

State of Indiana, Adams County, ss:

The State of Indiana, to the Sheriff of said County—Greeting;

You are hereby commanded to summon *Jacob Habegger, David
Leuginbill, Albert Moser, David Moser, Jonathan C
Springer.*

to appear before the Judge of the Adams Circuit Court, on *Thursday* the *10th* day
of *October* 190*7*, being the *34* day of the present term
of said Court, now in session at the Court House in Decatur, to testify in an action wherein

Joseph N. Murphy

Plaintiff, and

John Fox et al.

Defendant,

on behalf of the *defendants*, and return this writ.

WITNESS, the Clerk of said Court, this *8th* day
of *October* 190*7*

David Fisher Clerk.
Paul Baumgartner Deputy.

State of Indiana §§ In the Adams Circuit Court,

County of Adams §§ SS.

April term, 1907.

Joseph W. Murphy.

vs

John Fox.
Amiel Sprunger.

No. 73791

& second
DEMUR TO FIRST PARAGRAPH OF COMPLAINT.

The defendantS separately and severally demur to the first paragraph of the plaintiff's complaint, and for cause of demur say:- that said first paragraph of complaint does not state facts sufficient to constitute a cause of action.

Demur to second paragraph of complaint:-

The defendantS separately and severally demur to the second paragraph of the plaintiff's complaint, and for cause of demur say:- that said second paragraph of complaint does not state facts sufficient to constitute a cause of action.

J. C. Sullivan

F. M. Cattell + Peterson + Moran
Attorneys for defendant.

Murphy, }
vs }
Dox et al. }

Gratitude of the jury.
If you find for the plaintiffs
the form of your verdict
will be: "We the jury find for
the plaintiffs and assess the
damages at
the blank to be filled by
the amount agreed upon
or any sum not to exceed
the demand in the complaint

If you find for the defendant
the form of your verdict
will be: "We the jury find
for the defendant" ~~and~~

Whichever jury verdict
you may agree upon
must be signed by your
foreman, whom you will
select from your number
when you retire for deliberation.

I send with you forms of
verdicts, corresponding to the
ones herein indicated, either
of which you may use if it
meets your approval or
prepare one for yourselves

I send you to your
jury room the complaint
and answer as the case
not as evidence, but
to be consulted, by you and
guide you in your
deliberation

When you have agreed upon
a verdict and have the same
signed by your foreman
you may report the same
into open Court.

State of Indiana §§
County of Adams §§

In the Adams Circuit Court,
September Term, 1907.

Joseph W. Murphy.

vs.

John Fox.
Amiel Springer.

"
"
"
"
"
"

No. 7377.

The defendants for their separate answer to the first and second paragraph of the plaintiffs complaint, answer and say, that ^{they} each separately and severally deny each and every allegation therein contained.

John Fox of Amiel Springer

DEFENDANTS

J. L. Sutton

J. M. Latrell

Peterson & Moran

ATTYS FOR DEFENDANTS.

Joseph W. Murphy. #

#

vs

#

Complaint for Damages.

#

John Fox. #

Demand \$1375.00

#

Amiel Sprunger. #

#

The plaintiff complains of the defendants and of each one of them and says that on or about the 28th day of March, 1906 and prior thereto, he was and now is the owner of the following described real estate situated in Adams county, in the state of Indiana, to wit: The south east quarter of the south east quarter of section fourteen (14) in township twenty six (26) north range fourteen (14) east, except therefrom one hundred and five rods deeded to the Christian Church.

That on said land was a dwelling house, a scored and hued burr-oak and white oak barn building thirty six feet long and twenty four feet wide with frame additions, one of said additions being thirty six feet long and twenty feet wide, another being thirty six feet long and twenty feet wide, a corn crib five feet wide, twelve feet high and thirty two feet long, with covered driveway between the said main building and crib, all of which was worth at said time, the sum of Eight Hundred Dollars.

That the plaintiff had procured and employed the said defendants in the said month of March, 1906, to saw out certain lumber and to saw logs into lumber for a building, plaintiff desired and intended to build, erect and construct on said land, the said defendants being at that time engaged in the business of sawing lumber for persons who desired and intended to construct and erect buildings on their lands, and in such business, they owned and used for the purpose of running and operating their saws and mill, a portable traction engine, which