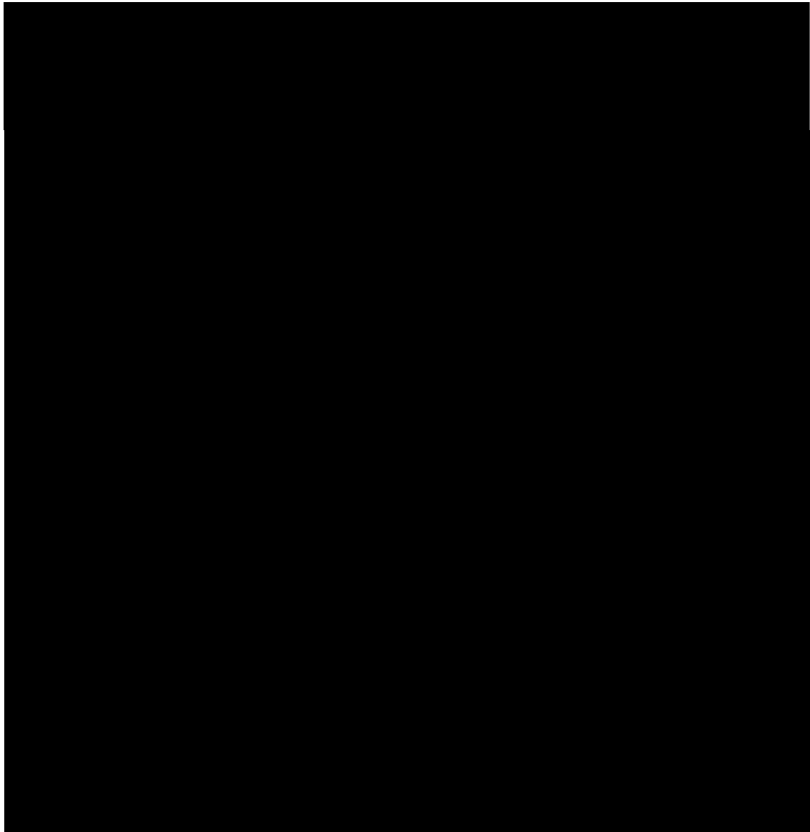


Merrimack, }  
Dec. 2, 1930. }

ALFRED GREGOIRE, *by his next friend,*

*v.*

ALBERT ALLARD.



*John M. Stark and David F. Dudley (Mr. Dudley orally), for the plaintiff.*

*Doyle & Doyle (Mr. Paul J. Doyle orally), for the defendant.*

BRANCH, J. In accordance with the principles which were examined at length in *McCurdy v. Flibotte*, 83 N. H. 143, and which were recognized and applied in *Herschensohn v. Weisman*, 80 N. H. 557 and *Lemire v. Pilawski*, 77 N. H. 116, defendant's exceptions must be overruled. The defendant's answer to the question of the witness, in either of the forms which were findable upon the evidence, clearly imported an admission of excessive speed. It is difficult to see how this admission could, under the circumstances, have been separated from the reference to insurance, but however this may be, it is plain that the trial court was not asked to make the attempt and defendant's general exceptions are therefore unavailing. *McCurdy v. Flibotte, supra.*

*Judgment on the verdict.*

All concurred.