

pleasure." Must a carrier in a contract such as was entered into in this case go into all of these things in merely engaging to deliver a trunk for a passenger in time for her trip?

Must it consider whether it was dealing with one who could not enjoy "the tang of the salt sea in her nostrils" unless she were correctly dressed or may it suppose that one out for a pleasant voyage is going to have it whether she have the clothes for the occasion or not?

To refer to cases where sorrow intervenes from the breach of a contract, a Court puts itself on ground where the common experience of mankind sustains it. But when it gets down to chagrin and disappointment over the loss of social pleasure, which one person would bear with philosophical patience and another would exaggerate into a mountain of woe, gets us into a region of doubt and difficulty, where temperaments are the rule of damages. With temperaments hardly may it be supposed the carrier has any acquaintance.

The trouble with this kind of ruling is, that, notwithstanding everyone is on an equality in demanding service such as was contracted to be given in this case, the Court divides its customers into classes opposed to that very equality.

It seems especially true that when people go to travelling, highly sensitive organisms must mix with *hoi polloi*, and take the jolts and pushing and scrambling in a good natured way. They are supposed to be away from their exclusive environments, if our law recognizes anything of that sort, and to take their chance, and if their sensitive souls need to be guarded, they should stay at home. We do not believe in aristocratic notions finding a basis for damages in our law. The lady in this case should be supposed to have to put up with her deprivation in an American way, and a lesson in the doing of this might have brought her more pleasure on her trip than had she been able to have responded to the utmost to "the social amenities of other normal cultivated people." At all events, why should it be said that the carrier knew she set so very much store by all of these amenities?

We think that whenever we get into questions of this nature