

STATE OF ALABAMA

COUNTY OF BALDWIN

Before me

*R. D. Jones*

*Clerk Court Court*

Name and style of officer taking affidavit

personally appeared

J. A. LLOYD

, who, being duly

Name of party making affidavit

sworn deposes and says on oath that he is a duly authorized representative of the Commissioner of Agri-

culture and Industries of this State, and that there is located on premises of The Pace Co., Robertsdale, Alabama,

certain commercial feeds, described as follows, to-wit:

150-100 lbs. Sz. Diamond P Dairy Feed, 25-100 lb. Sz. Jax 20% Dairy Feed, 35-100 lb.

Sz. Big 5 H & M Feed

Which said J. A. LLOYD

affiant has probable cause to believe

and does believe is being sold, offered or exposed for sale in this State and which said

commercial feed

violates the law regulating

sale of commercial feed

in the following particular, to-wit:

The feed is adulterated and misbranded

Set out in what particular such fails to comply with the law

that such commercial feed

should be seized and forfeited to the State.

*[Signature]*  
Name of Party making Affidavit

Sworn to and subscribed before me this the 20th day of April, 1937.

*R. D. Jones*  
Name and Style of Officer taking Affidavit

McD.

STATE OF ALABAMA

COUNTY OF BALDWIN

To any officer authorized by law to execute this writ,

KNOW ALL THINGS:

A duly authorized representative of the Commissioner of Agriculture and Industries of Alabama

having complained on oath before me B. S. HINE, Register of the Circuit Court of  
(Name and style of officer taking affidavit)

Baldwin County, Alabama, that certain

commercial feeds described and located as set

out in the attached complaint violates the law regulating the sale of commercial feed and is  
subject to seizure and forfeiture to the State:

You are hereby commanded to forthwith seize and attach said commercial feed

and so secure the same that it  
may be liable to further proceedings thereon to be had before the circuit court of this county and upon  
the seizure as commanded, you will give notice of such seizure by posting a notice thereof at the place of  
seizure and at the court house of this county, whereupon you will make immediate return to the circuit  
court of this county how you have executed this writ.

Witness my hand this 20 day of April 19 57

B. S. HINE  
Name and style of officer issuing the writ.

# NOTICE

STATE OF ALABAMA

County of RALDWIN

Notice is hereby given that on the \_\_\_\_\_ day of April, 19 37 in obedience to a writ of seizure I seized and attached certain commercial feed

\_\_\_\_\_ Located at warehouses of The Pace Company, Robertsdale, Alabama, which are described as follows:

130-100 lb Sx. Diamond P Dairy Feed, 25-100 lb. Sx. Jax 20% Dairy Feed, 35-100 lb. Ex. Big 5 H. & H. Feed

That said commercial feeds were seized upon affidavit claiming it violated the law regulating the sale of commercial feed, and return has been made of such seizure to the circuit court of this county that those interested therein may pro-pound their claim thereto.

This the 21st day of April 19 37

M. H. Wilkins - Sheriff  
Name and style of officer making seizure.

# VALLEY MILLS

JACKSON, MISS.

No. 5318

March 8, 1937

SOLD TO The Pace Company

ADDRESS

Robertsdale, Ala.

SHIPPED TO Same

DESTINATION

Same

ROUTE

CAR INITIAL

P L

NUMBER

562375

TERMS:

Open

25 Sx. White Oats	125	.63	78.75
150 Sx. Diamond P. Dairy <u>62-4867-6</u>	7 1/2	33.00	247.50
20 Sx. Diamond P. Scratch	1	50.00	50.00
40 Sx. Big 5 H & M - <u>64-6</u>	2	39.00	78.00
40 Sx. Big M Chops	40	2.30	92.00
20 Bales 12/8-1/3# Pace Maker Grow-Mash	1/2	65.00	32.50
20 Bales 12/8-1/3# Pace Maker Little Chick	1	56.00	56.00
10 Bales 12/8-1/3# Pace Maker Starter	1/2	65.00	32.50
40 Sx. Jax 20% Dairy Feed - <u>63-2</u>	2	36.00	72.00
20 Sx. 2 Bu. White Corn	40	1.32	52.80
10 Sx. 2 Bu. Yellow Corn	20	1.32	26.40
20 Sx. Jax H & M Feed	1	41.50	41.50

---

859.95

Contract



STATE OF ALABAMA  
DEPARTMENT OF AGRICULTURE AND INDUSTRIES  
DIVISION OF AGRICULTURAL CHEMISTRY

Laboratory No. \_\_\_\_\_ Date of Report March 23, 1937

## REPORT OF MICROSCOPICAL FEED ANALYSIS

Sample No. 65-L Sampled By J.A. Loyd Date of Sample \_\_\_\_\_  
 Brand Name Jax 20 % Dairy Feed  
 Manufacturer The Valley Mills, Jackson, Miss.

