

C O M P L A I N T

THE STATE OF ALABAMA,	)	
	)	
PLAINTIFF,	)	IN THE CIRCUIT COURT OF
	)	
VS.	)	BALDWIN COUNTY, ALABAMA.
	)	
BALDWIN COUNTY BUILDING &	)	
LOAN ASSOCIATION,	)	
	)	
DEFENDANT.	)	

## Count 1.

The plaintiff claims of the defendant the sum of One Hundred Dollars (\$100.00), due from the defendant to the plaintiff for State license or privilege tax for the year commencing October 1, 1929 and ending September 30, 1930, as a corporation whose principal business in said year was lending money, the further, additional and different sum of Fifty Dollars (\$50.00) due from the defendant to the plaintiff for the use of Baldwin County for county license or privilege tax for said year as a corporation whose principal business in said year was lending money, the further, additional and different sum of One Dollar and Fifty Cents (\$1.50) due from the defendant to the plaintiff for the use of the license inspector for said Baldwin County for citation fee for citation to the defendant, issued as hereinafter averred, the further, additional and different sum of Twenty-two and 50/100 Dollars (\$22.50) due from the defendant to the plaintiff for the use of the license inspector for said Baldwin County, for penalty for failure to pay for the license or privilege taxes for said year, - which said sums of money, with interest thereon since October 1, 1929 also claimed, are due and unpaid.

The plaintiff avers that the defendant, during said year, engaged in the business of lending money in said Baldwin County; that lending money in said county was defendant's principal business; that defendant is not and was not during said year a bank or banking institution regularly organized as such; and that defendant maintained in connection with its said business an office in said Baldwin County.

The plaintiff avers that subsequent to November 1, 1929 the license inspector for said Baldwin County, as such license inspector and in the manner provided by law, cited the defendant, which was then and there, and still remains, delinquent in the payment of said license or privilege taxes for said year, to appear before him at the Court House of said Baldwin County and show cause why said license or privilege taxes for said year had not been paid; that the said license inspector reported to the Probate Judge of said Baldwin County the delinquency of the defendant in the payment of said license or privilege taxes for said year and its failure or refusal to take out license for engaging in said business of lending money during said year; and that defendant failed or refused and continues to fail or refuse to pay said license or privilege taxes, or any part thereof, for said year, and failed or refused and continues to fail or refuse to take out any license for engaging in said business of lending money during said year.

Count 2a.

The plaintiff claims of the defendant the sum of One Hundred Dollars (\$100.00) due from the defendant to the plaintiff for State license or privilege tax for the year commencing October 1, 1930 and ending September 30, 1931, as a corporation whose principal business in said year was lending money, the further, additional and different sum of Fifty dollars (\$50.00) due from the defendant to the plaintiff for the use of Baldwin County for county license or privilege tax for said year as a corporation whose principal business in said year was lending money, the further, additional and different sum of One Dollar and Fifty Cents (\$1.50) due from the defendant to the plaintiff for the use of the License Inspector for said Baldwin County for citation fee for citation to the defendant, issued as hereinafter averred, the further, additional and different sum of Twenty-two and 50/100 Dollars (\$22.50) due from the defendant to the plaintiff for the use of the License Inspector for said Baldwin County, for penalty for failure to pay for the license or privilege taxes for said year, - which said sums of money, with interest thereon since October 1, 1930 also claimed, are due and unpaid.

The plaintiff avers that the defendant, during said year, engaged in the business of lending money in said Baldwin County; that lending money in said county was defendant's principal business; that defendant is not and was not during said year a bank or banking institution regularly organized as such; and that defendant maintained in connection with its said business an office in said Baldwin County.

The plaintiff avers that subsequent to November 1, 1930 the License Inspector for said Baldwin County, as such license inspector and in the manner provided by law, cited the defendant, which was then and there, and still remains, delinquent in the payment of said license or privilege taxes for said year, to appear before him at the Court House of said Baldwin County and show cause why said license or privilege taxes for said year had not been paid; that the said license inspector reported to the Probate Judge of said Baldwin County the delinquency of the defendant in the payment of said license or privilege taxes for said year and its failure or refusal to take out license for engaging in said business of lending money during said year; and that defendant failed or refused and continues to fail or refuse to pay said license or privilege taxes, or any part thereof, for said year, and failed or refused and continues to fail or refuse to take out any license for engaging in said business of lending money during said year.

