

for mental suffering through failure to deliver telegrams. Some Courts, however, hold contra, in accordance with the so-called "Texas doctrine." Where this doctrine has been followed it has been adhered to consistently, and an extreme case is found in North Carolina, where recovery was allowed for fright and worry incident to a father's failure to meet his young daughter at a railroad station, because of the non-delivery of a telegram advising him of her arrival there at a scheduled hour, and the terror which ensued during a lonely ride at midnight to her home.

Recovery has also been allowed for mental pain resulting from the mutilation of a dead body; from the breach of contract to carry a dead body safely, where such breach constituted a wilful tort; and from the breach of contract of an undertaker to keep safely the body of a dead child. The Supreme Court of Minnesota, however, has recently refused a recovery for mental distress where a railroad company negligently failed to carry a dead body to its destination according to the usual train schedule, the delay interfering with the funeral plans and causing anxiety, humiliation and other anguish of mind. The case holds that the facts establish a breach of contract only, and in the absence of a wilful tort incident to such breach, mental suffering is not an element of damage. It would seem to be in exact accord with the general rule, and commends itself to the legal mind as a sound view of the question involved. The subject is thoroughly reviewed, and the authorities fully stated, in the opinion of the court.—*University of Philadelphia Law Review*.