

*Lexington and Eastern Railway Company,*

*Samuel M. Wilson*

*S. M. Wilson*

*General Counsel.*

*Legal Department*

*Lexington, Ky.*

*Winchester, Ky.*

June 17, 1913.

Mr. J. J. Donohue,  
Chief Law Agent, L & N R R Co.,  
Louisville, Ky.

Dear Sir:-

Answering your favor of the 14th instant, referring to case of Troy Stamper, by etc. v. L. & E. Ry. Co., I have, after due consideration of the matter, concluded to act upon the suggestion of Messrs. Warren and Landrum, approved by you, and am to-day forwarding an Answer in this case to Judge Fields, with direction to file same and immediately give notice to take the deposition of Troy Stamper, the real plaintiff in the action. I am sending him practically all of the file heretofore furnished me by you, with the request to attend to the matter promptly.

I note in Mr. Landrum's memorandum, the statement that he was under the impression that the Stamper boy refused to sign the statement given by him concerning this accident. From the original statement, however, in the file sent me, the signature of Troy Stamper appears to have been made by mark. This is not specially important, but I call attention to it. I note, however, in the case of Marvin Combs v. L. & E. Ry. Co. that Marvin Combs did expressly refuse to sign the statement he gave, stating that he based his refusal upon the advice of his attorney, Judge Feulkner. It may be that Mr. Landrum inadvertently confused the Marvin Combs case with the Troy Stamper case.

Very truly yours,

SMW/A

Counsel.