

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon EUGENE MILSTID, to appear within thirty days from the service of this writ in the Circuit Court to be held for said county at the place of holding the same, then and there to answer the complaint of EDWARD W. PEACOCK.

WITNESS my hand this the 6 day of November, 1961.

Alice J. Duck
Clerk

EX-11-25-61 -----

EDWARD W. PEACOCK,	X	IN THE CIRCUIT COURT OF
Plaintiff,	X	BALDWIN COUNTY, ALABAMA
Vs.	X	AT LAW
EUGENE MILSTID,	X	CASE NO. <u>4934</u>
Defendant.	X	

1.

The Plaintiff claims of the Defendant the sum of FOUR HUNDRED AND 00/100 DOLLARS (\$400.00) balance due on a Promi-sory Note made by him on the 27th day of May, 1961, and paya-ble at the rate of FIFTY AND 00/100 DOLLARS (\$50.00) per month, beginning July 1, 1961. The Plaintiff avers that the Defendant has defaulted in one of his payments causing the whole note to be due and payable. Plaintiff further avers that a part of this note provides for payment of an Attorney's Fee if litigation is necessary to recover on this note. Plain-tiff avers that it has become necessary, and that a reasonable Attorney's Fee for collection of this note is SIXTY AND 00/100 DOLLARS (\$60.00).

2.

Plaintiff claims of the Defendant the sum of THREE HUNDRED SIXTEEN and 00/100 DOLLARS (\$316.00) due from him for goods, wares and merchandise sold by the Plaintiff to the Defendant on, to-wit, the 1st day of May, 1961.

230

WILTERS & BRANTLEY
BY: Robert M. Brantley

FILED
NOV 6 1961
ALICE J. DUCK, CLERK
REGISTER

4934

Edward W. Peacock

vs.

Eugene Mikstich

Received 16 day of Nov 1961
and on 25 day of Nov 1961
served a copy of the within QAC
on Eugene Mikstich
By service on _____

TAYLOR WILKINS, Sheriff

By W. A. Tolbert D. S.
Peacock

Sheriff claims 26 miles at
Ten Cents per mile Total \$ 2.60
BY Taylor Wilkins Sheriff
DEPUTY SHERIFF

FILED

NOV 6 1961

ALICE J. DUCK, CLERK
REGISTER

EDWARD W. PEACOCK,	X	
Plaintiff	X	IN THE CIRCUIT COURT OF
vs	X	BALDWIN COUNTY, ALABAMA
EUGENE MILSTID	X	AT LAW NO. 4934
Defendant	X	

Comes the defendant in the above styled cause and for answer to the complaint filed in said cause and to each count thereof separately and severally, says:

-1-

As to Count one of said complaint, he denies the allegations of said complaint.

-2-

The defendant for answer to count one of said complaint, saith that he has paid the debt, for the recovery of which this suit was brought before the action was commenced.

-3-

He denies the allegations of count two of said complaint.

-4-

The defendant for answer to count two of said complaint, saith that he has paid the debt, for the recovery of which this suit was brought before the action was commenced.

The defendant, as a defense to the action of the plaintiff, saith that, at the time said action was commenced, the plaintiff was indebted to him in the sum of Two Hundred (\$200.00) Dollars, by unliquidated demand, to-wit, for work and labor done in preparing, planting and plowing crop and crop land for said plaintiff and sale and delivery to said plaintiff of a 5Ton Hydraulic Jack, which he hereby offers to set off against the demand of the plaintiff, and he claims judgment for the excess.

THOMPSON & WHITE

BY: 

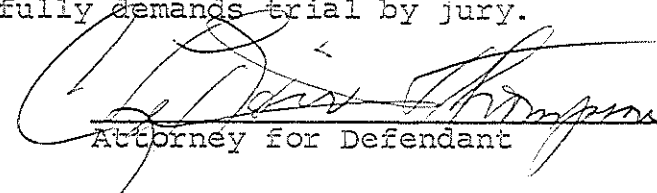
Attorneys for defendant.

Defendant respectfully demands trial by jury.

FILED

DEC 13 1961

ALICE J. DUCK, CLERK
REGISTER


Attorney for Defendant