

W. M. McDILL,

Plaintiff,

VS.

LOUISVILLE & NASHVILLE

RAILROAD COMPANY, A CORPORATION.

NO. 984

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

ANSWER TO INTERROGATORIES PROPOUNDED BY THE DEFENDANT.

Comes the Plaintiff and for answer to the Interrogatories heretofore propounded by the Defendant says as follows:

1. To Interrogatory Number 1, he says: "My name is W. M. McDill and I live in Bay Minette, Baldwin County, Alabama".

2. To Interrogatory Number 2, he says: "In December, 1944, one of the Defendant's trains killed a cow belonging to me. After some correspondence with the Defendant's claim agent, the agent sent me a form letter offering to pay me Ninety (\$90.00) Dollars for the cow, and telling me that, if I desired to accept the \$90.00 to so signify on the bottom of the letter and mail it back to him. I did this but never did receive my \$90.00."

3. To Interrogatory Number 3, he says: "As stated above, the livestock was killed in December, 1944. I do not recal the exact date. The killing occurred on the Foley Branch of the RR, about 2½ miles South of Bay Minette, Alabama. It was in Baldwin County, Alabama."

4. To Interrogatory Number 4, he says: "I have no letters or correspondence".

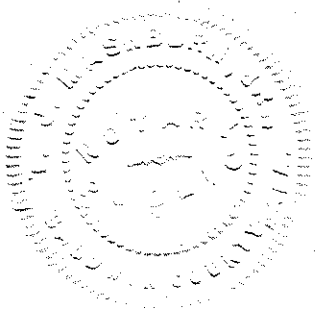
5. To Interrogatory Number 5, he says: "I have no documentary evidence".

W. M. McDill

Sworn to and subscribed before me on this the 6th day of November, 1946.

J. A. Maslow, Jr.

Notary Public, Baldwin County, Alabama.



C O P Y.

NO. 984

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

W. M. McDILL,

Plaintiff,

Vs.

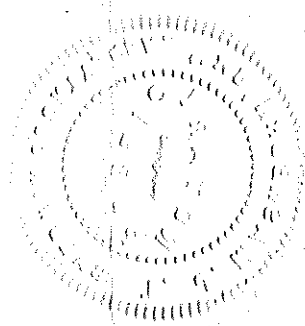
LOUISVILLE & NASHVILLE

RAILROAD COMPANY, A CORPORATION,

Defendant.

ANSWER TO INTERROGATORIES.

FILED
NOV 8 1946
R. S. DUCK, CLERK



W. M. McDILL

PLAINTIFF

VS

LOUISVILLE & NASHVILLE
RAILROAD COMPANY, A CORPORATION

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

AT LAW

NO. 984

INTERROGATORY PROPOUNDED BY THE DEFENDANT TO THE PLAINTIFF IN ACCORDANCE
WITH ARTICLE 8 TITLE 7 OF THE ALABAMA CODE OF 1940.

1.

Please state your name, and address.

2.

Please state the facts upon which you base your claims against the
defendant in suit filed in the Circuit Court of Baldwin County, Alabama,
being case no. 984.

3.

If the basis of your claim against the defendant is the killing of
livestock by the defendant please state the date and location said livestock
was killed.

4.

Please state whether or not you have any letters or other correspondence
passing between you and any of the agents or representatives of the defendant;
if so please attach a copy of all letters mailed to, or received by you from,
the defendant or any of its agents and representatives.

5.

Please attach to your answers any and all correspondence or other documentary
evidence on which you are relying in this case.


Attorney for the Plaintiff

STATE OF ALABAMA)

BALDWIN COUNTY)

~~Before me the undersigned authority, in and for said State,~~

State, personally appeared H. M. Hall, who is known to me, and who having been by me first duly sworn, deposes and says: that he is attorney of record in the above styled cause; that the answer to the foregoing interrogatories will be material evidence in the trial of the case.

Sworn to and subscribed before me on this the 16 day of September, 1946.

R. S. Duck
Notary Public, Baldwin County, Alabama
Reg

984

W. M. McDill

Plaintiff

vs

L. & N. Railroad Company

Interrogatories

Filed

9-16-46

*R. S. Luck
clerk*

W. M. McDILL

PLAINTIFF

VS

LOUISVILLE & NASHVILLE
RAILROAD COMPANY

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

NO. 984

Now comes the Defendant and for answer to the Plaintiff's complaint,
and to each count thereof separately and severally says:

1.

The facts therein alleged are untrue.

2.

That it is not guilty of the facts therein alleged.

3.

That said claim is barred by the statute of limitations of one year.

4.

That the basis of the complaint is a claim for a cow supposed to have
been killed by the Defendant in December, 1944; that this suit was not
filed until August 16, 1946; that said claim is barred by the statute of
limitations of one year.

