

JOHN F.FUGAZZI AND CHARLES  
S.FUGAZZI, as partners doing  
business under the firm name  
of M.FUGAZZI & COMPANY,

Plaintiffs,

- vs -

ED GREEN,

Defendant.

IN THE CIRCUIT COURT  
OF BALDWIN COUNTY, ALABAMA.

ANSWER OF PLAINTIFF, CHARLES S.FUGAZZI, TO INTERROGATORIES  
PROPOUNDED BY DEFENDANTS IN THE ABOVE ENTITLED CAUSE, UNDER SECTION  
4049 OF THE CODE OF ALABAMA OF 1907:

ANSWERING THE FIRST INTERROGATORY THE PLAINTIFF SAYS:

I was engaged in the fruit and produce business at Cincinnati, and resided at Cincinnati, during January, 1917. I do not know the defendants personally. I did not see the defendants at all during the month of January, 1917. I am one of the plaintiffs in this cause.

ANSWERING THE SECOND INTERROGATORY THE PLAINTIFF SAYS:

That the title of M.Fugazzi & Company to the one thousand bushels of Irish potatoes, which it is alleged in the complaint were converted by defendant, was derived from L.F.Richardson, L.D.McLain and R.E.McKinney. Plaintiffs' right and title to said one thousand bushels of potatoes was derived by and through certain mortgages executed by the parties above named to the Baldwin County Bank, and also by certain crop lien notes executed by the said Richardson, McLain and McKinney to L.F.Rhodes, agent, and transferred to plaintiff. Plaintiff has not, in his possession at this time, copies of the mortgages to the Baldwin County Bank, but they are of record in the office of the Judge of Probate of Baldwin County, Alabama. The debt secured by the mortgages to the Baldwin County Bank were taken up by a junior mortgagee, to-wit, the Peoples Fertilizer Company, but this was not done until after the potatoes were converted. The crop lien notes of Richardson, McLain and McKinney were afterward paid by Richardson, McLain and McKinney to plaintiffs, but not until after the potatoes were converted. Furthermore, the

crop lien notes and mortgage and agreement therein contained, gave the plaintiffs the right to the possession of the potatoes grown on the lands of the said Richardson, McLain and McKinney, even after the notes were paid.

Charles S. Fugazzi

STATE OF OHIO

COUNTY OF

Hamilton

Personally appeared before me,

Milton Hurst

a Notary Public in and for said County in said State, Charles S. Fugazzi, who being by me first duly sworn, on oath deposes and says that he is one of the plaintiffs in the above entitled cause, and that the foregoing answers to the interrogatories propounded by defendants are true of his own knowledge, except as to those matters therein stated to be on information and belief, and as to those he is informed and believes them to be true.

Charles S. Fugazzi

Subscribed and sworn to before me

this the 12<sup>th</sup> day of October, A.D., 1917.

Milton Hurst  
Notary Public, Hamilton County, Ohio.