

"Q. Then the horse and yourself were past the line of the car that collided with you?

"A. Yes.

"Q. What became of you after the collision?

"A. I was thrown off the waggon on to the street. . .

"Q. How did you fall?

"A. I must have fell on my head when my head was cut. . . .

"Q. What injury did you sustain?

"A. My head was cut and my nose was broken. . . .
My side, my hip, and my shoulder. I cannot use this arm yet. . . .

"Q. From the time that you saw the car until it struck you, could the car have been stopped?

"A. It could.

"Q. How?

"A. If they had the brakes on, they could stop it surely.

"Q. Did you hear whether any warning was given?

"A. I heard none at all. . . .

"Q. Was the gong sounded—was there any kind of warning by anybody?

"A. No.

"Q. No warning of the car?

"A. None that I heard.

"Q. You say that the car could have been stopped before it reached you?

"A. Yes. . . .

"Q. Have you ever crossed in front of a car at the same distance as this was and not received any injury?

"A. Yes, I have crossed them closer. . . .

"Q. From your experience as a driver did you think there was any danger in crossing that street at that time, under the circumstances?

"A. No."

On cross-examination:—

"Q. How long have you lived in Toronto?

"A. About 15 or 16 years.

"Q. Have you been driving all that time?

"A. Yes, sir.

"Q. So that you were accustomed to the cars?

"A. Yes, sir.

"Q. And you knew that the cars were running down Yonge street?

"A. Yes, sir. . . .