

PERRY CIRCUIT COURT.

LEXINGTON & EASTERN
RAILWAY COMPANY,

PLAINTIFF.

VS. PETITION IN EQUITY.

W. M. OLIVER, T. W.
COUCH, JUSTICE OF THE PEACE
AND LEE COLLINS, CORONER OF
PERRY COUNTY,

DEFENDANTS.

Plaintiff, Lexington & Eastern Railway Company, states that it is a corporation created, organized and existing under the laws of the State of Kentucky, and is engaged in the business of common carrier by railroad in said state, and under its charter has power to contract and be contracted with, to sue and be sued, and to do all other things necessary and appropriate to the purposes of its incorporation.

Plaintiff states that it is now and for some time past has been the owner and in active operation of a railroad passing into and through Perry County, and was engaged in the operation of such railroad at all times mentioned herein.

Plaintiff states that the defendant, T. W. Couch, Justice of the Peace, on the 5th day of September, 1914, issued a certain execution from his office upon a pretended judgment appearing to have been rendered on or about the 28th day of September, 1912, by J. C. Colwell, at that time Justice of the Peace of Perry County, in a certain action in his Court styled W. M. Oliver vs. Lexington & Eastern Railway Company. Said judgment having been rendered apparently for the sum of \$14.93, and for cost amounting to \$2.30, and that said execution was so issued at the instance of defendant, W. M. Oliver, plaintiff in aforesaid action, and was thereafter placed in