

still he would have been less liable to be injured than if shoved off while the car was in motion as in the present case.

10. There was, therefore, ample evidence to support all the findings of the jury, and the jury having found for the plaintiff upon the evidence, this Court, it is submitted, will not disturb such findings.

11. The evidence of reports which was excluded was properly excluded.

12. It is submitted there could be no more dangerous evidence than the evidence of such reports which might be cooked to suit the case of the party from whose custody they come.

10 An illustration occurred in this very case where, upon the examination for discovery, an officer of the Company produced what he swore to be a correct copy of the history of the car taken from the defendants' books. This document contained a statement that "the equipment (which, of course, would cover the whole equipment controller, cables, motors and all) of the car had been inspected on a certain day. Upon the trial (see Exhibit) it was shown that not the equipment of the car, but the motors only had been inspected on that day and no other part of the equipment, and that the word "equipment" had been substituted for
20 "motors." So that a direct effort to deceive was made in this very case.

13. For these, among other reasons, the plaintiff submits that this appeal should be dismissed.

H. D. GAMBLE,
Counsel for Respondent.