

The most recent case upon the subject appears to be that of *Lock vs. Ionia*, in which a judgment of Steere, J., is fully reported in the *Detroit Legal News* of April 10th, 1915, at page 94.

In *Hawker vs. N.Y.*, 107 U. S. Supreme Court Reports, there will be found on page 189 the judgment of Mr. Justice Brewer, and I may say that in selecting these cases—and I consider that all of them are entitled to respect, apart from the very meaning of the language itself—I have to a very large extent been governed by the fact that respect is paid to them by Mr. Justice Brewer, whom we all know of. In the case of *Hawker vs. N.Y.*, which I have just referred to, Mr. Justice Brewer said:

“No precise limits have been placed upon the police power of a State, and yet it is clear that legislation which simply defines the qualifications of one who attempts to practise medicine is a proper exercise of that power. Care for the public health is something confessedly belonging to the domain of that power. The physician is one whose relations to life and health are of the most intimate character. It is fitting not merely that he should possess a knowledge of diseases and their remedies, but also that he should be one who may safely be trusted to apply those remedies.”

THE COMMISSIONER: Do you remember the date of that decision, Mr. Osler?

MR. OSLER: I do not remember that, my Lord. I can easily ascertain that.

THE COMMISSIONER: You need not bother.

MR. OSLER: In *Dent vs. West Virginia*—which is also a case in the United States Supreme Court Reports—at page 114 it is said (by Mr. Justice Field):

“Few professions require more careful preparation by one who seeks to enter it than medicine. It has to deal with those subtle and mysterious influences upon which life and health depend, and requires a knowledge, not only of the properties of vegetable and mineral substances, but of the human body in all its complicated forms and their relations to each other, as well as their influence on the mind. The physician must be able to detect readily the presence of disease, and prescribe appropriate remedies for its removal. Everyone may have occasion to consult him, but comparatively few can judge of the qualifications of learning and skill he possesses. Reliance must be placed on the assurance given by his license, issued by an authority competent to judge in that respect that he possesses the requisite qualifications.”

MR. OSLER: It appears to me that in those cases, my Lord, irrespective of their source, are weighty words for your Lordship's