

The Crown, by its plea, denies any liability and says that the accident occurred through her "own negligence in trying to jump from a car before the train came to a full stop at the station platform."

At about 7.40, on the morning of the 1st of August, 1904, the suppliant, a couple of months after having obtained her diploma as a trained nurse, started on the Intercolonial Railway from Montreal for Ste. Flavie, for the purpose of taking a holiday and seeing her father, who resides at St. Gabriel.

Sometime about 9 o'clock in the evening, about an hour late under the time-table then in force, Ste. Flavie station was duly called three times by one of the brakemen. The suppliant says she waited until the train was well stopped to get up from her seat, and at the same time the other travellers were also getting up. She is very sure the train was stopped when she got up (pp. 6, 23).

On the arrival of the train at Ste. Flavie, she was sitting on the first seat or bench near the western door of the down train, on the side next the station, and after waiting as aforesaid, till the train was well stopped, she said she started to get out of the train, directing her steps towards the rear platform between the first-class car and the pullman car. She was carrying in her hand a small satchel and lunch box and was holding on to the railing with the right hand. She was coming out by the rear steps of the first-class car, and as she was placing her foot on the second degree of the steps she says the train gave a jerk, which made her fall. She contends (p. 8) the jerk was a violent one, because she says she endeavoured to hold on (*garantier*) to prevent herself from falling, but the jerk or shock carried her away notwithstanding. She slipped between the train and the platform of the station, and the front truck of the pullman car passed over her two legs, which were amputated a couple of hours afterwards, the amputation having been decided necessary to save her life.

She remained thirty-eight days at Ste. Flavie, when she returned to Les Soeurs de la Misericorde, at Montreal, at whose hospital she had studied to become a trained nurse, and there she has since lived and been kept by charity, making herself useful by helping with the little binding the hospital does. She has ever since been kept by the nuns, fed and dressed, and true to their noble undertaking, the nuns,