

negligent use of the highway and such an absence of reasonable and ordinary care, or any care, that, in my opinion, they must be held to have brought this trouble upon themselves. Instead of crossing at a regular crossing or at right angles to the sidewalk, and so only be in danger while they crossed over two sections of street of the width of a car and almost inevitably see a car going either north or south, they turn their backs upon the southern bound cars, and without ever looking after leaving the sidewalk, take a course diagonally from the park gate to Robinson street, shutting out the chance of even seeing the cars on the track where the injury occurred, and exposing themselves to contact with vehicles of all kinds for a distance of possibly 20 rods. If they had looked at all, they would have seen, if they had gone directly across the street, they probably would have seen without looking, and if they had crossed in this way, they would have been upon the western sidewalk long before the car came along.

Lizzie Armstrong says:—

“ Q. And you were crossing the road in what direction?

A. South, crossing angling.

Q. And you were going to Robinson street? A. Yes.

Q. And did not walk down Bathurst street opposite to Robinson street and go across? A. No.

Q. So after you left the sidewalk on Bathurst street, you would be going in a south-westerly direction? A. Yes.

Q. So your back would be pretty well towards? A. The north.

Q. The north? A. Yes.

Q. Now then you did not look to see if there was a car coming after you left the sidewalk? A. No.

Q. That is you just walked in a diagonal direction—that is in the direction right from the sidewalk to where the accident occurred without looking up to see if there was a car coming? That is right, is it not? A. We looked before we started to cross the street.

Q. You looked when you were on the sidewalk? A. Yes.

Q. But from the time that you left the sidewalk until the accident happened, you had not looked to see if there was a car coming? A. No.

Q. So that if you had looked after you left the sidewalk until the time of the accident, you would have seen a car coming? A. I guess we would have seen it.