of function and biological change" resulting in his effemination and permanent sexual impotency. The court ruled that the condition was an occupational disease within the meaning of the law and was compensable under the terms of the Workmen's Compensation Act. Consequently, there was no basis for a common law recovery. Affirmed. Stepmowski v. Specific Pharmaceuticals, Inc. New Jersey Superior Court, Appellate Division. No. A-721-50. March 21, 1952.

940 Federal Employers' Liability Act--Pipe Fitter's Helper--Silicosis--Negligence--Safe Place to Work--Findings of Fact.

A pipe fitter's helper for a railroad sued his company for $99,000 damages due to silicosis which the employee averred he contracted by reason of his company's negligence in failing to furnish him with a respirator or a mask while inspecting locomotive sand boxes. The nature of the claimant's work required him to lean over the nozzle of the sanding apparatus of a locomotive while some one turned on the compressed air to see if the sand fell through on the rail. A cloud of dust would arise and naturally the one inspecting would breathe some of it in. The record plainly showed that the practice by railroads generally throughout the nation was not to furnish masks or respirators to men doing the same character of work the claimant had performed. The court ruled that the railroad was not guilty of negligence in failing to furnish the claimant with safe equipment or a safe place to work. Judgment denying recovery affirmed. Ellis v. Louisville & Nashville Railroad Co. Kentucky Court of Appeals. June 20, 1952.

941 Longshoremen's and Harbor Workers' Compensation Act--Railroad Employee--Tuberculo-Silicosis Incurred in Prior Employment--Reimbursement of Medical Expenses from Prior Employer--Subrogation.

When a railroad employee accepted the treatment from his railroad's hospital association for tuberculo-silicosis for which his previous employer, a contracting concern that built naval air bases in the Pacific, was legally and financially responsible, he consented, under the rules of the hospital association, that the association should be subrogated to his rights against the previous employer. An order awarding the hospital the reasonable value of the medical care given the worker was correct and was affirmed. Contractors Pacific Naval Air Bases v. Pillsbury. United States District Court for the Northern District of California, Southern Division. No. 30,951. July 1, 1952.