And at p. 170: "I am of opinion that there was evidence for the jury to consider whether the defendants' servants had not, when this train left the station from whence it started on its journey, failed to see that the door was properly fastened in the ordinary manner in which such railway carriage doors are fastened, there was evidence to go the jury that they failed in the performance of that duty . . . . here was evidence that this door was not properly fastened; for if it had been, it would not have flown open upon the degree of pressure that was applied to it by the plaintiff; and therefore there was evidence to go to the jury, upon which they were justified in finding that there was negligence on the part of the defendants."

Per Martin, B.: "It seems to me that you cannot shut out from the consideration of the jury whether or not a man may not do wrong, and know that he is doing wrong, in putting his head or hand out of the window."

Then follows in 1874, *Jackson* v. *The Metropolitan Railway Company*, L. R. 10 C. P. 49. The facts of this case were these: The plaintiff was a passenger on the defendant company's car; the car entered an overcrowded station, with an insufficient staff of porters to control the conduct of the people there assembled; the carriage had an excessive number of passengers in it, and more attempting to intrude, whereby those who were lawfully seated therein were placed at a disadvantage; a porter slammed the door just as the train was entering the tunnel, and the hand of the plaintiff, in consequence, as he swore, of the inconveniently crowded state of the carriage, was crushed in the hinge.

Per Brett, J.: "If the court think that there is any evidence upon which the jury might reasonably act, they cannot set aside the verdict as being against the weight of evidence. . . . There being evidence, then, which it was proper to submit to the jury, and they having found for the plaintiff, even though I myself might have entertained a different opinion, I do not feel myself at liberty to interfere with this finding."

In 1878, the case of *Dublin W. W. Ry. Co.* v. *Slattery*, L.R.