

Q. You did not think it was as good as when you left it on the 18th of August? A. No. It did not give as good a performance.

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Q. What was the trouble you found that day, if any? A. One of them was, because it did not have as good power; where on the first examination I drove up, and did not have to change gears on James street until I got to the incline railway, I had to change at some point considerably this side of it, and there seemed to be an inability on the part of the engine to get as good a mixture, whatever was the reason, as on the former occasion, and the knock which was complained of, was audible to me.

Q. You then discovered that it did have a knock? A. Yes.

Q. On the 30th; it hadn't it in July? A. That I had not noticed in August.

Q. What kind of a day, a cold or a warm day? A. Rather a damp, cold day.

Q. What is the effect of a cold damp day on a machine that had been standing for some time? A. It does not make any real difference to the machine; it makes a little difference to the mixture, and to the adjustment of the carburetter.

Q. Tell what effect that would have upon the running of the car? A. It depends upon the carburetter a good deal, the device which mixes the air and gasoline for the purposes of getting the explosive mixture; some carburetters are adjusted for fine weather and dry conditions, but require a different adjustment under another condition. That is the only change I would say that the weather would have.

Q. Does that affect the power of the car? A. Yes, if it does not get a proper mixture.

Q. When you brought the car back to the garage, you then tested another car? A. Yes.

Q. Was that at your own request? A. Yes.

Q. That was an E. M. F. demonstrating car of 1912, I understand; when you tested that car, how did you find it? A. Better.

Q. What did you do then, Mr. Russell? A. It was getting pretty late; I had supper, thought the matter over, and told the solicitors for the defendant that I did not feel prepared either to pass the car as it stood, or to refuse to pass it; that I was going to go back to Toronto and ride in some