### GUARANTEED INGREDIENTS LISTED ON ANALYSIS TAG

Cotton Seed Meal.....	Present	
Wheat Bran.....	None	- Violation
Brewers Dried Grains.....	None	* Violation
Yellow Corn Meal.....	None	- Violation
Corn Gulten Feed.....	None	- Violation
Rice Bran.....	Present	
Bone Meal.....	None	- Violation
Alfalfa Meal.....	Present	
Salt .....	Present	
Molasses .....	Present	

#### Ingredaints present and not listed

Corn Bran  
 Adulterants Present  
 Ground corn cobs and corn shucks. 20.00 %

\*\*\*\*\*

State of Alabama-----Montgomery----- County.

Before me ..... W. B. Griffin ..... personally appeared  
D. J. Murphy, Who, being duly sworn deposes  
 and says that the above analysis is true and correct.

Sworn and subscribed to before me this the..... 12th ..... day  
 of..... May..... 1937 .

D. J. Murphy  
W. B. Griffin



STATE OF ALABAMA  
 DEPARTMENT OF AGRICULTURE AND INDUSTRIES  
 DIVISION OF AGRICULTURAL CHEMISTRY

Laboratory No. \_\_\_\_\_ Date of Report March 23, 1937

REPORT OF MICROSCOPICAL FEED ANALYSIS

Sample No. 62- L Sampled By J.A. Lloyd Date of Sample \_\_\_\_\_

Brand Name Diamond " P " Dairy Feed

Manufacturer The Pace Company, Pensacola, Fla.

GUARANTEED INGREDIENTS LISTED ON ANALYSIS TAG

Cotton seed Meal .....	Present
Wheat Bran.....	None - Violation
Brewers Dried Grains.....	None - Violation
Alfalfa Meal.....	None - Violation
Oat Feed & Etc.....	Present
Corn Meal.....	None - Violation
Rice Bran.....	Present
Bone Meal.....	None - Violation
Salt.....	Present
Molasses.....	Present

\*\*\*\*\*

state of Alabama.....Montgomery..... County.

Before me .....J. N. B. Griffin.....,

personally appeared.....D. J. Murphy....., Who,

'being duly sworn deposes and says that the above analysis is true and correct .

D. J. Murphy

Sworn and Subscribed to before me this the.....12th..... day

of.....May..... .. 1937.

J. N. B. Griffin J.P.



STATE OF ALABAMA  
DEPARTMENT OF AGRICULTURE AND INDUSTRIES  
DIVISION OF AGRICULTURAL CHEMISTRY

Laboratory No. \_\_\_\_\_ Date of Report March 26, 1937

## REPORT OF MICROSCOPICAL FEED ANALYSIS

Sample No. 67-L      Sampled By J.A. Lloyd      Date of Sample \_\_\_\_\_  
Brand Name Diamond "P" Dairy Feed  
Manufacturer The Pace Company, Pensacola, Fla.

### GUARANTEED INGREDIENTS LISTED ON ANALYSIS TAG

Cotton Seed Meal.....	Present	
Wheat Bran.....	None	- Violation
Brewers Dried Grains.....	None	- Violation
Alfalfa Meal.....	None	- Violation
Oat Feed.....	Present	
Corn Meal.....	None	- Violation
Rice Bran.....	Present	
Bone Meal.....	None	- Violation
Molasses.....	Present	
Salt.....	Present	

Adulterants Present

Ground Corn Cobs and Corn Shucks 9.50%

\*\*\*\*\*

State of Alabama..... Montgomery..... County .

Before me ..... W. B. Griffin ..... personally  
appeared D. J. Murphy ..... Who, being duly  
sworn deposes and says that the above analysis is true and correct .

D. J. Murphy

Sworn and subscribed to before me this the ..... 12th ..... day  
of ..... May ..... 1937 .

