

indeed, for holding that the medical profession is a business which is as much affected with a public interest as is that of the carrier himself. We are also aware that in the case of *Wills v. I. & G. N. R.R. Co.*, 41 Tex. Civ. App. 58, 92 S.W. 273, the court, in denying the implied authority of the conductor to employ surgical help, said: "We do not undertake to say what would be the power and duty of a conductor of a railway company where a passenger or employee was injured. Here the party injured was a trespasser, and a similar distinction is to be found in a long line of cases." But the distinction and the rule should never, and we believe will never, be allowed to permit of absolute brutality, and the leaving of an injured man to bleed or to freeze to death by the roadside or by the railway track. The first aids to the injured must at least be administered, the person, if possible, must be carried to a place of safety and medical help must be summoned and the public authorities notified. There are points, indeed, beyond which sympathy and humanity submerge all rules of technical rights or technical logic.

It is interesting to note to what an extent the calls of a higher duty and humanity were recognized in the mandates of the Hebrew law and how far behind the ancient Hebrew we moderns often are. It is interesting and suggestive, however, to note that no penalty for, or right of civil action based upon the neglect of these mandates seems to have been provided. Perhaps it would be more in accordance with the fact, to say that these mandates, though contained in the so-called Laws of Moses, were not strictly laws at all, but were mere teachings (*torah*) or moral precepts. The Hebrew codes seem to have been in this respect loftier in their concept than that of Hammurabi or the laws of the Assyrians, Babylonians or Egyptians from which so much of them was derived, but to have recognized the same difficulty when an attempt was suggested of enforcing the mandates of humanity by the imposition of pains and of penalties. But perhaps no penalties were necessary in a small community and among a small people, such as the Israelites always were, where church and state were so closely co-ordinated and where the dis-