

Hillsborough, }  
Jan. 2, 1934. }

JOSEPH GEORGE *v.* MORSE & MALLOY SHOE COMPANY.

*Thorp & Branch* (Mr. Branch orally), for the plaintiff.

*Wyman, Starr, Booth & Wadleigh* (Mr. Ralph E. Langdell orally),  
for the defendant.

PEASLEE, C. J. The case is governed by *Thomson v. Company*,  
*ante*, 436, decided this day.

In so far as the facts differ from those in the earlier case, they are  
not more favorable to the plaintiff.

*Exception overruled.*

BRANCH, J., did not sit: WOODBURY, J., concurred in the result:  
the others concurred.

WOODBURY, J. I concur in the result upon the ground that the  
injury was foreseen, anticipated and not accidental. In so far as the  
doctrine upon which this case is disposed of is concerned I dissent for  
the reasons set forth in the dissenting opinion in *Thomson v. Company*.