because the injured employee will suffer a subsequent loss in earning capacity attributable to the permanent disability. The duration of disability in the 247 compensated permanent disability cases is 95,856 full days, for which compensation was paid in the amount of \$254,377. In addition to the compensation paid to injured employees, the sum of \$78,746 was expended for medical treatment. This amount includes \$3,498 for such treatment in 23 of the 35 cases in which no compensation was paid. In 50 cases medical treatment was furnished by United States medical officers or hospitals without cost to the compensation fund. The average duration of disability in compensated cases closed during 1934 is 388 days as compared with 399 days in cases closed during 1933. The average award for the respective years is \$1,031 and \$1,172. Table 8 classifies these cases by reporting office and shows the number of cases, duration of disability, and the amount of compensation paid.

TABLE 8.—PERMANENT PARTIAL DISABILITY CASES CLOSED DURING 1934

Establishment	All cases			Compensated cases						Noncompensated cases			
	Number	Duration in days	Average duration	Number	Duration in days	Leave	Award	Average		Number	Duration in days	Leave	Additional awards
								Duration in days	Award				
Agriculture.....	52	18,384	354	47	18,309	280	\$45,829	390	\$975	5	75	75	5
Commerce.....	8	7,882	985	8	7,882	172	21,844	985	2,730				
Interior.....	35	3,729	106	30	3,663	72	7,798	122	260	5	66	64	6
Justice.....	6	915	153	5	913	130	2,766	183	553	1	2	2	
Labor.....	1	6	6							1	5	5	
Navy.....	40	18,944	476	33	18,894	238	55,056	573	1,068	7	50	43	16
Post Office.....	24	13,374	557	22	13,327	394	39,323	606	1,797	2	47	47	17
Treasury.....	5	2,219	444	5	1,514	23	4,627	303	925				
War.....	82	25,048	305	72	25,583	267	63,609	355	983	10	170	169	18
Veterans' Administration.....	12	4,011	334	10	3,981	211	9,726	398	973	2	30	30	
District of Columbia.....	5	787	157	5	787		1,287	157	257				3
Tennessee Valley Authority.....	7	285	41	6	278		472	46	79	1	7	7	
All others.....	5	825	165	4	725	35	2,020	181	505	1	100	100	2
Total.....	282	96,408	342	247	95,856	1,822	254,377	388	1,031	35	552	542	69

Medical and surgical care and treatment.—When civil employees of the United States are injured while in performance of their duties they are entitled to reasonable medical and hospital services and supplies needed as a result of the injury. The law provides that where practicable such services shall be furnished by United States medical officers and hospitals. For this purpose the hospitals and dispensaries of the United States Public Health Service are available without cost, and to a limited extent also hospitals under the control of the Army, Navy, Veterans' Administration, and the Bureau of Indian Affairs. The Veterans' Administration, by special arrangement with the director in each case, furnishes treatment to beneficiaries without cost. The Army and Navy hospitals are generally used only for the treatment of their own civilian employees and are reimbursed from the compensation fund on the rate established for such service. In localities where the services of United States medical officers are not available, medical treatment is furnished by private physicians designated by the Commission, of which some 4,000 have been selected throughout the United States. These physicians are paid a reasonable fee by the Commission for services actually rendered.

Expenditures from the compensation fund during the fiscal year ended June 30, 1935, for medical treatment and transportation for the purpose of securing the same, are as follows:

Physician or surgeon.....	\$359, 082
Hospital.....	226, 874
Appliances.....	16, 295
Nurse.....	23, 818
Transportation.....	35, 286
Miscellaneous.....	29, 199
Grand total.....	690, 554

Payments made from the compensation fund for medical treatment in 5,825 of the 8,135 compensated nonfatal cases closed in 1934 amount to \$388,299 or \$66.66 per case. This is slightly less than the average cost per case based on the cumulative experience since September 7, 1916. The expense for this service in 10,867 noncompensated nonfatal cases out of a total of 21,372 amounts to \$144,471 or \$13.20 per case. This also is less than the average cost per case based on the cumulative experience under the compensation act. Medical treatment furnished in 65 of 205 fatal cases cost \$15,174, or \$233.45 per case. Expenditures from the compensation fund for medical treatment in 185,466 out of a total of 399,891 cases closed prior to December 31, 1934, amount to \$6,974,440, or an average of \$37.63 per case.

These costs relate only to closed cases and do not include payments for medical treatment in nonfatal cases which are still active. Expenditures to December 31, 1934, for medical treatment in 515 permanent or prolonged total disability cases active during all or part of 1934 amount to \$501,486, or \$974 per case, and in 1,580 incomplete permanent-partial disability cases expenditures for this purpose amount to \$820,071, or \$519 per case. In many of these permanent disability cases the injured employees are still in hospitals, or under medical treatment. As far as practicable these cases are hospitalized in institutions operated by the Government. Medical payments in cases closed during 1934, together with the amount paid in all cases closed prior to December 31, 1934, are shown in table 9.

TABLE 9.—SUMMARY OF MEDICAL PAYMENTS IN CASES CLOSED DURING 1934, AND CUMULATIVE DATA, SEPT. 7, 1916, TO DEC. 31, 1934

	1934			Sept. 7, 1916 to Dec. 31, 1934		
	Number of cases, including no time lost	Number with medical payments	Total amount of payments	Number of cases, including no time lost	Number with medical payments	Total amount of payments
Compensated cases:						
Temporary total disability.....	7, 888	5, 616	\$313, 051	124, 946	65, 383	\$3, 869, 474
Permanent partial disability.....	247	209	75, 248	5, 675	4, 004	847, 881
Total.....	8, 135	5, 825	388, 299	130, 621	69, 387	4, 717, 355
Noncompensated cases:						
Covered by leave:						
Temporary total disability.....	4, 434	1, 846	60, 548	63, 449	23, 389	755, 793
Permanent partial disability.....	22	16	3, 226	616	298	38, 059
Total.....	4, 456	1, 862	63, 774	64, 065	23, 687	793, 852
No claim filed:						
Temporary total disability.....	328	175	2, 902	13, 358	3, 522	57, 600
Permanent partial disability.....				97	23	1, 383
Total.....	328	175	2, 902	13, 455	3, 545	58, 983
No time lost, total.....	12, 699	7, 491	64, 724	115, 421	61, 840	551, 067
3 days or less:						
Temporary total disability.....	3, 876	1, 332	12, 799	51, 895	17, 230	227, 247
Permanent partial disability.....	13	7	272	86	40	1, 405
Total.....	3, 889	1, 339	13, 071	51, 981	17, 270	228, 652
Total noncompensated cases....	21, 372	10, 867	144, 471	244, 922	106, 324	1, 632, 554
Fatal cases.....	205	65	15, 174	4, 982	1, 669	347, 634
All other.....	2, 180	573	13, 212	19, 366	8, 086	281, 897
Grand total.....	31, 892	17, 330	561, 156	399, 891	185, 466	6, 979, 440

Third-party cases.—Recoveries were made during 1934 in 336 cases in which the injury occurred under circumstances creating a legal liability upon a third party for the payment of damages. In 10 fatal cases the gross value of the recovery is \$33,400 and the net value after deducting attorneys' fees and other costs of collection is \$21,317, of which \$21,278 represents the estimated net saving in compensation costs. This saving is nearly 10 percent of the total benefits paid and estimated to be paid in these fatal cases. In 326 nonfatal injury cases, the gross value of the recovery is \$218,605 and the net value is \$168,934, of which \$38,779 is a direct saving in compensation costs. This saving is 93 percent of the total benefits paid and estimated to be paid in these cases. The total saving through recoveries made from third parties during the year is \$60,057, of which \$40,369 was actually refunded to the Commission, and the balance charged against future payments of compensation on account of the same injuries. At the close of business on December 31, 1934, there were 58 fatal and 471 nonfatal cases listed on the third-party docket; most of these were in the hands of designated attorneys and in the process of settlement. The number of cases examined for third-party liability and the disposition of such cases is shown in tables 10 and 11.

TABLE 10.—NUMBER OF PENDING AND CLOSED CASES EXAMINED FOR POSSIBLE THIRD-PARTY LIABILITY FROM JAN. 1, 1934, TO DEC. 31, 1934

Establishments	Cases pending Jan. 1, 1934	New cases received 1934	Cases closed during calendar year 1934				Pending cases, Dec. 31, 1934	
			Closed, no liability	Closed for other reasons	Completed cases where recovery was made		Fatal	Non-fatal
					Fatal and permanent total	Non-fatal		
Agriculture.....	16	74	14	38	-----	14	4	20
Interior.....	5	26	3	10	-----	7	4	7
Navy.....	5	9	3	1	-----	5	1	4
Post Office:								
City Mail Service.....	204	332	17	156	1	109	4	249
Railway Mail Service.....	27	101	7	22	3	78	-----	18
Rural Free Delivery.....	9	24	2	13	3	8	1	6
Other employees.....	13	191	16	87	-----	82	2	17
Motor vehicle service.....	30	1	-----	11	-----	-----	-----	20
Total, Post Office.....	283	649	42	289	7	277	7	310
Treasury.....	20	52	3	26	1	9	3	30
War.....	19	189	33	82	1	3	25	64
Other establishments.....	34	87	10	49	1	11	14	36
Grand total.....	382	1,086	108	495	10	326	58	471

TABLE 11.—BENEFITS PAID AND ESTIMATED, AND DAMAGES RECOVERED, DURING 1934 IN CASES IN WHICH INJURY WAS DUE TO NEGLIGENCE OF THIRD PARTY (FEDERAL)

Disability	Total number of third-party cases open during year	Court costs paid	Recoveries				Refunds received by Commission
			Number of cases	Amount approved		Benefits paid and estimated	
				Gross	Net		
Fatal and permanent total.....	70	\$491.83	10	\$33,400	\$21,317	\$220,718	\$11,830
Other nonfatal.....	1,402	906.82	326	218,605	168,934	46,021	128,539
Grand total.....	1,472	1,398.65	336	252,005	190,251	266,739	40,369

¹ Net credit \$21,278 fatal, and \$38,779 on nonfatal.

Cause of injury.—A study of the cause of injury in the 16,971 nonfatal cases tabulated in this report shows that nearly half were attributable to two principal causes, namely, "handling objects" which was the cause in 3,479 cases or 20.5 percent of the nonfatal injuries, and "falls of person" which was the cause in 3,675 cases or 21.1 percent of the total. The use of hand tools caused the next largest number of injuries, namely, 1,614, or nearly 10 percent of the total. In 996 cases the injury was caused by the operation of vehicles, principally automobiles and trucks. Only 454 injuries, or less than 3 percent of the total, were due to mechanical causes. The principal cause of injuries in 205 fatal cases was "operation of vehicles"

which accounted for 43 deaths or 21 percent of all fatal cases. This was followed closely by "falls of person" which accounted for 41 cases, and operations in connection with watercraft which accounted for 34 cases, representing respectively 20 percent and 16.6 percent of the total.

The cause of nonfatal injuries in cases tabulated in 1934 does not appear to show any very marked difference from the preceding year or from the cases tabulated during the 7 years from 1928 to 1934 inclusive. An analysis of the latter including 109,968 cases is shown in table 12.

The Commission has from time to time in previous reports called attention to the need for accident-prevention efforts in the Government service. The Commission believes that a properly directed safety program should be put into effect in all Federal establishments, particularly those engaged in manufacturing or construction work. In furtherance of this the Commission has worked in cooperation with the several Federal establishments in which safety departments have been established and has prepared special statistical reports for the use of these departments in the prevention of accidents.

TABLE 12.—CAUSE OF INJURY, IN FEDERAL INJURY CASES, 1928-34, INCLUSIVE

NONMECHANICAL							
Cause	Total number of cases	Number of fatal cases	Nonfatal cases				Average duration, nonfatal (days)
			Temporary, total		Permanent, partial		
			Number	Duration (days)	Number	Duration (days)	
Railroads: Total.....	1, 265	56	1, 184	47, 842	25	19, 949	56
Vehicles:							
Automobiles, etc.....	5, 921	164	5, 666	195, 634	91	58, 753	44
Motorcycles.....	252	3	243	8, 935	6	3, 689	51
Bicycles.....	410	3	408	6, 164	2	4, 124	25
Animal-drawn vehicles.....	289	3	274	7, 845	12	10, 574	64
All other.....	423	41	367	18, 866	15	3, 420	58
Total.....	7, 295	211	6, 958	237, 444	126	80, 560	45
Watercraft.....	663	294	356	13, 490	13	6, 585	54
Pressure equipment.....	233	13	211	6, 261	9	3, 175	43
Explosive substances.....	471	58	381	12, 658	32	13, 474	63
Electricity.....	186	16	162	4, 853	8	1, 683	38
Conflagration and flames.....	857	50	803	18, 787	4	1, 317	25
Hot substances.....	1, 274	4	1, 265	23, 984	5	634	19
Dusts, gases, chemicals:							
Handling or contact with poison ivy or oak.....	992	-----	992	11, 194	-----	-----	11
Handling or contact with all other substances.....	1, 238	12	1, 218	29, 022	8	4, 681	27
Inhalation.....	409	21	388	13, 696	-----	-----	35
Swallowing.....	84	12	71	4, 048	1	994	70
Total.....	2, 723	45	2, 669	57, 960	9	5, 675	24
Falls of persons:							
From benches.....	503	1	498	10, 075	4	3, 773	28
From balconies, gangplanks, and runways.....	587	12	572	15, 906	3	1, 797	31
From stairs and steps.....	4, 565	21	4, 514	105, 971	30	17, 788	27
From ladders.....	1, 148	9	1, 126	44, 352	13	7, 523	46
From scaffolds and staging.....	589	23	543	31, 552	23	15, 208	83
From other elevations.....	3, 558	92	3, 423	116, 985	43	29, 570	42
On level.....	5, 780	12	5, 737	137, 021	31	16, 633	27
On incline.....	666	5	655	19, 230	6	2, 350	33
Stumbling over objects.....	3, 686	11	3, 652	89, 088	23	11, 819	27
While carrying heavy objects.....	2, 009	10	1, 984	69, 980	15	10, 174	40

TABLE 12.—CAUSE OF INJURY, IN FEDERAL INJURY CASES, 1928-34, INCLUSIVE—Con.

NONMECHANICAL

Cause	Total number of cases	Number of fatal cases	Nonfederal cases				Average duration nonfatal (days)
			Temporary, total		Permanent, partial		
			Number	Duration (days)	Number	Duration (days)	
Falls of persons—Continued							
Into vats, holes, etc.....	712	6	700	25,840	6	2,652	40
Other falls.....	1,498	13	1,464	50,007	21	12,815	42
Total.....	25,301	215	24,868	716,007	218	132,102	34
Falling objects:							
From machines and work benches.....	367	-----	363	5,374	4	381	16
From piles, stacked or stored.....	897	4	885	20,218	8	3,315	26
From other elevations.....	3,324	25	3,253	89,034	46	30,603	36
From trees and poles.....	633	26	591	21,127	16	7,632	47
From doors and windows.....	1,440	3	1,412	17,586	25	4,977	16
All other.....	2,902	18	2,855	72,947	29	10,198	29
Total.....	9,563	76	9,359	226,286	128	57,106	30
Handling objects:							
Heavy objects.....	11,079	28	11,002	357,235	49	29,173	35
Trucks, carts, and wheelbarrows.....	2,012	-----	2,000	28,938	12	7,624	18
Caught between objects handled.....	3,788	3	3,603	72,715	182	14,314	23
Rough or sharp objects.....	2,220	3	2,171	30,586	46	6,973	17
Struck by objects handled.....	836	6	825	14,139	5	674	18
Cranking car or truck.....	1,841	6	1,820	43,940	15	5,021	27
Dropped while handling.....	2,270	2	2,249	44,707	19	7,324	23
All other.....	574	2	564	10,163	8	2,180	22
Total.....	24,620	50	24,234	602,423	336	73,283	28
Hand tools:							
Glancing and slipping.....	6,137	9	6,018	111,276	110	12,442	20
Breaking.....	206	-----	200	3,891	6	1,977	28
Objects set in motion by.....	499	2	459	9,055	38	9,857	38
All other.....	636	1	620	12,303	15	3,585	25
Total.....	7,478	12	7,297	136,525	169	27,861	22
Stepping in or on objects:							
Nails.....	1,278	-----	1,278	10,724	-----	-----	8
Other sharp objects.....	277	1	274	3,252	2	933	15
Into holes.....	729	-----	725	15,596	4	3,014	26
All other.....	2,036	1	2,029	34,108	6	4,816	19
Total.....	4,320	2	4,306	63,680	12	8,763	17
Striking against objects:							
Nails and screws.....	354	-----	353	4,026	1	201	12
Other sharp objects.....	2,975	6	2,941	39,869	28	7,423	16
All other.....	3,128	10	3,101	57,498	17	1,936	19
Total.....	6,457	16	6,395	101,393	46	9,560	17
Struck by:							
Swinging objects.....	639	5	622	15,835	12	4,990	33
Flying objects.....	2,309	7	2,254	33,320	48	14,361	21
Flying particles.....	1,702	-----	1,692	11,669	10	1,959	8
Ropes, hose, wire, etc.....	456	2	439	15,660	15	4,793	45
All other.....	1,469	3	1,453	37,771	13	2,830	28
Total.....	6,575	17	6,460	114,255	98	28,933	22
Miscellaneous, injured by:							
Draft animals.....	859	13	823	29,462	23	16,814	54
Dogs.....	1,144	2	1,142	7,289	-----	-----	6
All other.....	4,310	269	3,966	115,610	75	27,817	35
Total.....	6,313	284	5,931	152,361	98	44,631	39
Total, nonmechanical.....	105,594	1,419	102,839	2,436,209	1,336	515,291	28

20 UNITED STATES EMPLOYEES' COMPENSATION COMMISSION

TABLE 12.—CAUSE OF INJURY, IN FEDERAL INJURY CASES, 1928-34, INCLUSIVE—Con.

MECHANICAL							
Cause	Total number of cases	Number of fatal cases	Nonfatal cases				Average duration, nonfatal (days)
			Temporary, total		Permanent, partial		
			Number	Duration (days)	Number	Duration (days)	
Power transmission.....	148	4	124	5,069	20	2,936	56
Prime movers.....	139	4	114	3,908	21	2,783	50
Metal working machinery:							
Abrasive wheels.....	322	-----	310	3,181	12	1,589	15
Drills.....	151	-----	145	2,932	6	1,421	29
Portable power tools.....	312	-----	299	5,223	13	2,456	25
All other.....	415	2	359	6,830	54	4,846	28
Total.....	1,200	2	1,113	18,166	85	10,312	24
Wood-working machinery.....	639	2	484	10,601	153	18,067	45
Paper products machines, printing presses, etc.....	178	-----	161	4,066	17	1,337	30
Textile machines.....	57	-----	50	667	7	1,529	39
Food products machines.....	116	-----	80	1,862	36	1,811	32
Hoisting apparatus:							
Cranes.....	186	10	161	4,739	15	9,150	79
Derricks and jib cranes.....	239	7	218	10,925	14	5,331	70
Block and tackle, windlasses, capstans, and winches.....	337	8	295	12,387	34	11,758	73
All other.....	323	14	283	10,955	26	11,394	72
Total.....	1,085	39	957	39,006	89	37,633	73
Pile drivers.....	53	1	44	1,161	8	1,033	40
Steam shovels and other excavating machines.....	74	4	66	1,739	4	102	26
Miscellaneous.....	685	5	612	12,471	68	14,174	39
Total, mechanical.....	4,374	61	3,805	98,716	508	91,717	44
Grand total.....	109,968	1,480	106,644	2,534,925	1,844	607,008	29

Cost of the compensation law.—An analysis of expenditures from the compensation fund in the 5 fiscal years 1931-35, is shown in table 13. Table 14 furnishes a comparative statement of administrative and compensation costs for each fiscal year since the Commission was organized in 1917. The expense of administering this law during the fiscal year 1934 represents approximately 40 percent of the total administrative expenses of the Commission. It is, however, only 3.9 percent of the total amount expended under this law, the remaining 96.3 percent representing compensation benefits.

TABLE 13.—COMPARATIVE STATEMENT OF EXPENDITURES FROM THE EMPLOYEES' COMPENSATION FUND, JULY 1, 1931, TO JUNE 30, 1935

	Fiscal year 1931	Fiscal year 1932	Fiscal year 1933	Fiscal year 1934	Fiscal year 1935
Employees' compensation fund:					
Injury compensation.....	\$2,070,657.61	\$2,080,030.41	\$1,852,380	\$1,612,570	\$2,017,136
Lump-sum awards (injury).....	3,402.16	14,337.74	1,693	1,919	447
Medical treatment and supplies.....	676,816.55	628,664.47	592,642	453,208	654,955
Transportation (sec. 9).....	41,128.30	36,228.39	40,048	32,402	35,599
Death compensation.....	1,359,256.44	1,412,298.15	1,441,745	1,296,929	1,494,019
Lump-sum awards (death).....	-----	964.17	-----	270	5,229
Burial expenses.....	34,179.56	31,743.41	24,065	24,930	28,669
Embalming and transportation (sec. 11).....	3,606.36	4,341.07	2,422	2,177	3,384
Court costs.....	1,151.16	1,591.94	2,033	768	548
Total.....	4,190,198.14	4,210,199.75	13,957,028	13,425,163	4,239,986

¹ Savings on account of legislative reduction in compensation under the act of Mar. 20, 1933, amounting to \$62,154 impounded and returned to the Treasury are not included in this statement.

