

and 50 to 60 according to another witness. Even plaintiff's witnesses only make the *coups de hache aider à causer les dommages*. At the end of the case we see clearly the truth to be with these witnesses. The axe cuts aided to cause the damages. A gross amount of damages is proved. Who caused them? The defendants and the plaintiff. Defendants are charged as if liable for the whole, as if sole cause of the damage; whereas plaintiff has contributed, how much the one? how much the other, is not proved, and I have not the means to say. The rule to govern in such cases is well known. The plaintiff cannot recover. The action is dismissed; but as defendants are not free from blame, they will not get costs against plaintiff.

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