

have continued up to the time when the injury was received, and to be, in a physical sense, constituent factors of the total sum of incidents which made up the injury, the defendant should in justice be required to make good the damage done. In other words the law should concern itself, not with the time at which an act is done, but with the question whether that act is still potentially operative for harm at the time when the injury itself was inflicted. For the purposes of legal responsibility, no act can be regarded as dead so long as the disturbance produced by it in *rerum naturæ* is palpable in such an appreciable degree that it can be regarded as a juridical, as opposed to a merely metaphysical, cause of the ultimate result upon which the right of action is predicated.

C. B. LABATT.

ENGLISH CASES.

EDITORIAL REVIEW OF CURRENT ENGLISH DECISIONS.

(Registered in accordance with the Copyright Act.)

MINE — LEASE — COMPENSATION CLAUSE — SUBSIDENCE — DAMAGE CAUSED BY
LESSEE'S PREDECESSOR — LESSEE, LIABILITY OF.

Greenwell v. The Low Beechburn Coal Co., (1897) 2 Q.B. 165, was an action against the lessees of a coal mine for damages caused by subsidence. The plaintiffs owned certain buildings situate over a coal mine which their predecessor had granted to one Sharp, the defendants were Sharp's lessees of the mine. The deed to Sharp provided that he might work the mines, making reasonable compensation for all damage occasioned to the surface of the land or to the buildings thereon. It was contended by the defendants that this gave Sharp and his assigns the right of mining so as to let down the surface subject to their making compensation, but Bruce, J., decided that according to *Davis v. Trcharne*, 6 App. Cas. 460, the deed gave the grantee no power to let down the surface, and it was only injuries occasioned by the express powers given by the