

Mercer Quarterly Court

Hugh Caruthers

Plaintiff

-v-, Petition of Harrodsburg Implement Co to be made defendant  
and its answer counter-claim and cross-petition

B. M. Britton

Defendant

The Plaintiff comes and petitions the Court to make it a party defendant and to take this petition as its answer counterclaim against the plaintiff and cross-petition against the defendant and for cause says;

That prior to the 4th day of Octo 1921 the defendant B. M. Britton was indebted to it in a large sum, more than \$600; that to secure the same he executed and acknowledged a mortgage to it covering ~~xxxxxxx~~ his interest in a crop of tobacco near Salvisa, Ky; <sup>a copy of which is attached</sup> that on Oct 4, 1921 there was issued to Royalty and Britton, being Phil Royalty and the defendant a policy of fire insurance covering said tobacco to the amount of \$625.00; that Royalty was the landlord in said crop and Britton the tenant; that there was at the time duly attached to said policy a loss clause and order ~~making~~ making the interest of Britton thereunder payable to this petitioner; that said crop was destroyed by fire and that the proceeds of said insurance is the amount that is garnished herein and is the sum in dispute herein; that it is entitled to receive and collect under said mortgage and loss clause the amount of the interest of B. M. Britton therein.

Wherefore it prays that it be made a party that it be adjudged the fund to the extent of Britton's interest therein and generally for costs and all proper relief.

*Chapman*  
For Harrodsburg Implement Co