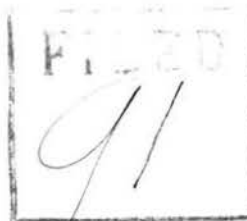


**PETITION: Form in action for deficiency in public school fund loan.**

4-20  
April 18, 1934.



Hon. J. W. Thurman  
Prosecuting Attorney  
Reynolds County  
Centerville, Missouri

My Dear Mr. Thurman:

Your request of April 10, 1934, reading as follows has been referred to the writer:

"I have several suits on School Fund Mortgages to bring in the May term of the Circuit Court for deficiency judgments against the bondsmen where the land has been sold and did not bring the amount that was against it; Will you please send me forthwith, a form to be governed by in drawing the petitions?"

In accordance with the foregoing request I herewith enclose to you proposed form for petition. I have assumed that what you desire to do is to proceed against the makers of the note for a deficiency judgment. If your action is one upon a bond, a separate undertaking guaranteeing performance by the principal debtors, this petition of course will not be of any assistance to you. If your action is upon an independent bond I suggest that you forward a copy of one of the bonds to this office with a request for a proposed draft for a petition on a bond. If it is township school funds which were loaned, it will be necessary for you to make certain changes in the form of the petition particularly as to the plaintiff, both in the style and in the body of the petition. Also, in paragraph two the proper school fund should be identified.

We trust that this petition may be of assistance to you.

Respectfully submitted,

APPROVED:

HARRY G. WALTNER, JR.  
Assistant Attorney General

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ROY MCKITTRICK,  
Attorney General.

HGW:MM  
Enc.