

LETCHER CIRCUIT COURT.

Albert Copley,

Plaintiff.

-Vs-

AMENDED PETITION.

Louisville & Nashville Railroad Co., &

Lexington & Eastern Railway Co.

Defendants.

The plaintiff, Albert Copley, states that the defendant Louisville & Nashville Railroad Company is a corporation organized, created and existing under and by virtue of the laws of the State of Kentucky, as such, it has power to sue and be sued, to contract and be contracted with, to plead and be interpleaded with in its corporate name.

That the Lexington & Eastern Railway Company is a corporation organized, created and existing under and by virtue of the laws of the State of Kentucky, as such, it has the power to sue and be sued, to contract and be contracted with, to plead and be inter-pleaded with in its corporate name.

Plaintiff states that he has not knowledge sufficient to form a belief as to which of the above named corporations is the owner of said road, and he therefore makes both parties defendants.

The plaintiff further says and charges that on the 30th, day of August, 1914, the defendant, Louisville & Nashville Railroad Company, or the Lexington & Eastern Railway Company, its agents and employees was operating and running passenger trains upon and over the said line of road which extends from Lexington, Kentucky, to McRoberts, Ky., for the purpose and were engaged in carrying passengers over said road as a common carrier.

That at Neon in Letcher County, Kentucky, on defendants' road there is a "Y" upon which the trains go to turn, and that while the trains are upon this "Y", it is customary for passengers