

manderesse de se pencher pour regarder en arrière, était naturel et spontané qu'une personne exposée par la faute d'autrui à un danger, est attribuable à celui qui a créé cette situation."

"It appears from the evidence and the circumstances that the deceased first noticed the automobile it was from 7 to 10 feet from her, bearing down directly upon her. Instinctively she moved, for undoubtedly she felt that if she remained still, she would be run down and possibly killed.

"What right have the defendants to say she should have continued in the direction of the sidewalk, when the defendant-chauffeur put her in a position of such apparent danger that she could not exercise deliberation as to the direction in which she should move? What more natural than that she should have retraced her steps, particularly as she was summoned and called by her companion? Why did not the defendant-chauffeur continue in the direction in which he had deliberately guided his machine towards the deceased? Had he done so the probability is, as appears by the evidence of Cantin, that she would have got clear of the automobile, and it would have passed her without injuring her.

"Surely if the defendant-chauffeur, who was the cause of the trouble, may pretend to blame the deceased, because she did not continue towards the sidewalk, or stand still, may the plaintiff not, with more right and justification, answer him and say:—"Why did you not continue in the direction which you had chosen? If you had done so, you would not have injured my daughter." I am of opinion that there was no contributory negligence in law on the part of the deceased for which the plaintiff can be held responsible.