

FOLEY TRACTOR COMPANY
INC., a Corporation,

Plaintiff


vs


VIRGIL V. RHODES,

Defendant.

)
) IN THE CIRCUIT COURT OF
)
) BALDWIN COUNTY, ALABAMA
)
) AT LAW NO. 7705
)
)
)
)
)
)

Come now C. G. CHASON, Attorney of record for the Plaintiff and TOLBERT M. BRANTLEY, Attorney of record for the Defendant and agree and consent that the demand for trial by jury heretofore demanded by the Defendant be withdrawn and further consent to a judgment without a jury.


C. G. Chason
Attorney for Plaintiff


Tolbert M. Brantley
Attorney for Defendant

FILED

JUN 11 1969

ALICE J. DUCK CLERK
REGISTER

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 7705

AMENDED COMPLAINT

Plaintiff claims of the Defendant the sum of ONE THOUSAND ONE HUNDRED SEVENTY FIVE AND 39/100 DOLLARS (\$1,175.39), due from him by account on, to-wit: the 8th day of December, 1965, which sum of money, with interest thereon, is still unpaid.

An itemized, verified statement of account is attached hereto and forms a part hereof.

Thomas

C. E. Chason, Attorney for Plaintiff

I hereby certify that I have mailed a copy of the above complaint to the Honorable Tolbert Brantley by placing the same, postage prepaid in the U. S. Post Office in Foley, Alabama, on this the 15 day of November, 1968.

Classen

FILED

NOV 16 1968

ALICE J. DUCK CLERK REGISTER

STATE OF ALABAMA)
COUNTY OF BALDWIN)

Before me, the undersigned authority in and for aforesaid State and County, who as a Notary Public under my seal of office, which seal of office is hereto attached, personally appeared HARVEY REED, known to me, who being duly sworn, upon his oath stated he is the secretary-treasurer of FOLEY TRACTOR COMPANY, INC., a corporation; that as such he makes this affidavit; that he is familiar with the books and business of FOLEY TRACTOR COMPANY, INC.; that the attached account against VIRGIL V. RHODES is just and correct within the knowledge of this affiant; that he has authority to make this affidavit and that he has personal knowledge of the matters contained herein; that the items thereon stated and composing the said account were sold and delivered to the said VIRGIL V. RHODES at the special instance and request of debtor and that credit has been duly given for all payments and just and lawful offsets to which said account is entitled as thereon stated and that the balance thereof amounting to the sum of ONE THOUSAND ONE HUNDRED SEVENTY FIVE AND 39/100 DOLLARS (\$1, 175.39) with interest from the 8th day of December, 1965, is justly due and remains unpaid.

Harvey Reed
HARVEY REED

STATE OF ALABAMA)
COUNTY OF BALDWIN)

Before me, James W. Howell, a Notary Public, in and for said State and County, personally appeared HARVEY REED, who is known to me, and who being by me first duly sworn, deposes and says that he has knowledge of the facts stated in the above petition and that the same are true and correct.

Harvey Reed
HARVEY REED

Sworn to and subscribed before me

this 29th day of December, 1967.

James W. Howell
NOTARY PUBLIC

FILED

NOV 16 1968

ALICE J. DUCK CLERK
RECORDED

Sheet No.	Terms	Rating	Credit Limit
Account No.	NAME	ADDRESS	Bay Minette, Alabama
Virgil V. Rhodes Jr.			

DATE	DEBIT	CREDIT	MEMO
11/4			
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7/17			
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Account No. _____

Sheet No. _____

NAME

Virgil V. Rhodes

Terms

ADDRESS

Bay Minette, Ala.

Rating

Credit Limit

Dr	ITEMS	FOLIO	✓	DEBITS	CREDITS	BALANCE
19 61						1341.91
12 14	J 1298			8560		1427.51
2 14	6692				5000	1377.51
4 30	8708				2500	1352.51
30	9571			517		1357.68
5 14	Wb 5033			1920		1376.88
28	Wb 5152			10449		1481.37
7 2	Wb 5679			12327		1604.64
9 6	7574				100000	604.64
27	Wb 6055			29089		845.53
10 8	9989			6098		956.51
22	9291			2276		979.27
11 2	10308			1245		991.72
9	Wb 6279			5355		1045.27
12 21	J 1755			13000		1175.27
3 18	13307			221		1177.48
21	Wb 6593			1500		1192.48
26	13369				1721	1175.27
5 1	13523			67		1175.94
22	12542				67	1175.27
10 30	21785			12		1175.39

FOLEY TRACTOR COMPANY,
INC., a Corporation,

Plaintiff,

VS.

VIRGIL V. RHODES,

Defendant.

)
)
) IN THE CIRCUIT COURT OF
)
)
) BALDWIN COUNTY, ALABAMA
)
)
) AT LAW
)
)
) CASE NO. 7705
)

DEMURRER

Comes now the Defendant in the above styled cause and files the following Demurrers to the Plaintiff's Complaint:

1.

The Complainant does not state a cause of action.

2.

The Plaintiff avers that an itemized, verified statement of account was attached to his Bill of Complaint and this was not done.

WILTERS & BRANTLEY

BY: Tolbert M. Brantley

The Defendant demands a trial by jury.