Shirley
Attorneys for the Defendant

Attorneys for the Defendant
W. M. McDill

limitation of one year.

Went said claim is barred by the statute of limitations of one year. Wied until August 10, 1940; went said claim is barred by the statute of one year killed by the defendant in December, 1940; went said was not

that the basis of the complaint is a claim for a car supposed to have

4

Went said claim is barred by the statute of limitations of one year.

2

Went said claim is barred by the statute of limitations of one year.

3

PLAINTIFF

DEFENDANT

VS

W. M. McDILL

LOUISVILLE & NASHVILLE
RAILROAD COMPANY

ANSWER

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Went said claim is barred by the statute of limitations of one year.

DECEMBER

LOUISVILLE & NASHVILLE
RAILROAD COMPANY

12

DECEMBER

W. M. McDILL

NO. 224

VS. 124

LOUISVILLE & NASHVILLE

IN THE CIRCUIT COURT OF

W. M. McDILL,
Plaintiff,

VS.

LOUISVILLE & NASHVILLE RAILROAD CO.,
A Corporation,
Defendant.

NO. 984

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

MOTION TO ENTER A NON-SUIT.

Comes the Plaintiff, by his attorney, and Moves
that this Honorable Court enter a Non-suit in the above
styled cause.

J. H. A. Mathews, Jr.
Attorney for Plaintiff.

NO. 984

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

W. M. McDILL,
Plaintiff,

VS.

LOUISVILLE & NASHVILLE
RAILROAD COMPANY, A Corporation,
Defendant.

MOTION TO ENTER A NON-SUIT.

Filed

2-11-47

Alice J. Duck,
clerk

W. M. McDILL

PLAINTIFF

VS

LOUISVILLE & NASHVILLE
RAILROAD COMPANY, A CORPORATION

IN THE CIRCUIT COURT OF

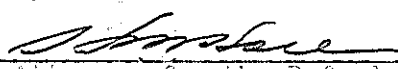
BALDWIN COUNTY, ALABAMA,

AT LAW

NO. 984

Now comes the Defendant and demurs to the Plaintiff's complaint
and to each count thereof separately and severally and says:

1. That said count does not state a cause of action.


Attorney for the Defendant

984 ✓
W. M. MCDILL

PLAINTIFF

VS

L. & N. RAILROAD COMPANY,
A CORPORATION

DEFENDANT

DEMURRERS

Filed

9-16-46

R.S. Wick-
clerk.

W. M. McDILL

PLAINTIFF

VS

LOUISVILLE & NASHVILLE
RAILROAD COMPANY

DEFENDANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

AT LAW.

NO. 984

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and to each count thereof separately and severally says:

1.

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2.

That it is not guilty of the facts therein alleged.

3.

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4.

That the basis of the complaint is a claim for a cow supposed to have
been killed by the Defendant in December, 1944; that this suit was not
filed until August 16, 1946; that said claim is barred by the statute of
limitations of one year.

J. L. S. S. S.
Attorneys for the Defendant

1946

W. M. McDILL

PLAINTIFF

VS

LOUISVILLE & NASHVILLE
RAILROAD COMPANY

DEFENDANT

ANSWER

STATE OF ALABAMA,
COUNTY OF BALDWIN.

TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETING:

You are hereby commanded to summon the Louisville & Nashville Railroad Company, a Corporation, to appear within thirty days from the service of this writ in the Circuit Court, to be held for said County at the place of holding the same, then and there to answer the Complaint of W. M. McDILL.

Witness my hand, this 16 day of August, 1946.

R. L. Luck
CLERK.

W. M. McDILL,
Plaintiff,

Vs.

LOUISVILLE & NASHVILLE RAILROAD CO.,
A Corporation,
Defendant.

NO. _____
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

COUNT ONE.

Plaintiff claims of the defendant Ninety Dollars (\$90.00), due from it by account on, to-wit: March 15, 1945, which sum of money, with the interest thereon, is still unpaid.

COUNTY TWO.

Plaintiff claims of the Defendant Ninety Dollars (\$90.00), due from it on account stated between the Plaintiff and the Defendant on, to-wit: March 15, 1945, which sum of money, with the interest thereon, is still due and unpaid.

J. Fair A. Mashburn, Jr.
Attorney for Plaintiff.

NO. 984

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

W. M. McDILL,
Plaintiff,

Vs.

LOUISVILLE & NASHVILLE RAIL-
ROAD COMPANY,
Defendant.

SUMMONS AND COMPLAINT.

Filed
6-16-46
R. S. Duck
clerk

TELFAIR J. MASHBURN
ATTORNEY AT LAW
Bay Minette, Alabama

recuted Aug 17 19 46
serving copy of within Summons and
complaint on

Lonnie Fort

C. E. Garrett Sheriff

H. J. Hall Deputy Sheriff

984