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25
[Signature]

231 5198

IN THE BALTIMORE CITY

235
13

COURT

366

JOSEPH ROCHESTER

BOX 1314

VS.

FRED J. MINEBURG

2606 Overland
near
Blair Roads

DECLARATION

Mr. Clerk:-

Please file.

J. Steward Davis

ATTORNEYS FOR PLAINTIFF.

J. STEWARD DAVIS

ATTORNEY AT LAW

215 SAINT PAUL PLACE

BALTIMORE, MD.

FILED MAY 4 - 1926

BAUMGARTEN & CO., INC.

JOSEPH ROCHESTER

:

IN THE

VS.

:

FRED J. MINEBURG

:

BALTIMORE CITY COURT

Joseph Rochester by his attorneys, Davis and Evans, sues Fred J. Mineburg, defendant.

For that heretofore, to wit: on or about the 18th day of April, 1926 while the plaintiff was driving an automobile along and upon a certain street or highway of Baltimore City, known as Gay street at or near to its intersection with another certain street or highway known as Wolfe street, his automobile was run into and struck by an automobile owned and operated by the defendant, who was then and there operating said automobile carelessly and negligently along and upon Wolfe street in a southerly direction. And as a result of the collision as aforesaid the plaintiff's automobile was damaged and divers parts bent and broken and the plaintiff was forced to and did spend large sums of money in attempting to repair his damages occasioned as aforesaid.

2. And the plaintiff says that all of his injuries and damages occasioned as aforesaid were caused by the carelessness negligence and want of due care on the part of the defendant and that he in no wise contributed thereto.

WHEREFORE suit is brought and the plaintiff claims \$500.00 damages.

Davis & Evans
ATTORNEYS FOR PLAINTIFF.

JOSEPH ROCHESTER

:

IN THE

VS.

FRED S. MINEBURG

:

BALTIMORE CITY COURT

The plaintiff elects to have this case tried before a Jury and prays leave of Court to do so.

Davis Evans
ATTORNEYS FOR PLAINTIFF

TO THE DEFENDANT, TAKE NOTICE:

That on the day of your appearance to this action in the Baltimore City Court, a rule will be entered requiring you to plead to the above declaration within thirty days.

Davis Evans
ATTORNEYS FOR PLAINTIFF.

P. 281 198
19

No. 231 May R. D. 1926

Baltimore City Court.

non est
(Buehler)

Joseph Rochester

vs.

Fred F. Mueberg

2606 Overland Ave

WRIT OF SUMMONS

Copy of Nar and Notice to plead
within to be served on defendant.

Davis & Evans

Attorney for Plaintiff

Filed _____ day of _____ 1926

20

MAY 13 1926 RENEWAL TO JUN 10 R. D. 1926

Summons and a copy of nar and notice to plead
left with the defendant

(Buehler)
6/11/26

Wesley S

John E. Pates
Shively

WRIT OF SUMMONS

STATE OF MARYLAND

BALTIMORE CITY, to wit.

To the Sheriff of Baltimore City, Greeting:

You are commanded to summon

Fred F. Mueberg

of Baltimore City, to appear before the Baltimore City Court, to be held at the Court House in the same city, on the second Monday of *May* *inst* ~~next~~, *to answer an action at the suit of*

Joseph Rochester

and have you then and there this writ.

Witness *the Honorable JAMES P. GORTER, Chief Judge of the Supreme Bench of Baltimore*
City, the *11* *day of* *June* *1926*
Issued the *4* *day of* *May* *in the year 1926*

Geo. Carey Lindsay Clerk.

June 598
IN THE BALTIMORE CITY COURT

JOSEPH ROCHESTER

VS

FREDERICK F. MINEBURG

92 PLEA FOR DEFENDANT

MR. CLERK:

PLEASE FILE.

Edwin H. Brownley
ATTORNEY FOR DEFENDANT.

✓ FILED JUN 30 1926

EDWIN H. BROWNLEY
ATTORNEY-AT-LAW
1243 CALVERT BUILDING
BALTIMORE, MD.

JOSEPH ROCHESTER

:

IN THE

VS

:

:

FREDERICK F. MINEBURG

:

BALTIMORE CITY COURT.

: : : : : : : :

The Defendant, Frederick F. Mineburg, by his
Attorney Edwin H. Brownley, to the Declaration in this cause
filed, for a plea says:

That he did not commit the wrongs alleged.



ATTORNEY FOR DEFENDANT.

1st-3 Weeks January Term, 1927

598
59 366
(Beginning Monday, January 10, 1927.)

BALTIMORE CITY COURT

Joseph Rochester

Fred J. Minelberg

Jury Sworn 20th Jan'y 1927.

