

into the subject. The only question which really demands an answer is whether the earlier and the later acts are traceable by their effects to the ultimate result which constitutes the injury. The test of reasonable anticipation may not improperly be applied as regards the totality of harm suffered by the plaintiff, for the purpose of determining whether such an entirely new form has been imparted by the later act to the abnormal conditions created by the earlier act, that it would be unjust to hold the author of the earlier act responsible for the final injury. But if no such metamorphosis has taken place, and if the injury is physically an actual result of a co-operation between the abnormal conditions created by both acts, either of the authors of those acts must, upon any rational principles, be regarded as responsible for a part of the injury (*a*), and it is idle to ask whether the later act was one which might have been anticipated. A fortiori must the author of the earliest of several efficient causes of an injury be held unanswerable, where the later causes are traceable to a rightful or non-culpable act, or to the operation of some physical force, and are therefore attributable to agencies which are legally irresponsible (*b*). Here the later causes are neglectable quantities, not only for the purposes of the suit against the author of the earlier act, but for the purposes of any suit, and it becomes wholly immaterial whether they were or were not such as might have been expected to supervene.

Want of space prevents us from pursuing the subject any further. The cases already cited will suffice as authorities for what we believe to be the true principle upon which the whole theory of causation should rest, viz., that, if the abnormal conditions created by the defendant's act are found to

(a) The reader is referred to the "highway cases" in various courts of the United States as interesting concrete illustrations of the doctrine stated in the text. A list of them will be found at p. 836 of the note in 36 American State Reports, already referred to. Compare also *Burrows v. York Gas Co.*, L.R. 5 Ex. 67; L.R. 7 Ex. 96; *Slater v. Mersereau*, 64 N.Y. 138; *Byrne v. Wilson*, 15 Ir. C. L. Rep. 332.

(b) As authorities for this doctrine it will suffice to refer to the "Squib Case," *Scott v. Shepherd*, 2 W. Bl. 892; *Bailiffs of Runney Marsh v. Trinity House*, L.R. 5 Exch. 208; *The George and Richard*, L.R. 3 Adm. 466; *Beauchamp v. Saginaw, etc., Co.*, 50 Mich. 163. It will be noticed that the Pennsylvania decisions cited above are indefensible when viewed from this standpoint also.