

same, and the law as well as the common sense of the matter was expressed in very similar language in both cases.

In *Rex v. Lewis* Mr. Justice Osler in his judgment makes the following remarks: "Persons sui juris may by mutual consent, and within certain limits, practice upon each other what experiments of this kind they please, and in some instances and in some kinds of disorders, where the mind of the patient is responsive to the treatment, it may possibly be done with beneficial results. But it would be shocking if, in the case of infants or others incapable of protecting themselves, they and the community in which they lived were to be exposed to danger from contagious or infectious diseases which the instructed common sense of mankind in general does not as yet find or admit to be curable by means only of subjective or mental treatment."

Judge Haight in delivering judgment in the New York Court of Appeals expressed himself as follows: "The law of nature as well as the common law, devolves upon the parents the duty of caring for their young in sickness and in health, and of doing whatever may be necessary for their care, maintenance and preservation, including medical attendance, if necessary, and an omission to do this is a public wrong which the State, under its police powers, may prevent."

A writer in the *Law Notes* commenting on the above judgment pithily discusses the doings of this sect in these words: "They may go their way and practice these beliefs upon themselves and among themselves to their hearts' content. They may pray over a cancer, or work themselves up to the belief that appendicitis is not 'real,' and the law leaves them to what ordinary mortals believe to be their folly. The law simply says that helpless children shall not be immolated upon the altar of the faddists, or condemned to a life of suffering. A religious or a pretended religious belief offers no more excuse for neglecting a child than it does for the practice of polygamy."