² Compensation shown is net amount paid after deducting legislative reductions amounting to \$456,544.

TABLE 14.—APPROPRIATIONS AND EXPENDITURES, 1916-33

	Salaries and expenses		Compensation fund	
	Total appro- priations	Net expendi- tures, includ- ing estimated outstanding liabilities at the end of fiscal year	Total appro- priations ¹	Net expendi- tures
Mar. 26 to June 30, 1917.....	\$50,000.00	\$27,394.79	\$500,000	\$122,806.07
Fiscal year ending June 30:				
1918.....	\$ 87,000.00	79,421.86	500,000	706,257.92
1919.....	145,810.17	129,149.28	³ 1,300,000	1,399,757.13
1920.....	144,656.02	140,898.09	2,100,000	2,087,365.58
1921.....	171,940.00	166,627.75	2,500,000	2,303,346.69
1922.....	160,751.66	156,860.75	2,400,000	2,627,170.08
1923.....	159,740.00	156,729.89	2,975,000	2,726,530.83
1924.....	149,080.00	147,844.00	2,300,000	2,333,526.82
1925.....	152,100.00	148,202.66	2,500,000	2,463,162.77
1926.....	⁴ 153,900.00	147,239.63	2,375,000	2,581,379.17
1927.....	144,540.00	145,872.73	2,600,000	2,616,581.82
1928.....	148,240.00	146,601.05	3,250,000	3,370,390.41
1929.....	⁵ 555,010.00	⁶ 189,430.76	3,550,000	3,552,399.38
1930.....	⁵ 540,326.00	⁶ 196,479.01	4,000,000	4,005,170.88
1931.....	⁵ 573,000.00	⁶ 210,405.07	4,200,000	4,190,198.14
1932.....	⁵ 593,980.00	⁶ 200,937.00	4,200,000	4,210,199.75
1933.....	⁵ 493,000.00	⁶ 158,757.00	4,450,000	3,957,028.00
1934.....	404,857.00	⁶ 146,266.00	3,820,000	3,425,163.00
1935.....	416,510.00	⁶ 171,720.00	3,987,900	4,239,986.00

¹ Prior to 1924 appropriations for compensation were continuing.² Includes \$7,000 allotted from President's fund for expenses in France.³ Includes \$50,000 allotted from President's fund.⁴ Includes deficiency appropriations of \$1,900 available for expenditures during fiscal year 1927.⁵ Separate appropriations for administration of Federal Employees' Act not made. Appropriation shown was made covering administration of the 3 compensation acts administered by the Commission and includes all appropriations for administrative purposes.⁶ Estimated amount expended for administration of Federal Employees' Act.

Recommendations for changes in legislation.—The Commission on a number of occasions has advocated an amendment to modify the provisions of section 10 (g) of the Compensation Act to remove the present limitation on the payment of compensation to dependent parents of deceased employees. Under existing law the compensation awarded to this class of beneficiaries is limited to a term of 8 years, and in view of the generous provisions made for the payment of compensation to widows of deceased employees, this limitation appears discriminatory and unnecessarily harsh. The law recognizes the obligation of providing compensation for parents dependent for their support upon a deceased employee at the time of his death. The Commission is unable to find any sound reason that would justify discontinuance of this compensation after a term of 8 years. If the need for assistance in such cases existed at the time of an employee's death it is reasonable to assume that this need would become greater with the passing years. In some instances the termination of the compensation award to an aged parent has left that beneficiary destitute and without any hope of relief except the charity of friends or aid from institutions in the community in which he or she resides. The Commission therefore strongly recommends modification of this section of the law so as to provide for the payment of compensation to dependent parents until the beneficiary dies, marries, or ceases to be dependent. In this connection attention is invited to the bill (H. R. 9012) introduced in the House of Representatives in the first session of the Seventy-fourth Congress which, if enacted into law, will accomplish this purpose.

Under the provisions of section 11 of the compensation law the remains of an employee whose death occurs away from his home office or outside of the United States may be transported to the home of the employee, provided death results from the injury within 6 years. It is the practice of the Commission to utilize the facilities of United States hospitals for the examination and treatment of injured employees. In some instances the death of a beneficiary from causes not related to an injury has occurred while the beneficiary was absent from home for the purpose of undergoing a medical examination or receiving treatment under orders of the Commission. Under such circumstances the Commission is without authority to pay the cost of returning the remains of the beneficiary to his home or to assume the cost of burial at the place where the death occurred. Instances of this kind are relatively few, but because of the difficult situation that develops when they occur, the Commission believes it would be in the public interest to amend the compensation law to permit the transportation of remains under such circumstances.

On several occasions bills have been introduced to amend the compensation law to provide for the payment of additional compensation in cases of permanent total disability in which the Commission finds that the disability actually renders the injured employee so helpless as to require constant attendance. The bill S. 2040, introduced in the first session of the Seventy-fourth Congress, proposes to amend section 6 of the Compensation Act so as to accomplish this purpose. The Commission in a report dated April 5, 1935, to the chairman of the Committee on Claims of the United States Senate, recommended the enactment of this measure, subject to the modification suggested in the report, to restrict the increased benefits proposed in the bill to cases of permanent total disability. If enacted into law this bill will permit the Commission to pay an injured employee awarded compensation for permanent total disability an additional sum of not more than \$50 a month. Such additional compensation may be paid, however, only in cases in which the Commission finds that the services of an attendant is constantly required by reason of the nature of the disability. Only a relatively small number of cases would be affected by this proposed amendment and the additional compensation authorized therein would not involve any material increase in the annual appropriation for the Employees' Compensation Fund.

III. OPERATIONS UNDER THE ACT OF FEBRUARY 15, 1934

The act approved February 15, 1934 (Public, No. 93, 73d Cong.), making an additional appropriation to carry out the purposes of the Federal Emergency Relief Act of 1933, and for continuation of the Civil Works program, extended the provisions of the United States Employees' Compensation Act of September 7, 1916, to employees of the Civil Works Administration, subject to certain conditions and limitations. As has been previously stated, these conditions and limitations modified the provisions of the basic law in its application to this employment to such an extent that the effect is substantially the same as if a different compensation law had been enacted.

The term "injury" as defined in the Federal Employees' Compensation Act of September 7, 1916, includes in addition to injury by acci-

dent "disease proximately caused by the employment." This definition is not applicable, however, in cases involving employees of the Civil Works Administration, enrollees in the Civilian Conservation Corps, and persons receiving "security payments" from the Federal Emergency Relief Appropriation of 1935. The benefits of the compensation law have been extended to these emergency employments only for disability or death resulting from a "traumatic injury" which is defined by law as "only injury by accident causing damage or harm to the physical structure of the body and shall not include a disease in any form except as it shall naturally result from the injury." This restriction confines the type of injury for which compensation may be paid to a field much more limited than most workmen's compensation laws. In view of the emergency character of these employments some limitation such as this is probably necessary in the public interest; and aside perhaps from a relatively small number of cases of disability or death resulting from disease among enrollees in the Civilian Conservation Corps, it does not appear that the restrictive limitation has been unnecessarily harsh or the cause of an injustice. The Commission does not feel justified in recommending any liberalization of this provision of the law.

In contrast with the liberal compensation rates under the Federal Employee's Compensation Act which fixes the maximum monthly rate at \$116.66 and the minimum at \$58.33, is the maximum rate of \$25 authorized by the act of February 15, 1934. The latter act further limits the total amount that may be paid in any case to \$3,500. Both of these limitations are exclusive of the cost of medical treatment. The limitation on the aggregate amount that may be paid affects only cases involving permanent total disability and death. In view of the low monthly compensation rate the award in such cases may extend over a period of nearly 12 years. Whether this limitation should be raised is not a pressing question and consideration of it may be deferred until the time the awards are about to terminate. The limitation on the monthly compensation rate, however, seems harsh in some respects since it is inadequate for the support of a totally disabled workman or the family of one who is killed while in the performance of duty. In view of this the Commission feels that consideration may properly be given to the question of increasing this present maximum rate of \$25 even though the limitation of \$3,500 on the aggregate payment in any case is retained. In this connection attention is directed to a report upon the bill H. R. 6381 to increase the monthly benefits authorized by the act of February 15, 1934, submitted by the Commission to the Committee on the Judiciary of the House of Representatives in response to a request from the chairman of that committee.

It apparently was the intention of the Congress that the cost of all compensation benefits extended to these emergency employments should be paid out of the relief appropriation through which the respective emergency work programs were made possible. To accomplish this purpose provision was made to set aside from funds provided by the relief appropriation acts such sums as the Commission with the approval of the President estimated and certified to the Secretary of the Treasury as necessary for administrative expenses and the payment of compensation. Pursuant to this authority three special funds have been established in the Treasury to cover the cost

of compensation benefits in connection, respectively, with the Civil Works program, the Civilian Conservation Corps, and the works program authorized by the Federal Emergency Relief Appropriation Act of 1935. These funds are administered by the Commission for the purpose indicated, and after June 30, 1935, in respect to the first two employments above mentioned, and June 30, 1936, in respect to the third, are to be made available annually in such amounts as may be specified in the annual appropriation acts.

It appears evident that it was intended in this manner to avoid creating obligations that might involve an increase in future appropriations for the normal functions of the Federal Government. It is apparent, however, that this purpose will not be entirely accomplished. Reference has heretofore been made to the large number of persons employed in administrative and supervisory capacities in connection with the administration of the relief program. Such persons for the most part must be considered civil employees of the United States within the meaning of the Federal Employees' Compensation Act, and in the event of injury while in the performance of duty are entitled to the full benefits authorized by that act. The cost of compensation benefits in such cases and the administrative expense connected with the adjudication of claims is a proper charge against the regular appropriations of the Commission. In the more serious cases arising out of the injury of these emergency employees, compensation may be paid over a long period of time, and to defray the cost thereof it will be necessary to increase the regular annual appropriation for the employees' compensation fund. This, however, may be avoided if legislation should be enacted to authorize such benefits to be paid from the appropriate special funds to which reference has been made above. With the possible exception of the fund established in connection with the Emergency Conservation program, it is believed that the amount heretofore set aside in these funds is sufficient to meet this obligation. The Commission is disposed to recommend that this action be taken.

In administering the compensation law as extended to this emergency employment the Commission has been confronted with a number of unusual and difficult problems. The more important of these are referred to briefly in connection with the discussion of the compensation law as applied to the respective employments. One problem, however, which relates to compensation for relief employment generally, may be more appropriately referred to here. This concerns the payment of compensation to persons employed on relief projects following the suspension of the Civil Works program.

At the time the Civil Works program was suspended the control and direction of work-relief projects, with several exceptions, was transferred to the respective States, although the Federal Government continued to supply funds to defray the cost of this and other forms of relief. In a statement of policy concerning this arrangement the Federal Relief Administrator referred to the obligation of providing workmen's compensation protection for persons employed on work-relief projects and stated: "The responsibility for providing accident compensation insurance rests with the States and localities." It does not appear that any uniform policy was followed by the

respective States in meeting this obligation. In some States legislation was enacted by the State legislature making special provisions for the payment of compensation to persons employed on relief projects. In other States an attempt was made to bring this employment within the scope of existing State workmen's compensation laws, and in still others informal programs were devised to provide some measure of relief for injured workmen.

In three States, however, namely, Massachusetts, Oklahoma, and North Dakota, the administration of the relief program was not transferred to the State authorities, and the Federal Emergency Relief Administration continued to administer relief in these States. The Federal Administration later took over the administration in other States. In view of Federal control of the relief program in these States the question was raised concerning the responsibility of the Federal Government to provide workmen's compensation protection for persons employed on relief projects in such States. It was contended that this employment came within the scope of the act of February 15, 1934, providing compensation for employees of the Civil Works Administration. The Commission, however, took the position that since the Civil Works Administration had been officially suspended and the obligation of providing this protection had been assumed by 45 of the 48 States it was not justified in extending to this employment the protection of the Federal compensation law without specific statutory authority. The Commission feels quite strongly that persons required to work on these projects in exchange for relief are entitled to protection in the event of injury but under the circumstances described above it does not believe that the obligation of providing this protection rests upon the Federal Government.

1. CIVIL WORKS EMPLOYEES

The Civil Works program which at its peak employed approximately 4,000,000 workmen had been in operation for nearly 3 months before legislation was enacted extending the protection of the Federal employees' compensation law to this employment. Prior to the enactment of the act approved February 15, 1934, an informal program to provide workmen's compensation protection for employees of the Civil Works Administration had been adopted by that Administration. The Federal Civil Works Administrator requested the Commission to administer this program and this cooperation was willingly extended. This informal compensation program, however, was different in many important respects from that subsequently authorized by the act of February 15, 1934. The uncertainty concerning the assumption by the Federal Government of the obligation of providing compensation for this employment and the manner in which this obligation, if assumed, would be met, gave rise to a number of problems which might not have occurred if a decision upon this matter had been reached before the program was inaugurated. By the time legislation was enacted a large number of claims had accumulated and before arrangements could be made to adjudicate them it was necessary for the Commission to expand its administrative staff to handle this tremendous increase in work. Under such circumstances delay in the adjustment of claims was unavoidable,

notwithstanding every effort to expedite this work, including the employment of two shifts of employees in the office of the Commission.

Even under the most favorable circumstances the administration of this compensation program would have been an important and difficult undertaking. Some appreciation of the amount of work involved in handling it may be gained from the fact that the number of injuries reported from Civil Works employments over a period of a few months was more than five times the number of cases reported annually from regular establishments of the Government. Local officials responsible for the preparation of reports of injury and arranging for medical care of injured employees were unacquainted with the administrative procedure under the Federal compensation law, as were physicians and hospitals participating in rendering professional services to injured employees. This further increased the difficulties of adjudicating claims, particularly claims for payment on account of medical care. Taking into account all of the unfavorable circumstances under which the administration of this compensation program was undertaken, the Commission feels that the duties imposed upon it have been performed efficiently and economically, and in a manner reflecting credit upon the Federal service. The fact that adjustments have been made in all except approximately 1,000 cases and that only \$349,657 has been expended for administrative purposes justifies this conclusion.

Injuries reported.—A total of 166,803 cases of injury were reported to the Commission from Civil Works projects to June 30, 1935. Nearly all of these cases arose between December 1933 and March 1934. The record for each month, commencing November 1933, is as follows: November, 2,917; December, 34,902; January, 58,731; February, 42,170; March, 27,797; April, 286. These cases, classified to show the State from which the injury was reported, are shown in table 15.

TABLE 15.—FATAL AND NONFATAL INJURIES REPORTED BY THE CIVIL WORKS ADMINISTRATION

State	Nonfatal	Fatal	State	Nonfatal	Fatal
Alabama.....	3,222	19	Nevada.....	221	2
Arizona.....	1,195	2	New Hampshire.....	458	2
Arkansas.....	1,482	22	New Jersey.....	4,392	19
California.....	12,068	37	New Mexico.....	240	3
Colorado.....	1,596	13	New York.....	18,188	37
Connecticut.....	3,698	10	North Carolina.....	1,593	5
Delaware.....	203	1	North Dakota.....	787	6
District of Columbia.....	481	1	Ohio.....	14,689	59
Florida.....	1,442	10	Oklahoma.....	3,462	17
Georgia.....	1,654	20	Oregon.....	1,508	6
Idaho.....	970	5	Pennsylvania.....	10,241	49
Illinois.....	11,480	37	Rhode Island.....	777	1
Indiana.....	5,172	26	South Carolina.....	568	5
Iowa.....	4,844	22	South Dakota.....	787	10
Kansas.....	1,879	20	Tennessee.....	1,193	4
Kentucky.....	1,610	9	Texas.....	4,352	49
Louisiana.....	2,212	9	Utah.....	841	7
Maine.....	825	10	Vermont.....	549	3
Maryland.....	1,028	7	Virginia.....	1,420	9
Massachusetts.....	7,762	31	Washington.....	2,756	15
Michigan.....	8,002	38	West Virginia.....	2,027	10
Minnesota.....	3,279	22	Wisconsin.....	9,568	38
Mississippi.....	1,092	6	Wyoming.....	406	2
Missouri.....	5,173	21	Alaska.....	81	—
Montana.....	1,389	5			
Nebraska.....	1,170	10	Total.....	166,032	771

Cases disposed of.—An analysis of the action taken in 165,709 non-fatal and 770 fatal cases shows that 14,811 were disapproved by the Commission for various reasons, the principal one being that the disability or death was not due to a traumatic injury. In this connection it has been noted that many of these cases clearly were due to causes not associated with the employment. In a number of instances reports were filed with the Commission in cases in which an employee became incapacitated or died as a result of a disease which antedated his employment with the Civil Works Administration and which apparently was not materially aggravated or accelerated by such employment. The sum of \$184,981 was expended for medical care in such cases. The nonfatal cases disapproved by the Commission and the reason for disapproval is shown in the following tabulation:

Reason for closing	Number of cases	Reason for closing	Number of cases
Nonfatal:		Nonfatal—Continued.	
Not due to injury.....	11,991	Refused medical aid.....	192
Not in performance of duty.....	339	Intoxication.....	11
Not an employee.....	212	Misconduct.....	3
Incomplete.....	1,009	No action.....	8
No claim filed.....	601		

In approximately 60 percent of the total number of cases reported the injury did not cause disability for work which would entitle the injured employee to compensation. There were 104,554 such cases, in most of which, however, medical attention was required. The cost of medical care in these cases amounted to \$547,048. In 16,427 other cases the injury was not of sufficient severity to cause disability for more than 3 regularly scheduled working days, and therefore no compensation was paid in these cases. The cost of medical treatment on account of the injury in these cases amounted to \$101,523. Compensation awards amounting to \$913,344 were approved by the Commission for temporary disability in 29,686 cases. The duration of disability in these cases amounted to 1,155,059 calendar days. In addition to the compensation paid to the injured employee the sum of \$897,491 was expended for medical care in these cases.

The exact number of cases in which the injury may result in permanent partial disability cannot be stated at this time as there are a relatively small number of cases in which compensation is still being paid for temporary total disability which may subsequently result in permanent partial disability. It appears, however, that a number of these cases will not in any event exceed 2,000. In 676 cases classified as permanent partial disabilities, the compensation award has been paid in full in accordance with the special schedule governing such cases. The duration of disability in these cases, measured by the period for which compensation was awarded, amounts to 177,912 days, for which compensation has been paid in the amount of \$143,450. The extent of the permanent disability in these cases was more or less minor, as may be inferred from the fact that the compensation award has terminated. In addition to the compensation paid to the injured employee in these cases the Commission expended \$75,827 for medical care.

The total compensation paid to injured employees in 165,709 cases in which final adjustment apparently has been made amounts to \$1,093,582. The cost of medical care in the same cases amounts to \$1,806,900. It will be noted that contrary to the usual experience the cost of medical care exceeds the compensation payment to beneficiaries. This, however, is explained by the very low rate at which compensation may be paid in these cases, which as previously indicated, is limited to \$25 per month.

Slightly more than half of the 770 fatal cases reported to the Commission were disapproved, principally for the reason that the death was not due to a traumatic injury while in the performance of duty. The records show that 366 cases were disapproved for this reason, and that 46 additional cases were disapproved because the injury causing death was not sustained while the employee was in the performance of duty. In 325 cases the Commission found that the death occurred under circumstances which brought it within the scope of the compensation law. In 34 of the approved cases the deceased employee was not survived by dependents entitled to compensation and the only benefits authorized in such cases were medical attention, compensation prior to death, and burial expenses. The amount expended for these items is, respectively, \$1,595, \$107, and \$5,829. The total expenditure on account of these 34 cases is \$7,302. The Commission approved awards to or on account of 775 dependents in 291 of the 325 approved fatal cases. The estimated value of the compensation award in these cases is \$884,518. In addition to the compensation it is estimated will be paid to dependents of the deceased employee in these cases, the Commission expended \$22,184 for medical care and \$51,597 for burial expenses. The total estimated cost of compensation benefits in the 325 approved fatal cases is \$965,830. The following tabulation shows the distribution of the compensation award according to relationship in the 291 cases in which there were dependents entitled to compensation.

