

begins. Grove, J., thinks the difficulty arises largely from the use of the word "natural." "Normal, or likely or probable occurrence in the ordinary course of things," he thinks would be the more correct expression. See *Smith v. Green*, 1 C.P.D., p. 98. Sir Frederick Pollock, in commenting upon the terms "natural" or "natural and probable," remarks: "There are consequences which no man could, with common sense and observation, help foreseeing. There are others which no human prudence could have foreseen. Between these extremes is a middle region of various probabilities divided by an ideal boundary, which will be differently fixed by different opinions; and as we approach this boundary the difficulties increase. There is a point where subsequent events are, according to common understanding, the consequence not of the first wrongful act at all, but of something else that has happened in the meanwhile, though, but for the first act, the event might or could not have been what it was. But that point cannot be defined by science or philosophy." By reference to cases for an illustration of the rule of "natural and probable consequence" it will be seen that on the whole the disposition of the Courts has been to extend, rather than to narrow, the range of the rule.

In 1902 in the case of *McDowall v. Great Western Ry. Co.* (1902) 1 K.B., p. 618, the defendants were held legally responsible for an occurrence which was immediately and directly due to the subsequent act of trespassers. It will be here noted, that in the *Squib case*, decided in 1773, the intervening acts were done in self-defence.

A decision reached by the Privy Council, in 1888, in a case brought on appeal from the Colony of Victoria—*Victorian Railway Commissioners v. Coultas*, L.R. 13 App. Cas. 222—has been subjected to much criticism, and is now not followed. The facts of the case were briefly these: The respondents brought a suit in the Supreme Court of Victoria to recover damages, sustained by the respondent, Mary Coultas, for mental and consequent physical injuries caused by a severe nervous shock and great fright at the imminent peril of being killed by a train, by reason of negligent acts of the defendants. Judgment was entered for plaintiffs below for the sum of £742 2s., the Court holding that damages were not too remote to be recovered; that impact was