is to a child of tender years. If the defendant had left this turntable unfastened for the purpose of attracting young children to play upon it, knowing the danger into which it was thus alluring them, it certainly would be no defence to an action by the plaintiff, who had been attracted upon the turntable and injured, to say that the plaintiff was a trespasser, and that his childish instincts were no excuse for his trespass.

The high character of the United States Supreme Court in which *Railroad Co.* v. *Stout* was decided, constrained many of the state courts to accept its decision as being well founded in legal principle, and for some years the doctrine seemed likely to be approved throughout the country; but the tide is setting strongly in the opposite direction, and it has not been generally accepted by the state courts. On the contrary it has been emphatically repudiated by the courts of last resort in Massachusetts, New York, New Jersey, New Hampshire, Texas, Pennsylvania, Ohio, Virginia and West Virginia.

The opinion in the *Stout* case is not clear and the case is most unsatisfactory. The doctrine there enunciated has been recognized by most of the courts as being a dangerous one if pushed to its logical conclusion and even the courts following the case have applied the rule with extreme caution and sought to hedge it in with limitations by refusing to extend its application beyond that particular class of cases. The Georgia court, in *Ferguson* v. *Railway Co.*, 75 Ga. 637, held that "where a railway company leaves a dangerous machine, such as a turntable, unfastened in a city, on a lot which is not securely inclosed, and where people and children are wont to visit it and pass through it, this is negligence on the part of such company; and where an infant of ten or twelve years of age resorted to the turntable and in riding upon it was dangerously and seriously injured the railroad company is liable for damages for such injury to the infant," but absolutely refused to extend the doctrine to a case in which an infant was drowned by falling into an excavation filled with water on defendant's land, *Savannah, F. & W. Ry. Co.* v. *Beavers*, 39 S.E. 82, 113 Ga. 398. And the courts of