	Number	Monthly award	Compensation	Average	
				Monthly award	Compensation
Widows.....	236	\$3,894.63	\$650,294	\$16.50	\$2,755
Sons.....	232	829.74	86,940	3.58	375
Daughters.....	241	946.32	104,611	3.93	434
Brothers.....	11	19.71	3,545	1.79	322
Sisters.....	7	41.59	3,020	5.94	431
Fathers.....	15	132.80	10,750	8.35	717
Mothers.....	33	314.15	25,101	9.52	761
Total.....	775	6,178.94	884,301	-----	-----

Medical and surgical care and treatment.—In keeping with the policy followed in the administration of the Federal Employees' Compensation Act the Commission endeavored to make maximum use of Government medical facilities for the treatment of injured employees of the Civil Works Administration. This was done, however, with the understanding that only surplus existing facilities would be used for this purpose so as not to displace or cause inconvenience to any of the beneficiaries for which the respective Federal medical services are

maintained. The Commission received the fullest cooperation from officials in charge of United States hospitals and medical services, and while it is not informed as to the saving in medical costs made possible through the services extended by these institutions this unquestionably represents a considerable sum. Obviously, however, Federal medical facilities were inadequate to provide medical treatment for this employment, which was widely scattered throughout the entire United States. In view of this it was necessary to arrange to obtain medical care from private facilities, and a very large proportion of this essential service was obtained from this source. In order to facilitate arrangements for the care of injured employees, conferences were held with officers of the three national hospital associations and representatives of the American Medical Association. An agreement was entered into with the hospital associations concerning the rate to be charged for the hospitalization of injured employees of the Civil Works Administration and for X-ray and other services customarily supplied by hospitals. Instructions were issued by the Commission to State and local compensation officers instructing them to confer with representatives of the local medical societies and other appropriate local agencies in perfecting arrangements for the services of local physicians. Under the special regulations adopted by the Commission any reputable physician holding a degree of doctor of medicine and licensed to practice medicine under the law of the State in which he resided, was permitted to participate in rendering this service. Such physicians were informed that reasonable fees would be allowed for services rendered to injured employees, not, however, in excess of those charged by physicians generally to patients in the same income class as the injured person. While the fees approved by the Commission for services rendered by physicians were relatively low, they were generally accepted, although some protests were made because of the reduction in fees. The Commission desires to express its appreciation for the cooperation received from the medical profession and the hospitals throughout the United States. This cooperation made it possible to provide prompt and capable medical care for all beneficiaries of the compensation law.

Expenditures to June 30, 1935, for medical treatment to injured employees of the Civil Works Administration and expenses incidental to securing such treatment amount to \$2,018,223.

Third-party cases.—The provisions of sections 26 and 27 of the Federal Employees' Compensation Act relating to the recovery of damages in cases in which an injury is sustained under circumstances creating a legal liability on a third party are applicable to cases arising out of the injury of employees of the Civil Works Administration. Recoveries from a third party have been made in 141 cases. In seven fatal cases the gross value of the recovery is \$19,325, and the net value, after deducting attorneys' fees and other costs of collection, is \$13,169, of which \$7,715 represents the estimated net saving in compensation costs. This saving is approximately 43 percent of the total benefits paid and estimated to be paid in these seven cases. In 134 non-fatal cases the gross value of the recovery is \$50,512 and the net value \$38,919, of which \$8,278 is a direct saving in compensation costs. This saving is equivalent to almost the total compensation benefits paid or estimated to be paid in these cases. The total saving through

recoveries made in third-party cases is \$15,993, of which \$3,049 was actually refunded to the Commission. The difference between these amounts is charged against future payment of compensation on account of the same injuries. In addition to these 441 cases in which recoveries have been made there are 132 cases still pending in the hands of attorneys and in the process of settlement.

Cause of injury.—The cause of injury in 166,803 cases is shown in table 16. In 26 percent of the nonfatal cases the injury was caused by the object being handled. Flying objects caused 12.4 percent of the injuries; falls, 11.4 percent; hand tools, 11.2 percent, and falling objects, 7.4 percent.

TABLE 16. CAUSE OF INJURY

	Nonfatal	Fatal		Nonfatal	Fatal
Railroad and plant trucks.....	115	15	Stepping on nails.....	1, 148	2
Automobiles and trucks.....	2, 585	103	Stepping on other objects.....	2, 293	2
Animal-drawn vehicles.....	429	4	Stepping in holes.....	563	1
Animal-drawn implements.....	271	2	Striking against splinters and other sharp projections.....	6, 527	8
Contact with chemicals and gas.....	8, 116	8	Striking against other objects.....	5, 560	12
Hand tools.....	18, 677	6	Injured by flying objects.....	20, 510	3
Machinery.....	1, 021	7	Struck by other objects.....	9, 862	20
Fall of persons.....	18, 895	96	Weather conditions of cold and moisture.....	7, 094	114
Slipping.....	1, 921	-----	Miscellaneous and not stated.....	3, 053	159
Falling objects.....	12, 364	115			
Explosives.....	232	9			
Heat and flames.....	1, 514	4			
Handling heavy objects.....	12, 306	47			
Handling other objects.....	30, 976	34	Total.....	166, 032	771

Special fund and expenditures therefrom.—In order to defray the cost of compensation for employees of the Civil Works Administration provision was made to set aside from funds appropriated by the act of February 15, 1934, for the continuance of the Civil Works program such sums as the Commission, with the approval of the Director of the Budget, estimated and certified to the Secretary of the Treasury as necessary for administrative expenses and the payment of compensation. The special fund thus established in the Treasury is administered by the Commission for the purposes indicated, and after June 30, 1935, is available in such amounts as may be specified therefor in the annual appropriation acts. At the time an estimate of the cost of this compensation program was prepared, there was little definite information available upon which an accurate estimate could be made. The only factors entering into such an estimate upon which reliable information was available were in respect to probable pay-roll costs and man-hours of employment. The classification of the employment and the pay-roll exposure for each classification could not be ascertained, and therefore it was necessary in preparing this estimate to make arbitrary allowances for these and other factors that might influence cost. The Commission on February 24, 1934, submitted to the Director of the Budget an estimate certifying that it would be necessary to set aside \$17,500,000 for this special fund. The latter, however, was of the opinion that a larger margin of safety should be provided to cover unforeseen contingencies and suggested a fund of \$25,000,000 for this purpose. The Commission, deferring to the judgment of the Director of the Budget, revised its estimate accordingly and the sum of \$25,000,000 was set aside in this special fund.

A preliminary survey of claims arising out of this employment made several months after the suspension of the Civil Works program disclosed that the amount originally estimated by the Commission would have been in excess of the amount required for probable expenditures. Following a more complete survey made in December 1934, the Commission advised the Acting Director of the Bureau of the Budget that there would probably be a surplus of at least \$10,000,000 in this fund after making appropriate allowances for future expenditures. Upon receipt of this advice the latter authorized the Secretary of the Treasury to transfer \$10,000,000 from this special fund to the credit of the Federal Civil Works Administration. Notwithstanding this transfer it is now estimated that there will probably be an unexpended balance of more than \$5,000,000 in this fund after all obligations have been finally paid. Expenditures from this fund to June 30, 1935, amount to \$3,957,900. These expenditures are classified by objects in the tabulation which follows:

Employees' Compensation Fund, Civil Works

Original allocation.....	\$25, 000, 000
Repayment to Relief Appropriation.....	10, 000, 000
Revised total allocation.....	15, 000, 000
Expenditures to June 30, 1935.....	3, 957, 900
Unexpended balance on June 30, 1935.....	11, 042, 100

CLASSIFICATION OF EXPENDITURES

Compensation benefits:	
Disability compensation.....	1, 398, 832
Medical treatment.....	2, 018, 223
Transportation of beneficiaries.....	25, 996
Death compensation.....	112, 678
Burial expenses.....	51, 783
Miscellaneous.....	731
Total.....	3, 608, 243
Administrative expenses:	
Personal services.....	278, 177
Supplies and materials.....	4, 526
Communication services.....	2, 392
Travel expenses.....	3, 041
Rent.....	5, 465
Equipment.....	11, 916
Printing and binding.....	23, 389
Miscellaneous.....	472
Transfer to other departments.....	20, 279
Total.....	349, 657
Total benefits and administrative expenditures.....	3, 957, 900

2. ENROLLEES—CIVILIAN CONSERVATION CORPS

Under the provisions of section 3 of the act entitled "An act for the relief of unemployment through the performance of useful public work, and for other purposes," approved March 31, 1933, the provisions of the United States Employees' Compensation Act of Septem-

ber 7, 1916, were extended to enrollees in the Civilian Conservation Corps and other persons given employment under that emergency legislation. This section was repealed by the Emergency Appropriation Act, fiscal year 1935, approved June 19, 1934, insofar as it applied to enrollees in the Civilian Conservation Corps, and the conditions and limitations in the act of February 15, 1934, relating to compensation for employees of the Civil Works Administration, were made applicable to such enrollees.

Probably the most important effect of this action was the exclusion from the benefits of the compensation law of all cases in which disability or death was caused by disease. The average enrolled strength of the Civilian Conservation Corps during the first 2 years of its existence was probably close to 300,000. In any group of this size disease takes its toll of disability and death, and since the death rate from disease among enrollees is probably lower than for the same age group of the population at large, it is not reasonable to assume that service in the Conservation Corps is a hazard to health. The medical inspections and treatment furnished enrollees, the steps taken to provide for their physical needs through the furnishing of proper food, clothing, and shelter, and the disciplinary regulations imposed upon them, should tend to minimize the danger of disease. Notwithstanding this the impression exists rather generally that if an enrollee becomes disabled or dies from an illness contracted during a period of enrollment there is an obligation on the part of the Federal Government to provide compensation for the disabled enrollee or his surviving dependents. A very small number of cases have been presented to the Commission in which it appeared that a disease contracted by an enrollee was proximately caused by his employment in the Conservation Corps. These, however, have been so few that the Commission does not believe that the public interest requires modification of the general law to provide relief in these cases. On the contrary it believes that this course would be opposed to the public interest and might eventually lead to a large pension roll for this civilian service. The recent increase in the size of the Corps to an authorized strength of approximately 600,000 men emphasizes the danger of this course.

As was the case in respect to the compensation law applicable to employees of the Civil Works Administration, provision was made for a special fund to cover administrative expenses and the payment of compensation awarded to enrollees. The Commission with the approval of the Director of the Budget estimated and certified to the Secretary of the Treasury that \$5,550,000 would be required for this purpose, and this amount was set aside from the appropriation for emergency conservation work to be administered by the Commission for the purposes indicated. This estimate of cost is based on the authorized program of the Civilian Conservation Corps extending only to March 31, 1935, and while the amount set aside is probably larger than would have been necessary for that program it may not prove sufficient to meet the increased costs due to the increase in the size of the Corps. It is necessary to point out that this estimate does not reflect the true cost to the Government for injuries arising out of this employment, since medical attention necessary on account of injury is generally furnished to enrollees during the term of their enrollment by the Civilian Conservation Corps, and no charge for

such treatment is made against the compensation fund. Moreover, it is estimated that only a small amount of compensation will be paid for temporary total disability in cases involving incapacity of short duration.

Under the practice prevailing in the Civilian Conservation Corps the pay and allowances of enrollees is not suspended during periods of physical incapacity where such incapacity is not the result of misconduct. In view of this no compensation is payable to enrollees during the term of enrollment and in order to avoid unnecessary administrative expenses the Commission has not required the submission of reports of injuries involving temporary disability for less than 15 days. Regulations concerning the application of the compensation law to this employment require reports to be filed with the Commission in all fatal cases, irrespective of the cause of death, and in nonfatal cases in which disability lasts 15 days or longer or in which the injury may be expected to cause some permanent disability. The Commission, therefore, does not have a complete report of all injuries arising out of this employment, but only the more serious cases.

The records of the Commission show that on September 30, 1935, reports had been received in 19,186 cases, of which 1,828 were fatal cases. Cases reported from this employment to September 30, 1935, are shown for each 6-month period in the following tabulation:

Civilian Conservation Corps injury cases reported and claims received

Month	Injuries reported			Claims filed		
	Nonfatal	Fatal	Total	Nonfatal	Fatal	Total
May and June 1933.....	33	1	34			
Last half of 1933.....	3, 185	313	3, 498	90	64	154
First half of 1934.....	3, 772	340	4, 112	404	81	485
Last half of 1934.....	3, 999	430	4, 429	581	96	677
1935						
January.....	724	78	802	124	24	148
February.....	709	96	805	121	21	142
March.....	807	117	924	108	28	136
April.....	805	69	874	130	10	140
May.....	618	61	679	167	19	186
June.....	569	73	642	104	15	119
Total.....	4, 232	494	4, 726	754	117	871
July.....	602	65	667	143	11	154
August.....	717	77	794	208	21	229
September.....	818	108	926	119	25	144
Grand total.....	17, 358	1, 828	19, 186	2, 299	415	2, 714

Cases disposed of.—A total of 8,071 nonfatal cases reported from this employment were closed prior to January 1, 1935. About 41 percent of these cases, or 3,329 cases, were disapproved by the Commission. This unusually high percentage of disapproved cases is explained by the fact that reports were filed with the Commission in many cases in which the disability was caused by disease. Such cases are excluded from the benefits of the compensation law under the statutory definition of traumatic injury. Approximately 70 percent of the cases disapproved by the Commission were rejected for this reason, and nearly 25 percent were rejected because the injury did not occur while in the performance of duty. The number of non-

fatal cases disapproved and the reasons therefor are shown in the following tabulation:

Not due to injury-----	2, 285
Not in performance of duty-----	903
Result of misconduct-----	7
No claim filed-----	57
Refused medical aid-----	2
Miscellaneous or incomplete-----	65
	<hr/> 3, 319

Reference has been made to the practice in the Civilian Conservation Corps of continuing the pay of enrollees during periods of disability due to injury as a result of which claims for compensation in cases involving temporary total disability are almost completely eliminated. The reports filed in cases closed prior to January 1, 1935, show that in practically 50 percent of the closed cases the injured enrollees received full pay while disabled. In 3,897 such cases the injury caused disability for 151,354 days. This is an average of almost 39 days per case. In 100 such cases the Commission expended the sum of \$2,187 for medical attention, or an average of \$21.87 per case. The cost of medical care on account of these injuries is not known to the Commission, as this service is furnished through the facilities of the Corps, and no report of the cost thereof is filed with the Commission. Compensation in the amount of \$19,634 and medical treatment for which the Commission expended \$2,626 was awarded in 275 cases involving temporary total disability closed during 1933 and 1934. The duration of disability in these cases was 29,444 days, or an average of 107 days per case. The average compensation award in these cases was \$71.40 per case. The compensation award in these cases does not take into account 8,661 days of disability during which the enrollee received full pay as a member of the Corps. In 41 cases in which the injury resulted in permanent partial disability the compensation awarded by the Commission was terminated in 1934 by final payment. The duration of disability in these cases, computed on the basis of term of the award, is 8,016 days, or an average of 196 days per case. The total compensation award in these cases is \$5,013, or an average of \$122 per case. The compensation award does not take into account the wages received by the injured enrollees from the Corps for 2,029 days of disability. The medical expense paid by the Commission in these cases amounts to \$445.

Action has been taken by the Commission disposing of 1,900 of the 1,942 fatal cases reported from this employment. In 1,468 cases the Commission found that the death did not occur under circumstances which would bring it within the scope of the compensation law, and these cases were accordingly disapproved. The reasons for disapproval of the number of cases disapproved for each reason are shown in the following tabulation:

Not due to injury-----	968
Not in performance of duty-----	482
Intoxication-----	10
Miscellaneous-----	8
Total-----	<hr/> 1, 468

The large number of cases disapproved because the death was not due to an injury is explained by the fact that under the regulations governing the submission of reports on account of the injury of

enrollees in the Civilian Conservation Corps, a report must be submitted for every fatality, regardless of whether or not the death resulted from an injury. In 66 cases approved by the Commission it was found that there were no dependents entitled to compensation and no expense was incurred in these cases for benefits under the compensation law. Burial expenses and the cost of medical care prior to death in these cases were paid by the Civilian Conservation Corps. Compensation was awarded by the Commission to or on account of 1,029 dependents in 364 fatal cases. The estimated value of these awards is \$563,043. The awards are distributed according to dependents in the following tabulation:

AWARDS IN 364 CIVILIAN CONSERVATION CORPS FATAL CASES

Relationship	Number of dependents	Average age	Monthly award	Estimated total compensation	Average	
					Monthly award	Cost
Widows.....	33	34.5	\$498.42	\$87,493	\$15.10	\$2,651
Children under 18 years of age.....	57	7.9	248.32	26,941	4.36	473
Brothers and sisters.....	455	11.2	1,324.98	98,720	2.91	217
Fathers.....	181	53.4	1,278.79	109,240	7.07	604
Mothers.....	293	48.8	2,386.16	208,894	8.14	813
Over 18 years of age, incapable of self support.....	1	23.0	4.20	422	4.20	422
Grandparents.....	9	71.1	63.00	4,333	7.00	481
Total.....	1,029		5,803.87	536,043		

The average cost per case of compensation benefits awarded in all fatal cases in which there were dependents entitled to compensation is \$1,473. This low cost per case is due to the limitations in the compensation law respecting the payment of compensation to the parents and the brothers and sisters of a deceased employee, under which the compensation to this class of beneficiaries is limited to a term of 8 years. It will be noted that these classes of dependents are the principal beneficiaries under the compensation awards made on account of the death of enrollees and that in less than 1 out of 11 such cases was there a surviving widow entitled to compensation. The Commission in this report has called attention to the harsh and seemingly unjust effect of this limitation in the law and has recommended the enactment of legislation in the form of an amendment of section 10 of the compensation law to remedy this fault. If the Commission's recommendation is adopted it will result in an increase in the compensation award to these classes of dependents. However, in view of the low rate of compensation that may be paid in cases involving the death of an enrollee, this compensation would still be inadequate. Removal of the present limitation on the period for which compensation may be paid will not affect the monthly compensation rate, which is based on the monthly wage received by the deceased enrollee at the time of injury. The maximum compensation authorized in the case of one wholly dependent parent is 25 per centum of the monthly wage of the deceased enrollee. On the present scale of wages established for this employment this award amounts to \$10.50 per month. The average compensation award to 474 dependent parents of deceased enrollees is only \$7.73 per month.

Third party cases.—The provisions of sections 26 and 27 of the Federal Employees' Compensation Act relating to the recovery of

damages in cases in which an injury is sustained under circumstances creating a legal liability on a third party are also applicable to cases arising out of the injury of enrollees in the Civilian Conservation Corps. Recoveries from a third party have been made in seven cases. In two fatal cases the gross value of the recovery is \$3,750, and the net value after deducting attorneys' fees and other costs of collection is \$3,363, of which \$1,171 represents the estimated net saving in compensation costs. This saving covers the total estimated cost of compensation payable in these two cases. In five nonfatal cases the gross value of the recovery is \$2,770 and the net value \$1,934, of which \$588 is a direct saving in compensation costs. This saving is approximately 21 percent of the total benefits paid or estimated to be paid in these cases. The total saving through recoveries made in third party cases is \$1,295. In addition to these 7 cases in which recoveries have been made there are 16 cases still pending in the hands of attorneys and in the process of settlement.

Cause of injury.—A short classification of the cause of injury in all cases reported to the Commission from this employment to September 30, 1935, exclusive of 2,647 cases arising out of disability or death due to disease, is shown in table 17. The cases included in this table cover all accidental injuries from this employment reported to the Commission. Accidents involving the use of motor vehicles accounted for nearly 50 percent of all fatal cases. Many of these accidents occurred while enrollees were absent from camp on leave of absence, and therefore did not come within the purview of the compensation law. Ten percent of the fatal cases arose out of accidents in camp as distinguished from accidents at work. Accidents while at work caused nearly 67 percent of all nonfatal injuries, motor vehicles, 12 percent, and camp accidents, 8.7 percent.

