

FREDERICK NEUMILLER,

Plaintiff,

VS.

L. G. BOYKIN,

Defendant.

IN THE CIRCUIT COURT
OF BALDWIN COUNTY, ALABAMA.

NO.

3848

Comes now the defendant in the above styled cause and amends his answer heretofore filed in this cause by adding the following additional plea:

PLEA A.

The Defendant says that he does not owe the Plaintiff the monies sued for; that the Plaintiff and Defendant, on, to-wit, the 20th day of December, 1957, agreed by way of verbal contract that the Defendant would plant irish potatoes in Baldwin County, Alabama, for the Plaintiff and would furnish the land, machinery and labor for growing the same and the Plaintiff agreed to furnish the seed, fertilizer and insecticides; that the Defendant would sell his potatoes to the Plaintiff; that out of the Potato money the Plaintiff would first be repaid the entire amount spent and advanced by him on the potato crop; that after this amount was paid it was agreed that the Plaintiff would receive twenty-five percent (25%) of the net profit and the Defendant would receive the balance. The defendant says further that the Plaintiff and Defendant did enter into the verbal contract in that the Plaintiff furnished the defendant the merchandise above stated and the defendant did plant and grow said potatoes; the Defendant says further that the crop was a complete failure and no monies were earned or profits made by the Plaintiff and defendant. The defendant avers further that the Plaintiff and Defendant mutually agreed ~~at~~ at the time they entered into the aforesaid verbal contract that if the crop did not make sufficient profit to repay the Plaintiff for the merchandise furnished to the Defendant that any balance due or debt owing would be cancelled.

Filed
12-1-59

James M. Brantley
Attorneys for Defendant

FREDERICK NEUMILLER

PLAINTIFF

VS

L. G. BOYKIN

DEFENDANT

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW

Comes now the Defendant in the above styled cause and for answer to the Plaintiff's complaint and to each and evert count thereof says as follows:

1.=

Not guilty.

2.

Thatthe does not owe the Plaintiff the amount sued for nor any amount.

FILED

8-20 39

ALICE I. DUCK, CLERK
REGISTER

Wilters & Brantley

BY?

Robert M. Brantley
Attorneys for the Defendant

3848

FREDERICK NEUMILLER

PLAINTIFF

VS

L. G. BOYKIN

DEFENDANT

ANSWER

FILED

AUG 20 - 59

ALICE J. DUCK, CLERK
REGISTERED

FREDERICK NEUMILLER

PLAINTIFF

VS

L. G. BOYKIN

DEFENDANT

)
) IN THE CIRCUIT COURT OF
)
) BALDWIN COUNTY, ALABAMA,
)
) AT LAW
)
)

Comes now the Defendant in the above styled cause and demurs to the Plaintiff's Complaint and to each and every count thereof separately and severally and for grounds says:

1.

The Complaint fails to state a cause of action.

FILED
JUL 18 1959
ANICE J. DUCK, Clerk

Wilters & Brantley

BY:

John M. Brantley
Attorneys for the Defendant

3848

FREDERICK NEUMILLER

PLAINTIFF

VS

L. G. BOYKIN

DEFENDANT

DEMURRERS

FILED

JUL 18 1959

ALICE J. DUCK, Clerk

STATE OF ALABAMA

COUNTY OF BALDWIN

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon L. G. Boykin 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 same, then and there to answer the complaint of Frederick Neumiller.

Witness my hand, this the 2 day of June, 1959.

Alice J. Duck
CLERK

Exp. 6-25-59

FREDERICK NEUMILLER

Plaintiff

VS

L. G. BOYKIN

Defendant

IN THE CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

AT LAW

NUMBER: 3845

I

Plaintiff claims of the Defendant SEVEN-THOUSAND SIX-HUNDRED THIRTEEN and FIFTY-THREE ONE-HUNDREDTHS (\$7,613.53) DOLLARS due from him by account To wit May 23, 1958 on November 1, 1958 which sum of money with interest thereon is still unpaid.

II

Plaintiff claims of the Defendant SEVEN-THOUSAND SIX-HUNDRED THIRTEEN and FIFTY-THREE ONE-HUNDREDTHS (\$7,613.53) DOLLARS on account stated between the Plaintiff and the Defendant on the To wit, May 28, 1958 1st day of November 1958 which sum of money, with interest thereon is still unpaid.

III

Plaintiff claims of the Defendant SEVEN-THOUSAND SIX-HUNDRED THIRTEEN and FIFTY-THREE ONE-HUNDREDTHS (\$7,613.53) DOLLARS for money paid by the Plaintiff for the Defendant on May 28, 1958, at his request which sum of money, with interest thereon is still unpaid.

FILED

JUN 2 1959

ALICE J. DUCK, CLERK
REGISTER

William Hays
Attorney for Plaintiff

FREDERICK NEUMILLER

Plaintiff

VS

L. G. BOYKIN

Defendant

IN THE CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

AT LAW

NUMBER: _____

FILED

JUN 2 1959

ALICE J. DUCK, CLERK
REGISTER

SUMMONS and COMPLAINT

Received 3 day of June 1959

and on 25 day of June 1959

served a copy of the within B.C.

1 L.G. Boykin

by service on 40 miles

Lafayette, Ala.

TAYLOR WILKINS, Sheriff

By C.A. McNamee D.S.

Sheriff claims 40 miles at

Ten Cents per mile Total \$ 4.00

TAYLOR WILKINS, Sheriff

BY McNamee

DEPUTY SHERIFF

48852