

STATE OF ALABAMA)
*
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Billy Boatwright 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 C. Leon Baggett.

WITNESS my hand this 6 day of November, 1968.

David J. Duck
Clerk

The defendant resides at 955 D'Olive Street, Bay Minette.

* * * * *

C. LEON BAGGETT,

Plaintiff,

VS.

BILLY BOATWRIGHT,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

20-8415

COMPLAINT

The plaintiff claims of the defendant Three Hundred Thirteen Dollars (\$313.00) due by promissory note made by him on the 5th day of April, 1968, and payable on the 5th day of July, 1968, to the First National Bank of Bay Minette, which said note was duly sold, assigned and transferred to plaintiff by the First National Bank of Bay Minette, with interest thereon. Plaintiff avers that in and by the terms of the said note the said defendant agreed to pay all costs of collecting the said note, including a reasonable attorney's fee, which fee the plaintiff avers to be \$50.00 and which he herewith claims.

[Signature]
Attorney for Plaintiff

FILED

NOV 6 1968

EVOL 62 PAGE 633

ALICE J. DUK

2-11-6-68

Received 6 day of Nov 1968
and on 6 day of Nov 1968

44039

I served a copy of the within 1st
on Billy Bostunpike

70.8418

By service on _____

TAYLOR WILKINS, Sheriff
B. A. Talbot D. S.

a. Leon Bostunpike

vs

Billy Bostunpike

FILED

NOV 6 1968

ALICE J. BERRY
CLERK
REGISTER

955 D. Olive St

W. R. Brown

955 D. Olive St

C. LEON BAGGETT, X
Plaintiff, X IN THE CIRCUIT COURT OF
vs. X
BILLY BOATWRIGHT, X BALDWIN COUNTY, ALABAMA
Defendant. X AT LAW NO. 8418

PLEAS

Comes now the Defendant in the above styled cause, by his attorneys, and for answer to the Complaint heretofore filed against him, pleads, separately and severally, as follows:

1. The allegations of the Complaint are untrue.

2. The Defendant alleges as a defense to the Complaint filed against him that the note referred to in the Complaint was executed by him under and pursuant to an agreement between the Plaintiff and the Defendant relative to the purchase of a boat and motors, and that the Plaintiff received all of the proceeds of said note and deposited the same in his personal checking account and the Defendant received none of the proceeds; and the Defendant further alleges that the Plaintiff has sole possession of the boat which was purchased with the proceeds of the note by a check drawn by the Plaintiff on said checking account in the First National Bank of Bay Minette, Alabama, and the Plaintiff now has possession of said boat together with the remainder of the proceeds of said note. The Defendant has received none of the proceeds of said note or of the consideration for the execution of the same but, on the contrary, the Plaintiff received all of the proceeds of the same. Hence the Plaintiff should not recover.

CHASON, STONE & CHASON

By: 

Attorneys for Defendant

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

CHASON, STONE & CHASON

By: 

Attorneys for Defendant

NOV 25 1968

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ALICE J. DUCK

CLERK
REGISTER

C. LEON BAGGETT,

Plaintiff,

vs.

ALICE J. DUCK.

BILLY BOATWRIGHT,

Defendant.

CLERK
REGISTER

FILED

NOV 25 1968

* * * * *

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW No. 8418

* * * * *

PLEAS

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CHASON, STONE & CHASON
ATTORNEYS AT LAW
P. O. Box 120
BAY MINETTE, ALABAMA