168

THE STATE OF ALABAMA,)
ESCAMBIA COUNTY.)

Before the undersigned authority this day personally appeared Leon G. Brooks, who being first duly sworn, deposes and says, that he is of Counsel for the State of Alabama and that Clay Products Company, a corporation, is justly indebted to the State of Alabama under the Revenue Laws of said State in the sum of, to-wit: One Hundred Fifty Dollars ($150.00) for a corporation franchise tax of One Hundred Twelve Dollars ($112.00) for the tax year beginning January 1, 1935, a corporation permit fee of Thirty Dollars ($30.00) for the calendar year 1935 and the further sum of One Percent (1%) per month from May 1, 1935 of said franchise tax and interest thereon at the legal rate from said date, and interest at the legal rate from January 1, 1935 on said permit fee; that the State of Alabama has for the payment of said sums and the costs of this suit a lien superior to all other liens upon all of the goods, wares and merchandise or any other property owned by the defendant; that the State claims its said lien and prays the issue of an attachment to be levied upon the property of said corporation to satisfy the same, and that this attachment is not sued out for the purpose of vexing or harrassing the defendant.

Leon G. Brooks

Sworn to and subscribed before me this the 28th day of June, 1935.

Nellie Mae Everage
Notary Public

THE STATE OF ALABAMA,

BALDWIN COUNTY.

IN THE CIRCUIT COURT

STATE OF ALABAMA,
PLAINTIFF,

VS.

CLAY PRODUCTS COMPANY,
A CORPORATION,
DEFENDANT.

ATTACHMENT AFFIDAVIT

Filed in office this 29 day
of June, 1935.

Robert L. Duck
Clerk.

THE STATE OF ALABAMA,)

BALDWIN COUNTY.) IN THE CIRCUIT COURT.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Clay Products Company, a corporation, to appear within thirty (30) days from the service of this writ in said court, to be held for said county, at the place of holding the same, then and there to answer the complaint of the State of Alabama.

Witness my hand this 29 day of June, 1935.

Richard Deck
Clerk

****

C O M P L A I N T

STATE OF ALABAMA,) VS. CLAY PRODUCTS COMPANY, A CORPORATION,

PLAINTIFF,) DEFENDANT.

Count 1. The plaintiff claims of the defendant the sum of One Hundred Forty-two Dollars ($142.00, due from the defendant under the Revenue Laws of the State of Alabama for a corporation franchise tax amounting to One Hundred Twelve Dollars ($112.00) for the tax year beginning January 1, 1935, and a corporation permit fee of Thirty Dollars ($30.00) for the calendar year 1935; and the further sum of One Percent (1%) per month from May 1, 1935 of said franchise tax and interest thereon at the legal rate from said date, and interest at the legal rate from January 1, 1935 on said permit fee, for the faulure or refusal of the defendant to pay said amounts herein claimed, - which sums of money are due and unpaid.

The plaintiff claims for the payment of said sums and the costs of this suit a lien superior to all other liens upon all of the goods, wares and merchandise or any other property owned by the defendant and prays for process and judgment for the preservation and enforcement of said lien. (Section 74 General Revenue Acts 1927, page 186.

MATT H. MURPHY,
Special Assistant Attorney
General of the State of Alabama.

By Henry G. Brooks
Of Counsel

168

RECORDED

THE STATE OF ALABAMA,
BALDWIN COUNTY.

IN THE CIRCUIT COURT

STATE OF ALABAMA,
PLAINTIFF,

VS.

CLAY PRODUCTS COMPANY,
A CORPORATION,
DEFENDANT.

SUMMONS AND COMPLAINT

Filed in office this 29 day of June, 1935.

Clerk.

RECORDED

Received in office this 30 day of June, 1935.

Sheriff

Executed this 31 day of July, 1935, by leaving a copy of the within SUMMONS AND COMPLAINT RECORDED

M. F. Northrop
as president

Defendant.

Sheriff

Deputy Sheriff

STATE OF ALABAMA,)
BALDWIN COUNTY.)

KNOW ALL MEN BY THESE PRESENTS, That we, CLAY PRODUCTS COMPANY and Kirby Wharton & C C Baldwin ~~####~~ _____, are held and firmly bound unto The STATE OF ALABAMA in the sum of Four Hundred DOLLARS, for the payment whereof we bind ourselves, our heirs, executors and administrators, jointly and severally.

Given under our hands and seals, the 1st day of August, 1935.

The condition is this, Whereas a writ of attachment issued out of the Circuit Court of Baldwin County, at the suit of State of Alabama against the Estate of Clay Products Company, a Corporation, returnable to the next term of the Circuit Court of said County, which has been placed in the hands of the Sheriff of Baldwin County, Alabama, and by him has been levied upon the following property, to-wit:

P.H Model #400 Gasoline Power Shovel # 2494-
S, o 116000; ~~###~~

And Whereas, the said property has been delivered to CLAY PRODUCTS COMPANY on its entering into this;

Now, if the defendant shall fail in the action, and the said CLAY PRODUCTS COMPANY or its sureties, will return to the Sheriff of said County the specific property attached and above mentioned, within thirty days after judgment in said suit, then this obligation to be void, otherwise to remain in full force and effect.

And we hereby waive the benefit of all laws exempting property from levy and sale under execution or other process for the collection of debt, by the constitution and laws of Alabama and we

hereby severally certify that we have property free from all incumbrance to the full amount of the above bond.

CLAY PRODUCTS COMPANY.

By: M. F. Mocking Pres. (SEAL)

[illegible] (SEAL)

C C Baldwin (SEAL)

Taken and approved this
2nd day of August, 1935.
M. H. Wilkins
Sheriff

168

RECORDED
Duck

State

vs

Clay Products

Bond of Clay Products
approved by Sheriff -

Filed this 3 day Aug 1935
Robert S. Duck
Clerk-Register

STATE OF ALABAMA,)
PLAINTIFF,)
VS.)
CLAY PRODUCTS COMPANY,)
A CORPORATION,)
DEFENDANT.)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

TO ANY LAWFUL OFFICER OF SAID COUNTY:

The State of Alabama as plaintiff, by Leon G. Brooks of Counsel, having complained on oath before the undersigned that Clay Products Company, a corporation, is justly indebted to the State of Alabama in the sum of, to-wit: One Hundred Fifty Dollars ($150.00) for a corporation franchise tax and permit fee and penalties and interest thereon under the Revenue Laws of said State, and has made affidavit as required by law to enforce the lien of the State upon the property of the defendant corporation; you are hereby commanded to attach so much of the goods, wares and merchandise or any other property owned by the defendant as will be of value sufficient to satisfy the complaint and costs, and you will so secure the same that it may be liable to further proceedings thereon to be had in the Circuit Court of said County, to which you must make return within thirty days from this date how you have executed this writ.

Witness My Hand this the 29 day of June, 1935.

Robert L. Dees
Clerk of the Circuit Court.

Received in office this 30
day of June, 1935.

M H Wilkins
Sheriff.

Book 1 Page 42

I have executed the within
Writ this 31 day of July
1935, by attaching one
P & H Model 400 —
Powers shovel the former
property of the Clay Products
Co

M H Wilkins
Sheriff

THE STATE OF ALABAMA,)
BALDWIN COUNTY.)

RECORDED

IN THE CIRCUIT COURT

STATE OF ALABAMA,
PLAINTIFF,

VS.

CLAY PRODUCTS COMPANY,
A CORPORATION,
DEFENDANT.

ATTACHMENT WRIT

Filed June 28 1935

Robert L Duck
clerk