

5457

AFFIDAVIT

THE STATE OF ALABAMA,)

BALDWIN COUNTY,)

MRS. DON WATTS, first being duly sworn, deposes and says
as follows:

On August 26, 1959, I sold one (1) sow and seven (7) pigs
to TOM COLE and at that time, I received the following signed
statement:

"August 26, 1959 I promise to pay Mrs. Don Watts \$295.00
for debt on sow & 7 pigs sold to Tom Cole

"Signed Zelma Cole
Aug 26/59"

No payments have been made on this account and it is a true
and just debt, except \$20.00 has been paid.

Mrs. Don Watts
Mrs. Don Watts

Sworn to and subscribed before me
this the 30th day of January, 1963.

[Signature]
Notary Public
Baldwin County, Alabama

SUMMONS

THE STATE OF ALABAMA,)

BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

You are hereby commanded to summon TOM COLE and ZELMA COLE, to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, Alabama, at the place of holding same by MRS. DON WATTS.

Witness my hand this the 7 day of July

Alvin J. Black
Clerk

COMPLAINT

MRS. DON WATTS,

PLAINTIFF

VS.

TOM COLE and ZELMA COLE,

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

76,545-7

COUNT I:

The Plaintiff claims of the Defendants TWO HUNDRED NINETY FIVE AND 00/100 (\$295.00) DOLLARS, due from them by account on, to wit: the 26th day of August, 1959, which sum of money, with interest thereon, is still unpaid.

COUNT II:

The Plaintiff claims of the Defendants TWO HUNDRED NINETY FIVE AND 00/100 (\$295.00) DOLLARS, due from them on account stated between the PLAINTIFF and the DEFENDANTS on, to wit: the 26th day of August, 1959, which sum of money, with interest thereon, is still unpaid.

COUNT III:

The Plaintiff claims of the Defendants TWO HUNDRED NINETY FIVE AND 00/100 (\$295.00) DOLLARS, due from them for merchandise, goods and chattels sold by the Plaintiff to the Defendants on, to wit: the 26th day of August, 1959, which sum of money, with interest thereon, is still unpaid.

There is attached to the original hereof, an itemised statement of account, verified by the affidavit of a competent witness, sworn to before a notary public, which shows the amount due on this account as of the 26th day of August, 1959.

Alvin J. Black
Attorney for Plaintiff

The Defendants' Address is:
Loxley, Alabama

FILED

SEP - 6 1959

ALVIN J. BLACK CLERK

SUMMONS

THE STATE OF ALABAMA,)

BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

You are hereby commanded to summon TOM COLE and ZELMA COLE, to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, Alabama, at the place of holding same by MRS. DON WATTS.

Witness my hand this the 7 day of Feb 1963

Alice J. Duck
Clerk

COMPLAINT

MRS. DON WATTS,

PLAINTIFF

VS.

TOM COLE and ZELMA COLE,

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

COUNT I:

The Plaintiff claims of the Defendants TWO HUNDRED NINETY FIVE AND 00/100 (\$295.00) DOLLARS, due from them by account on, to wit: the 26th day of August, 1959, which sum of money, with interest thereon, is still unpaid.

COUNT II:

The Plaintiff claims of the Defendants TWO HUNDRED NINETY FIVE AND 00/100 (\$295.00) DOLLARS, due from them on account stated between the PLAINTIFF and the DEFENDANTS on, to wit: the 26th day of August, 1959, which sum of money, with interest thereon, is still unpaid.

COUNT III:

The Plaintiff claims of the Defendants TWO HUNDRED NINETY FIVE AND 00/100 (\$295.00) DOLLARS, due from them for merchandise, goods and chattels sold by the Plaintiff to the Defendants on, to wit: the 26th day of August, 1959, which sum of money, with interest thereon, is still unpaid.

There is attached to the original hereof, an itemised statement of account, verified by the affidavit of a competent witness, sworn to before a notary public, which shows the amount due on this account as of the 26th day of August, 1959.

[Signature]
Attorney for Plaintiff

FILED

FEB - 63

ALICE J. DUCK, CLERK REGISTER

The Defendants' Address is:
Lowley, Alabama

Don Tom Cole -

1-2-25-62

Zelma Cole

Don Tom Cole -

on each count.

