

risk, and are placed in the position of the defendants in McIntyre v. Coote and the several cases I have quoted.

If I am wrong in my view of the inapplicability of the Motor Vehicles Act, then the defendants would be met with other difficulties in establishing that the plaintiff's damage was not due to their negligence. Whatever happened to the horse at the exact moment it became frightened was pronounced a few minutes afterwards by a veterinary surgeon as a broken leg. The reasonable conclusion is, that the motor car was the proximate cause. . . .

Judgment for the plaintiff for \$178 and costs.