

carriage of a dead horse might be worth his skin, that is five shillings. I know Mr. Barrow's horse; I consider him, at the time of the accident, to be worth from forty to fifty pounds.

*Cross-Examined.*—I have seen the Plaintiff's horse, and to the best of my opinion he was about seven or eight years old.

JOHN JAMES SAURIN, of the City of Quebec, in the County of Quebec, in the District of Quebec, Carriage-Maker, aged above twenty-one years, being duly sworn upon the Holy Evangelists, doth depose and say: I do know the parties in this cause; I am not related, allied, or of kin to, nor in the service or domestic of either of them, or interested in the event of this suit. The Plaintiff's waggon, broken by the accident on the sixth of November last, I have seen it at the Plaintiff's house; the repairing of it might cost about twelve pounds ten shillings. It is badly broken. A waggon, including the wheels from outside to outside, averages from five feet three inches to five feet six inches in breadth.

*Cross-Examined.*—From the appearance of the waggon I think it must have been built by some person living in the Suburbs. I do not know how long it has been built; from the appearance of the wheels it may have been run a year or two, but we cannot be exact to time of a few months. The waggon was not a plain waggon as it forms a second seat occasionally. The wheels were injured, the axle broken, and in fact the most parts were broken. It could not be made as good as before the accident unless at very great expense.

*Re-Examined.*—I would not build a waggon like that under thirty pounds or thirty-two pounds. To make the waggon as good as before it should cost about eighteen or twenty pounds, that is to thorough repairs, painting newly, bracing axles, and covering dash end, &c.

JAMES SEWELL, of the City of Quebec, in the County of Quebec, in the District of Quebec, Medical Doctor, aged above twenty-one years, being duly sworn upon the Holy Evangelists, doth depose and say: I do know the parties in this cause; I am not related, allied, or of kin to, nor in the service or domestic of either of them, or interested in the event of this suit. I am the Plaintiff's Medical attendant, and have been so several years past. On or about the sixth of November last past I was called upon to attend him, I found him at Mr. William Bickell's, in John Street, on my arrival I found Dr. Frémont there who was in the act of concluding the dressing of a wound in the forehead of the head. The sister being seriously injured I attended her at that visit more particularly. After this I continued to attend Mr. Barrow for some three or four weeks at different times. The Plaintiff complained frequently of pains in the back of the neck and about the shoulders as the effect of the accident. He never showed me the parts. He complained of this during my first attendance and more or less since that time. The Plaintiff had his head bandaged up for a long time after the accident and was in a very nervous state since then. I cannot say how long he was detained in the house in consequence of this accident, but I attended upon him for three or four weeks at different times. I cannot say what effect the blows had upon his general health, but since the accident he has been very nervous. My charge will be between three or four pounds, exclusive of what I have to charge for Dr. Frémont's services at the first visit, which will be about five dollars. Mr. Barrow has not spoken to me for some time respecting the wounds he received at this house. The Plaintiff was confined to his house, in consequence of the accident, to the best of my belief, for about a fortnight. There was a considerable gash on the forehead, the edges of which were brought together by needles; there will be a scar in consequence.

*Cross-Examined.*—I do not recollect the Plaintiff having more than one wound on the forehead. I did not examine any other part of his person.

FRAÇOIS XAVIER CARRIER, of the City of Quebec, in the County of Quebec, in the District of Quebec, Clerk, aged above twenty-one years, being duly sworn upon the Holy Evangelists, doth depose and say: I do know the parties in this cause; I am not related, allied, or of kin to, nor a domestic of either of them, or interested in the event of this suit. I am in the employ of John W. Barrow, the Plaintiff in this cause, and Edward Barrow, Merchants and co-partners, of this City. Some time in November last, I am aware that the Plaintiff in this cause met with an accident while driving in St. John's Street, without. There was a gash in Plaintiff's head and he was otherwise disabled. In consequence of which he was kept away from his business for three or four weeks after the accident happened. The Plaintiff is still obliged to keep his head bandaged in consequence of that accident.

*Cross-Examined.*—I believe the Plaintiff was confined to his bed three or four days, but I believe he was three or four weeks before he could stir out.

PATRICK MCKNIGHT, of the City of Quebec, in the District of Quebec, Carriage maker, aged nineteen years, being duly sworn upon the Holy Evangelists, doth depose and say: I do know the parties in this cause; I am not related, allied, or of kin to, nor in the service or domestic of either of them, or interested in the event of this suit. I am in the employ of Mr. Saurin, being the foreman of his coach factory. I have seen the Plaintiff's waggon, and to the best of my belief it would cost about seven pounds ten shillings to put it in the same repair it was in; that is, to put new wood where it was broken, to repair the iron which was broken and straighten it where it was bent. It would cost seven dollars more to varnish it, but then it would be better than before it was broken. There was an apron over the back. I did not see the second seat.

*Cross-Examined.*—I saw the said waggon for the first time last evening. When I saw it I thought it was a single waggon. The back was covered with a leathern apron. It appeared to me to be a second-hand waggon. I am informed that it is the same waggon as that referred to by Mr. Saurin, and I have no doubt but that it is the same.

ROBERT RICHARDSON, of the City of Quebec, in the County of Quebec, in the District of Quebec, Master Shoemaker, aged above twenty-one years, being duly sworn upon the Holy Evangelists, doth depose and say: I do know the parties in this cause; I am not related, allied, or of kin to, nor in the service or domestic of either of them, or interested in the event of this suit. St. John's street, without, is one of the principal thoroughfares of the city, and is continually thronged with vehicles. It is the principal outlet from the city to St. John's and St. Lewis Suburbs; more go through St. John's Gate to the St. Lewis Suburbs than through St. Lewis Gate. I consider that any incumbrance in such a street exceedingly dangerous, and there was, during