

Jan-14-1914

MERCER QUARTERLY COURT.

Sam Sims,

Plff.

Vs.

STATEMENT.

S. W. Royalty,

Deft.

The plaintiff, Sam Sims, states that he is the owner of a certain tract of land in Mercer County Kentucky adjoining the land owned by the defendant. He states that about three years ago this plaintiff and defendant in order to locate a boundary line between their said farms according to the metes and bounds of their land surveyed the line ^{which was} ~~thus located~~ to be considered as a true line between their farms.

They state that acting under said agreement they run said line and fixed the corner stones on said boundary and agreed that said line and corner stones thus fixes was their lines. They state that after said agreement the line thus run was considered by said parties as their true lines and bounds. They state that about ~~7 Jan 14~~ ^{7 Jan 14} months ago acting under said agreement the plaintiff and defendant run a new fence between their farm and placed said fence upon the line agreed by them. They state that after said oral agreement and a short time prior to the fence being erected upon the true line the defendant S. W. Royalty cut and removed four trees off the land ^{and at said time knew said land belonged to the Plaintiff and said trees} of the plaintiff and took the said trees which was the property of this plaintiff. He states that the said trees and damage to the land by reason of the removal were worth \$10.00 and that the plaintiff has been damaged in this sum by the defendant.

He states that the trees were upon the land of this plaintiff, but were inside of the inclosure of old fence and on the defendant's side but on the land of the plaintiff according to the line agreed upon and were considered the property of the plaintiff since said time. Plaintiff states that the defendant cut said