

FREDERICK NEUMILLER,) IN THE CIRCUIT COURT
Plaintiff,) OF BALDWIN COUNTY, ALABAMA.
VS.) NO.
L. G. BOYKIN,)
Defendant.)

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 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

Robert M. Brundage
Attorneys for Defendant

Filed 12/1/59
Kosciusko
Frost

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FREDERICK NEUMILLER)
PLAINTIFF) IN THE CIRCUIT COURT OF
VS) BALDWIN COUNTY, ALABAMA,
L. G. BOYKIN) AT LAW
DEFENDANT)

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

1.=

Not guilty.

2.

That he does not owe the Plaintiff the amount sued for nor any amount.

FILED

8-20 19

ALICE L. DUCK, CLERK
REGISTER

Wilters & Brantley

BY?

Robert M. Brantley
Attorneys for the Defendant

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3848

FREDERICK NEUMILLER

PLAINTIFF

VS

L. G. BOYKIN

DEFENDANT

ANSWER

FILED

AUG 20 - 59

ALICE L. DUNN CLERK
REGISTERED

FREDERICK NEUMILLER)
PLAINTIFF) IN THE CIRCUIT COURT OF
VS) BALDWIN COUNTY, ALABAMA,
L. G. BOYKIN) AT LAW
DEFENDANT)

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:

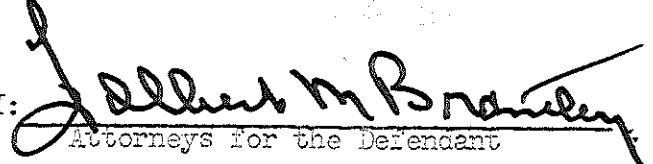
1.

The Complaint fails to state a cause of action.

FILED
JUL 18 1959
ANNE J. DUCK, Clerk

Wilters & Brantley

BY:


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

- Epi 6-22-59 -
FREDERICK NEUMILLER IN THE CIRCUIT COURT
Plaintiff BALDWIN COUNTY, ALABAMA
VS AT LAW
L. G. BOYKIN NUMBER: 3845
Defendant

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

W. L. Hargan
Attorney for Plaintiff

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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

L. G. Boykin

by service on 40 miles

Layley Clark

TAYLOR WILKINS, Sheriff

By C. A. McNeel D.S.

Sheriff claims 40 miles at

Ten Cents per mile Total \$ 4.00

TAYLOR WILKINS, Sheriff

BY M. Deel

DEPUTY SHERIFF

48852