

and mental suffering that she had been compelled to endure because she was expelled from one of the company's passenger cars. The defendant company set up the plea that the plaintiff should be consistent with her religious belief and contested her right to damages. The trial Judge ruled out the evidence tendered by the defendants as to the creed of a so-called Christian Scientists, and the jury found against the company. On appeal the Court held that the defendants had a right to put in the evidence saying that "if she had such control of her feelings as she thought she had as to render her insensible to pain, when she willed to be, we see no reason why that circumstance should not have been considered by the jury in determining the extent of her suffering and the compensation to be made on account of it." It is sad to see the potency of the almighty dollar to cause people to fall from grace. As to the legal question involved it seems to be new as well as interesting.

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The recent decision of Mr. Justice Riddell, in *Mills v. Small*, noted ante, p. 406, appears to be opposed to the decision of the English Court of Appeal in *Fitzroy v. Cave* (1905) 2 K.B. 364, (noted ante, vol. 41, p. 751). In that case there was an assignment of a debt and the assignee had covenanted to pay over the amount of the debt when recovered to the assignor less costs, and it was held that the assignment was absolute, and the assignor entitled to recover in his own name.