

LOXLEY FARM EQUIPMENT COMPANY, X
a corporation, X

Plaintiff, X

vs. X

VELMER CHARLES COOPER, X

Defendant. X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 7096

PLEA

Comes now the Defendant in the above styled cause, by and through his attorneys of record, and for plea to the Complaint heretofore filed against him says, separately and severally, as follows:

1. The allegations of the Complaint are untrue.
2. The contract alleged is executory.
3. That there has been a failure of consideration on the part of the Plaintiff.
4. That on, to-wit, the 16th day of March, 1965, the Defendant entered into a contract with the Plaintiff for the purchase of one John Deere tractor, one plow, one cultivator and one planter; that the tractor needed repairs to the transmission and the Plaintiff assured the Defendant that the transmission would be fixed when the tractor was delivered; that the Plaintiff breached said agreement in that the transmission of said tractor was broken when the tractor was delivered and the Plaintiff has repeatedly refused to repair said tractor and the Plaintiff has failed to deliver all of the equipment to the Defendant which was a part of said transaction.

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing pleading has been served upon counsel for all parties to this proceeding, by mailing the same to each by First Class United States Mail, properly addressed and postage prepaid on this 25 day

of August 1966
[Signature]

CHASON, STONE & CHASON

By: *[Signature]*

Attorneys for Defendant

The Defendant respectfully demands a trial of this cause by jury.

CHASON, STONE & CHASON

By: *[Signature]*

Attorneys for Defendant

366

FILED

AUG 25 1966

ALICE J. DUCK, CLERK REGISTER

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Velmer Charles Cooper 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 Loxley Farm Equipment Company, a corporation,

WITNESS my hand, this 2nd day of August, 1966.

Alice J. (Mack)
Clerk

=====

LOXLEY FARM EQUIPMENT COM-
PANY, a corporation,

Plaintiff,

Vs.

VELMER CHARLES COOPER,

Defendant.

X
X
X
X
X
X
X

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

7096

1.

The Plaintiff claims of the Defendant, ONE THOUSAND FIVE HUNDRED TWENTY and 60/100 (\$1,520.60) DOLLARS, due from him for merchandise, goods and chattel sold by the Plaintiff to the Defendant, to-wit: the 16th day of March, 1965, which sum of money, with interest thereon, is still unpaid.

WILTERS & BRANTLEY

BY: Sallie M Brantley
Attorney for the Plaintiff

Defendant's Address:

Loxley, Alabama

FILED

AUG 11 1966

CLERK OF DISTRICT COURT

Accepted 8-9-66
Saylor Wilkins - Sher
by W. A. Tolbert, 108

CASE NO. 7096

LOXLEY FARM EQUIPMENT COMPANY,
A Corporation,

Plaintiff,

vs:

VELMER CHARLES COOPER,

Lafley

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW, CASE NO. 7096

SUMMONS & COMPLAINT

received 2 day of Aug. 1966
and on 9 day of Aug 1966

received a copy of the within etc
in Velmer Charles Cooper

by service on _____

TAYLOR WILKINS Sheriff

By W. O. Garner

Daphne

has claimed 54 dollars
plus costs per a to 5.40
TAYLOR WILKINS Sheriff
BY W. O. Garner
DEPUTY SHERIFF

Wilters & Brantley, Attys.