

have been intended that the writ should be superseded so that no other execution could be issued thereafter, although that was the effect of the decision in *O'Donohoe v. Robinson*, supra.

It will be a question whether the respondent, in case the appeal is dismissed, must not apply for leave to issue another execution, or whether he may, notwithstanding the former writ has been superseded, nevertheless on the termination of the appeal in his favour issue an alias writ without leave, as of course. We do not see how the original writ which has been superseded can be again resuscitated.

Then again, although a writ which is merely stayed might be kept alive by renewal, a writ which is superseded would appear incapable of renewal.

The effect of the change effected by Rule 497 in superseding writs of execution, though no security has been given, will have other effects, it will prolong the time which the debtor's lands may be reached by execution, and very often it is to be feared may deprive suitors of the means of recovering debts by reason of the prolonged delay which the debtor may create by an appeal, during which time the debtor's estate may be swept away by transfer, or under other executions.

LIABILITIES OF MEDICAL MEN.

The unhappy incident of a child being born malformed and not likely to live, except possibly by means of an operation, brings up the question whether it is a crime for a physician or surgeon to cause a parent to withhold a life-saving operation or remedy from a dying child. The law in the United States is that all men "are endowed by their Creator with an inalienable right to life, liberty, and the pursuit of happiness." This statement in the Declaration of Independence is substantially the common law of England.

Some observations on this subject, in an article in the *Central Law Journal*, may therefore be appropriately referred to as ex-