TABLE 17.—CAUSE OF INJURY

	Fatal	Nonfatal	Total
Accidents at work:			
Falls of persons.....	38	2,247	2,285
Struck by falling objects.....	90	1,090	1,180
Struck by flying objects.....	11	889	900
Injured by hand tools.....	5	1,787	1,792
Handling objects:			
(a) Causing hernia.....	7	2,690	2,697
(b) All other.....	6	817	823
Blasting accidents.....	23	115	138
All others.....	49	1,221	1,270
Total.....	229	10,856	11,085
Railroad accidents.....	49	48	97
Automobile and motorcycle accidents:			
While riding or driving.....	309	1,533	1,842
While boarding or leaving.....	10	167	177
Struck by.....	82	194	276
All other.....	28	188	216
Total.....	429	2,082	2,511
Camp accidents:			
Recreational.....	45	1,005	1,050
Horseplay and fights.....	29	333	362
All other.....	23	169	192
Total.....	97	1,507	1,604
Miscellaneous.....	166	1,075	1,241
Grand totals.....	970	15,568	16,538

Special fund.—Pursuant to the provisions of title 2 of the Emergency Appropriation Act, fiscal year 1935, a special fund of \$5,550,000 to cover administrative expenses and the payment of compensation was set aside in the Treasury from funds appropriated by that act. This special fund is administered by the Commission for the purposes indicated, and after June 30, 1935, is available in such amounts as may be specified therefor in the Annual Appropriation Acts. The estimate prepared by the Commission for this special fund, based on the work program ended April 1, 1935, proved to be in excess of the amount necessary for this purpose. In view of this the special fund has not been adjusted to take care of the increase in cost that might reasonably be anticipated on account of the extension of the conservation program and an increase in the authorized strength of the Civilian Conservation Corps. Some increase in the amount of the fund may be necessary on this account. This, however, will be determined after more experience has been gained from operations of the enlarged Corps. Expenditures from this fund to June 30, 1935, amount to \$299,279. As has been previously stated, however, this expenditure does not reflect the cost to the Government on account of accidental injuries to enrollees since a large part thereof is included in the general operating expense of maintaining the Corps. These expenditures are classified by objects in the tabulation which follows:

Employees' compensation fund, emergency conservation work

Total allocation.....	\$5, 550, 000
Expenditures to June 30, 1935.....	299, 279
Unexpended balance on June 30, 1935.....	5, 250, 721

CLASSIFICATION OF EXPENDITURES

Compensation benefits:	
Disability compensation.....	195, 633
Medical treatment.....	24, 701
Transportation of beneficiaries.....	4, 885
Death compensation.....	52, 929
Total.....	278, 148
Administrative expenses:	
Personal services.....	17, 239
Supplies and materials.....	696
Communication services.....	14
Travel expense.....	46
Printing and binding.....	1, 940
Equipment.....	1, 161
Miscellaneous.....	35
Total.....	21, 131
Total benefits and administrative expenditures.....	299, 279

3. RELIEF EMPLOYEES—EMERGENCY RELIEF APPROPRIATION ACT OF 1935

Under the provisions of section 2 of the Emergency Relief Appropriation Act of 1935 (Public Resolution No. 11, 74th Cong.), the provisions of the act of February 15, 1934, relating to disability or death compensation and benefits are made applicable to persons receiving from that appropriation "for services rendered as employees of the United States security payments in accordance with schedules

established by the President." This section of the law also provides that such sum as the Commission, with the approval of the President, estimates and certifies to the Secretary of the Treasury will be necessary for the payment of such compensation and administrative expenses, shall be set aside from the relief appropriation in a special fund to be administered by the Commission for such purposes. After June 30, 1936, this fund is to be available for these purposes annually in such amounts as may be specified therefor in the Annual Appropriation Act.

The effect of this legislation is to extend the protection of the Federal Employees' Compensation law, subject to certain conditions and limitations, to the several million persons who it is expected will be given employments through funds provided by the Emergency Relief Appropriation Act of 1935. The conditions and limitations under which compensation benefits are extended to this employment are the same as those applied to employees of the Civil Works Administration and enrollees in the Civilian Conservation Corps. Under the provisions of section 2 of the Appropriation Act above referred to, the restrictions on the payment of compensation are applicable to persons receiving "security payments" in accordance with schedules established by the President in return for services rendered as employees of the United States. The term "security payments" as used in this section of the act is not found or defined in any other part of the act, nor is the term used in the Executive order of the President establishing a schedule of monthly earnings on projects financed in whole or in part from funds appropriated by the said act. The absence of a legal definition of this term has made it difficult to determine the application of the compensation law to certain employments, particularly those under the jurisdiction of the Executive Departments and establishments of the Government created through funds allocated from the Relief Appropriation Act.

In general all civilians in the employ of the United States are entitled to the benefits of the Federal Employees' Compensation Act of September 7, 1916. In view of the extreme difference between the scale of benefits authorized by that act in the case of regular employees of the United States as compared with the restricted benefits extended to beneficiaries of relief employment, it is important to distinguish between the two classes of employment. In a number of instances funds from the Emergency Relief Appropriation Act of 1935 have been allocated to Executive Departments for the continuation or expansion of activities normally carried on under the jurisdiction of such departments. In such circumstances regular employees of the Government are employed in connection with projects prosecuted with funds from the relief appropriation. This, and the absence of a uniform wage scale applicable to all relief employment, has increased the difficulty of defining the term "security payment." The Commission has interpreted the use of the term "security payment" in this legislation as an intention on the part of the Congress to limit the liability of the Government for the payment of compensation to persons provided with employment as a relief measure. In view of this the Commission believes that the fundamental distinction to be made in determining the status of employees on projects financed by funds allocated from the Relief Appropriation Act is that between those persons for whose ultimate benefit the act was intended and the

persons occupying administrative or supervisory positions engaged in carrying out the purpose of the act. Under this policy the former are recognized as relief employees and therefore are subject to the conditions and limitations in the act of February 15, 1934. The latter are recognized as civil employees of the United States within the meaning of the Federal Employees' Compensation Act of September 7, 1916, and as such are entitled to the full benefits authorized by that act.

In estimating the amount necessary for administrative expenses and the payment of compensation to be set aside in a special fund for this purpose, the Commission was confronted with the same difficulty encountered in preparing a similar estimate in connection with the Civil Works Administration. At the time the estimate was prepared little information was available concerning details for putting this huge work program into effect. The number of men to be employed directly by the United States, the nature of the work to which they would be assigned, the duration of the employment, and other similar factors that might influence compensation costs were not known to the Commission. In view of this the Commission concluded that the only feasible plan for approximating the cost of compensation for this employment was through the use of a fixed rate for each hundred dollars of the estimated pay roll, using the experience under the Civil Works Administration in establishing this rate. The cost of compensation benefits under the Civil Works program will probably amount to between \$1 and \$1.15 for each hundred dollars of pay roll. In order to take care of unforeseen contingencies a rate of \$1.25 per hundred dollars of pay roll was used in estimating the amount to be set aside in a special fund for the new relief program, and as a result the Commission certified that \$28,000,000 would be required for this purpose. This estimate was approved by the President and the amount indicated was set aside in a special fund in the Treasury for this purpose.

Since this special fund was not approved by the President until August 30, 1935, no expenditures therefrom were made during the year covered by this report.

IV. OPERATIONS UNDER THE LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT AND THE DISTRICT OF COLUMBIA WORKMEN'S COMPENSATION ACT

The Longshoremen's and Harbor Workers' Compensation Act, approved March 4, 1927, as amended (U. S. C., title 33, ch. 18, secs. 901 et seq.), providing compensation for employees of private employers while engaged in maritime employment upon the navigable waters of the United States, including any drydock, is administered by the Commission through deputy commissioners in 12 compensation districts comprising the United States and the Territories of Hawaii and Alaska. The largest class of employees subject to this law is longshoremen, who, in the course of their work of loading and unloading vessels, are in maritime employment outside of the jurisdiction of State workmen's compensation commissions or boards. The law also extends to ship repairmen, mechanics, and other employees engaged in maritime employment upon navigable waters, except a master or member of a crew of any vessel, and any person

engaged by the master to load or unload or repair any small vessel under 18 tons net, and employees of the United States or of any State or foreign government. There is no definition in the act of the term "maritime employment" as used therein, and there has been no comprehensive judicial definition of this term as so used. It seems clear, however, that Congress manifested an intention that the Longshoremen's Act should extend to all places where the admiralty and maritime jurisdiction of the United States extends, and not to other places.

The District of Columbia Workmen's Compensation Act, approved May 17, 1928 (45 Stat. 600; D. C. Code, title 19, ch. 2), made applicable to private employment in the District of Columbia the provisions of the Longshoremen's Act. This act applies to all employers carrying on any employment in the District of Columbia, excepting (1) a master or member of a crew of any vessel; (2) an employee of a common carrier by railroad; (3) an employee of the United States; and (4) an employee engaged in agriculture, domestic service, or any employment that is casual and not in the usual course of the trade, business, occupation, or profession of the employer. It is administered by the Commission through a deputy commissioner.

Claims under either act are handled by the proper deputy commissioner, and action thereon becomes final after 30 days from the filing of a compensation order awarding compensation or rejecting the claim. Within certain limitations a deputy commissioner may review a compensation case and modify a prior compensation order. No review by the Commission of the action of the deputy commissioner upon a claim is provided for in either act. The scope of these acts and the administrative procedure thereunder have been more fully set forth in previous reports, and reference is made to pages 36 and 56 of the Commission's sixteenth annual report for such information. Condensed statistical information, however, is given separately herein for each act.

INSURANCE CARRIERS AND SELF-INSURERS

Under each of these laws all employers subject to the provisions thereof are required to secure the payment of compensation and the performance of other obligations imposed thereby, either by qualifying as self-insurers or by providing insurance with some authorized insurance carrier.

During the fiscal year 1935, 7 insurance carriers were granted authority to write insurance under the Longshoremen's Act, 3 companies previously so authorized discontinued writing such insurance, and at the end of the fiscal year there were 168 companies with authority to write such insurance.

During the year 2 insurance companies were granted authorization to write insurance under the District of Columbia workmen's compensation law, the authority of 3 companies previously so authorized was terminated or discontinued, and at the end of the fiscal year there were 54 companies with authority to write such insurance.

During the year 36 employers were granted authority to act as self-insurers under the Longshoremen's Act, 25 employers previously so authorized surrendered that privilege, either because of taking out insurance policies or because of discontinuing operations under the

act, or for other reasons, and at the end of the fiscal year there were 363 authorized self-insurers under this act.

During the year 9 employers were granted authority to act as self-insurers under the District of Columbia workmen's compensation law, 5 such privileges were terminated during the year, and at the end of the fiscal year there were 67 authorized self-insurers in the District of Columbia.

Security for the payment of compensation either by insuring and keeping insured or by furnishing satisfactory proof of financial ability to pay such compensation, with deposit of securities or indemnity bond, is mandatory upon every employer under these acts. Where the employer is a subcontractor, the contractor becomes liable for the payment of compensation to employees of the subcontractor unless the latter has secured such payment. The liability of the employer under the act is exclusive and in place of all other liability, except that if an employer fails to secure the payment of compensation as required by the act, the employee, or his legal representative in case of death, may elect to claim compensation under the act or to maintain an action for damages against the employer, in which case negligence of a fellow servant, assumption of risk, or contributory negligence may not be pleaded as a defense thereto. Where an insurance carrier fails the obligation of the employer to pay compensation still remains, but no right of action against the employer, as indicated above, accrues.

Obligations of insurance carriers.—The Commission believes that every employer engaged in a legitimate activity coming under either act may reasonably expect to have his workmen's compensation risk covered by one of the duly authorized insurance carriers, upon payment of the proper premium. In granting or extending the authorization of any carrier the Commission will take into account the disposition of such carrier to deny its obligation to render such service fairly.

In this connection the Commission has been gratified to learn that the authorized insurance carriers in the District of Columbia who are members of the National Council on Compensation Insurance have put into effect as of July 1, 1935, a "voluntary plan for granting coverage to uninsured risks" whereby the insuring of employers who have been unable to obtain for themselves coverage under the District of Columbia workmen's compensation law is assigned to some carrier participating in the plan. This plan is intended to take care of employers who have been refused insurance by four authorized carriers, and provides for the distribution of such risks among the participants in the plan upon an equitable basis. No doubt the operation of this plan will relieve the situation in which some employers in hazardous occupations have heretofore experienced difficulty in securing necessary coverage because the risks involved were regarded by the insurance carriers as "undesirable."

The Commission also expects each duly authorized carrier to pay compensation promptly either where payment is due without an award or pursuant to an award in a compensation order. Unwarranted delay or failure to make prompt payments by an insurance carrier, in violation of the law and of its agreement with the Commission, except where payments have been stayed by proper order of a court having jurisdiction to order such stay, will be considered

in connection with the application of such insurance carrier for continuance of its authorization.

The standard workmen's compensation policy contains a provision for cancellation by either party, but under the law and regulations as well as by the terms of the Commission's prescribed endorsement, such cancellation cannot become effective except after 30 days' notice in writing. The chief purpose of this provision is to afford the employer sufficient time to secure other coverage. Notice of cancellation when given in due form in accordance with this provision is accepted and given effect by the deputy commissioner. The Commission has recognized as good ground for cancellation nonpayment of premium and refusal to provide and use reasonable safety devices and practices in hazardous occupations.

The Commission has taken the position, however, that when an authorized carrier has written a policy and accepted payment of premium thereon the insured employer may reasonably expect that the insurance contract will be performed and the risk carried during the policy term. The Commission would therefore regard as unsuitable to participate in the writing of such insurance any company which after writing a policy and receiving the premium thereon insists upon canceling it during its term simply because the insured refuses to give it other lines of insurance, or because it may after writing the policy conclude that the risk is undesirable.

The receipt by a deputy commissioner of the prescribed card notice of the issuance of a policy, binds the insurance carrier whether or not the policy has been delivered or premium paid, and the 30 days' notice of cancellation required by the law and regulations must be given.

Security required of self-insurers.—The rules governing self-insurance under these acts require as a condition precedent to the granting of such privilege that security be given. Such security may be given either in the form of an indemnity bond or by depositing approved negotiable securities with the proper Federal Reserve bank (in connection with the Longshoremen's Act) or with the Treasurer of the United States (in connection with the District of Columbia Act). The amount of security to be required depends upon several elements, chiefly the amount of pay-roll exposure, the degree of hazard of the employment as indicated by the reported accident experience, and the financial standing of the applicant. The minimum amount of security usually accepted from a self-insurer under the Longshoremen's Act is \$10,000. Under the District of Columbia workmen's compensation law the minimum indemnity bond accepted is \$15,000 and the minimum deposit of approved negotiable securities is \$10,000.

REVIEW OF DECISIONS BY THE COURT

Any party in interest in a proceeding before the deputy commissioner may apply to the United States district court for the judicial district in which the injury occurred (or to the Supreme Court of the District of Columbia if the injury occurred in the District of Columbia) for judicial review of a compensation order. If an order is found to be not in accordance with law, the court may by injunction suspend or set aside such compensation order, in whole or in part.

If such proceedings are not instituted before the expiration of the thirtieth day after the compensation order is filed by a deputy commissioner, such order becomes final and is not thereafter subject to judicial review.

Payment of compensation during the pendency of a proceeding for review may not be stayed unless upon application for an interlocutory injunction the court, on hearing, after not less than 3 days' notice to the parties in interest and the deputy commissioner, allows the stay of such payments in whole or in part, by order, in accordance with the provisions of the act, where irreparable damage would otherwise ensue to the employer.

Since the effective date of the Longshoremen's Act (July 1, 1927) there have been some 417 cases filed under section 21 (b) of the Longshoremen's Act; under the District of Columbia workmen's compensation law (which became effective July 1, 1928) there have been 148 such cases.

On July 1, 1934, there were pending 52¹ cases in which review of compensation orders was sought in United States district courts under the Longshoremen's Act. During the fiscal year 36 new cases were filed and 44 cases disposed of. On June 30, 1935, 44 cases were pending and undecided in the district courts.

During the fiscal year 3 cases were appealed to United States circuit courts of appeals, 5 cases disposed of, and 1 case remained undecided on June 30, 1935. Of the 5 cases decided during the fiscal year 3 were appealed during prior fiscal years.

On July 1, 1934, 12² cases were pending in the Supreme Court of the District of Columbia. During the fiscal year 22 new cases were filed and 24 cases disposed of, leaving 10 cases pending on June 30, 1935.

On July 1, 1934, 10 cases were pending in the United States Court of Appeals for the District of Columbia. During the fiscal year 9 cases were appealed and 17 cases disposed of, leaving 2 cases pending on June 30, 1935.

Decisions in the following cases were handed down in United States circuit courts of appeals and in the United States Court of Appeals for the District of Columbia during the fiscal year:

In the case of *Mary Bolin v. Marshall*, 76 Fed. (2d) 668 (C. C. A. 9), the court applied the law of the State of Oregon in determining the status of an alleged widow of a deceased longshoreman, holding that as common law marriage is not recognized in Oregon, the denial of compensation by the deputy commissioner on the ground that the claimant, who alleged common law marriage with the deceased, was not the widow of such deceased, should be affirmed. Application for certiorari has been filed in the Supreme Court on behalf of the alleged widow in this case.

In the case of *Wood Towing Corporation v. Parker* (the *Trollinger case*), 76 Fed. (2d) 770 (C. C. A. 4), the court sustained the jurisdiction of the deputy commissioner to award death benefits under the

¹ In its eighteenth annual report the Commission reported 58 cases as pending in the district courts on June 30, 1934. One of these cases has been dropped as not having been filed under section 21 (b) of the Longshoremen's Act, and information received subsequent to the preparation of that report shows that five other cases had terminated in a prior fiscal year.

² In its eighteenth annual report the Commission reported 16 cases as pending on June 30, 1934, in the Supreme Court of the District of Columbia. Information subsequently received shows that four cases carried as pending on that date had been terminated in a prior fiscal year.

Longshoremen's Act where decedent, a carpenter and general utility man, was found drowned in navigable waters after having accidentally fallen from a motorboat. This was an unwitnessed death involving inferences from the evidence as adduced, with respect to which the employer urged the theory that the employee fell into the water from the dock and that therefore the State had jurisdiction.

In the case of *General Accident, Fire & Life Assurance Corp. v. Crowell* (the *Anderson case*), 76 Fed. (2d) 341 (C. C. A. 5), the court affirmed an award of compensation in a case involving horse-play or skylarking, holding that there was sufficient evidence to support the finding of the deputy commissioner that the injury arose out of and in the course of the employment of the employee.

In the case of *Morgan v. Hoage*, 72 Fed. (2d) 727 (App. D. C.), certiorari denied in 293 U. S. 606, the financial secretary of a machinist's lodge while on his way to the lodge hall was killed by a disgruntled lodge member who was enraged because he had been unable to collect certain moneys which he claimed to be due him from the lodge. The decedent had certain hours during which he attended to his duties at the lodge hall and was enroute to perform such duties when assaulted. The court affirmed the rejection of the claim for death benefits on the ground that the injury did not occur in the course of the decedent's employment, as he had not arrived at the place where his appointed duties were to be performed.

In the case of *National Casualty Co. v. Hoage* (the *Vass case*), 73 Fed. (2d) 850 (App. D. C.), the court affirmed an award of death benefits where a janitor, from the time of inhaling sulphur-dioxide gas in an apartment house basement until his death 5 months later, was an invalid in care of physicians and suffered constantly from an inflammatory condition of the bronchial tubes. The court held that the evidence sustained the deputy commissioner's finding of causal connection between exposure to gas and death, without intervening or independent cause.

In the case of *Malone v. Hoage*, 73 Fed. (2d) 855 (App. D. C.), the court held that there was substantial evidence to sustain the deputy commissioner's order rejecting claim for death benefits in a case in which it was contended that a wrist injury hastened death from chronic heart disease.

In the case of *London Guarantee & Accident Co. v. Hoage* (the *Holtane case*), 75 Fed. (2d) 236 (App. D. C.), the court affirmed an award of death benefits to a mother who had neither property nor income except that which she received from her husband and two sons, one of whom was the deceased employee whose contributions she relied upon in part for her support. While the award to the dependent mother was sustained, the court reversed the award in favor of the alleged dependent father who received no money from the deceased.

In the case of *Commercial Casualty Ins. Co. v. Hoage* (the *Theodore case*), 75 Fed. (2d) 677 (App. D. C.), an award of death benefits was sustained where a grocery clerk, who was unaware of having an enlarged heart, suffered aortic regurgitation which was precipitated by strenuous exercise in handling sacks of potatoes. The court held that the occurrence constituted an "accidental injury." Certiorari was applied for in this case and denied by the Supreme Court on April 8, 1935 (55 S. C. R. 645).

In the case of *Aetna Life Ins. Co. v. Hoage* (the *Erickson case*), 76 Fed. (2d) 435 (App. D. C.), it was held that a letter written by the deputy commissioner to the claimant following a hearing, wherein the deputy commissioner declined to order further compensation paid or medical treatment, was not a compensation order and final award which precluded further order for continuance of compensation after expiration of 20 days from the date of hearing. The court further held that the evidence was sufficient to sustain the compensation order directing continuance of compensation for back injury.

In the case of *Bowers v. Hoage*, 76 Fed. (2d) 996 (App. D. C.), the court held that the evidence was insufficient to sustain the finding of the deputy commissioner that death of the employee, employed in a hardware store, who was found dying from a gunshot wound, resulted from suicide and did not arise out of his employment. This case had previously been taken up on appeal (67 Fed. (2d) 751) and had been remanded to the deputy commissioner for a finding on conflicting evidence whether the employee's death was accidental or suicidal. The United States Supreme Court on May 27, 1935, granted an application for writ of certiorari to review the recent appellate action (55 S. C. R. 916).

In the case of *Fulton v. Hoage*, 77 Fed. (2d) 110 (App. D. C.), a claim was held properly rejected under evidence of the claimant's failure to give notice of injury within 30 days and failure to file claim within 1 year after injury. The court also held that the finding that payments made to the claimant as wages during period of illness did not constitute payments of compensation for the purpose of extending the time for filing claim, was supported by substantial evidence.

In the case of *Hoage v. Hartford Accident & Indemnity Co.* (the *Lurig case*), 77 Fed. (2d) 381 (App. D. C.), the question involved was whether the deceased, who was an ornamental ironworker employed to repair a door in the grillwork of a banking house or trust company, was an employee or independent contractor. The court affirmed the decree of the lower court in setting aside the award of death benefits to the decedent's widow.