WILTERS & BRANTLEY

BY: Tolbert M. Brantley

Tolbert M. Brantley

FILED

SEP 26 1967

ALICE J. DUCK

CLERK
REGISTER

CERTIFICATE OF SERVICE

I do hereby certify that I have on 26 Sept 1967, filed a copy of the foregoing demurrers for all parties to this proceeding. The filing is made by Registered Mail, properly addressed, to the parties to this proceeding.

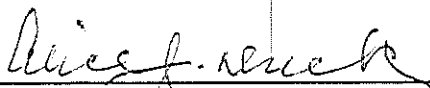
By: Tolbert M. Brantley

STATE OF ALABAMA)
COUNTY OF BALDWIN)

To any sheriff of the State of Alabama:

You are hereby commanded to summon VIRGIL V. RHODES to appear within thirty days from the service of this writ in the Circuit Court of Baldwin County, to be held for said county at the place of holding the same, then and there to answer the complaint of FOLEY TRACTOR COMPANY, INC., a corporation.

Witness my hand, this 19 day of August, 1967.



Alice Duck
Circuit Clerk

FOLEY TRACTOR COMPANY,
INC., A CORPORATION,

PLAINTIFF

VS.

VIRGIL V. RHODES,

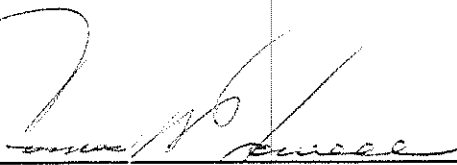
DEFENDANT.

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

) AT LAW, NO. 7709

Plaintiff claims of the Defendant the sum of ONE THOUSAND ONE HUNDRED SEVENTY FIVE DOLLARS AND 39/100 (\$1,175.39), due from him by account on, to-wit: the 8th day of December, 1965, which sum of money, with interest thereon, is now due and payable.

An itemized, verified statement of the account is attached hereto and forms a part hereof.

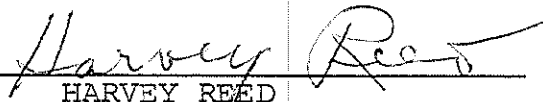


James W. Howell
Attorney-for-Plaintiff

DEFENDANT MAY BE SERVED AT: Bay Minette, Alabama

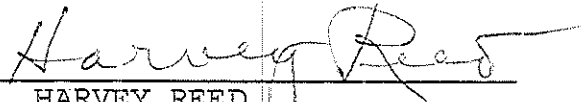
STATE OF ALABAMA)
COUNTY OF BALDWIN)

Before me, the undersigned authority in and for aforesaid State and County, who as a Notary Public under my seal of office, which seal of office is hereto attached, personally appeared HARVEY REED, known to me, who being duly sworn, upon his oath stated he is the secretary-tresurer of FOLEY TRACTOR COMPANY, INC., a corporation; that as such he makes this affidavit; that he is familiar with the books and business of FOLEY TRACTOR COMPANY, INC.; that the attached account against VIRGIL V. RHODES is just and correct within the knowledge of this affiant; that he has authority to make this affidavit and that he has personal knowledge of the matters contained herein; that the items thereon stated and composing the said account were sold and delivered to the said VIRGIL V. RHODES at the special instance and request of debtor and that credit has been duly given for all payments and just and lawful offsets to which said account is entitled as thereon stated and that the balance thereof amounting to the sum of ONE THOUSAND ONE HUNDRED SEVENTY FIVE AND 39/100 DOLLARS (\$1,175.39) with interest from the 8th day of December, 1965, is justly due and remains unpaid.



HARVEY REED

STATE OF ALABAMA)
COUNTY OF BALDWIN)

Before me, James W. Howell, a Notary Public, in and for said State and County, personally appeared HARVEY REED, who is known to me, and who being by me first duly sworn, deposes and says that he has knowledge of the facts stated in the above petition and that the same are true.


HARVEY REED

Sworn to and subscribed before
me this 25th day of August, 1967.


NOTARY PUBLIC

FILED

AUG 29 1967

ALICE J. DUCK CLERK
REGISTER

24:8-31-67

VOL 61 PAGE 52

29 day of Aug 1967
31 day of Aug 1967

770705

received a copy of the within
Virgil V. Rhodes

service on

TAYLOR WILKINS, Sheriff
By *W. A. Zilbert*

Foley Tractor Co
Inc. - a corp

vs

Virgil V. Rhodes

FILED

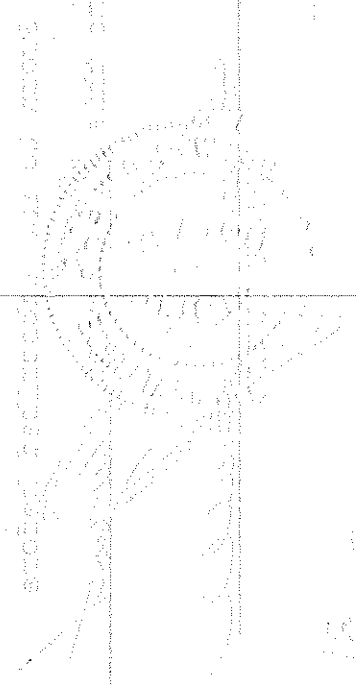
AUG 29 1967

ALICE J. DUCK

CLERK
REGISTER

SA 30-11-1

30-11-1



As to V. Rhodes