

accident did not happen by his negligence or improper conduct: *Fisher v. Murphy*, 3 O.W.N. 150, 20 O.W.R. 201.

While the automobile is not dangerous *per se*, its freedom of motion, speed, control, power and capacity for moving without noise, give it a unique status and impose upon the motorist the strict duty to use care commensurate with its qualities, and the conditions of its use, especially since the dangers incident to the use of the motor vehicle are commonly the result of the negligent or reckless conduct of those in charge, and do not inhere in the construction and use of the vehicle so as to prevent its use on the streets and highways: *Campbell v. Pugsley* (N.B.), 7 D.L.R. 177.

Except but for wanton and lawful injury, the driver of an unlicensed or unregistered car is not entitled to recover for injuries sustained in a collision with another vehicle negligently driven: *Contant v. Pigott* (Man.), 15 D.L.R. 358.

The non-observance by the driver of an automobile of a duty imposed upon him by statute is in itself evidence of negligence: *Stewart v. Steele*, 6 D.L.R. 1, 5 S.L.R. 358; *Campbell v. Pugsley* (N.B.), 7 D.L.R. 177.

Under certain circumstances the chauffeur is required to exercise a more than ordinary degree of care for the safety of pedestrians, and to anticipate the possibility of being confronted at any time in such a situation by pedestrians who for the moment lose control of their mental faculties, and are overcome by a sudden panic, although at other times of healthy and rational intellect: *Rose v. Clark*, 21 Man. L.R. 635.

It is the special duty of a person driving a motor vehicle to keep a good lookout while approaching a tramway crossing, and it is the duty of such person coming out from a cross-road into a main artery of traffic to wait and give way to that traffic, and not to throw himself headlong into the advancing traffic along the main travelled road. (*Per Irving, J.A.*): *Monruffet v. B.C. Electric R. Co.*, 9 D.L.R. 569, 18 B.C.R. 91.

Though there is no rule of law requiring the driver of an automobile to keep on the right side of the road, nevertheless he is negligent in being on the left side of the road without any excuse therefor, where he knows that he is very likely to collide with other drivers coming from the opposite direction: *Thomas v. Ward*, 11 D.L.R. 231, 7 A.L.R. 79.

Under the Motor Vehicles Act (N.B.), 1911, 1 Geo. V. c. 19, s. 4, sub-sec. 1, it is the motorist's duty "reasonably to turn to the left of the centre of the highway so as to pass without interference:" *Campbell v. Pugsley* (N.B.), 7 D.L.R. 177.

The statutory rule of the road in Alberta requiring drivers of vehicles when they meet to "turn to the right" does not imply that a driver of an automobile should always by on the right side of the road, but simply requires the driver to turn to the right in a reasonable and seasonable time to avoid collision: *Thomas v. Ward*, 11 D.L.R. 231, 7 A.L.R. 79.

In the absence of statutory provision and of proof of any regulation of the Lieutenant-Governor in Council under sub-sec. 3 of s. 20 of the Motor Vehicles Act (Alta.), or of any municipal by-law, the act of a defendant in driving to the left of the centre line of a street is not negligence *per se*, even though the rule of the road in this country is, as the Court is entitled to