

MERCER QUARTERLY COURT

H. D. Burns,

O. A. Kays,

Plaintiff,

* VS *

PETITION

H. D. Burnes,

Defendant.

The plaintiff, O. A. Kayes, says that on day of 1926, he recovered a judgment in the Mercer Quarterly Court, of Mercer County, against the defendant, H. D. Burnes, for \$ 180.05 ~~from July 28 1923~~ ^{amounting to \$12.80} at 6% per annum, and his costs in said action; that on the 7th day of January 1926, he caused to be issued from the clerk's office of said Court, an execution on said judgment for the amount thereof, and said costs; that the execution was directed to the Sheriff or any Constable of Mercer County, and made returnable on the 13th day of February 1926, and same was placed in the hands of R. A. Ro Bards, then and now a Constable of said county to be properly and legally executed. Plaintiff says that the 7th day of January 1926, the said R. A. Ro Bards, constable, ^{to} returned the same ~~from~~ the office from which it issued, indorsed, "No property found in Mercer County out of which to make the within Fifa or any part thereof." A. copy od said judgment, execution, and officer's return thereon will be filed if required, to be made a part hereof.

Plaintiff says that said judgment is now in full force and effect, that the same has not been paid, nor any part thereof, that the same has not been vacated or superseded.

WHEREFORE, plaintiff prays for a general order of attachment against the defendant's property: that the defendant be required to answer and recover any property, money, choses in action, legal or equitable interest, or other property owned by ~~him~~ or which he has an interest in, and that so much of any property discovered by defendant,