

Minnesota, Kansas and California also refuse to extend the doctrine beyond the particular class of cases to which the *Stout* case belongs. The Supreme Court of North Carolina, in the case of *Briscoe v. Henderson Lighting and Power Co.*, 148 N.C. 396, 62 S.E. 600, in a lengthy and able opinion by Justice Conner, after reviewing the authorities refused to extend the doctrine to a case where a boy thirteen years of age went upon the lands of the defendant company where the company maintained machinery which the complaint alleges was calculated to attract children and while there fell into a hot water well which the defendant negligently failed to keep properly covered and was injured. Justice Conner, while saying that the court did not absolutely repudiate the "turntable" cases in North Carolina so far as they applied to railroad turntables, as they were not involved in this case, at the same time repudiated the theory of implied invitation on which the "turntable" cases proceed, saying: "The inducement to one to enter on the premises of another which will render the latter liable for injuries from pitfalls thereon must be equivalent to an invitation, and mere permission is neither inducement, allurements, or enticement."

So that we find a great many of the courts utterly repudiating the doctrine and making injuries to infants stand on the same ground as those to adults, while those upholding the doctrine recognize its dangerous character by refusing to extend it beyond a certain class of cases. But if it be a good rule of law and properly applicable to one class of cases, why shouldn't it be a good rule of law in other cases involving the same basic principles whether the particular instrument of injury be a railroad turntable or a farmer's threshing machine? Or, if it is bad law in one case why shouldn't it be bad law in another case? Both involve the same fundamental principles. Isn't the threshing machine as peculiarly attractive to a child as the turntable and equally dangerous? Isn't a cherry tree full of ripe red fruit as capable of destruction to a child as a railway turntable? Neither can injure the infant without some