

I therefore find that defendant gas company are responsible for the dangerous position of the live wire in question on 10th August, 1904, and for the injuries which it occasioned to plaintiffs. The other defendants are in no wise responsible, and the action against them fails.

That plaintiffs came in contact with the "live" guy wire there can be no doubt. They certainly sustained some shock. But, although examined by 3 different physicians, . . . they called no medical man to testify to the extent of their injuries. Plaintiffs themselves depose to a number of symptoms not uncommon in women at their respective ages—14 and 44. A couple of other witnesses speak of the appearance of some superficial injuries immediately after the accident. But, after hearing the evidence of Dr. McKeough, Mr. Miller, and Dr. Tye, called by defendants, which I fully accept, it is impossible to reach any conclusion other than that their injuries were of a most temporary and trifling character. . . .

Judgment will be entered for plaintiffs for \$35 for Lucy Labombarde and \$15 for Mary Labombarde for damages, with costs against defendant gas company; for defendant city corporation dismissing this action with costs; and for defendant gas company dismissing without costs the indemnity claim of their co-defendants—to which no appearance was entered by the gas company.