"It is really not plausible (*sic*) at this day to assert that the working of the Judicial Committee gives general satisfaction."

Sir Frederick Pollock wrote that in 1909.

"Complaint has too often been made of late that important appeals have been disposed of by only three Judges, whereas the original tribunals in Canada or Australia were composed of double that number. Two appeals in the present lists are set down to be re-argued—an expensive result which might perhaps have been avoided if the appellate Judges had been more numerous."

That is quoted from *The Times* (London) of May 27, 1913.

These are the nearest approaches to "sweeping censures and rhetorical diatribes" in my *Canadian Law Times* articles.

JOHN S. EWART.

SHOCK AS BEING ACTIONABLE IN NEGLIGENCE.

Definition of Shock.—I have preferred in treating this subject to employ the word "shock" rather than "fright," as commonly used. The former imports a physical effect, which, at least, in some cases all of the Courts hold to give occasion for the recovery of damages; the latter never affords the basis for such recovery. For example, we will suppose one negligently lets loose a blast in the vicinity of a dwelling house. One member of the household is frightened, another is struck and a third is seriously shocked. The first has no right of action, the second has, and whether the third has depends on other circumstances. Fright has nothing to do with the right of recovery in the second case, nor has it in the third except that shock may be the physical effect of fright. The intervening fright, however, does not break the chain of causation between letting off the blast and the shock any more than it breaks it where one is struck. A physical result ensues in both cases, and if fright is intended or foreseen a strike or a shock, a something of tangible character, may also be intended or foreseen.

Furthermore, shock being the substantial thing to be considered, fright is not the only antecedent to its existence, so far