Wm J. Childs

Foreman.

2 NELSON JOHNSON, Hardware and Paints, 208 Spalding Av.

WM. T. CHILDS, Bldr., 3824 Garrison Ave.

IRVIN N. HIRSHBERG, Salesman, Carter & Iseman, Georgian Court Apts.

ANDREW C. McGEENEY, Salesman, W. J. Chapman Coal Co., 2916 Erdman Ave.

WM. F. HILL, Buyer, Henry Wessel Co., 1213 William St.

JAMES R. O'CONNELL, Buyer, John E. Hurst & Co., 1214 N. Patterson Park Ave.

FRANK L. STEELE, Clothing Merchant, 2204 Park Ave.

B. FRANKLIN SWINDELL, Salesman, Theo. Mottu & Co., 1724 Poplar Grove St.

GEO. W. HOFFMAN, Garage, 3037 Barclay St.

WM. G. SOLDAN, Contractor, 102 S. Mount St.

JOS. H. REST, Paint Mfg., 2030 Eutaw Place.

HARRY R. HAGERTY, Bldr., John E. Marshall & Son, 16 Carroll Rd., Windsor Hills.

WALTER H. FEASTER, Secy.-Treas., A. Lewis & Son, Produce Commission, 4702 Springdale Ave.

3 GOUVERNEUR HYATT, Bldr., 702 Gorsuch Ave.

4 OTTO W. WENZING, Propr., Orange Drink Store, 1933 W. Fayette St.

GEO. W. HARRISON, Pres.-Treas., Mullan-Harrison Co., Marble Works, 321 Woodlawn Road.

JOS. W. SCHWARZKOPF, Mfgr. of Hand Luggage, 4312 Belvieu Ave.

EDGAR B. HARROD, SR., Salesman, The H. L. Piel Co., 107 Beechwood Ave., Hamilton.

CHAS. L. STRICKLER, Millinery, 1331 W. Baltimore St.

CHAS. E. HARTSHORNE, Fire Protection Engr., Underwriters' Laboratories, Chicago, 3300 Clifton Ave.

JACOB M. LAUCHHEIMER, Retired, Annadale Apts.

5 C. WILMER WATKINS, Feed Dealer, C. B. Watkins & Co., 4304 Maine Ave.

CHARLES SCHAFFER, Plumbing and Heating Contractor, 900 Beaumont Ave.

6 WM. F. HOLZAPFEL, Electric Plater, 2792 The Alameda.

PHILIP E. BUCKEY, Salesman, Von Schlegell-Fox Motors, Inc., 1023 N. Caroline St.

W. ROSWELL JONES, V.-Pres., Lucy Candy Co., Inc., Jones' Sta., Park Heights Ave.

JOHN McFARLAND WENTZ, Bookkeeper, Egerton Bros., 1812 W. Baltimore St.

ROBT. LEE HEARN, Commission Merchant, 3611 Springdale Ave.

HOWARD L. FRANCK, Propr., Md. Roofing Co., 2511 Harlem Ave.

J. WALTER GRESSITT, Commission Merchant, 5107 Whiteford Ave.

7 WM. B. MAGRUDER, Sup't., Graham's Storage Warehouse Co., 4303 Liberty Heights Ave.

8 ALBERT D. STERN, Insurance, 209 White Ave., Raspe.

AUGUST L. MARTIN, Salesman, John E. Hurst & Co., 1208 Belmont Ave.

CARYL L. PEPPLER, Office Mngr., M. S. Levy & Sons, Inc., 3417 Guilford Terrace.

LEON S. BASS, Salesman, Pollacks Furniture Store, 837 Whitelock St.

GEORGE E. HALSEY, V.-Pres., The Price Construction Co., 1900 Bolton St.

JAS. E. S. LANSDALE, Mngr., C. D. Kenny Co., 543 N. Chester St.

GERMANUS M. FORTHMILLER, Salesman, Lawrence Ellerbrook, Inc., 1742 Montpelier St.

RICHARD E. JENKINS, Salesman and Estimator, Stewart & Co., 3901 Edmondson Ave.

AUGUST W. PRESGRAVES, Antique Dealer, 2419 E. Oliver St.

WM. J. BOLLINGER, Confectioner, 2114 Edmondson Ave.

CHAS. EYTH, Salesman, Wachusett Shirt Co., 24 S. Ellwood Ave.

WM. MORRIS, Salesman, Wm. J. B. Shanks, 2310 E. Oliver St.

~~JOS. A. BUTT, Fruit Packer, 17 Altona Ave.~~

GEO. W. STEPHENS, JR., Civil Engr., The Roland Park Co., 406 Wilmslow Road.

