

LETCHER CIRCUIT COURT.

ALBERT COPLEY,

PLAINTIFF,

VS. MOTION TO EXCLUDE CERTAIN EVIDENCE.

LEXINGTON & EASTERN RAILWAY COMPANY AND  
LOUISVILLE & NASHVILLE RAILROAD COMPANY,

DEFENDANTS.

The defendants move the Court to withdraw from the consideration of the jury and exclude the following evidence, viz:

I.

*omitted*  
All evidence having to do with the alleged practice or custom of persons to board and alight from defendants' trains while turning on the "Y" at the place known as Chip,

or Neon, some 1100 feet distant from Neon Station, *whether such trains at the time were standing still or in motion.*

II.

*over*  
All evidence having to do with the alleged permission by defendants for persons to board and alight from their trains at Neon or elsewhere while in motion or any practice or custom of the public so to do.

III.

All evidence showing or tending to show that no objection or interference by defendants' trainmen had ever been given or made to prevent persons from boarding or alighting from defendants' trains while on the "Y" at Neon and whether stationary or in motion upon said "Y".

IV.

*over*  
All evidence as to what is shown as to the longevity or <sup>e</sup>xpectancy of human life by certain tables contained in the Kentucky Statutes and introduced by the plaintiff upon the trial.