

FLOYD QUARTERLY COURT.

Robert Slone,-----Plaintiff.

vs.-----Petition.

Chesapeake & Ohio Railway Company,-----Defendant.

The plaintiff, Robert Slone, says that he is a merchant located and doing a general merchandise business at Dwale Post Office in Floyd County, Kentucky, and was so engaged on and since the 29th. day of October, 1904, and that on the 1st. day of November, 1904, he bought from Hutsinpillar & Sheridan, of Ironton, Ohio, a bill of hardware amounting in the aggregate to the sum of \$60.70 and that on the 29th. day of October, 1904, he bought from the same firm a bill of flue tile amounting to the sum of \$1.38.

That the defendant, Chesapeake & Ohio Railway Company is a common carrier operating a railroad between Ironton, Ohio and Paintsville, Kentucky, and that it is a corporation, organized and existing under and by virtue of the laws of the State of Kentucky with power and authority to sue and be sued, to contract and be contracted with in its corporate name, Chesapeake & Ohio Railway Company; that as such Common Carrier, it on the 1st. day of November, 1904, received the said Bill of Hardware from Hutsinpillar & Sheridan at Ironton, Ohio, to be carried by it to Plaintiff and consignee at Paintsville, Ky. and that it issued its Bill of Lading therefor showing receipt of said goods; that on the 20th. day of October, 1904, it received from Hutsinpillar & Sheridan at Ironton, Ohio, the said Bill of Tilings to be carried to this Plaintiff at Paintsville, Kentucky and issued its original Bill of Lading showing receipt of the said Goods. The said Bills of Lading above referred to are herewith filed and made part of this Petition marked 1 & 2.

That the said Defendant, Chesapeake & Ohio Railway Company, have unlawfully, carelessly and negligently failed to deliver the said Bills of Goods to this plaintiff; that the said defendant has unlawfully carelessly, and negligently lost, mislaid or miss delivered the said