

gence on the latter's part: *Brintons v. Turvey* (1905) A.C. 230. In that case anthrax was contracted from handling infected wool. But a workman who contracted typhoid fever from inhaling sewer gas in the course of his employment was held not entitled to recover against his employers: *Eroderick v. London County Council*, 24 Times L.R. 822. An hostler while eating his dinner in the stable being bitten by the stable cat which occasioned blood poisoning was held to be entitled to recover against his master: *Rowland v. Wright*, 24 Times L.R. 852. A ship's steward, partially drunk, who returned to his ship by means of the cargo skid in order to escape the notice of his superior officers and in doing so fell down the hatch and was killed, was held to have met his death in the course of his employment and his employers were held liable to make compensation to his representatives: *Robertson v. Allan Line*, 98 L.T. 821.

Furthermore, a workman who undertakes to do work which he is physically unfit for, may render his employer liable to make compensation to his representative should he succumb while engaged in his work which would not be injurious to a man in normal health. For instance, if a workman in a weak condition engages to do the work of a stoker and is overcome by the heat so that he dies, his employer must, according to the English law, compensate his dependents legitimate and illegitimate: *Ismay v. Williamson*, Times, Aug. 1, 1906.

A workman may receive an injury which a surgical operation would remedy or remove, but if the workman be of a lazy disposition and prefers to continue to draw compensation in the character of a disabled workman, he may do so, and cannot be required to submit to an operation which any reasonable man would, in order to be restored to an efficient condition: *Rothwell v. Davis*, 19 Times L.R. 423.

The present state of the law on this subject in England has been found to give rise to no little fraud, and malingering on the part of workmen to the destruction of their honour and self-respect; and when to this is added a tendency on the part of employers only to employ men in the prime of life and to reject