

health. These are things of which Courts should take judicial notice, for they are known of all men.

But a Wisconsin¹⁵ case is so very apt on this question that I quote therefrom: "It is charged that the shock was directly caused by the defendant's negligent act and that the miscarriage was caused directly by the shock. Now, if the shock can legally operate as the connecting link between the defendant's negligent act and the plaintiff's miscarriage, so that the negligence was truly the cause which operated first and set in motion the train of events which ended in the miscarriage as the natural and probable result, then it does not become necessary to decide whether 'shock' as here used is a physical or mental disturbance, or whether, as seems more reasonable, it partakes of both." There are then cited a number of cases as to which it is said: "In some of these cases the negligent act of the defendant, which was relied on as the proximate cause of the subsequent physical injuries, did not consist of a physical violence, or hostile contact, but only consisted of a negligent or wrongful act which produced extreme fright or shock, from which extreme fright or shock, physical injuries naturally resulted, but in all of the cases the chain of causation was held to be complete in case the jury found that the defendant should have anticipated that an injury to another might follow as the natural and probable result of his negligent act."¹⁶

In Alabama¹⁷ it was said to have been determined by the *Engel* case that "there is no legal obstacle to prevent the recognition of fright or terror as the proximate cause of a physical injury."

Notice or Knowledge as Affecting Liability.—A late decision by Georgia Court of Appeals,¹⁸ summarizes opinion on this question

15. *Pankoff v. Hinkley*, Wis., 123 N.W. 625, 7 L.R.A. (N.S.) 1159.

16. See also *Purcell v. R. Co.*, 48 Minn. 134, 50 N.W. 1034, 16 L.R.A. 203; *R. Co. v. Hayter*, 93 Tex. 239, 54 S.W. 944, 47 L.R.A. 32, 77 Am. St. Rep. 856; *Engel v. Simmons*, 148 Ala. 92, 41 So. 1023, 7 L.R.A. (N.S.) 96, 121 Am. St. Rep. 59, 12 Am. Cas. 740.

17. *Spearman v. McCrory*, Ala., 158 So. 927.

18. *Goddard v. Watters*, 82 S.E. 304.