9 MARK D. HARRIGAN, Harrigan Roller Co., 2909 St. Paul

10 ROBERT E. LEE HODGES, Auto Appraiser, Von Schlegell Fox Motors, Inc., 2720 Auchentoroly Terrace.

366.
Plaintiff
vs
Verdict for
Defendant

59A 1st-3 Weeks January Term, 1927

59 (Beginning Monday, January 10, 1927.)

366

BALTIMORE CITY COURT

Joseph Rochester

Fred. J. Minberg

Jury Sworn 20th Jan'y 1927.

Wm. T. Childs Foreman.

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5 C. WILMER WATKINS, Feed Dealer, C. B. Watkins & Co., 4304 Maine Ave.

WM. E. KLINEFELTER, JR., Salesman, Stein Bros. & Boyce, Bankers, 4403 Springdale Ave.

JOS. K. HUBBARD, Hardware, 100 E. University Parkway.

CHAS. W. MILLER, Salesman, 2102 Dobler Ave.

- 6 Wm. J. Halzappel
- 7 W. B. Magruder
- 8 Albert J. Stern
- 9 Mark J. Harrigan
- 10 R. E. Lee Hodges

366

Defendants
Henry Smith

366

John Rochester

4

Fredrick F. Mueberg



PART 3

Baltimore City Court.

ROOM 226

Jan 1927

The Sheriff will please summon the following witnesses:

Returnable on Wed the 19th day of Jan

1927, at 10 o'clock A. M.

Joseph Rochester; 1413 Jefferson Street

To testify for Joseph Rochester vs. Felick F. Meinburg

Geo. Carey Sindsay
Clerk of the Baltimore City Court.

✓

Baltimore City Court.

ROOM 226

The Sheriff will please summon the following witnesses:

Returnable on Wednesday the 19th day of January 1927, at 10 o'clock A. M.

366

TELEPHONES
PLAZA 7766-7787

LAW OFFICES OF
EDWIN H. BROWNLEY
909-919 CALVERT BUILDING
BALTIMORE, MARYLAND

JOSEPH ROCHESTER : **IN THE**
VS : **BALTIMORE CITY COURT.**
FRED F. MINEBURG :
: : : : : : : :

Mr. Clerk:-

Please issue summons for the following witnesses to testify for the Defendant, in the above entitled case, and make summons returnable at 10 o'clock A.M., Wednesday January 19th, 1927, Court House Room 226, before His Honor, Judge Stein:-

- 20 S Frederick F. Mineburg
2606 Overland Ave.,
- 6 T. H. Green, wp
1333 N. Wolfe St.
- 20 wp Joseph A. Butt,
17 Altoona Ave., Hamilton.
6 Business address wp 2201 N. Broadway.

Edwin H. Brownley
ATTORNEY FOR DEFENDANT.

366

Joseph Rochester

"

Frederick F. Minchey



Refused
~~to~~
stay

PLAINTIFF'S 2 PRAYER

The Plaintiff prays the Court to instruct the Jury that all vehicles shall have the right of way over other vehicles approaching at intersecting roads from the left, and shall give right of way to those approaching from the right.

1/29/24 Referred
Charles F. Brown

Granted
Prayers

PLAINTIFF'S / PRAYER

The plaintiff prays the Court to instruct the jury that by ordinary care is understood that degree of caution, attention, activity and skill which are habitually employed by or may reasonably be expected from persons in the situation of the respective parties, under all the circumstances surrounding them at the time.

1/24/27
Graham
Robert H. Brown

PLAINTIFF'S 3rd. PRAYER

The plaintiff prays the Court to instruct the jury that in order to defeat a recovery on the ground of contributory negligence on the plaintiff's part, the defendant must satisfy the jury by prepondering evidence of two facts; first, that the plaintiff was negligent, and second that such negligence directly contributed to the jury.

1/21/27 *Yours truly*
Charles W. Chen

DEFENDANT'S / PRAYER

The Defendant prays the Court to instruct the Jury that if they shall find from the evidence that the accident of which the plaintiff complains could have been avoided by the exercise of ordinary care and caution on his part, then the plaintiff is not entitled to recover.

4/24/27 Hunter
C. Hunter & Son

DEFENDANT'S ✓ PRAYER

The defendant prays the Court to instruct the Jury, that if they find that the ^{Plaintiff} ~~Plaintiff's deceased~~ was guilty of negligence which directly contributed to the happening of the accident, then the verdict of the jury must be for the defendant.

1/24/27
H. H. H. H.
Charles H. H.