Count 3a.

The plaintiff claims of the defendant the sum of One Hundred Dollars (\$100.00) due from the defendant to the plaintiff for State license or privilege tax for the year commencing October 1, 1931 and ending September 30, 1932, as a corporation whose principal business in said year was lending money, the further, additional and different sum of Fifty Dollars (\$50.00) due from the defendant to the plaintiff for the use of Baldwin County for county license or privilege tax for said year as a corporation whose principal business in said year was lending money, the further, additional and different sum of One Dollar and Fifty Cents (\$1.50) due from the defendant to the plaintiff for the use of the License Inspector for said Baldwin County for citation fee for citation to the defendant, issued as hereinafter averred, the further, additional and different sum of Twenty-two and 50/100 Dollars (\$22.50) due

from the defendant to the plaintiff for the use of the License Inspector for said Baldwin County, for penalty for failure to pay for the license or privilege taxes for said year, - which said sums of money, with interest thereon since October 1, 1931 also claimed, are due and unpaid.

The plaintiff avers that the defendant, during said year, engaged in the business of lending money in said Baldwin County; that lending money in said county was defendant's principal business; that defendant is not and was not during said year a bank or banking institution regularly organized as such; and that defendant maintained in connection with its said business an office in said Baldwin County.

The plaintiff avers that subsequent to November 1, 1931 the License Inspector for said Baldwin County, as such license inspector and in the manner provided by law, cited the defendant, which was then and there, and still remains, delinquent in the payment of said license or privilege taxes for said year, to appear before him at the Court House of said Baldwin County and show cause why said license or privilege taxes for said year had not been paid; that the said License Inspector reported to the Probate Judge of said Baldwin County the delinquency of the defendant in the payment of said license or privilege taxes for said year and its failure or refusal to take out license for engaging in said business of lending money during said year; and that defendant failed or refused and continues to fail or refuse to pay said license or privilege taxes, or any part thereof, for said year, and failed or refused and continues to fail or refuse to take out any license for engaging in said business of lending money during said year.

Count 4a.

The plaintiff claims of the defendant the sum of One Hundred Dollars (\$100.00) due from the defendant to the plaintiff for State license or privilege tax for the year commencing October 1, 1932 and ending September 30, 1933, as a corporation whose principal business in said year was lending money, the further, additional and different sum of Fifty Dollars (\$50.00) due from the defendant to the plaintiff for the use of Baldwin County for county license or privilege tax for said year as a corporation whose principal business in said year was lending money, the further, additional and different sum of One Dollar and Fifty Cents (\$1.50) due from the defendant to the plaintiff for the use of the License Inspector for said Baldwin County for citation fee for citation to the defendant, issued as hereinafter averred, the further, additional and different sum of Twenty-two and 50/100 Dollars (\$22.50) due from the defendant to the plaintiff for the use of the License Inspector for said Baldwin County, for penalty for failure to pay for the license or privilege taxes for said year, - which said sums of money, with interest thereon since October 1, 1932, also claimed, are due and unpaid.

The plaintiff avers that the defendant, during said year, engaged in the business of lending money in said Baldwin County; that lending money in said county was defendant's principal business; that defendant is not and was not during said year a bank or banking institution regularly organized as such; and that defendant maintained in connection with its said business an office in said Baldwin County.

The plaintiff avers that subsequent to November 1, 1932 the License Inspector for said Baldwin County, as such license inspector and in the manner provided by law, cited the

defendant, which was then and there, and still remains, delinquent in the payment of said license or privilege taxes for said year, to appear before him at the Court House of said Baldwin County and show cause why said license or privilege taxes for said year had not been paid; that the said License Inspector reported to the Probate Judge of said Baldwin County the delinquency of the defendant in the payment of said license or privilege taxes for said year and its failure or refusal to take out license for engaging in said business of lending money during said year; and that defendant failed or refused and continues to fail or refuse to pay said license or privilege taxes, or any part thereof, for said year, and failed or refused and continues to fail or refuse to take out any license for engaging in said business of lending money during said year.

Count 5a.

