

2624

You are hereby commanded to summon M. F. Yoxtheimer to appear and plead, answer or demur within thirty days to the complaint filed in Circuit Court by the Bishop Company as Plaintiff against M. F. Yoxtheimer as Defendant.

Witness my hand, this the 31st day of May 1955.

Kevin J. Clark
Clerk

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Top

M. F. Yoxtheimer
Defendant

In the Circuit Court of
Baldwin County, Alabama
At Law. No. _____

The Plaintiff claims of the Defendant (\$206.75) Two hundred six and 75/100 dollars as damages for that on to wit June 2, 1954, the Defendant engaged the Plaintiff in Baldwin County, Alabama to transport a truck and trailer load of Irish potatoes from Loxley, in Baldwin County, Alabama to Kansas City, Missouri. Defendant charged Plaintiff \$4.50 Insurance premium to insure said load of potatoes and the Plaintiff against loss or damage of any kind, which said amount of premium Plaintiff paid to Defendant. En Route, said load of potatoes turned over, through no fault of the Plaintiff and cost the Plaintiff the said amount of \$206.75 as cost of salvage of said load of potatoes, for which amount of loss the Plaintiff has not been reimbursed by the Defendant, all to the damage of the Plaintiff as aforesaid, as a proximate result of the Defendant not paying the Plaintiff the amount of his loss, after Plaintiff paying for said insurance to cover any loss or damage he might sustain in the transportation of said load of potatoes, which said amount is due and unpaid.

Attorney for the Plaintiff

Plaintiff demands a trial by jury.

Attorney for the Plaintiff

No. 2624

The Bishop Company
Plaintiff

Vs

M. F. Yoxtheimer
Defendant

Summons and Complaint

FILED
MAY 31 1955
MARGARET L. DUCK, Clerk

The Bishop Company
Plaintiff
Vs
M. F. Yortheimer
Defendant

In the Circuit Court of
Baldwin County, Alabama
At Law, No. ~~2627~~

Now comes the Plaintiff and propounds the following interrogatories to the Defendant:

1. What is your name and address?
2. What is your occupation?
3. On to wit June 2, 1954, did you engage The Bishop Company to transport a load of Irish potatoes to Kansas City, Missouri for you?
from Roxley in Baldwin County, Alabama?
4. Did you charge and did the Bishop Company pay \$4.50 to you as insurance premium, to insure said load of potatoes and the Plaintiff against loss arising out of said transportation?
5. Were you notified by the Plaintiff that said load of potatoes had turned over and that Plaintiff had suffered a loss of \$206.75 in salvaging said potatoes?
6. Did Plaintiff demand reimbursement from you for said cost of salvage?
7. Did you reimburse Plaintiff for said loss?
8. Did you have said load of potatoes insured?
9. What did you do with the \$4.50 paid you by The Bishop Company as insurance premium, to insure said load of potatoes?
10. Were you paid for the loss you sustained as a result of said wreck?
11. Were you paid the \$206.75 loss which the Plaintiff sustained?
12. What losses were covered by the insurance Plaintiff paid the premium for?
13. Please attach a copy of the insurance policy or certificate referred to, to your answers.

State of Alabama
Baldwin County

Before me, W. J. Wilkins, a Notary Public, in and for said County, in said State, personally appeared Reuben F. McKinley, Attorney for the Plaintiff in said cause, who being duly sworn, deposes and says that true and correct answers to the above interrogatories will be material evidence for the Plaintiff in said cause.

Sworn to and subscribed before me on this the 1 day of June 1955.

W. J. Wilkins
Notary Public, Baldwin County,
Alabama

NO. 2624 ✓

Received 1 day of June 1955
on _____ day of _____ 19____
received a copy of the within _____

service on _____

TAYLOR WILKINS, Sheriff

By _____ D. S.

Returned 6 day of June 1955
Not found in my county after diligent search and in-
quiry.

Taylor Wilkins, Sheriff
Edley Steadman
Deputy Sheriff

The Bishop Company
Plaintiff
Vs
M. F. Yoxtheimer
Defendant

Interrogatories

FILED
JUN 1 1955
ALICE J. DUCK, Clerk

The Bishop Company
Plaintiff
Vs
M. F. Yortheimer
Defendant

In the Circuit Court of
Baldwin County, Alabama
At Law, No. ~~14124~~ 27

Now comes the Plaintiff and propounds the following interrogatories to the Defendant:

1. What is your name and address?
2. What is your occupation?
3. On to wit June 2, 1954, did you engage The Bishop Company to transport a load of Irish potatoes to Kansas City, Missouri for you?
from Loxley in Baldwin County, Alabama?
4. Did you charge and did the Bishop Company pay \$4.50 to you as insurance premium, to insure said load of potatoes and the Plaintiff against loss arising out of said transportation?
5. Were you notified by the Plaintiff that said load of potatoes had turned over and that Plaintiff had suffered a loss of \$206.75 in salvaging said potatoes?
6. Did Plaintiff demand reimbursement from you for said cost of salvage?
7. Did you reimburse Plaintiff for said loss?
8. Did you have said load of potatoes insured?
9. What did you do with the \$4.50 paid you by The Bishop Company as insurance premium, to insure said load of potatoes?
10. Were you paid for the loss you sustained as a result of said wreck?
11. Were you paid the \$206.75 loss which the Plaintiff sustained?
12. What losses were covered by the insurance Plaintiff paid the premium for?
13. Please attach a copy of the insurance policy or certificate referred to, to your answers.

State of Alabama
Baldwin County

Before me, Ray J. Witter, Jr., a Notary Public, in and for said County, in said State, personally appeared Reuben F. McKinley, Attorney for the Plaintiff in said cause, who being duly sworn, deposes and says that true and correct answers to the above interrogatories will be material evidence for the Plaintiff in said cause.

Sworn to and subscribed before me on this the 1 day of June 1955.

Ray J. Witter, Jr.
Notary Public, Baldwin County,
Alabama

Mo. 2624

The Bishop Company

Plaintiff

Vs

M. F. Yoxtheimer

Defendant

Interrogatories

FILED

JUN 1 1955

ALICE J. DUCK, Clerk

Copy No. 12624 Not found

RECORDED

The Bishop Company
Plaintiff

Vs

M. F. Yoxtheimer
Defendant

Received 31 day of May 1955
d on _____ day of _____ 19____
served a copy of the within _____
_____ service on _____

TAYLOR WILKINS, Sheriff
By _____ D. S.

Returned 6 day of June 1955
Not found in my county after diligent search and in-
quiry.

Taylor Wilkins, Sheriff
By Alfred Steadman
Deputy Sheriff

Summons and Complaint

FILED

MAY 31 1955

ALICE J. DUCK, Clerk