

B. M. Shewmaker

Mercer Quarterly Court

Berry Shewmaker,

Plaintiff

vs Affidavit and Statement

Charles Hayes,

Defendant

The Plaintiff Berry Shewmaker, states that the defendant Charles ~~Hay~~ Hayes, while in his employe carelessly and wrecklessly drove into the spring wagon of *J. B. Bunn*, and broke a wheel of said spring wagon and as the resule of said negligence and carelessness on the part of the saif Defendant, this plaintiff was compelled to pay to the owner of said spring wagon for having same repaired the sum of \$3.00. He states that ~~thex~~ the accident was the result of the negligence of the defendant and that this plaintiff ~~had~~ to pay said sum in damages because of said negligence on the part of said defendant. He states that said act was committed on Novr 17th, 1913.

He states that this is an action for the recovery of money and that the nature of the plaintiff's claim is as stated above.; that it is just, due and owing and that the plaintiff ought to recover of the defendant the sum of \$3.00 and the costs of this action.

He states that this is an action for the recover of money due upon a contract and that the defendant has no property in this State or not enough thereof to satisfy the plaintiff's demand and that the collection of said demand will be endangered by delay in obtaining a judgment and a return of no property found.

Wherefore he prays for a judgment against said defendant in the sum of \$3.00 and costs and for a general order of attachment against his property. He prays for all proper relief.

B. M. Shewmaker

Subscribed and xsworn to before me by B. M. Shewmaker, this Novr 29th, 1913.

R. H. Kenna, Ex m c K