

Mercer Quarterly Court-

Plff-

J.F.Clark-

Def-

Vs-

Petition-

E.W.Draffen-

Def-

Comes now the plaintiff, J.F.Clark, and states that on the first day of October, 1925, he executed and delivered to his daughter, Mrs. Ruby Tapley, a check for the sum of ~~\$94.00~~ ^{or \$94.00} to be cashed and the money obtained thereby with \$6.00 cash additional making the sum of \$100.00 to be put up as a cash bond for the appearance of his son inlaw, Dewey Tapley, to answer an appeal from the Mercer County Court in a case against him in said court. He says that the defendant told him not to put up the cash bond but that he'd go on his bond and hold \$75.00 of the money to secure him and indemnify him against any loss by reaosn of said bond. He says that said case was dismissed on appeal and the bond discharged and that he is now entitled to have his \$75.00 re-turned less \$25.00 which has been returned to him by the defendant.

He says that said \$75.00 was delivered to the defendant and that he is still holding the sum of \$50.00 out of said bond ^{or check given for said bond} without any legal right or right of any kind to do so and is indebted to him in said sum of \$75.00 less \$25.00 paid on same and interest on same from the 1st day of October 1925 until paid, for money had and received and not re-turned.

Wherefore plaintiff prays for a judgment against the defendant in the sum of \$75.00 less \$25.00 paid thereon and interest from October 1, 1925, until paid and all the costs of this action and for all the relief to which he is entitled.

Subscribed and sworn to before me by J.F.Clark, Nov- 5, 1925.

J.F.Clark

R.L.Black
Examiner Mer- Co- Ky-