AFFIDAVIT

THE STATE OF ALABAMA,)

BALDWIN COUNTY.)

MRS. DON WATTS, first being duly sworn, deposes and says as follows:

On August 26, 1959, I sold one (1) sow and seven (7) pigs to TOM COLE and at that time, I received the following signed statement:

"August 26, 1959 I promise to pay Mrs. Don Watts \$295.00 for debt on sow & 7 pigs sold to Tom Cole

"Signed Zelma Cole
Aug 26/59"

No payments have been made on this account and it is a true and just debt, except \$20.00 has been paid.

Mrs. Don Watts
Mrs. Don Watts

Sworn to and subscribed before me
this the 30th day of January, 1963.

[Signature]
Notary Public
Baldwin County, Alabama

Received 7 day of Feb. 1963

and on 25 day of Feb 1963

I served a copy of the within

on _____

By service on Zelma Cole 2-20-63

TAYLOR WILKINS, Sheriff

By Chadwick

Tom Cole not found

Returned 9 day of July 1963

Not found in my county after diligent search and inquiry. as to Tom Cole

Taylor Wilkins, Sheriff

Chadwick
Deputy Sheriff

Sheriff claims 40 miles at

Ten Cents per mile Total \$ 4.00
TAYLOR WILKINS, Sheriff

BY Chadwick
DEPUTY SHERIFF

SUMMONS AND COMPLAINT

MRS. DON WATTS,

PLAINTIFF

VS.

TOM COLE and ZELMA COLE,

DEFENDANTS

LAW OFFICE OF
FOREST A. CHRISTIAN
FOLEY, ALABAMA

MRS. DON WATTS,
PLAINTIFF
VS:
TOM COLE and ZELMA COLE,
DEFENDANTS.

Comes the plaintiff and amends her original complaint by adding:

The plaintiff claims of the defendant, Zelma Cole, TWO HUNDRED SEVENTY FIVE & 00/100 DOLLARS (\$275.00) due by promissory note made by him on the 26th day of August, 1959, and payable on demand, with interest thereon.

Meely Chun
Attorney for Plaintiff

FILED

SEP 12 1963

ALICE L. DUCK, CLERK
REGISTER

5457

FILED

SEP 11 1963

1 JULY 1964

MRS. DON WATTS, X
Plaintiff, X IN THE CIRCUIT COURT OF
Vs. X BALDWIN COUNTY, ALABAMA
TOM COLE and ZELMA COLE, X AT LAW
Defendants. X CASE NO. 5457

Comes now the Defendant, Zelma Cole, and for answer to the Plaintiff's Complaint and each and every count therein says as follows:

1.

Not guilty.

2.

That he does not have an account with Mrs. Don Watts and has never had an account with her.

WILTERS & BRANTLEY

BY: Solomon M Brantley
Attorney for Defendant, Zelma Cole

The Defendant, Zelma Cole, demands a trial by jury.

WILTERS & BRANTLEY

BY: Solomon M Brantley
Attorney for Defendant, Zelma Cole

FILED

MAR 7 1965

ANGEL DUCK, CLERK
REGISTER

MRS. DON WATTS,

PLAINTIFF

VS

TOM COLE and ZEIMA COLE,

DEFENDANTS.

IN THE CIRCUIT COURT OF

BALEWIN COUNTY, ALABAMA

AT LAW

Demurrer

Comes now the Defendants in the above styled cause and demurrer to the Plaintiff's amended complaint and for grounds therefore says:

1.

The amendment is a complete departure from the original suit.

WILTERS, BRANPLEY & NESBIT

BY:

Phillip S. Nesbit
Attorney for Defendants

FILED

SEP 23 1963

CLERK
REGISTER

NO. 5457

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

MRS. DON WATTS,

PLAINTIFF,

VS

TOM COLE and ZEIMA COLE,

DEFENDANTS.

DEMURRER

Mr. Forrest Christian
Attorney at Law
Foley, Alabama

PLAINTIFF'S ATTORNEY

Wilters, Brantley & Nesbit
Attorneys at Law
Robertsdale, Alabama

DEFENDANT'S ATTORNEY

FILED

SEP 28 1963

W. L. DICK, CLERK
REGISTER