In the case of *United States Casualty Co. v. Hoage* (the *Stamps case*), 77 Fed. (2d) 542 (App. D. C.), it was held, where a Georgia resident entered into an employment contract in Alabama with an Alabama employer contemplating work wherever services may be required, who was employed about 1 month in Alabama and employed in other States during the remainder of the period of 1½ years preceding his death, and, finally for 3 months in the District of Columbia where the injury and death occurred, that the District of Columbia was not required by the full faith and credit clause of the Constitution to give effect to the elective Alabama Compensation Act, and hence an award under the compulsory act in the District of Columbia was proper.

In the case of *Southern Railway Co. v. Cartwright*, 77 Fed. (2d) 546 (App. D. C.), the court held that the finding of the deputy commissioner, in denying compensation to the widow for her husband's death, that the widow against whom the deceased husband had brought suit for divorce was not justified in living apart from husband, was not supported by the evidence. An unverified bill of complaint

in the husband's divorce proceedings which had been admitted as evidence before the deputy commissioner and which was the only evidence of the employer, was held in effect to be incompetent as evidence of the matters therein alleged.

In the case of *Isaac Chapman v. Hoage*, 78 Fed. (2d) 233 (App. D. C.), the court, two justices dissenting, affirmed a compensation order denying compensation to the claimant on the ground that he had filed with the deputy commissioner an election to sue a third party responsible for his injuries and had failed to pursue the suit against the third party to completion and that the employer had been prejudiced by reason of the fact that the statutory limitation had run against any rights the employer might have had against the third party. Application for writ of certiorari was filed in the Supreme Court.

In the case of *Lessie Speaks v. Hoage*, 78 Fed. (2d) 208 (App. D. C.), the court sustained the rejection of a claim for compensation on the ground that the findings of fact of the deputy commissioner were supported by substantial evidence. The employee in this case died as the result of a diseased heart, it having been alleged by his widow that the exertion in carrying a 5-gallon can filled with gasoline, weighing between 30 and 35 pounds, for a distance of about 240 feet, precipitated a heart attack.

In the case of *Indemnity Insurance Co. of North America v. Hoage* (the *Bennett case*), 78 Fed. (2d) 1009 (App. D. C.), the court held that the deputy commissioner had jurisdiction to award compensation upon a claim filed by the committee of an employee who was *non compos mentis*, notwithstanding the previous rejection on two occasions of the employee's claim for compensation on the ground that it had not been timely filed. The court held that under section 13 (c) of the Longshoremen's Act the limitations in section 13 (a) of the act did not apply in the case of this employee, a mental incompetent, in the absence of a legally appointed guardian, and that in contemplation of law the employee was not a party to the proceedings had under the respective compensation claims filed in his name.

In the case of *Washington Terminal Co. v. Hoage* (the *Poff case*), 79 Fed. (2d) 158 (App. D. C.), the court set aside an award of compensation for partial loss of binocular vision on the ground that the deputy commissioner, upon employer's application for modification of an award on ground of change in conditions, should have taken into consideration improvement in visual efficiency resulting from the use of glasses by the employee.

In the case of *Hoage, deputy commissioner, and Bessie Smith v. Liberty Mutual Insurance Co.*, 78 Fed. (2d) 874, (App. D. C.), the court affirmed a decree of the Supreme Court of the District of Columbia, setting aside a compensation award in favor of the widow of a deceased employee, who, while engaged in patch work on the public streets, had been using a heavy sledge hammer for about 1 hour breaking concrete, when he collapsed and died from acute dilatation of the heart. The court held in this case that there was substantial evidence that the death of the employee was due to an acute attack of a long-standing heart disease, and that the onset was not caused in whole or in part by any of the work performed by him.

The United States Supreme Court in the case of *Doleman v. Levine*,

55 S. C. R. 741, held that where the widow of a deceased employee, who died as the result of the negligence of a third party, elected to take compensation, but where the father of the employee did not so elect but brought suit against the third party as administrator of the decedent's estate, and where the employer brought a prior like suit for damages under his right of subrogation pursuant to section 33 (b) of the Longshoremen's Act, the employer is not authorized to maintain the action for wrongful death, in view of the fact that full right of recovery was not vested in the widow under the Wrongful Death Act of the District of Columbia, there being another dependent entitled to share in the proceeds of the recovery. It was held that as statutory assignee of the rights of the dependent receiving compensation, the employer acquires only the rights of his assignor to compel the administrator or executor to maintain suit and to share in the proceeds of the recovery.

AMENDMENTS TO THE LAW

There have been no amendments to the Longshoremen's Act or to the District of Columbia workmen's compensation law since the act approved May 26, 1934 (48 Stat. 806), which amended sections 7 (a), 8 (c), 14 (j), and 22 of the Longshoremen's Act. The provisions of the amendments referred to are set forth in the Commission's eighteenth annual report, pages 33 to 35. These amendments, with the possible exception of the amendment to section 22 authorizing review of a compensation case at any time prior to 1 year after the date of the last payment of compensation on the ground of a change in conditions or because of a mistake in a determination of fact by the deputy commissioner, have been found to be generally satisfactory in operation, and have facilitated administrative action upon claims. The amendment to section 22, however, while it has removed some of the inequities of section 22 as originally enacted, should nevertheless, in order to give equal application in all cases, be further amended to include as subject to review cases in which a claim for compensation has been rejected.

On May 8, 1935, the Commission submitted to the Chairmen of the Committees on the Judiciary of the Senate and House of Representatives, respectively, draft of a bill embodying amendments to the Longshoremen's Act suggested in the Commission's eighteenth annual report, together with an explanatory memorandum covering the changes in the law as recommended. These amendments cover principally the administrative features of the Longshoremen's Act. The recommendations of the Commission and reasons therefor are set forth in the Commission's eighteenth annual report, pages 35 to 38.

On May 9, 1935, the bill, S. 2791, was introduced containing the amendments as proposed by the Commission, and on May 31, 1935, the bill, H. R. 8293, a similar measure, was introduced in the House of Representatives. The measure as recommended by the Commission and embodied in the Senate bill reads as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subdivision (14) of section 2 of the Longshoremen's and Harbor Workers' Compensation Act be, and it is hereby, amended to read as follows:

"(14) 'Child' shall include a posthumous child, a child legally adopted prior to the injury of the employee, a child in relation to whom the deceased employee

stood in loco parentis at the time of injury, and a stepchild or acknowledged illegitimate child dependent upon the deceased, but does not include married children unless wholly dependent on him. 'Grandchild' means a child as above defined of a child as above defined. 'Brother' and 'sister' include stepbrothers and stepsisters, half brothers and half sisters, and brothers and sisters by adoption, but does not include married brothers nor married sisters unless wholly dependent on the employee. 'Child', 'grandchild', 'brother', and 'sister' include only persons who at the time of the death of the deceased employee are under eighteen years of age and also persons who though eighteen years of age or over are wholly dependent upon the deceased employee and incapable of self-support by reason of mental or physical disability."

SEC. 2. That subdivision (a) of section 7 of said Act, as amended, be, and it is hereby, amended to read as follows:

"(a) The employer shall furnish such medical, surgical, and other attendance or treatment, nurse and hospital service, medicine, crutches, and apparatus for such period as the nature of the injury or the process of recovery may require. If the employer fails to provide the same, after request by the injured employee, such injured employee may do so at the expense of the employer. The employee shall not be entitled to recover any amount expended by him for such treatment or services unless he shall have requested the employer to furnish the same and the employer shall have refused or neglected to do so, or unless the nature of the injury required such treatment and services and the employer or his superintendent or foreman having knowledge of such injury shall have neglected to provide the same; nor shall any claim for medical or surgical treatment be valid and enforceable, as against such employer, unless within twenty days following the first treatment the physician giving such treatment furnish to the employer and the deputy commissioner a report of such injury and treatment, on a form prescribed by the Commission. The deputy commissioner may, however, excuse the failure to furnish such report within twenty days when he finds it to be in the interest of justice to do so, and he may upon application by a party in interest make an award for the reasonable value of such medical or surgical treatment so obtained by the employee. If at any time during such period the employee unreasonably refuses to submit to medical or surgical treatment, the deputy commissioner may, by order, suspend the payment of further compensation during such time as such refusal continues, and no compensation shall be paid at any time during the period of such suspension, unless the circumstances justified the refusal."

SEC. 3. That section 7 of said Act, as amended, be, and it is hereby, further amended by adding thereto the following new subdivision:

"(d) The liability of an employer for medical treatment as herein provided shall not be affected by the fact that his employee was injured through the fault or negligence of a third party, not in the same employ, unless and until notice of election to sue has been given as required by section 33 (a) or suit has been brought against such third party without the giving of such notice. The employer shall, however, have a cause of action against such third party to recover any amounts paid by him for such medical treatment in like manner as provided in section 33 (b) of this Act."

SEC. 4. That paragraph (22) of subdivision (c) of section 8 of said Act, as amended, be, and it is hereby, amended to read as follows:

"(22) In any case in which there shall be a loss of, or loss of use of, more than one member or parts of more than one member set forth in paragraphs (1) to (19) of this subdivision, not amounting to permanent total disability, the award of compensation shall be for the loss of, or loss of use of, each such member or part thereof, which awards shall run consecutively, except that where the injury affects only two or more digits of the same hand or foot, paragraph (17) of this subdivision shall apply."

SEC. 5. That section 8 of said Act, as amended, be, and it is hereby, further amended by adding thereto the following new subdivisions:

"(h) The wage-earning capacity of an injured employee in cases of partial disability under subdivision (c) (21) of this section or under subdivision (e) of this section shall be determined by the actual earnings if such actual earnings fairly and reasonably represent his wage-earning capacity: *Provided, however*, That if he has no such actual earnings the deputy commissioner may in the interest of justice fix such wage-earning capacity as shall be reasonable, but not in excess of 75 per centum of his former full-time actual earnings, having due regard to the nature of his injury and his physical impairment.

"(i) In cases under subdivision (c) (21) and subdivision (e) of this section, whenever the deputy commissioner determines that it is for the best interests of

an injured employee entitled to compensation, he may, with the approval of the Commission, approve agreed settlements of the interested parties, discharging the liability of the employer for such compensation, notwithstanding the provisions of section 15 (b) and section 16 of this Act."

SEC. 6. That subdivisions (b), (c), and (d) of section 9 of said Act, be, and they are hereby, amended to read as follows:

"(b) If there be a surviving wife or dependent husband and no child of the deceased, to such wife or dependent husband 35 per centum of the average wages of the deceased, during widowhood, or dependent widowerhood with two years' compensation in one sum upon remarriage; and if there be a surviving child or children of the deceased, the additional amount of 10 per centum of such wages for each such child; in case of the death or remarriage of such surviving wife or dependent husband, any surviving child of the deceased employee shall have his compensation increased to 15 per centum of such wage: *Provided*, That the total amount payable shall in no case exceed 66% per centum of such wages. The deputy commissioner having jurisdiction over the claim may, in his discretion, require the appointment of a guardian for the purpose of receiving the compensation of a minor child. In the absence of such a requirement the appointment of a guardian for such purposes shall not be necessary.

"(c) If there be a surviving child or children of the deceased, but no surviving wife or dependent husband, then for the support of each such child, 15 per centum of the wages of the deceased: *Provided*, That the aggregate shall in no case exceed 66% per centum of such wages.

"(d) If there be no surviving wife or dependent husband, or child, or if the amount payable to a surviving wife or dependent husband and to children shall be less in the aggregate than 66% per centum of the average wages of the deceased, then for the support of grandchildren or brothers and sisters if dependent upon the deceased at the time of the injury, 15 per centum of such wages for the support of each such person and for the support of each parent, or grandparent, of the deceased if dependent upon him at the time of the injury, 25 per centum of such wages during such dependency. But in no case shall the aggregate amount payable under this subdivision exceed the difference between 66% per centum of such wages, and the amount payable as hereinbefore provided to surviving wife or dependent husband and for the support of surviving child or children."

SEC. 7. That subdivision (f) of section 14 of said Act be, and it is hereby, amended to read as follows:

"(f) If any compensation, payable under the terms of an award, is not paid within ten days after it becomes due, there shall be added to such unpaid compensation an amount equal to 20 per centum thereof, which shall be paid at the same time as but in addition to such compensation, unless review of the compensation order making such award is had as provided in section 21 and an interlocutory injunction staying payments is allowed by the court as provided therein."

SEC. 8. That section 17 of said Act be, and it is hereby, amended to read as follows:

"SEC. 17. Any person entitled to compensation under the provisions of this Act shall have a lien against the assets of the carrier or employer for such compensation without limit of amount, and shall upon insolvency, bankruptcy, or reorganization in bankruptcy proceedings, of the carrier or employer, or both, be entitled to preference and priority in the distribution of the assets of such carrier or employer, or both."

SEC. 9. That section 22 of said Act, as amended, be, and it is hereby, amended to read as follows:

"SEC. 22. Upon his own initiative, or upon the application of any party in interest, on the ground of a change in conditions or because of a mistake in a determination of fact by the deputy commissioner, the deputy commissioner may, at any time prior to one year after the date of the last payment of compensation, whether or not a compensation order has been issued, or at any time prior to one year after the rejection of a claim, review a compensation case in accordance with the procedure prescribed in respect of claims in section 19, and in accordance with such section issue a new compensation order which may terminate, continue, reinstate, increase, or decrease such compensation, or award compensation. Such new order shall not affect any compensation previously paid, except that an award increasing the compensation rate may be made effective from the date of the injury, and if any part of the compensation due or to become due is unpaid, an award decreasing the compensation rate may be made effective from the date

of the injury, and any payment made prior thereto in excess of such decreased rate shall be deducted from any unpaid compensation, in such manner and by such method, as may be determined by the deputy commissioner with the approval of the Commission."

SEC. 10. That subdivision (b) of section 33 of said Act be, and it is hereby, amended to read as follows:

"(b) Acceptance of such compensation under an award in a compensation order filed by the deputy commissioner shall operate as an assignment to the employer of all right of the person entitled to compensation to recover damages against such third person."

Both bills have been favorably reported by the respective committees, Report No. 1199, submitted August 5, 1935, accompanying the bill, S. 2791, and Report No. 1807, submitted August 16, accompanying the bill, H. R. 8293. The Senate Committee reported favorably upon the measure as recommended by the Commission, but the House Committee recommended two additional amendments, one to section 2 (14) of the Longshoremen's Act in the definition of the term "child" in the case of a child in relation to whom the deceased employee had stood *in loco parentis* for 1 year prior to the time of injury; and the other repealing subdivision (m) of section 14 of the act, which limits the total compensation payable for injury or death to the sum of \$7,500.

The removal of the maximum limit of compensation of \$7,500 was not included in the amendments suggested by the Commission. While the Commission is entirely sympathetic with the purpose of this amendment, nevertheless since it is an amendment affecting the aggregate amount of compensation payable under the act the Commission feels that it should originate, as it has done, in the suggestion of those pecuniarily interested in the benefits of the act. The House committee's report contains the following with respect to this amendment:

Section 11, which the second committee amendment proposes to add to the bill, repeals the existing limitation of \$7,500 as the maximum amount payable on a claim for injury or death. Many State laws contain no such limitation. Such a provision frequently operates to cut off compensation at the very time it is needed most, and causes great hardships. The casualties of industry must be cared for either by the industry itself, or by society at large. The committee, after careful consideration of the matter, recommends that this provision of existing law be repealed. The committee assumes full responsibility for this amendment.

In previous annual reports the Commission has recommended, and now renews its recommendation, that the District of Columbia workmen's compensation law be so amended as to relieve patriotic and fraternal societies and similar organizations, not organized for profit, from the necessity of carrying workmen's compensation insurance by reason of having members of the organization employed only part time in connection with the business of the society or organization.

The act of May 17, 1928, made the provisions of the Longshoremen's Act applicable to private employment in the District of Columbia without any change in the administrative procedure prescribed therein. Under the Longshoremen's Act claims are handled by deputy commissioners throughout the United States, and no doubt because of the great distances sometimes involved no provision was made for any administrative review by the Commission prior to the review of compensation orders by United States district courts on questions of law. The application of this procedure in the District of Columbia, under

which the decision of the deputy commissioner is reviewed directly by the Supreme Court of the District of Columbia without any previous administrative review by the Commission, differs from the procedure usually established in State workmen's compensation laws, under which the action of the local administrative officer having original jurisdiction of the case is subject to review by the general administrative authority or commission, before the case is reviewable by the courts.

A bill (H. R. 8410) amending section 1 of the District of Columbia Workmen's Compensation Act approved May 17, 1928, by adding a modification to section 21 of the Longshoremen's Act as applied in the District of Columbia under the act of May 17, 1928, for the purpose of authorizing appeals to the Commission from the action of the deputy commissioner upon claims, was introduced in the House of Representatives on June 7, 1935. The amendment proposed authorizes an appeal to the Commission on the ground that the compensation order of the deputy commissioner is not in accordance with law or that it is not in accordance with the evidence or the weight of the evidence. A companion bill, S. 3025, was introduced in the Senate on June 10, 1935. No committee action has apparently been taken as yet on either bill.

The proposed measure is substantially in accord with the Commission's recommendations in previous reports and it is believed that if enacted it would be in the interest of proper administration of this law, and probably would save much expense of litigation, both to the interested parties and to the Government, by giving opportunity for administrative review by the Commission of compensation orders on both the facts and the law, prior to the review, as now provided, upon questions of law.

1. LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT

Injuries reported.—The number of new nonfatal injuries reported under this law in the 12 compensation districts during the year ended June 30, 1935, is approximately 11 percent below the number reported during the preceding year. The number of new fatal injuries is practically the same for the respective years. In three compensation districts, the number of new nonfatal injuries showed an increase over the preceding year. The two districts showing the largest increase are districts 13 and 14, which include all ports on the Pacific coast. The number of new injuries reported in each of these districts is the highest in 5 years. The increase in the number of injuries in district 1 which includes the North Atlantic ports, while slightly less proportionally than in the two districts on the Pacific coast, raised the total for the year to the highest number reported in 3 years. The prolonged labor disputes involving the maritime industry on the Pacific coast may have been responsible in part for the increase in the number of injuries reported from that area, but the extent of this influence is wholly conjectural. During the 8 years this law has been in operation 239,911 injuries, including 1,235 fatal injuries, have been reported to the Commission. The number of nonfatal and fatal injuries reported each year from July 1, 1927, to June 30, 1935, is shown for each compensation district in table no. 18.

TABLE 18.—NUMBER OF INJURY CASES REPORTED UNDER THE LONGSHOREMEN'S ACT FOR EACH DISTRICT, FISCAL YEAR BASIS, 1927-35

District	Nonfatal							
	1934-35	1933-34	1932-33	1931-32	1930-31	1929-30	1928-29	1927-28
1. Boston, Mass.....	1,519	1,300	1,358	1,586	2,432	4,024	3,176	2,681
2. New York City, N. Y.....	5,457	6,012	5,007	6,584	9,307	13,574	13,370	10,789
3. Philadelphia, Pa.....	1,118	1,423	1,093	1,386	1,583	1,926	1,781	1,302
4. Baltimore, Md.....	881	2,897	662	805	1,240	1,910	2,271	1,805
5. Norfolk, Va.....	1,923	2,268	1,217	1,313	1,419	1,491	1,396	1,341
6. Savannah, Ga.....	1,747	1,828	1,188	1,173	1,199	1,508	1,240	1,115
7. New Orleans, La.....	4,839	6,149	3,340	4,908	3,356	4,278	3,416	2,427
8. Galveston, Tex.....	2,074	2,116	1,763	2,457	1,779	2,331	2,763	2,576
9. Cleveland, Ohio.....	629	771	484	637	789	1,034	1,009	688
10. Chicago, Ill.....	329	385	316	391	455	435	521	401
13. San Francisco, Calif.....	2,897	2,325	1,496	1,892	2,406	3,432	3,241	3,156
14. Seattle, Wash.....	2,775	2,231	1,627	2,074	2,742	3,697	3,685	3,529
Total.....	26,188	29,705	19,551	25,206	28,707	39,640	37,869	31,810

District	Fatal								Total		Grand total
	1934-35	1933-34	1932-33	1931-32	1930-31	1929-30	1928-29	1927-28	Non-fatal	Fatal	
1. Boston, Mass.....	8	12	7	6	3	12	15	12	16,557	67	18,151
2. New York City, N. Y.....	37	36	24	28	46	65	50	46	64,643	295	70,432
3. Philadelphia, Pa.....	5	14	7	10	13	16	10	8	10,494	78	11,695
4. Baltimore, Md.....	8	4	6	8	6	14	13	14	11,590	65	12,544
5. Norfolk, Va.....	7	8	5	3	8	6	7	6	10,445	43	12,418
6. Savannah, Ga.....	12	7	5	10	10	13	11	10	9,251	66	11,076
7. New Orleans, La.....	12	14	10	16	20	16	23	18	27,874	117	32,842
8. Galveston, Tex.....	4	9	8	5	6	4	5	6	15,785	43	17,906
9. Cleveland, Ohio.....	9	11	4	19	11	19	9	16	5,412	89	6,139
10. Chicago, Ill.....	7	10	3	6	8	8	10	3	2,904	48	3,288
13. San Francisco, Calif.....	13	8	7	14	12	18	11	16	17,948	86	20,944
14. Seattle, Wash.....	18	9	9	6	13	19	19	23	19,585	98	22,476
Total.....	140	142	95	131	156	210	183	178	212,488	1,095	239,911

¹ Includes reopened cases.

