

STATE OF ALABAMA )

BALDWIN COUNTY )

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Aubrey Brewton to appear and plead, answer or demur, within thirty days from the service hereof, to a Bill of Complaint filed against him in the Circuit Court, at Law, for said State and County, by E. G. Anderson, and at the same time and place to make return of your actions hereunder.

Given under my hand and seal this 13 day of February, 1961.

Alice J. Duck  
CLERK

E. G. ANDERSON,  
Plaintiff

vs.

AUBREY BREWTON,  
Defendant

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

4598

COUNT ONE:

The Plaintiff claims of the Defendant the sum of \$ 1,335.00, due by him by promissory note made by him on, to-wit, May 31, 1957, which sum of money, with interest thereon, is still due and unpaid; and Plaintiff avers that in and by the terms of said note, Defendant waived all rights of exemption under the laws of the State of Alabama; and the Plaintiff claims of Defendant the additional sum of \$ 200.00 as attorney fees for bringing this suit for that the Defendant in and by the terms of said note agreed to pay a reasonable attorney's fee for the bringing and prosecuting of this suit.

Samuel L. Smith  
SOLICITOR FOR PLAINTIFF

FILED  
FEB 13 1961  
ALICE J. DUCK, CLERK  
REGISTER

no. 4598

SUMMONS AND COMPLAINT

E. G. Anderson, Plaintiff

vs.

Aubrey Brewton, Defendant

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

received 13 day of Feb 1961  
at 18 day of Feb 1961  
served a copy of the within R & C  
on Aubrey Brewton  
by service on Aubrey Brewton

TAYLOR WILKINS, Sheriff  
By W. C. Harris D. S.  
Fhope

Sheriff claims 70 miles at  
Ten Cents per mile Total \$ 7.00  
TAYLOR WILKINS, Sheriff  
BY Harris  
DEPUTY SHERIFF

Defendant lives  
in Fairhope

FILED  
FEB 13 1961  
ALICE J. DICK, CLERK  
REGISTER

E. G. ANDERSON,

Plaintiff,

vs.

AUBREY BREWTON,

Defendant.

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 4598

Comes the Defendant in the above styled cause and for plea to the amended complaint filed in said cause, and says:

1. That the allegations of the complaint are untrue.
2. Not guilty.

3. That he has made payments upon the note which is the basis of the suit which have not been credited thereon. That he paid the Plaintiff the sum of \$250.00 to apply upon said note on to-wit: December 28, 1957 and he paid the Plaintiff the sum of \$100.00 to apply upon said note on, to-wit: November 8, 1958. That the Plaintiff was indebted to the Defendant for services which the Defendant rendered to the Plaintiff in the sum of \$370.00 which was due by the Plaintiff to the Defendant on December 31, 1957, which amount has not been paid and which amount the Defendant offers to set-off against the amount he is due the Plaintiff under said note.

*Filed*  
*7-14-61*

*Wasson Stone*  
Attorneys for Defendant

E. G. ANDERSON,  
Plaintiff,

vs.

AUBREY BREWTON,  
Defendant

\* \* \* \* \*

IN THE CIRCUIT COURT OF.

BALDWIN COUNTY, ALABAMA

AT LAW NO. 4598

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PLEAS

\* \* \* \* \*

*filed 7-14-61  
Alice French  
Clerk*

E. G. ANDERSON,

Plaintiff,

vs.

AUBREY BREWTON,

Defendant.

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

DEMURRER

Comes the Defendant in the above styled cause and demurs to the complaint filed in said cause and assigns the following separate and several grounds, viz:

1. Said complaint does not state a cause of action.
2. Said complaint does not allege that the note is due.
3. Said complaint does not allege when the note referred to was payable.

  
Attorneys for Defendant.

Defendant demands a trial of this  
cause by a jury

  
Attorneys for Defendant

*Filed 2-21-61*

4598 June

E. G. ANDERSON,  
Plaintiff,

vs.

AUBREY BREWTON,  
Defendant.

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IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

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DEMURRER

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FILED  
FEB 21 1961  
ALICE S. JOCK, Clerk

E. G. ANDERSON

Plaintiff

vs.

AUBREY BREWTON,

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 4598

AMENDED BILL OF COMPLAINT

Comes now the Plaintiff in the above styled cause and amend the Bill of Complaint heretofore filed to read as follows:

COUNT ONE:

The Plaintiff claims of the Defendant the sum of \$1,335.00, due by him by promissory note made by him on, to-wit, May 31, 1957 and due and payable one year from the date thereof, to-wit, May 31, 1958, which sum of money, with interest thereon, is still due and unpaid; and Plaintiff avers that in and by the terms of said note, Defendant waived all rights of exemption under the laws of the State of Alabama; and the Plaintiff claims of Defendant the additional sum of \$200.00 as attorney fees for bringing this suit for that the Defendant in and by the terms of said note agreed to pay a reasonable attorney's fee for the bringing and prosecuting of this suit.

  
ATTORNEY FOR PLAINTIFF

FILED

MAY 25 1961

ALICE J. DUCK, CLERK  
REGISTER

8651  
E. G. ANDERSON

Plaintiff

vs.

AUBREY BREWTON,

Defendant

AMENDED BILL OF COMPLAINT