

E. W. Moore being duly sworn deposes & says that he resides
in San Diego County of San Diego State of California, that on or about
the 17th day of July A.D. 1858 one A. J. Chase commenced suit in
the Dist. Court of the 12th Judicial Dist in and for the City &
County of S. D. against him the said E. W. Moore, ^{defendant} that a
writ of attachment was issued in said suit directed to the
Sheriff of said San Diego County commanding him the said
Sheriff to attach the real Estate & personal property of the
said ~~Moore~~ ^{defendant} in San Diego County, Upon said writ of
attachment the said Sheriff proceeded and attached the
Real Estate of said defendant and also a stock of merchandise
in the store of said defendant ~~together with other personal property~~

A judgement was subsequently obtained by the said Chase
in said Court on or about the 16th day of Aug 58 for the sum
of \$8065.46 damages & \$13. costs and execution issued upon said
judgement. The property which had been attached upon the writ
was levied upon advertised and sold, said defendant further
says that he was in San Diego at the time when said Real Estate
and personal property was attached levied upon & sold, and
that the whole expense incident to the taking possession
and preserving the property attached should not have
exceeded, and defendant believes did not exceed the
sum of ten dollars, and the only trouble in taking possession
and preserving the same was in locking the store door
and putting the key in his pocket with the exception
of the removal 2 or 300 yards of a small portion of the
goods at an expense not necessarily exceeding five dollars
defendant and that if any other expense were incurred by the
Sheriff in taking possession of & preserving said property he
thinks defendant would have known it

App. of Morse

in case
of

Chase
vs
Lyons