

"Q. Give me the distance? A. I could not swear to exactly the feet; because I cannot. I suppose probably to give an estimate I would be 8 or 10 feet into Margueretta street; but I might be mistaken.

Q. How far back of that was it that you had passed the east bound car? A. Well, I would be just passing the other car then. The car would just be east of the line I would judge.

Q. And where did you say the car struck the rig? A. Somewhere about 4 feet east of the west line of Margueretta street.

Q. How far did it take you to stop this car? A. About a car-length I consider. I do not know how long a car is, about 35 feet I suppose.

Q. Have you ever stopped it shorter? A. Well, I might if I was going slow.

Q. If you had been going slower you might have stopped quicker? A. Yes.

Q. Which way was the head of the horse facing when you saw Mr. Herron first? A. He was swinging around to the north.

Q. To go up Margueretta street? A. Yes.

Q. And the head was around facing that way when you first saw the head? A. Yes."

Robert Bernstein, was walking on Dundas street:—

"Q. How far were you from Margueretta street when your attention was called to anything? A. We were just about at Margueretta street when we heard a gong.

Q. What else did you see? A. As soon as we heard the gong we saw the horse coming over the rails so we turned back. As soon as we turned back to look where the car was the buggy was turned over."

George Faulkner, says:—

"Q. What was the first thing that called your attention? A. The loud sounding of the gong."

On cross-examination he says:—

"Q. When you heard the gong ring what did you do? A. I looked to see—I at once came to the conclusion that there was something wrong.

Q. And it was right then that the crash came? A. Right then; right after the gong sounded. I looked out of the window and saw the man in the buggy, and it appeared as if he was pitched up."