

ANSWER

W. A. BOLLER

Plaintiff

vs

JOHNNY R. SMITH

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO.

3613

Comes now the Defendant and answers the Plaintiff's Complaint and each count thereof separately and severally and says.

I.

He is not guilty of the matter alleged therein.

II.

He has paid the debt, for the recovery for which this suit was brought, before the action was commenced.

WILTERS AND BRANTLEY

by *[Signature]*
Attorney for Defendant

Defendant demands a trial by jury.

WILTERS AND BRANTLEY

by *[Signature]*
Attorney for Defendant

*Filed
Sept. 1, 1958
Alice J. Duck
clerk*

HARRY J. WILTERS, JR.
TOLBERT M. BRANTLEY

LAW OFFICES OF
WILTERS & BRANTLEY
BAY MINETTE, ALABAMA
and
Robertsdale, Alabama

PHONE 5151

August 30, 1958

Mrs. Alice J. Duck
Court Clerk
Circuit Court of Baldwin County
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed is an Answer to a Complaint filed against our client
on July 19, 1958. James A. Brice is the Attorney for the
Plaintiff.

Sincerely,



(Mrs.) Phyllis S. Nesbit

Encl. Answer--Original and
Carbon Copy

SUMMONS

THE STATE OF ALABAMA)
 :
COUNTY OF BALDWIN)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

TO ANY SHERIFF OF THE STATE OF ALABAMA -----GREETING:

You are hereby commanded to summons Johnny R. Smith to appear before the Circuit Court, to be held for said County at the place of holding same, within thirty (30) days from service of this process, then and there to answer the complaint of W. A. Boller.

Witness my hand this 19 day of July, 1958.

Alice L. Duck
Clerk

COMPLAINT

W. A. BOLLER

Plaintiff

vs.

JOHNNY R. SMITH

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

I

The Plaintiff claims of the defendant the sum of ONE THOUSAND EIGHT HUNDRED SIXTY and 46/100ths (\$1,860.46) Dollars due by promissory note made by the defendant on the 3rd day of October, 1957, and payable on December 1, 1957, with interest from February 1, 1958, at the rate of six (6%) per cent per annum.

II

The Plaintiff claims of the defendant the sum of ONE THOUSAND EIGHT HUNDRED SIXTY and 46/100ths (\$1,860.46) Dollars due by promissory note made by the defendant on the 3rd day of October, 1957, and payable on December 1, 1957, with interest from February 1, 1958, at the rate of six (6%) per cent per annum.

Plaintiff avers that in and by the terms of said note the defendant waived all right to exemption under the Constitution and laws of the State of Alabama, and of this waiver plaintiff now claims benefit.

Plaintiff further avers that in and by the terms of said note, the defendant agreed to pay all costs of collecting or securing, or attempting to collect or secure said note, including a reasonable attorney's fee, and the plaintiff further claims of the defendant the further and additional sum of TWO HUNDRED TWENTY-FIVE and NO/100ths (\$225.00) Dollars, as such reasonable attorney's fee.

James A. Smith
Attorney for Plaintiff

The defendant, Johnny R. Smith,
resides at Robertsedale, Alabama.

Filed July 19, 1958
Exp. July 30, 1958