Cases disposed of.—During the fiscal year ended June 30, 1935, action was taken under which 27,085 cases were closed in the records of the Commission. Approximately 34 percent of the nonfatal cases were closed by the final payment of compensation. The percentage of cases closed for this reason is slightly higher than during the preceding year. The number of cases which did not involve a loss in time and those in which the period of disability did not extend beyond the waiting period represented respectively 52 and 12 percent of the total nonfatal cases. During the same period, 100 fatal cases were closed. In 55 such cases, it was found that death did not occur under the circumstances bringing it within the scope of the law, and in 20 cases compensation was paid in full. On June 30, 1935, there were 3,238 nonfatal and 584 fatal cases open in the offices of the 12 compensation districts. In 1,564 nonfatal and 468 fatal cases, compensation was being paid on account of injury or death. The remaining cases were in the process of adjudication. The number of cases closed during the fiscal year 1934 and the reason for closing is shown by compensation districts in table 19.

TABLE 19.—NUMBER OF CASES CLOSED BY COMPENSATION DISTRICTS, JULY 1, 1934-JUNE 30, 1935

District	No time lost	Nonfatal			Fatal			
		Seven days and under	No jurisdiction, etc.	Compensation paid	No jurisdiction, etc.	\$1,000 paid	Lump sum	Compensation paid
1. Boston.....	937	91	20	529	6	3	—	1
2. New York.....	2,499	546	378	2,062	9	5	2	7
3. Philadelphia.....	485	144	39	555	7	1	—	—
4. Baltimore.....	471	87	21	336	3	1	—	—
5. Norfolk.....	1,399	177	33	388	3	—	—	—
6. Savannah.....	383	417	55	927	2	2	—	2
7. New Orleans.....	3,587	365	80	877	3	6	—	—
8. Galveston.....	864	277	27	955	5	—	—	—
9. Cleveland.....	329	92	23	230	6	—	—	—
10. Chicago.....	119	58	18	144	1	—	—	—
13. San Francisco.....	1,485	453	83	1,023	5	1	—	3
14. Seattle.....	1,358	412	63	1,084	5	1	—	4
Total 1934-35.....	13,916	3,119	840	9,110	55	21	2	20
1933-34.....	16,955	3,200	949	8,805	61	12	6	18
1932-33.....	9,916	2,321	765	7,397	38	5	10	11
1931-32.....	12,751	3,128	1,103	9,731	53	28	5	12
1930-31.....	13,261	4,067	1,279	11,776	67	22	10	4
1929-30.....	18,729	6,358	1,528	14,382	60	29	11	2
1928-29.....	16,498	6,449	1,412	14,556	80	20	6	4
1927-28.....	11,034	4,958	1,279	11,212	39	6	1	0
Grand total.....	113,060	33,600	9,155	86,969	453	143	51	70

The total compensation paid in nonfatal cases closed during 1935 is \$1,453,787. This amount does not include \$6,766 paid for serious facial disfigurement in 32 cases. The amount reported as paid does not represent payments made during the fiscal year 1935, but includes all payments in this and prior years in cases closed during the year.

In compensated temporary disability cases the longshoremen laborers had an average duration of disability of 33.7 days in 1928, 46.2 in 1930, 55.9 in 1932 and 1933, 48.8 in 1934, and 48.5 in 1935. The average amount of compensation for the same class is \$74.09 for 1928, \$107.20 for 1930, \$125.17 for 1932, \$111.61 for 1933, \$85.94 for 1934, and \$85.98 for 1935. The average amount paid as compensation for each day of disability is \$2.24 for 1932, \$2 for 1933, \$1.76 for 1934, and \$1.77 for 1935.

The average duration of disability for permanent partial disability in closed cases involving injuries to the same class of workmen increased annually until this year. This is to be expected, however, due to the closing of a larger proportion of serious disability cases in which compensation has been paid for a period of years. This average is 141 days for 1928, 289 for 1930, 403 for 1932, 405 for 1933, 406 for 1934, and 357 for 1935. The average award in these cases increased from \$395.89 in 1928 to \$781.23 in 1930, and \$1,097.46 in 1932. It then dropped to \$1,019.26 in 1933, \$877.45 in 1934, and further to \$763.33 in 1935.

The total compensation paid and estimated to be paid in 65 fatal cases approved during the fiscal year 1935 is \$323,384. This amount includes payments made for disability preceding death, burial expenses, and payments into the special fund created by section 44 of

the compensation act in fatal cases in which there were no dependents entitled to compensation for death. Table 20 shows the extent and duration of disability and compensation costs in time-lost cases closed during each fiscal year from 1928 to 1935, inclusive.

Compensation was awarded or commenced without an award in 50 new fatal cases during 1935. In 15 additional cases, there were no dependents entitled to compensation for death, and a payment of \$1,000 was made in each case to be deposited to the credit of the special fund created by section 44 of the Longshoremen's Act. The total compensation paid and estimated to be paid on account of these 50 fatal cases is \$296,783. In the 50 new fatal cases in which compensation payments commenced during the year, there are 132 dependents receiving compensation. Details in respect to the compensation benefits payable in these cases are shown in the following tabulation:

Dependents	Number of dependents	Average age	Weekly compensation	Estimated valuation	Average	
					Weekly compensation	Value of awards
Widows.....	40	41.1	\$304.48	\$218,544	\$7.61	\$5,463
Children under 18 years.....	72	9.3	132.50	50,446	1.84	702
Brothers.....	1	15.0	2.62	620	2.62	620
Fathers.....	4	61.8	17.55	10,599	4.39	2,650
Mothers.....	6	58.6	21.60	16,577	3.60	2,763
Total.....	132	-----	478.75	296,783	-----	-----

TABLE 20.—INJURIES INVOLVING LOSS OF TIME, BY EXTENT OF DISABILITY AND BY OCCUPATION, INCLUDING DURATION AND ANNUAL TOTALS, LONGSHOREMEN

Occupation	All cases, number	Nonfatal cases					
		Total nonfatal cases	Total compensation	Number, 7 days or less	Total temporary disability		
					Number	Duration in days	Compensation
Longshoremen.....	9,383	9,338	\$1,050,531	2,273	6,412	310,980	\$551,313
Foremen.....	106	106	20,931	46	52	3,963	11,314
Total.....	9,489	9,444	1,071,462	2,319	6,464	314,943	562,627
Repairmen.....	1,814	1,805	280,642	608	1,017	63,916	134,306
Others.....	625	614	101,683	187	349	19,377	32,899
Total, 1934-35.....	11,928	11,863	1,453,787	3,114	7,830	398,236	729,832
Total, 1933-34.....	11,375	11,863	1,475,150	2,996	7,442	369,840	665,460
Total, 1932-33.....	9,423	9,331	1,777,791	2,202	6,186	352,277	716,120
Total, 1931-32.....	12,167	12,073	2,319,750	2,859	8,140	401,848	1,068,248
Total, 1930-31.....	15,105	15,026	2,365,433	3,777	10,166	540,621	1,289,860
Total, 1929-30.....	19,610	19,478	2,202,568	5,773	12,649	579,980	1,306,107
Total, 1928-29.....	19,505	19,384	1,644,363	5,966	12,799	533,035	1,244,846
Total, 1927-28.....	14,919	14,857	870,421	4,508	10,071	336,467	751,640
Total closed nonfatal, and approved fatal cases.....	114,032	113,300	14,109,263	31,195	75,283	3,572,304	7,832,013
Pending.....	1,582	1,492	802,864	-----	-----	-----	-----
Active.....	1,549	1,549	2,710,982	-----	918	-----	1,013,132
Grand total.....	117,163	116,341	17,623,109	-----	-----	-----	-----

TABLE 20.—INJURIES INVOLVING LOSS OF TIME, BY EXTENT OF DISABILITY AND BY OCCUPATION, INCLUDING DURATION AND ANNUAL TOTALS, LONGSHOREMEN—Continued

Occupation	Nonfatal cases			Fatal cases			
	Permanent disability			Total number of cases	Number with dependents	Weekly compensation	Estimated total cost
	Number	Duration in days	Compensation				
Longshoremen.....	653	233,054	\$499,218	45	35	\$363.62	\$236,842
Foremen.....	8	3,271	9,617	-----	-----	-----	-----
Total.....	661	236,325	508,835	45	35	363.62	236,842
Repairmen.....	180	60,930	146,336	9	6	50.79	39,271
Others.....	78	29,281	68,784	11	9	64.34	47,271
Total, 1934-35.....	919	326,536	723,955	65	50	478.75	323,384
Total, 1933-34.....	849	354,427	809,690	87	75	665.89	457,835
Total, 1932-33.....	943	408,615	1,061,674	92	72	670.59	428,926
Total, 1931-32.....	1,074	453,709	1,251,502	94	67	730.81	424,893
Total, 1930-31.....	1,083	382,559	1,075,573	79	71	869.09	479,761
Total, 1929-30.....	1,056	301,681	836,461	132	109	1,421.54	721,396
Total, 1928-29.....	619	141,356	399,517	121	91	1,112.45	545,434
Total, 1927-28.....	278	41,463	118,881	62	56	770.97	367,907
Total closed nonfatal, and approved fatal cases.....	6,821	2,410,346	6,277,253	732	591	6,720.09	3,749,536
Pending.....	-----	-----	-----	90	61	-----	467,036
Active.....	631	-----	1,697,850	-----	-----	-----	-----
Grand total.....	-----	-----	-----	822	652	-----	4,216,572

Accident prevention.—For a period of 6 years prior to 1934, studies and investigations as to the causes of accidents and means for their prevention authorized by section 44 of the Longshoremen's and Harbor Workers' Compensation Act were actively conducted under the direction of a safety engineer on the administrative staff of the Commission. The engineer formerly in charge of this work left the service of the Commission about the beginning of the year covered by this report, and because of the difficulty encountered in securing a replacement eligible for appointment under the Civil Service law, the activities of the Commission in this connection were confined to studies of accident reports and the compilation of statistical data from these reports. This material is now being reviewed by the safety engineer recently appointed by the Commission and will, in the near future, be made available to all employers and labor groups whose interests are affected by accidents arising out of employments covered by this compensation law. The Commission also contemplates continuation of the accident prevention program in which it has heretofore engaged.

Causes of accidents.—An analysis of the cause of injury in 11,656 cases involving loss of time and closed during the fiscal year 1935 is shown separately for longshoremen and repairmen in tables 21 and 22.

TABLE 21.—NUMBER OF INJURIES INVOLVING LOSS OF TIME, BY EXTENT OF DISABILITY, IN GENERAL GROUPS OF CAUSATION, FISCAL YEAR 1934-35

LONGSHOREMEN

Cause	All cases, number	Nonfatal cases									Fatal cases		
		Total number of non-fatal cases	Total duration (days)	Total amount of compensation	Temporary total disabilities			Permanent partial disabilities					
					Total number, 7 days or less	Compensated cases			Number	Duration (days)	Compensation	Total number of cases	Total estimated cost
						Number	Duration (days)	Compensation					
Vehicles:													
Plant trucks and trucks on tracks.....	7	7	151	\$241	1	6	151	\$241					
Automobiles, jitneys, tractors, and trailers:													
Riding on.....	4	4	180	465	2	1	14	9	1	166	\$456		
Other injury from.....	20	20	384	402	5	15	384	402					
Watercraft, capsizing, etc.....	6	4	922	1,479		4	922	1,479				2	\$4,183
Run over by wheel of commercial vehicle.....	4	4	552	750	2	1	14	12	1	538	738		
All other.....	5	5	295	610		5	295	610					
Total.....	46	44	2,484	3,947	10	32	1,780	2,753	2	704	1,194	2	4,183
Explosive substances, vapors.....	15	15	266	445	3	11	205	316	1	61	129		
Conflagrations and flames:													
In cargo.....	13	13	183	215	7	6	183	215					
Welding and cutting flames.....	4	4			4								
All other.....	1	1	60	24		1	60	24					
Total.....	18	18	243	239	11	7	243	239					
Hot substances:													
Water and other fluids.....	2	2	21	24	1	1	21	24					
Steam.....	3	3	85	181	1	2	85	181					
Metal (not molten).....	1	1			1								
All other.....	1	1	70	160		1	70	160					
Total.....	7	7	176	365	3	4	176	365					

Dusts, gases, chemicals:														
Handling or contact with:														
Calcium, lime, plaster	1	1	75	172					1	75	172			
Cement	8	8	326	828										
Potash	2	2	28	24	1	8	326	828						
Soda (sal soda and caustic)	73	73	1,721	3,365	11	61	1,623	3,100	1	98	265			
Sulphur	10	10	80	50	5	5	80	50						
All other	40	40	2,428	4,699	16	21	530	803	3	1,898	3,896			
Total	134	134	4,658	9,138	33	96	2,587	4,805	5	2,071	4,333			
Falls of persons:														
From—														
Ship's rigging and other overhead gear	3	3	1,156	3,381	1				2	1,156	3,381			
Craft to water or dock	132	31	6,105	14,442	5	123	4,153	10,584	3	1,952	3,858	1	7,500	
Gangplanks	19	18	478	802	3	14	457	770	1	21	32	1	7,500	
Runways and platforms	11	11	1,847	4,567	3	8	1,847	4,567						
Piles of material	39	39	5,811	12,805	7	25	2,691	6,057	7	3,120	6,748			
Elevators, from or with	2	2	40	63	1	1	40	63						
Elevators, other	8	8	4,389	11,174	6	2	4,389	11,174						
Total	214	112	19,826	47,234	26	173	13,577	33,215	13	6,249	14,019	2	15,000	
Into or through—														
Open hatches, manholes	126	119	21,467	43,203	10	91	9,522	17,686	18	11,945	25,517	7	34,838	
Holes, traps, cracks, etc.	35	35	3,528	6,870	3	29	1,992	3,535	3	1,536	3,335			
Grills or platform	2	2	65	109		2	65	109						
Poorly covered hatches	27	27	3,010	6,575	4	23	3,010	6,575						
Total	190	183	28,070	56,757	17	145	14,589	27,905	21	13,481	28,852	7	34,838	
Other falls:														
Slipping or falling between cargo	162	161	5,689	10,733	41	118	5,265	9,625	2	424	1,108	1	468	
Account hand tool slipping	18	18	672	1,295	3	15	672	1,295						
Stairs and steps	7	7	84	129	5	2	84	129						
Ladders	61	61	8,771	20,195	8	45	2,469	5,321	8	6,302	14,874			
Scaffolds and staging	14	14	605	1,238	1	13	605	1,238						
On level—falling or stumbling	191	191	10,786	20,182	56	126	8,558	15,829	9	2,228	4,353			
On grade (incline)	22	22	986	1,487	7	12	237	252	3	749	1,235			
Stumbling over truck handle	2	2	36	33		2	36	33						
While carrying or handling cargo	225	225	15,524	33,931	40	173	9,060	16,502	12	6,464	17,429			
Stumbling over ropes, pipes, etc.	37	37	1,809	3,629	10	26	1,700	3,370	1	109	250			
All other falls	82	82	4,731	9,262	19	61	3,498	6,598	2	1,233	2,664			
Total	821	820	49,693	102,105	190	593	32,184	60,192	37	17,509	41,913	1	468	
Total falls of persons	1,215	1,215	97,589	206,096	233	911	60,350	121,312	71	37,239	84,784	10	50,806	

TABLE 21.—NUMBER OF INJURIES INVOLVING LOSS OF TIME, BY EXTENT OF DISABILITY, IN GENERAL GROUPS OF CAUSATION, FISCAL YEAR 1934-35—Continued

LONGSHOREMEN—Continued

Cause	All cases, number	Nonfatal cases									Fatal cases		
		Total number of non- fatal cases	Total duration (days)	Total amount of com- pensation	Temporary total disabilities			Permanent partial disabilities					
					Total number, 7 days or less	Compensated cases		Number	Duration (days)	Compen- sation	Total number of cases	Total esti- mated cost	
						Number	Duration (days)						Compen- sation
Moving objects, struck by:													
Sling loads in motion.....	264	257	28,060	\$60,717	41	184	11,339	\$21,509	32	16,721	\$39,208	7	\$37,586
Sling loads and miscellaneous ob- jects, landing.....	247	245	17,347	29,033	49	177	8,335	12,741	19	9,012	16,292	2	2,400
Empty slings, hooks, etc.....	139	138	7,758	16,200	48	84	3,559	6,494	6	4,199	9,706	1	1,200
Fall lines, bull lines, moving lines.....	34	34	2,470	3,958	16	14	468	761	4	2,002	3,197		
Swinging booms, etc.....	21	21	3,446	7,135	5	12	571	1,063	4	2,875	6,072		
Objects set in motion by lines and slings.....	47	47	3,936	8,438	11	34	2,381	4,466	2	1,555	3,972		
Hand trucks, struck or run over by.....	167	167	5,171	8,105	40	121	4,376	6,617	6	795	1,488		
Power trucks, struck or run over by.....	33	33	1,961	3,517	8	24	1,856	3,320	1	105	197		
Rollers and dollies.....	35	35	1,043	1,848	7	24	787	1,277	4	256	571		
Struck by or caught while steadying or landing sling load, etc.....	187	187	10,991	19,701	35	133	6,152	10,606	19	4,839	9,095		
Struck by cargo hook, wire fall, etc.....	124	124	5,036	10,341	57	63	2,772	5,432	4	2,264	4,909		
Struck by miscellaneous rolling ob- jects.....	25	25	3,648	4,922	15	6	1,920	2,748	4	1,728	2,174		
Caught in loop or bight.....	28	28	2,780	6,107	3	17	954	1,842	8	1,826	4,265		
Caught by closing door.....	1	1	52	104					1	52	104		
All other.....	91	91	7,111	15,021	21	55	2,632	4,364	15	4,479	10,657		
Total.....	1,443	1,433	100,810	195,147	356	948	48,102	83,240	129	52,708	111,907	10	41,186
Flying objects:													
From cargo handled.....	24	24	268	282	23	1	268	282					
From grinding wheels.....	1	1			1								
From scaling paint, etc.....	1	1	10	4		1	10	4					
Breaking and whipping of lines.....	7	7	708	937	2	4	161	312	1	547	625		
Splinters and fragments.....	27	27	499	805	11	15	366	571	1	133	234		
Objects thrown.....	18	18	1,546	2,242	4	13	426	562	1	1,120	1,680		
All other.....	63	63	4,997	2,930	22	21	1,147	2,230	20	3,850	10,700		
Total.....	141	141	8,028	17,200	63	55	2,378	3,961	23	5,650	13,239		

Falling objects:

Cargo from pile (not collapse of or hand handling).....	423	418	34,219	35,143	127	241	20,313	6,486	50	13,906	28,657	5	31,125
Bulk cargo from returning boxes, etc.	19	17	1,944	3,093	3	13	451	693	1	1,493	2,400	2	12,383
Material from sling loads.....	397	390	31,738	64,517	55	297	13,040	24,930	38	18,698	39,587	7	36,799
Material from tub or bucket.....	29	29	2,226	4,623	5	22	1,779	3,653	2	447	970		
Material from chutes, conveyors, etc.	121	120	4,585	6,366	33	85	4,083	5,709	2	502	657	1	7,500
Sling loads falling, defective gear.....	147	146	6,192	11,003	7	137	5,620	9,879	2	572	1,124	1	7,500
Gear or tackle.....	43	42	5,984	15,344	7	33	1,919	3,292	2	4,065	12,052	1	7,500
Objects set in motion by sling, lines, hooks, etc.	22	22	4,817	11,235	2	16	1,230	1,981	4	3,587	9,254		
Sling loads, tipping or spreading.....	14	14	1,248	2,899	2	11	592	1,008	1	656	1,891		
Hatch beams and hatch covers.....	76	76	2,212	3,488	17	58	1,819	2,589	1	393	899		
Hand tools.....	5	5	265	334		5	265	334					
Rivets, bolts, etc.	5	5	80	78	1	3	56	39	1	24	39		
Collapse of piles, stacked, stored, etc.	159	157	8,461	16,002	13	135	3,428	7,397	9	5,033	8,605	2	11,703
Boxes and crates.....	27	27	1,018	1,774	9	16	662	959	2	356	815		
Sacks and bales.....	187	187	4,748	8,722	18	107	4,115	7,634	2	638	1,088		
Lumber.....	54	54	5,298	12,544	14	36	2,388	4,815	4	2,910	7,729		
Coal, iron, ore, grain, etc.	57	57	3,955	8,097	8	46	2,152	3,675	3	1,803	4,422		
From scaffolds and staging.....	11	11	575	1,193	6	4	112	178	1	463	1,015		
From haulage equipment—boxes, crates, etc.	91	91	5,651	9,955	24	66	3,450	6,142	1	2,201	3,813		
Struck by falling truck handle.....	30	30	483	460	11	19	483	460					
Barrels, casting, drums, etc.	84	84	4,003	9,581	20	56	3,474	6,417	8	1,429	3,164		
Strongback.....	72	71	5,999	9,437	15	47	2,367	3,786	9	3,632	5,651	1	7,500
Heavy cargo from rollers.....	18	18	1,238	2,372	1	15	870	1,635	2	368	737		
All other.....	205	204	13,781	25,133	72	120	10,815	18,445	12	2,966	6,688	1	7,500
Total.....	2,296	2,275	151,620	263,393	470	1,648	85,483	122,136	157	66,137	141,257	21	129,510