The plaintiff claims of the defendant the sum of One Hundred Dollars (\$100.00) due from the defendant to the plaintiff for State license or privilege tax for the year commencing October 1, 1933 and ending September 30, 1934, as a corporation whose principal business in said year was lending money, the further, additional and different sum of Fifty Dollars (\$50.00) due from the defendant to the plaintiff for the use of Baldwin County for county license or privilege tax for said year as a corporation whose principal business in said year was lending money, the further, additional and different sum of One Dollar and Fifty Cents (\$1.50) due from the defendant to the plaintiff for the use of the License Inspector for said Baldwin County for citation fee for citation to the defendant, issued as hereinafter averred, the further, additional and different sum of Twenty-two and 50/100 Dollars (\$22.50) due from the defendant to the plaintiff for the use of the License Inspector for said Baldwin County, for penalty for failure to pay for the license or privilege taxes for said year, - which said sums of money, with interest thereon since October 1, 1933, also claimed, are due and unpaid.

The plaintiff avers that the defendant, during said year, engaged in the business of lending money in said Baldwin County; that lending money in said county was defendant's principal business; that defendant is not and was not during said year a bank or banking institution regularly organized as such; and that defendant maintained in connection with its said business an office in said Baldwin County.

The plaintiff avers that subsequent to November 1, 1933 the License Inspector for said Baldwin County, as such license inspector and in the manner provided by law, cited the defendant, which was then and there, and still remains, delinquent in the payment of said license or privilege taxes for said year, to appear before him at the Court House of said Baldwin County and show cause why said license or privilege taxes for said year had not been paid; that the said License Inspector reported to the Probate Judge of said Baldwin County the delinquency of the defendant in the payment of said license or privilege taxes for said year and its failure or refusal to take out license for engaging in said business of lending money during said year; and that defendant failed or refused and continues to fail or refuse to pay said license or privilege taxes, or any part thereof, for said year, and failed or refused and continues to fail or refuse to take out any license for engaging in said business of lending money during said year.

Count 6.

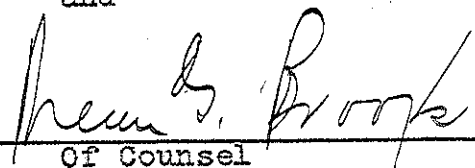
The plaintiff claims of the defendant the sum of One Hundred Dollars (\$100.00) due from the defendant to the plaintiff for State license or privilege tax for the year commencing October 1, 1934 and ending September 30, 1935, as a corporation whose principal business in said year was lending money, the further, additional and different sum of Fifty Dollars (\$50.00) due from the defendant to the plaintiff for the use of Baldwin County for county license or privilege tax for said year as a corporation whose principal business in said year was lending money, the further, additional and different sum of One Dollar and Fifty Cents (\$1.50) due from the defendant to the plaintiff for the use of the License Inspector for said Baldwin County for citation fee for citation to the defendant, issued as hereinafter averred, the further, additional and different sum of Twenty-two and 50/100 Dollars (\$22.50) due from the defendant to the plaintiff for the use of the License Inspector for said Baldwin County, for penalty for failure to pay for the license or privilege taxes for said year, - which said sums of money, with interest thereon since October 1, 1934, also claimed, are due and unpaid.

The plaintiff avers that the defendant, during said year, engaged in the business of lending money in said Baldwin County; that lending money in said county was defendant's principal business; that defendant is not and was not during said year a bank or banking institution regularly organized as such, and that defendant maintained in connection with its said business an office in said Baldwin County.

The plaintiff avers that subsequent to November 1, 1934 the License Inspector for said Baldwin County, as such license inspector and in the manner provided by law, cited the defendant, which was then and there, and still remains, delinquent in the payment of said license or privilege taxes for said year, to appear before him at the Court House of said Baldwin County and show cause why said license or privilege taxes for said year had not been paid; that the said License Inspector reported to the Probate Judge of said Baldwin County the delinquency of the defendant in the payment of said license or privilege taxes for said year and its failure or refusal to take out license for engaging in said business of lending money during said year; and that defendant failed or refused and continues to fail or refuse to pay said license or privilege taxes, or any part thereof, for said year, and failed or refused and continues to fail or refuse to take out any license for engaging in said business of lending money during said year.

A. A. CARMICHAEL  
Attorney General of the State  
of Alabama.

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

  
Of Counsel

69  
Rec in file 1/20/35  
M H Wilkins - Shf

IN THE CIRCUIT COURT OF 7-386  
BALDWIN COUNTY, ALABAMA.

