vassed and adversely criticised both in the High Court and the County Court, but never before has it met with judical comment so strong as that which fell from Lord Coleridge and Mr. Justice Mathew in the case of *Sanders* v. *Barker* last week. It is worth while looking at what were the facts in that case: The defendants, the employers, are brewers in the City, and had a hand-pump in their brewery used to force the liquor into pipes by means of steam-power. It was against the wall, and the fly-wheel was quite close to the wall, and it was worked by a turning wheel which let the steam into the pump. When the steam went in it ought to have worked by itself, but it required a touch or two to set it going, and these touches the workman gave with his finger. The plaintiff was the man employed at this work, and from time to time put his finger to the wheel for the purpose. On the occasion in question he had thus put his finger to it, when it was caught and injured so that he lost it. He admitted in cross-examination that he "knew there was a risk," that is, by reason, as he said of a defect in the machinery in not working without being thus touched by the finger, which defect he had asked to be repaired. The jury found (in the City Court) that there was a defect in the machinery by reason of neglect on the part of the employers, but that the plaintiff knew of the defect and worked voluntarily with that knowledge: though he had not, he said, full knowledge of the risk he was incurring, but only "that an accident might happen," and that he had given notice of the defect to the defendants, who knew of its existence. The Judge, (Mr. Kerr) directed the verdict to be entered for the defendants, giving leave, however, to the plaintiff to move to enter the verdict for him for damages, which the jury assessed at £20. It is difficult to see in what particular this case differs in point of fact from *Thomas* v. *Quartermaine*. The plaintiff there fell into the cooling-vat of a brewery. The County Court Judge held that there was evidence of a defect in the brewery, because there was no sufficient fence to the vat, but that the condition of the vat was known to both plaintiff and defendant; and he found that the plaintiff had not been guilty of contributory negligence. The Divisional Court, consisting of Justices Wills and Grantham, set aside the judgment in favour of the plaintiff, and directed judgment for the defendant. This was affirmed in the Court of Appeal, and thus the plaintiff was deprived of all remedy for the injury resulting from the negligence of the defendant which was found by the County Court Judge. Now, in *Sanders* v. *Barker* the judges said that they should shrink from a definition of "voluntarily" which would in many cases deprive the workman of any remedy. In dealing with *Thomas* v. *Quartermaine*, Lord Coleridge first said that the decision was no doubt right on the ground that there was no evidence of neglect in the employer. This is incorrect: There was not only evidence, but the finding of the County Court judge. His Lordship also asked whether there was any case in which, the workman having pointed out the danger and asked that it be remedied, the employers had been held not liable. To which the correct answer was made, that the point was covered by the judgment in *Thomas'* case. Whereupon Mr. Justice Mathew said: "No doubt the judgment was an effort to establish that proposition, and a judgment which is an astonishing instance of the capacity of the human intellect, though