

Mercer County Court-

In the matter of S.T. Elliott for Contempt.

The deft. S.T. Elliott, in response to the rule issued against him for contempt herein states that on the 8th of July, 1915 the proceedings was heard before the Judge of the Mercer County Court and a judgment was entered against this deft. awarding possession of a certain spot of ground to one Dock Dean. He states that after said proceedings, he notified E.H. Gaither, the Atty. for said Dean as to what time he should remove said post and that the said Gaither informed him that he would notify him in regard to same, but that he failed to ever notify this deft. He states that thereafter he appeared before the Judge of the Mercer County Court and requested that precessioners be appointed for the purpose of ascertaining the true line between this deft. and Dock Dean, and that said precessioners were duly appointed by said Judge and that thereafter on the day of 1915 they located said line and said report of said finding was filed in this Court on the day of 1915.

He states that the said report shows that the plat in dispute was the property of this deft. and that he was merely acting upon said finding of the Commissioners of the possession and attaching said fence to the post on the plat in question.

Wherefore having responded, he asks that the rule of the Court be dismissed.

S T Elliott