STATE OF ALABAMA,  
PLAINTIFF,  
VS.

BALDWIN COUNTY BUILDING &  
LOAN ASSOCIATION,  
DEFENDANT.

SUMMONS AND COMPLAINT

Presented 12-3-1935  
by serving copy of within summons and  
complaint on  
O. H. Comings  
Pres. Baldwin Co.  
Bldg. and Loan  
Assn.  
M. H. Wilkins  
C. H. Anderson

Filed November 20, 1935.

*Ralph Duck*  
Clerk

LAW OFFICES OF  
LEON G. BROOKS  
BREWTON, ALA.



THE STATE OF ALABAMA,  
Baldwin County.

No. 220

CIRCUIT COURT

Term, 193

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

You are hereby commanded, That of the goods and chattels, lands and tenements of  
State of Ala vs Ballin Anders Plaintiff in the suit,  
you cause to be made the sum of \$ Building a Iron fence Dollars,  
costs of suit, created by said Plaintiff, for that, whereas, on the day of  
193, the said Plaintiff recovered by the Judgment of the said Circuit Court  
of said County, against

----- Defendant  
to the suit, the sum of ----- Dollars,  
besides ----- Dollars, cost of suit;  
upon which Judgment an Execution has been issued and returned by the Sheriff, 'No Property Found.'

AND HAVE YOU THAT MONEY ready to render to .....

Clerk of said Court, and make return of this Writ and the execution thereof, according to law.

Witness my hand, this \_\_\_\_\_ day of \_\_\_\_\_ 193\_\_\_\_\_

-Clerk.

[illegible]

THE STATE OF ALABAMA,  
Baldwin County.

By virtue of the within Execution, I have at

o'clock ..... M., this ..... day of ..... 193....., levied

COLLECT COSTS FROM

The State of Alabama  
BALDWIN COUNTY

I hereby certify that the within  
and costs in this case are correct, and there was  
..... waiver of exemption as to personal pro-  
perty under the Constitution and Laws of  
Alabama.

This ..... day of ..... 193..

Clerk

Received in office .....

..... 193.....

Sheriff

Sheriff's Execution Docket, Page .....

Sheriff's Fee Book, - - - Page .....

Sheriff.

No. .... Page .....

THE STATE OF ALABAMA,  
Baldwin County.

CIRCUIT COURT

Plaintiff ..

vs

Defendant ..

Civil Execution for Costs  
Against Plaintiff.

Costs, - - - \$ .....

Civil Fee Book *H* Page *235* .....

Execution Docket *K* Page .....

Filed ....., 193.....

....., Clerk.

Plaintiff's Attorney.

Defendant's Attorney.



STATE OF ALABAMA,

Plaintiff,

-vs-

BALDWIN COUNTY BUILDING & LOAN  
ASSOCIATION,


Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

DEMURRER

Comes now the defendant and for demurrer to the complaint of the plaintiff and to each and every Count thereof, separately and severally, demurs to said complaint and as ground for said demurrer says:

That said complaint does not state a cause of action against the defendant.

  
Attorney for Defendant

The defendant demands a trial by jury.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

*such*  
7-389

STATE OF ALABAMA,

Plaintiff,

-vs-

BALDWIN COUNTY BUILDING & LOAN  
ASSOCIATION,

Defendant.

DEMURRER

*Filed Jan 6 1936*  
*Robert H. Welch*

LLOYD A. MAGNEY  
Attorney  
Foley, Alabama.

September 7, 1938.

Gross Brown,  
Jackson, Alabama.

Dear sir:

This will acknowledge receipt of your letter of September 2nd, 1938, relative to your case in Circuit Court.

I am enclosing herewith a cost bill in the amount of \$133.65, total costs in this case, as per your request.

Yours very truly,

R. S. DUCK,  
Clerk.

By: \_\_\_\_\_  
Deputy-Clerk.

nt.

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

TO ANY SHERIFF OF THE STATE OF ALABAMA, - GREETINGS:

You are hereby commanded to summon Baldwin County Building & Loan Association, a corporation, to appear before the Circuit Court, to be held for said County, at the place of holding the same, within thirty days from service of this process, then and there to answer the complaint of STATE OF ALABAMA.

Witness My Hand, this 20 day of November, 1935.

Rabert L. Duck  
Clerk