

- “Q. You were driving fast?”
- “A. Yes, the horse was trotting.
- “Q. And did you pull the horse up?”
- “A. No. . . . I slacked a little when I was coming where I could see up and down the street. . . .
- “Q. And when you looked up Yonge street whereabouts were you?”
- “A. I was on the crossing. . . .
- “Q. And that is the first time you looked, when you were on the crossing.
- “A. Yes.
- “Q. And where did you see it?”
- “A. Right about opposite that hotel on Yonge street.
- “Q. How far do you say that would be?”
- “A. It is about 100 feet or over. . . .
- “Q. How long did you look up?”
- “A. I looked up, just turned my head, looked up that way, and seen the car coming.
- “Q. Then turned it back again?”
- “A. Yes.
- “Q. Driving across when did you look again for the car?”
- “A. I didn't look at all after for it.
- “Q. Never looked again for it?”
- “A. No. . . .
- “Q. If before your horse had got to the track you had looked for the car you could have seen it?”
- “A. Yes. . . .
- “Q. You could have pulled it up, couldn't you?”
- “A. I could have.
- “Q. You looked and saw the car 100 feet away from the crossing; then you made up your mind you would have time to cross Yonge street before that car would come down?”
- “A. Yes.
- “Q. And you paid no further attention to the car and drove on?”
- “A. Yes. . . .
- FERGUSON, J.: “Q. You saw the car and thought you would have time to cross before the car came down the street?”
- “A. Yes.
- “Q. Did you base that upon the distance you had to go and the distance the car had to go?”
- “A. Yes.