head railway bridge, which fell while an engine was passing over it. Something, she claims, hit her upon the back of the neck, and dust from the crash got into her eyes. The chief injuries are alleged to be to her eyes and nervous system. Defendant claimed she suffered no physical injury whatever, but that the condition she alleges she is suffering from was due to fright alone.

The Court held that proof of either of the external injuries would take the case out of the rule as to non-recovery for fright alone.

Here it is perceived, the Court was possessed of the idea advanced in *Mitchell* v. *Rochester*, *supra*, but misapplies it by allowing for the consequences of fright, where there is any external physical injury. And how may it be said that it is legal policy to allow one to tack on to a negligible external injury damages for internal injury, and it is against policy to allow recovery for the latter unaccompanied by external injury? Shall a plaintiff, in order to recover substantial damages, be encouraged to feign an external injury or to falsify as to its existence? In what way is pain or suffering more tangible and less illusory when asserted to arise from an external injury, than impairment of health from a shock to the feelings? At all events, however, these cases for impairment of health as the result of shock, whether that arise from fright or grief, and if they attach to it that there shall be external injury, the principle for which I contend is supported.

This very exception is a tribute to the rule for which I contend and when there is added the other exceptions in wilful tort and gross carelessness, which even New York, by decision in lower Courts admit, there seems little of square out decision to support the general principle, that there can be no recovery for shock bringing on impairment of health as the result of negligence, where it may be shewn to be anticipated, or of reckless negligence or wilful tort, whether anticipated or not.

There is a very interesting review of cases in 52 Cent. L.J. 339, in an article, where the same doctrine is advocated as in this article. Many authorities are here used, which were not in existence then, which either squarely or impliedly admit what the former article contended for.—*Central Law Journal.*