Handling objects:

With projecting nails, splinters, etc.	224	224	8,369	13,824	135	79	4,884	7,111	10	3,485	6,713		
Sharp corners, edges, etc.	88	88	2,973	3,633	61	21	2,158	2,191	6	815	1,442		
Caught between objects handled and other objects.....	675	675	47,481	90,392	163	476	20,251	33,821	36	27,230	56,571		
Dropped while handling.....	345	345	19,855	35,751	109	189	11,551	19,720	47	8,304	16,031		
Object dropped by fellow workman.....	79	78	4,092	7,192	20	51	2,421	4,085	7	1,671	3,107	1	4,257
Strain or sprain from handling heavy objects.....	743	743	24,940	48,722	132	608	24,253	47,516	3	687	1,206		
Strain or sprain, insecure footing.....	54	54	2,221	4,065	10	42	1,554	2,966	2	667	1,099		
Caught by material rolled or pushed by hand.....	172	172	6,358	10,308	31	134	5,076	8,177	7	1,282	2,131		
Struck by object handled (not thrown) by fellow workman.....	52	52	1,583	2,685	12	38	1,215	1,658	2	368	1,027		
Friction burns from lines, etc.	9	9	181	368	4	5	181	368					
Objects rolled by hand.....	47	47	1,553	3,120	11	35	1,307	2,627	1	246	493		
Handling, struck self.....	134	134	4,450	8,092	32	98	3,176	4,195	4	1,274	3,897		
All other.....	88	88	2,713	3,784	20	63	1,963	2,714	5	750	1,070		
Total.....	2,710	2,709	126,769	231,936	740	1,839	79,990	137,149	130	46,779	94,787	1	4,257

TABLE 21.—NUMBER OF INJURIES INVOLVING LOSS OF TIME, BY EXTENT OF DISABILITY, IN GENERAL GROUPS OF CAUSATION, FISCAL YEAR 1934-35—Continued

LONGSHOREMEN—Continued

Cause	All cases, number	Nonfatal cases									Fatal cases		
		Total number of non- fatal cases	Total duration (days)	Total amount of com- pensation	Temporary total disabilities			Permanent partial disabilities					
					Total number, 7 days or less	Compensated cases		Number	Duration (days)	Compen- sation	Number	Duration (days)	Compen- sation
						Number	Duration (days)						
Hand tools:													
Injured by own hand tool.....	85	85	1, 616	\$3, 015	32	52	1, 161	\$1, 975	1	455	\$1, 040		
Injured by others' tools.....	115	115	2, 478	3, 211	37	77	2, 400	3, 122	1	78	89		
Hand tool struck by moving object.....	4	4	134	436		3	104	138	1	30	298		
Defective, breaking, or improvised hand tool.....	1	1			1				2	200	440		
Object set in motion by hand tool.....	7	7	375	791	1	4	175	351	8	2, 735	5, 041		
Glancing or slipping of hand tool.....	168	168	5, 624	9, 470	55	105	2, 889	4, 429					
All other.....	6	6	72	75	2	4	72	75					
Total.....	386	386	10, 299	16, 998	128	245	6, 801	10, 090	13	3, 498	6, 908		
Stepping in or on objects:													
Nails.....	70	70	382	378	44	26	382	378					
All other sharp objects.....	12	12	121	122	7	5	121	122					
Rolling objects.....	10	10	240	365	3	7	240	365					
Into holes, cracks, traps, etc.....	152	152	8, 047	18, 372	30	118	4, 651	8, 261	4	3, 396	10, 111		
Slipping or jumping on objects (not falls).....	91	91	2, 794	5, 139	28	62	2, 550	4, 581	1	244	558		
All other.....	38	38	1, 075	1, 939	12	24	621	990	2	454	949		
Total.....	373	373	12, 659	26, 315	124	242	8, 565	14, 697	7	4, 094	11, 618		
Striking against objects:													
Nails, screws, etc.....	13	13	220	287	4	9	220	287					
Splinters and sharp projections.....	28	28	518	853	9	19	518	853					
Piles of material.....	26	26	2, 278	5, 049	3	19	759	1, 352	4	1, 519	3, 697		
Beams, stanchions, and other fixed objects.....	123	123	3, 426	5, 207	43	76	2, 547	3, 930	4	879	1, 277		
Fellow employee.....	3	3	27	46	2	1	27	46					
All other.....	50	50	1, 532	2, 795	11	35	1, 076	1, 739	4	456	1, 056		
Total.....	243	243	8, 001	14, 237	72	159	5, 147	8, 207	12	2, 854	6, 030		

Miscellaneous:													
Objects.....	7	7	640	761	2	5	640	761					
Fellow employee.....	8	8	386	457	1	7	386	457					
Doors, ports, etc.....	4	4	328	743		3	181	406	1	147	337		
Ropes, hose, wires, etc.....	7	7	510	868	2	3	79	108	2	431	760		
Horseplay.....	1	1	1,067	1,600		1	1,067	1,600					
Insects.....	11	11	117	65	3	8	117	65					
Draft animals.....	1	1			1								
Elements.....	1	1			1								
Violence.....	1	1			1								
Fellow employee.....	4	4	27	30	3	1	27	30					
Strikes and labor troubles.....	2	2	42	63	1	1	42	63					
Unnatural positions.....	47	47	3,021	6,202	4	43	3,021	6,202					
Strain and overwork.....	5	5	560	1,223	1	3	135	251	1	425	972		
Cold.....	21	21	3,576	6,783		10	960	1,907	11	2,616	4,876		
Heat.....	36	35	378	485	20	15	378	485				1	7,500
Jumping to avoid injury.....	49	49	4,382	7,699	11	36	2,709	4,693	2	1,673	3,006		
Cause not stated.....	8	8	111	211	5	3	111	211					
All other.....	16	16	806	1,620	6	10	806	1,620					
Total.....	229	228	15,951	28,810	62	149	10,659	18,859	17	5,292	9,951	1	7,500
Machinery—Operating, cleaning, etc.:													
Winches, donkey engines, etc.....	14	14	1,157	2,361	1	12	973	1,958	1	184	403		
Cranes and derricks.....	3	3	98	210	2	1	98	210					
Caught between line and drum.....	1	1	41	80		1	41	80					
Conveyors.....	11	11	2,808	6,962	2	6	240	463	3	2,568	6,499		
Elevators.....	5	5	1,248	1,461	1	3	156	213	1	1,092	1,248		
Unguarded gears, belts, etc.....	1	1	34	62		1	34	62					
Miscellaneous, ship engine room machinery.....	1	1	94	337					1	94	337		
Unguarded machinery (n. o. c.).....	1	1	24	36		1	24	36					
Miscellaneous, galley devices.....	1	1	20	26		1	20	26					
All other.....	1	1	15	11		1	15	11					
Total.....	39	39	5,539	11,546	6	27	1,601	3,059	6	3,938	8,487		
Grand total.....	9,305	9,200	545,092	1,025,812	2,314	6,373	314,067	531,188	573	231,025	494,624	45	236,942

TABLE 22.—NUMBER OF INJURIES INVOLVING LOSS OF TIME, BY EXTENT OF DISABILITY, IN GENERAL GROUPS OF CAUSATION, FISCAL YEAR, 1934-35

REPAIRMEN

Cause	All cases, number	Nonfatal cases									Fatal cases		
		Total number of non- fatal cases	Total duration (days)	Total amount of com- pensation	Temporary total disabilities			Permanent partial disabilities			Total number of cases	Total esti- mated cost	
					Total number 7 days or less	Compensated cases		Number	Duration (days)	Compen- sation			
						Number	Duration (days)						Compen- sation
Vehicles:													
Plant trucks and trucks on tracks	1	1			1								
Automobiles, jitneys, etc	1	1	26	\$54		1	26	\$54					
Watercraft, capsizing, etc	5	4	265	432	1	2	84	109	1	181	\$323	1	\$3,756
Total	7	6	291	486	2	3	110	163	1	181	323	1	3,756
Pressure equipment:													
Boiler explosions	7	7	155	248	1	6	155	248					
Pipes, gages, valves	4	4	51	58	2	2	51	58					
Air-pressure apparatus	4	4	138	260	2	2	138	260					
Gas-pressure apparatus	7	7	1,291	2,821	3	3	452	1,144	1	839	1,677		
All other	1	1	18	15		1	18	15					
Total	23	23	1,653	3,402	8	14	814	1,725	1	839	1,677		
Explosive substances:													
Vapors	2	2	53	66		2	53	66					
All other	3	3	486	621	1	1	19	21	1	467	600		
Total	5	5	539	687	1	3	72	87	1	467	600		
Electricity:													
Transmission wires	3	2			2							1	1,200
Motors and generators	1	1	15	26		1	15	26					
All other	2	2	38	80	1	1	38	80					
Total	6	5	53	106	3	2	53	106				1	1,200

Conflagrations and flames:												
Electric flash.....	6	6			6							
Welding and cutting flames.....	40	40	521	973	26	14	521	973				
All other.....	12	12	896	1,734	3	8	224	811	1	672	923	
Total.....	58	58	1,417	2,707	35	22	745	1,784	1	672	923	
Hot substances:												
Water and other fluids.....	12	12	213	293	2	10	213	293				
Steam.....	10	10	223	300		10	223	300				
Metal (molten).....	6	6	115	153	1	5	115	153				
Metal (not molten).....	13	13	207	398	7	6	207	398				
Rivets.....	16	16	893	2,166	3	11	272	412	2	621	1,754	
Radiant heat.....	1	1			1							
All other.....	13	13	278	554	5	8	278	554				
Total.....	71	71	1,929	3,864	19	50	1,308	2,110	2	621	1,754	
Dust, gases, chemicals:												
Handling or contact with:												
Cement.....	4	4	49	51	2	2	49	51				
Coal oil, kerosene.....	4	4	84	83	1	3	84	83				
Coal-tar products.....	2	2	48	131		2	48	131				
Creosote.....	4	4	14	19	3	1	14	19				
Cresol (lysol).....	1	1			1							
Lead.....	3	3				3	111	285				
Metal.....	1	1	111	285	1							
Soda (sal soda and caustic).....	5	5	179	273		5	179	273				
Sulphur.....	1	1			1							
All other acids.....	1	1	38	58		1	38	58				
All other substances.....	6	6	588	842	2	4	588	842				
Total, handling, etc.....	32	32	1,111	1,742	11	21	1,111	1,742				
Inhalation of fumes:												
Carbon monoxide.....	7	7			7							
Coal oil, kerosene.....	1	1	50	82		1	50	82				
Gasoline.....	4	4			3	1						
Lead.....	3	3	8	1	2	1	8	1				
Sulphur acid.....	8	7	819	2,635		7	819	2,635			1	2,749
All other acids.....	4	4	53	53	2	2	53	53				
All other substances.....	6	6	12	13	5	1	12	13				
Total, inhalation.....	33	32	942	2,784	19	13	942	2,784			1	2,749
Total, gases, chemicals, etc.....	65	64	2,053	4,526	30	34	2,053	4,526			1	2,749

TABLE 22.—NUMBER OF INJURIES INVOLVING LOSS OF TIME, BY EXTENT OF DISABILITY, IN GENERAL GROUPS OF CAUSATION, FISCAL YEAR, 1934-35—Continued

REPAIRMEN—Continued

Cause	All cases, number	Nonfatal cases									Fatal cases		
		Total number of non- fatal cases	Total duration (days)	Total amount of com- pensation	Temporary total disabilities			Permanent partial disabilities					
					Total number, 7 days or less	Compensated cases		Number	Duration (days)	Compen- sation			
						Number	Duration (days)				Compensation		
Falls of persons:													
From—													
Elevations.....	44	42	7,905	\$17,703	5	28	3,051	\$5,230	9	4,854	\$12,473	2	\$15,000
Ship's rigging, etc.....	8	7	985	1,671	2	5	985	1,671				1	7,500
Craft to water or dock.....	24	24	3,834	11,117	9	10	501	1,060	5	3,333	10,057		
Gangplanks.....	8	8	1,063	2,060	2	4	303	530	2	760	1,530		
Runways and platforms.....	10	10	509	899	2	8	509	899					
Piles of material.....	3	3	32	62	1	2	32	62					
Total.....	97	94	14,328	33,512	21	57	5,381	9,452	16	8,947	24,060	3	22,500
Into or through—													
Grills or platform.....	3	3	23	24	2	1	23	24					
Poorly covered hatches.....	4	4	140	356	1	2	129	347	1	11	9		
Open hatches, manholes.....	39	35	7,182	16,197	5	25	2,565	4,939	5	4,617	11,258	4	13,522
Holes, cracks, traps.....	25	24	2,943	8,685	4	18	1,458	3,870	2	1,485	4,815	1	7,500
Total.....	71	66	10,288	25,262	12	46	4,175	9,180	8	6,113	16,082	5	21,022
Other falls:													
Slipping or falling between cargo.....	10	10	1,097	1,860	1	8	866	1,472	1	231	388		
Account hand tool slipping.....	11	11	867	1,449	4	6	215	394	1	652	1,055		
Stairs and steps.....	17	17	3,904	10,786	4	13	3,904	10,786					
Ladders.....	61	61	9,525	22,854	13	42	5,840	13,040	6	3,685	9,814		
Scaffolds and staging.....	92	91	15,577	39,986	18	57	6,596	17,927	16	8,981	22,059	1	7,500
On level, falling or stumbling.....	108	108	6,796	14,546	28	67	2,719	5,052	13	4,077	9,494		
On grade (incline).....	10	10	3,085	7,413	1	4	204	286	5	2,881	7,127		
Falls while carrying or handling cargo.....	19	19	1,795	3,383	4	13	1,114	1,757	2	681	1,626		
Stumbling over ropes, pipes, etc.....	26	26	2,732	4,816	8	13	448	613	5	2,284	4,203		
All other.....	51	51	4,458	11,262	12	34	1,408	2,660	5	3,050	8,602		
Total.....	405	404	49,836	118,355	93	257	23,314	53,987	54	26,522	64,368	1	7,500
Total, falls of persons.....	476	470	60,124	143,617	105	303	27,489	63,167	62	32,635	80,450	6	28,522

Moving objects, struck by:													
Sling loads in motion	9	9	732	1, 142	1	6	227	455	2	505	687		
Sling loads, landing	7	7	801	1, 373	2	2	73	101	3	728	1, 272		
Empty slings, hooks, etc.	8	7	346	543	2	5	346	543				1	4, 151
Fall lines, bull lines, etc.	9	9	322	278	3	5	129	155	1	193	123		
Swinging booms, etc.	5	5	3, 938	10, 369		2	890	2, 879	3	3, 048	7, 490		
Objects set in motion by lines or slings	1	1			1								
Hand truck, struck or run over by	14	14	931	1, 696	3	9	406	635	2	525	1, 061		
Rollers and dollies	2	2	71	88		2	71	88					
Struck while handling	3	3	125	281		3	125	281					
Struck by cargo hook, wire fall, etc.	9	9	283	666	2	7	283	666					
Struck by miscellaneous rolling object	2	2	47	91	1	1	47	91					
Caught in loop or bight	2	2	101	178		2	101	178					
Caught in closing door	3	3	38	42	1	2	38	42					
All other	28	28	4, 308	12, 574	12	15	3, 830	11, 452	1	478	1, 122		
Total	102	101	12, 043	29, 321	28	61	6, 566	17, 566	12	5, 477	11, 755	1	4, 151
Flying objects:													
From cargo handled	2	2	39	37	1	1	39	37					
From grinding wheels	5	5			5								
From chipping and calking	46	46	2, 152	4, 458	29	13	194	173	4	1, 958	4, 285		
From scaling paint, etc.	17	17	1, 434	1, 725	9	6	140	174	2	1, 294	1, 551		
Breaking and whipping of lines	3	3	1, 215	4, 133		2	95	184	1	1, 120	3, 949		
Splinters and fragments	81	81	2, 372	3, 861	52	25	612	937	4	1, 760	2, 924		
Objects thrown	7	7	380	611	1	6	380	611					
All other	38	38	764	1, 619	21	15	394	672	2	370	947		
Total	199	199	8, 356	16, 444	118	68	1, 854	2, 788	13	6, 502	13, 656		
Falling objects:													
Cargo from pile (not collapse of or hand handling)	22	21	1, 380	2, 578	7	9	410	640	5	970	1, 938	1	7, 500
Bulk cargo from returning boxes, etc.	1	1			1								
Material from sling loads	10	10	1, 474	1, 953	3	5	471	693	2	1, 003	1, 260		
Material from tub or bucket	4	4	167	291		4	167	291					
Material from chutes, conveyors, etc.	5	5	191	333	1	4	191	333					
Sling loads falling	2	2	672	889	1				1	672	889		
Gear or tackle	15	14	2, 808	8, 255	7	6	1, 317	2, 930	1	1, 491	5, 325	1	691
Sling loads tipping, etc.	1	1	19	43		1	19	43					
Hatch beams and covers	6	5	190	394	1	4	190	394				1	2, 931
Hand tools	10	10	392	1, 780	5	5	392	1, 780					
Rivets, bolts, etc.	14	14	103	147	10	4	103	147					
Collapse of piles, stacked, stored, etc.	2	2	65	121	1	1	65	121					
Collapse of boxes and crates	2	2	72	76		2	72	76					
Collapse of sacks and bales	3	3	133	255	1	2	133	255					
Collapse of lumber	12	12	1, 968	4, 495	1	9	723	1, 625	2	1, 245	2, 870		
Collapse of coal, iron, ore, grain, etc.	5	5	362	1, 094	1	4	362	1, 094					
From scaffolds and staging	18	18	777	1, 188	6	12	777	1, 188					
From haulage equipment	7	7	363	685	1	5	173	301	1	190	384		

TABLE 22.—NUMBER OF INJURIES INVOLVING LOSS OF TIME, BY EXTENT OF DISABILITY, IN GENERAL GROUPS OF CAUSATION, FISCAL YEAR, 1934-35—Continued

REPAIRMEN—Continued

Cause	All cases, number	Nonfatal cases									Fatal cases	
		Total number of non- fatal cases	Total duration (days)	Total amount of com- pensation	Temporary total disabilities			Permanent partial disabilities				
					Total number, 7 days or less	Compensated cases		Number	Duration (days)	Compensation	Total number of cases	Total esti- mated cost
						Number	Duration (days)					
Falling objects—Continued.												
Struck by falling truck handle.....	1	1	31	\$50		1	31	\$50				
Barrels, casting, drums, etc., tipping over.....	9	9	344	684	3	5	137	256	1	207	\$428	
Strongbacks.....	4	4	137	323	1	2	67	151	1	70	172	
Cargo slipped from rollers.....	1	1	27	29		1	27	29				
All others.....	45	45	7,181	15,851	27	7	3,422	5,212	11	3,759	10,639	
Total.....	199	196	18,856	41,514	78	93	9,249	17,609	25	9,607	23,905	3 \$11,122
Handling objects:												
With projecting nails, splinters, etc.....	40	40	816	1,526	17	20	620	1,023	3	196	503	
Sharp corners, edges, etc.....	29	29	1,217	1,659	11	15	366	556	3	851	1,103	
Caught between objects handled and other objects.....	121	121	12,884	25,728	27	54	4,432	7,737	40	8,452	17,991	
Dropped while handling.....	105	105	5,358	9,882	26	62	2,504	4,262	17	2,854	5,620	
Dropped by fellow workman.....	23	22	2,052	4,661	7	12	1,650	3,993	3	402	668	1 2,972
Strain or sprain from handling heavy objects.....	90	90	6,443	16,594	35	53	5,254	12,405	2	1,189	4,189	
Strain insecure footing.....	16	16	1,015	1,549	3	13	1,015	1,549				
Caught by material rolled or pushed by hand.....	4	4	144	261	1	3	144	261				
Struck by object handled by fellow workman.....	19	19	1,332	2,464	4	11	736	905	4	596	1,559	
Friction burns from lines, etc.....	2	2	14	25	1	1	14	25				
Objects rolled by hand.....	3	3	44	61	1	2	44	61				
Handling, struck self.....	29	29	1,118	2,224	10	16	495	654	3	623	1,570	
All other.....	26	26	630	1,135	10	15	538	996	1	92	139	
Total.....	507	506	33,067	67,769	153	277	17,812	34,227	76	15,255	33,342	1 2,972

