tangled with that of the plaintiff, struck the plaintiff's horse

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tiff's horse was frightened by automobile and ran away); *Anderson* v. *Brownlee* (1822) 1 Sc. Sess. Cas. 1st Ser. 442 [474]; *Fraser* v. *Dunlop* (1822), 1 Sc. Sess. Cas. 1st Ser. 243 [258]; *Baird* v. *Hamilton* (1826) 4 Sc. Sess. Cas. 1st Ser. 797 (790). *McLaren* v. *Rae*, (1827) 4 Mur. (Sc.) 381.

For cases in which the rule of Respondeat Superior was assumed, and the right of recovery turned upon the question of negligence vel non, see *Crofts* v. *Waterhouse* (1825) 3 Bing. 319, 11 Moore, 133; *North* v. *Smith* (1861) 4 L.T. 407; *Aston* v. *Heaven* (1797) 2 Exp. 533; *Christie* v. *Griggs* (1809) 2 Camp. 79; *Jackson* v. *Tollett* (1817) 2 Stark. 37; *Christian* v. *Irwin* (1883) 125 Ill. 619; *Cooke Brewing Co.* v. *Ryan* (1906) 79 N.E. 132, 223, Ill. 382, affirming 125 Ill. App. 597; *Eaton* v. *Crips* (1895), 62 N.W. 687; *Mattingly* v. *Montgomery* (1907) 68 Atl. 205, 106, Md. 461; *Shaw* v. *Hollenbach* (1900): Ky.), 55 S.W. 686; *American Strawboard Co.* v. *Smith* (1901) 94 Md. 19, 50 Atl. 414; *Moebus* v. *Herrmann* (1888) 108 N.Y. 349; *Coulter* v. *American Merchants Union Exp. Co.* (1871), 5 Lans. 67; *Moriarty* v. *Zepp* (1891), 42 N.Y., S.R. 824; *Harpell* v. *Curtis* (1850) 1 E.D. Smith, 78; *McCahill* v. *Kipp*, (1854) 2 E. D. Smith, 413; *Canton* v. *Simpson*, 2 App. Div. 561, 38 N.Y. Supp. 13; *Berman* v. *Schultz*, 81 N.Y. Supp. 647, 40 Mese. 212, 84 N.Y. Supp. 292, (child started an automobile left in the street, and was injured); *Steinacker* v. *Hills Bros. Co.* (1904) 87 N.Y.S. 33, 91 App. Div. 521; *Titus* v. *Tangeman* (1906) 101 N.Y.S. 1000, 116 App. Div. 487 (automobile); *Wissler* v. *Walsh* (1895) 165 Pa. 352, 30 Atl. 981; *McCloskey* v. *Chautauqua Lake I. C.* (1896) 174 Pa. 34, 34 Atl. 287; *Prinz* v. *Lucas* (1905) 60 Atl. 309, 210 Pa. 620; *Hyman* v. *Tilton* (1904) 57 Atl. 1124, 208 Pa. 641, (boy who had climbed on to loaded dray was struck at by the driver's whip and fell off); *Lownds* v. *Robinson* (1876) 2 R. & C. Nov. Sc. 364.

For cases which turned upon the question whether the negligence of the driver was the proximate cause of the injury, see *Landy* v. *Swift* (1908) 159 Fed. 271, (foot-passenger while crossing a street fell on attempting to get out of the way of an approaching vehicle); *McDonald* v. *Snelling* (1867) 14 Allen, 290, 92 Am. Dec. 768, (defendant liable where his servant negligently drove a sleigh against another sleigh, thereby causing the horse to run away and injure the plaintiff, who was in a third sleigh); *Post* v. *Olmsted* (1896) 66 N.W. 928, 47 Neb. 893; *Taylor* v. *Long Island R.C.* (1897) 16 App. Div. 1, 44 N.Y. Supp. 820, (train struck wagon negligently driven across track, and threw some of the contents against a person near the track).

For a case in which the plaintiff was held to be precluded from recovering for the damage caused to his mowing machine, on the ground that, although the negligence of the defendant may have been in part the cause of the team's having run away, that event was also a result of the negligence of the plaintiff's servant in leaving the tea unhitched