

defendant he refused to pay the amount demanded; that the Association then filed suit; that he notified the defendant of the suit; that the defendant then undertook to make defense to the suit in the name of this plaintiff and for that purpose employed counsel; that the defendant testified in that case as a witness.

He states that the case referred to was styled Burley Association against T. E. Ransdell in the Mercer Circuit Court; that the defendant undertook in that case in the name of plaintiff to defeat a recovery; that at the trial of that case a judgment was rendered against this plaintiff for \$150.00 damages, \$25.00 attorneys fees and \$21.60 costs; that this plaintiff demanded of the defendant that he pay these sums but that the defendant refused to do so, and this plaintiff then paid the same.

Wherefore he prays judgment against the defendant for \$171.60 with interest from July 1, 1924 and costs and all proper relief.

  
Chankin  
Attorney for the Plaintiff