Hand tools:													
Injured by own hand tool.....	75	75	1,507	5,279	23	44	723	3,328	8	784	1,951		
Injured by others' tools.....	44	44	2,991	6,546	7	27	1,951	3,997	10	1,040	2,549		
Hand tool struck by moving object.....	2	2	47	103		2	47	103					
Breaking hand tool.....	8	8	171	340	3	4	120	236	1	51	104		
Objects set in motion by hand tool.....	8	8	478	1,294	4	2	106	135	2	372	1,159		
Glancing and slipping of tool.....	91	91	3,796	8,000	27	54	2,651	5,070	10	1,145	2,930		
All other.....	8	8	179	336	2	5	136	217	1	43	119		
Total.....	236	236	9,169	21,898	66	138	5,734	13,086	32	3,435	8,812		
Stepping in or on objects:													
Nails.....	31	31	457	642	16	14	272	368	1	185	274		
Other sharp objects.....	4	4	39	31	2	2	39	31					
Kneeling on objects.....	4	4	88	135	2	2	88	135					
Rolling objects.....	4	4	104	140		4	104	140					
Into holes, cracks, etc.....	20	20	1,375	3,502	7	10	229	285	3	1,146	3,217		
Slipping or jumping on objects, not falls.....	36	36	2,099	4,155	10	24	1,459	3,322	2	640	833		
All other.....	14	14	388	854	5	8	345	700	1	43	154		
Total.....	113	113	4,550	9,459	42	64	2,536	4,981	7	2,014	4,478		
Striking against objects:													
Nails, screws, etc.....	10	9	97	114	4	5	97	114				1	7,500
Splinters and sharp projections.....	13	13	143	209	8	5	143	209					
Piles of material.....	3	3	50	84	1	2	50	84					
Beams, stanchions, etc.....	50	50	2,000	3,787	17	31	1,218	1,899	2	782	1,888		
All other.....	22	21	483	851	10	10	381	580	1	102	271	1	1,070
Total.....	98	96	2,773	5,135	40	53	1,889	2,976	3	884	2,159	2	8,570
Miscellaneous:													
Objects.....	1	1	11	9		1	11	9					
Fellow employee.....	9	9	1,579	3,809	1	5	346	770	3	1,233	3,039		
Doors, ports, etc.....	11	11	544	798	2	5	158	180	4	386	618		
Ropes, hose, wire, etc.....	6	6	1,867	5,778	3	2	278	539	1	1,589	5,239		
Weapons.....	1	1	28	40		1	28	40					
Insects.....	1	1			1								
Strikes and labor trouble.....	1	1	42	42		1	42	42					
Unnatural positions.....	24	24	1,029	2,240	5	17	386	562	2	643	1,678		
Strain and overwork.....	3	3	189	435	1	2	189	435					
Cold.....	5	5	798	1,960		2	68	109	3	730	1,851		
Heat.....	12	11	93	134	8	3	93	134				1	1,000
Weather.....	4	4	165	233	2	2	165	233					
Noise and vibration.....	1	1			1								
Jumping to avoid injury.....	11	11	289	610	4	7	289	610					
Cause not stated.....	28	28	72	90		28	72	90					
All other.....	6	6	195	510	2	4	195	510					
Total.....	124	123	6,901	16,688	30	80	2,320	4,263	13	4,581	12,425	1	1,000

TABLE 22.—NUMBER OF INJURIES INVOLVING LOSS OF TIME, BY EXTENT OF DISABILITY, IN GENERAL GROUPS OF CAUSATION, FISCAL YEAR, 1934-35—Continued

REPAIRMEN—Continued

Cause	All cases, number	Nonfatal cases									Fatal cases	
		Total number of non- fatal cases	Total duration (days)	Total amount of com- pensation	Temporary total disabilities			Permanent partial disabilities				
					Total number, 7 days or less	Compensated cases		Number	Duration (days)	Compen- sation	Total number of cases	Total esti- mated cost
						Number	Duration (days)					
Machinery—Operating, adjusting, etc.:												
Winches, donkey engines, etc.	3	3	75	\$112	1	2	75	\$112				
Cranes and derricks	1	1	82	118					1	82	\$118	
Internal combustion engines	2	2	201	447		2	201	447				
Shop machinery	3	3	136	302		2	83	111	1	53	191	
Power transmission apparatus	1	1	33	72					1	33	72	
Portable power tools	14	14	380	527	5	6	130	161	3	250	366	
Conveyors	3	3	168	288		3	168	288				
Dynamos, motors, etc.	3	3	42	83	2	1	42	83				
Air or electric guns and drills	11	11	1,420	3,314	3	6	192	279	2	1,228	3,035	
Unguarded gears, belts, etc.	3	3	92	151	2	1	92	151				
Miscellaneous, ship engine-room machinery	10	10	143	239	5	5	143	239				
Unguarded machinery (n. o. c.)	2	2	120	205		2	120	205				
All other	6	6	385	679	1	2	210	330	3	175	349	
Total	62	62	3,277	6,537	19	32	1,456	2,406	11	1,821	4,131	
Grand total, repairmen	2,351	2,236	167,051	374,160	777	1,297	82,060	173,572	260	84,991	200,390	\$64,042

A comparison of the total number of lost-time injuries to longshoremen in cases closed during 1935, with totals for the preceding year, shows an increase of 640 cases to a total of 9,444. Fatal injuries number 45 for each year. The average severity and cost of injuries in the different classes is without significant change, except for the temporary disabilities.

As usual four of the general causes given in the table account for the greater part of all longshoreman injuries reported, and comprise 82.42 percent of the total for 1935.

Handling objects leads the list of causes with 29.25 percent of all injuries. Under this heading, caught between objects handled is first. Dropping objects while handling and projecting nails and splinters rank in the order named. These cases average 46.8 days disability.

Falling objects causing 24.57 percent of all injuries rank second. Cargo falling from pile, from sling loads, and from chutes are the largest individual causes of injury under this heading. Cargo from pile and sling loads caused 12 of the 21 deaths due to falling objects which accounted for 46.6 percent of the 1935 fatalities. The average severity is indicated by 67.5 days disability per case.

Being struck by moving objects and falls of persons each caused 14 percent of all injuries, as well as 10 fatalities. The days disability, respectively, were 71.3 and 81.1.

Hand tools ranked fifth as a cause of accidents with 4.17 percent of the total, and 25.7 days disability per case.

The remaining injuries, 13.22 percent, are accounted for by the 10 minor causes enumerated.

A study of table 22 covering the detailed causes of injuries to repairmen shows a wider range in importance of cause than similar figures for longshoremen. Total lost-time injuries for 1935 decreased only slightly in comparison with similar figures for the previous year, numbering 2,334, or 6 percent less, with a like decrease in total lost time of 9,492 days, or 5.3 percent. The average disability period per lost time injury was practically the same, 72 days in 1935 and 70 days in 1934. Permanent partial disability cases numbered 260, or 32 less than the preceding year. Temporary disability injuries numbered 2,074, and showed a reduction of 282, or 11.96 percent.

Falls of persons constitute the greatest hazard of repairmen, particularly in extent of severity. Injuries from this cause account for 20.2 percent of all nonfatal injuries, and 45 percent of the 20 fatalities of repairmen. The nonfatal cases arising out of falls averaged 126.5 days disability, with an average cost per case of \$305.56. Falls from elevations, ships' rigging, open hatches, manholes and scaffolds, account for the 9 deaths under this heading. Falls on the level, from scaffolds and ladders, rank in the order named as the largest contributory cause of nonfatal injuries.

Handling objects, while less serious in extent of disability, caused the greatest number of lost-time injuries, numbering 507 cases. They comprise 21.6 percent of the total, and have an average disability period of 65.2 days. Under this heading, caught between objects handled, dropped while handling, and strains or sprains from handling heavy objects were the principal contributory causes and account for 60 percent of this type of injury.

Falling objects and flying objects rank equally in number of injuries produced, and 199 cases or 8.5 percent of all nonfatal cases are due to this cause. Falling objects, however, resulted in 3 fatalities and caused disability averaging 94.8 days per case for nonfatal injuries. Flying objects resulted in an average disability of 42 days. Cargo falling from pile and objects from scaffolds and staging were the largest contributors to injuries caused by falling objects. Seventy-two percent of the injuries from flying objects resulted from splinters, chipping, and calking and scaling paint, etc.

Relative to number, hand tools rate third as a cause of injury, and accounts for 236 cases, or 10 percent of all lost-time injuries. This percentage of injury is practically double that for the industry.

Trust fund account.—Transactions involving the special fund created by section 44 of the compensation act are shown on the following statement:

Balance, July 1, 1934		\$114,929.04
Cash	\$10,258.59	
Investments	104,670.45	
Receipts during fiscal year 1935		25,076.48
Payments under sec. 44 (c) (1)	\$20,000.00	
Interest on investment	5,076.48	
Total		140,005.52
Expenditures		9,172.32
Compensation, sec. 8 (f)	\$5,783.13	
Compensation, sec. 8 (g)	2,179.44	
Prosthetic appliances, sec. 39 (c)	618.85	
Tuition and supplies, sec. 39 (c)	590.90	
Balance, June 30, 1935		130,833.20
Cash	\$25,743.11	
Investments	105,090.09	

Expense of administration.—The appropriation for administrative expenses of the Commission covers the cost of administration of three laws, and therefore, the cost of administration of this law cannot be determined with exactness. A number of employees in the office of the Commission have duties connected with the administration of each law and the proportion of the salaries paid to these employees which may be properly chargeable to the Longshoremen's and Harbor Workers' Compensation Act can only be approximated. It is estimated that the expense of administering this law during the fiscal year 1935 was \$206,660. The largest single item of expense was for the payment of the salary of employees engaged in the administration of the law, the sum of \$170,893 having been charged to this purpose. Other large expenditures charged to the administration of this law were \$6,414 for medical examinations ordered by deputy commissioners, \$11,623 for contract reporting service for reporting hearings, \$10,000 for traveling expenses of personnel, \$3,730 for rents, and \$2,000 for communication service.

2. DISTRICT OF COLUMBIA WORKMEN'S COMPENSATION ACT

Injuries reported.—During the fiscal year ended June 30, 1935, there were 21,185 nonfatal injuries and 64 fatal injuries reported to the office of the deputy commissioner. This is an increase of 1,049 cases over the number reported in 1934. The number of fatal injuries reported during 1935 was greater than in any preceding year

except 1931, and 21 more than the number reported in 1934. The number of nonfatal injuries reported during 1935 is the largest in any year since this compensation law has been operative. It represents an increase of 5 percent over the number reported in 1934 and approximately 7 percent over the number reported in 1933. A total of 134,652 injuries have been reported to the Commission under this law during the 7 years it has been in operation. Table 23 shows the number of injuries reported by months for the 7 years 1929 to 1935, inclusive.

TABLE 23.—INJURIES REPORTED BY THE MONTH FOR THE 6 FISCAL YEARS 1929-35 UNDER THE DISTRICT OF COLUMBIA WORKMEN'S COMPENSATION ACT

Month of fiscal year	Nonfatal						
	1934-35	1934 ¹	1933	1932	1931	1930	1929
July.....	1,894	1,887	1,491	2,094	1,735	1,656	731
August.....	1,988	2,142	1,699	1,892	1,969	1,739	1,222
September.....	1,765	1,880	1,619	1,870	1,888	1,431	1,169
October.....	2,039	1,753	1,649	2,028	1,938	1,768	1,288
November.....	1,875	1,749	1,539	1,655	1,509	1,512	1,215
December.....	1,505	1,334	1,695	1,627	1,452	1,424	1,183
January.....	1,728	1,496	1,674	1,694	1,420	1,487	1,081
February.....	1,498	1,415	1,412	1,361	1,185	1,265	992
March.....	1,701	1,496	1,622	1,704	1,403	1,409	1,090
April.....	1,607	1,536	1,535	1,700	1,512	1,500	1,315
May.....	1,735	1,661	1,719	1,525	1,657	1,521	1,405
June.....	1,850	1,808	2,088	1,766	1,908	1,727	1,545
Total.....	¹ 21,185	20,157	19,742	20,916	19,576	18,439	14,236

Month of fiscal year	Fatal							Grand total
	1934-35	1934 ¹	1933	1932	1931	1930	1929	
July.....	3	5	0	5	7	3	0	11,511
August.....	5	3	4	9	6	8	5	12,691
September.....	7	5	1	7	3	0	4	11,649
October.....	6	6	4	5	7	5	7	12,503
November.....	4	3	6	6	6	3	7	11,089
December.....	3	2	5	2	5	5	6	10,248
January.....	5	6	9	5	10	10	3	10,628
February.....	7	2	5	4	6	1	3	9,156
March.....	9	3	2	4	6	3	5	10,457
April.....	4	3	2	5	3	7	7	10,736
May.....	4	3	5	4	6	5	6	11,256
June.....	7	2	5	0	6	10	6	12,728
Total.....	¹ 64	43	48	56	71	60	59	134,652

¹ July 1935, nonfatal 2,243, fatal 11; August nonfatal 2,292, fatal 8; September, nonfatal 1,712, fatal 1.

Cases disposed of.—During this fiscal year 21,967 nonfatal and 33 fatal cases were closed in the office of the Commission. On June 30, 1935, there were 1,487 cases pending in which final action had not been taken. In 507 nonfatal and 143 fatal cases, compensation was being paid respectively to injured employees and dependents of those who died as a result of injury. The remaining cases were incomplete and in various stages of adjudication. In a very large percentage of the nonfatal cases closed during the year, the injury did not cause a loss in time for work or the disability did not extend beyond the 7-day waiting period for which no compensation is payable. About 5 percent of the nonfatal and 40 percent of the fatal cases were rejected because they did not come within the scope of the law. Cases disposed of and the reasons therefor are shown in table 24.

TABLE 24.—CASES DISPOSED OF

Reason for closing	Fiscal year						
	1934-35	1934	1933	1932	1931	1930	1929
NONFATAL							
No time lost.....	13,804	13,225	12,628	12,718	11,431	9,653	6,518
7 days or less.....	3,645	3,278	3,349	4,103	3,982	4,583	3,720
No jurisdiction.....	384	361	451	547	686	721	476
Compensation paid without award.....	3,333	3,380	3,468	3,808	3,507	3,902	2,878
Award of compensation.....	115	182	111	146	125	128	43
Miscellaneous.....	686	645	514	437	255	244	117
Total.....	21,967	21,071	20,521	21,761	19,986	19,231	13,752
FATAL							
No jurisdiction.....	10	6	6	18	18	2	7
No dependents (\$1,000 paid).....	3	7	3	7	10	3	2
Payments completed.....	5	5	1	2	-----	1	-----
Miscellaneous.....	15	21	12	5	19	16	4
Total.....	33	39	22	32	47	22	13

An analysis of fatal cases approved during the year and nonfatal cases closed is given in table 25, according to the type of industry reporting the injury. The total compensation paid in 3,166 temporary disability and in 160 permanent disability cases closed during 1935 is \$384,145, and the estimated cost of 26 fatal cases approved during that year is \$184,718. More than 35 percent of the total compensation cost in these cases is chargeable to injuries reported from construction industries, and nearly one-third of the fatal cases occurred in this group. Of the 6,677 temporary total cases closed during the year, 3,166 were compensated while 3,511 had a duration of less than 8 days. Totals for the past 6 years are included in this table for comparative purposes.

The total amount paid in compensation in all nonfatal cases closed prior to July 1, 1935, is \$2,422,755. This amount does not include \$21,199 awarded for serious facial disfigurement. Compensation in the amount of \$93,315 had been paid to that date in 1,284 nonfatal cases open on the docket of the Commission in which final payment had not been made, and the future compensation payable in these cases is estimated to be \$620,630. These costs do not take into account amounts expended by employers or their insurance carriers for medical care furnished to injured employees. The total cost of benefits paid and estimated to be paid in 205 fatal cases, representing the total number of such cases approved prior to July 1, 1935, is \$1,160,249.

The weekly compensation in 29 fatal cases approved during 1935 is \$340.68 and the estimated total cost of these cases is \$184,718. The latter figure includes \$3,609 paid on three cases in which there was no person entitled to compensation, and \$1,389 paid for burial expenses, in other cases, thus leaving \$179,720 as the estimated payment to dependents. The distribution of the weekly cost and the total cost for each class of dependents is shown in the following tabulation:

Dependents	Number	Average age	Weekly compensation	Estimated valuation	Average	
					Weekly compensation	Value of awards
Widows.....	24	36.2	\$258.34	\$146,868	\$10.76	\$6,120
Children under 18.....	24	9.0	72.96	25,552	3.04	1,065
Mothers.....	1	53.0	9.38	7,300	9.38	7,300
	49	-----	340.68	179,720	-----	-----

TABLE 25.—NUMBER OF INJURIES INVOLVING LOSS OF TIME, BY EXTENT OF DISABILITY, FOR EACH INDUSTRIAL GROUP, FISCAL YEAR 1934-35

Industry	Total number of cases	Nonfatal cases					
		Number of non-fatal cases	Total compensation	Temporary total disability			
				Number of temporary total cases	Compensated cases		
					Number	Duration (days)	Amount of compensation
Clerical and personal service...	1,434	1,432	\$50,039	1,402	622	18,997	\$26,708
Construction.....	1,504	1,495	135,584	1,450	753	33,559	68,587
Manufacturing.....	691	690	52,863	660	306	11,731	25,353
Trade.....	2,373	2,366	109,150	2,325	1,044	34,044	59,814
Transportation and public utilities.....	864	854	36,509	840	441	12,791	22,591
Total for 1934-35.....	6,866	6,837	384,145	6,677	3,166	111,122	203,083
Total for 1933-34.....	6,626	6,592	436,043	6,384	3,239	116,088	214,291
Total for 1932-33.....	6,717	6,699	435,674	6,509	3,279	115,933	222,732
Total for 1931-32.....	7,812	7,775	393,610	7,609	3,623	115,502	227,529
Total for 1930-31.....	7,477	7,432	339,871	7,303	3,390	106,000	210,320
Total for 1929-30.....	8,461	8,442	298,243	8,313	3,781	112,729	227,199
Total for 1928-29.....	6,335	6,312	135,169	6,270	2,696	65,890	121,758
Total.....	50,294	50,089	2,422,755	49,065	23,174	743,264	1,426,912
Active and pending cases.....	1,344	1,284	713,945	1,155	997	-----	339,942
Grand total.....	51,638	51,373	3,136,700	50,220	24,171	-----	1,766,854

Industry	Nonfatal cases			Fatal cases			
	Permanent partial			Number of fatal cases	Number with dependents	Amount of weekly compensation	Total estimated cost
	Number	Duration (days)	Amount of compensation				
Clerical and personal service...	30	13,029	\$23,331	2	1	\$6.34	\$8,709
Construction.....	45	23,543	66,997	9	9	112.09	60,148
Manufacturing.....	30	9,682	27,480	1	1	12.97	7,500
Trade.....	41	20,405	49,336	7	6	91.81	46,200
Transportation and public utilities.....	14	5,313	13,918	10	9	117.47	62,161
Total for 1934-35.....	160	71,972	181,062	29	26	340.68	184,718
Total for 1933-34.....	208	84,139	221,752	34	25	282.48	184,407
Total for 1932-33.....	190	82,444	212,942	18	17	163.63	109,786
Total for 1931-32.....	166	65,069	166,081	37	29	371.59	209,804
Total for 1930-31.....	129	45,080	129,551	45	35	428.04	227,633
Total for 1929-30.....	129	26,990	71,044	19	15	229.14	103,528
Total for 1928-29.....	42	5,153	13,411	23	21	269.32	140,373
Total.....	1,024	380,847	995,843	205	168	2,084.88	1,160,249
Active and pending cases.....	129	-----	374,003	60	12	-----	99,423
Grand total.....	1,153	-----	1,369,846	265	180	-----	1,259,672

Trust fund accounts. Transactions involving the special fund, created by section 44, are shown in the following tabulation:

Balance, July 1, 1934.....		\$26, 537. 85
Cash.....	\$7, 035. 18	
Investment.....	19, 502. 67	
Receipts during fiscal year 1935.....		6, 314. 66
Payments under sec. 44 (c) (1).....	\$5, 000. 00	
Interest on investment.....	1, 314. 66	
Total.....		32, 852. 51
Expenditures.....		3, 364. 98
Compensation, sec. 8 (g).....	\$2, 759. 33	
Prosthetic appliances, sec. 39 (c).....	605. 65	
Balance, June 30, 1935.....		29, 487. 53
Cash.....	\$9, 780. 59	
Investment.....	19, 706. 94	

Expenses of administration.—The expense of administering this law is paid from funds provided for the purpose in the annual appropriation for the government of the District of Columbia which are transferred to the Commission for expenditures. A total of \$51,000 was appropriated for the fiscal year 1935, and the estimated cost of administration during that year is \$45,147. The amount expended includes \$38,556 for personal services, \$3,667 for contract reporting services, and \$630 for special medical examinations ordered by the deputy commissioner.

Respectfully submitted.

JEWELL W. SWOFFORD,
HARRY BASSETT,
JOHN M. MORIN,
Commissioners.

