

Also the deposition of DELLA WADE taken at the same time and place and for the purpose mentioned in the caption.

The witness after being first duly sworn testified as follows:

DIRECT EXAMINATION

BY JUDGE W. G. DEARING:

Q. 1. What is your name?

A. Della Wade.

Q.2. Where are you living at the present time?

A. Fleming.

Q.3. What is your home?

A. My native home is Virginia, Martinsville, Henry County.

Q.4. Have you any settled home in this state?

A. No sir, I just work from one place to another.

Q.5. Do you know the plaintiff Albert Copley?

A. I have seen him.

Q.6. Were you up at the place where he got hurt last fall?

A. Yes sir.

Q.7. How far were you from him?

A. I don't know the distance?

Q.8. About how far was it?

A. I guess about the length of this room from him.

Q.9. Was any body between you and where he was?

A. No sir.

Q.10. Could you plainly see him?

A. Yes sir, I could see him.

Q.11. Commence and state what you saw?

A. I was standing on the porch, the platform of the hotel and noticed him passing by making his way to the train, and I was watching the train all the time, and he went on to the train, and stepped upon the train, and while he was up there on the train