W. B. Griffin, J.P.



STATE OF ALABAMA  
 DEPARTMENT OF AGRICULTURE AND INDUSTRIES  
 DIVISION OF AGRICULTURAL CHEMISTRY

Laboratory No. \_\_\_\_\_ Date of Report March 23, 1937

REPORT OF MICROSCOPICAL FEED ANALYSIS

Sample No. 64- L Sampled By J.A. Lloyd Date of Sample \_\_\_\_\_  
 Brand Name Big # 5 # Horse and Mule Feed  
 Manufacturer Merchants Company, Laurel, Miss.

GUARANTEED INGREDIENTS LISTED ON ANALYSIS TAG

Cracked Corn.....	Present
Rolled Oats.....	Present
Cotton Seed Meal.....	Present
Oats Feed .....	None - Violation
Alfalfa Meal.....	Present
Molasses and Salt.....	Present

Adulterants Present

Ground Corn Cobs and Corn Shucks... 10.00 %

\*\*\*\*\*

State of Alabama..... Montgomery ..... County .

Before me..... W. B. Griffin ..... personally  
 appeared..... [Signature] ..... Who, being duly  
 sworn deposes and says that the above analysis is true and correct.

Sworn and subscribed to before me this the..... 12th ..... day  
 of..... May ..... 1937 .

[Signature]





STATE OF ALABAMA  
 DEPARTMENT OF AGRICULTURE AND INDUSTRIES  
 DIVISION OF AGRICULTURAL CHEMISTRY

Laboratory No. \_\_\_\_\_ Date of Report 2-17-37

REPORT OF MICROSCOPICAL FEED ANALYSIS

Sample No. 58- L Sampled By J.A. Lloyd Date of Sample \_\_\_\_\_

Brand Name Diamond "P" Dairy Feed

Manufacturer The Pace Co., Pensacola, Fla.

GUARANTEED INGREDIENTS LISTED ON ANALYSIS TAG

Cotton Seed Meal.....	Present	
Wheat Bran.....	None	- Violation
Brewer's Dried Grains.....	None	- Violation
Alfalfa Meal.....	None	- Violation
Oat Feed.....	None	- Violation
Corn Meal.....	None	- Violation
Rice Bran.....	Present	
Bone Meal.....	None	- Violation
Molasses.....	Present	

Adulterants Present

Ground Corn Cobs and Corn Shuck 30.00 %

\*\*\*\*\*

State of Alabama..... Montgomery..... County .

Before me..... W. B. Griffin..... personally  
 appeared..... D. J. Murphy....., Who, being duly  
 sworn deposes and says that the above analysis is true and correct .

D. J. Murphy

Sworn and subscribed to before me this the..... 12th..... day  
 of..... May..... 1937 .

W. B. Griffin

Auburn, Alabama  
May 18, 1937

TO WHOM IT MAY CONCERN:

This is to certify that the attached reports of analyses were made in the State Chemical Laboratory at Auburn, Alabama, and to our best knowledge and belief these reports are correct.

These samples are, namely, Laboratory Nos. 16518, 16580, 16581, 16582 and 16586.

*C. L. Hare*

C. L. Hare  
State Chemist.

Subscribed and sworn to before me this 18th day of May, 1937.

*Berta Dunn*

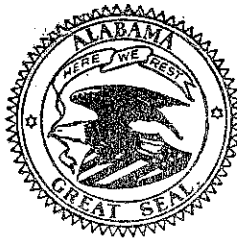
Notary Public

R. J. GOODE, COMMISSIONER  
SETH P. STORRS, ASST. COMR.

WM. B. GRIFFIN, CHIEF CLERK  
WM. A. WILLIAMSON, DISBURSING CLERK

BOARD OF AGRICULTURE

WILEY ALFORD, COLUMBIA  
J. LLOYD ABBOT, SPRING HILL  
M. J. FUNCHES, AUBURN  
GLENN FOSTER, TUSCALOOSA  
JOHN P. HAMPTON, HUNTSVILLE  
CLIFTON KIRKPATRICK, SELMA



STATE OF ALABAMA  
DEPARTMENT OF AGRICULTURE  
AND INDUSTRIES  
515 DEXTER AVENUE

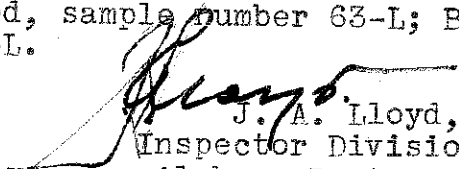
DIVISION CHIEFS

SEED ANALYST	L. N. ALLEN
APIARY INSPECTION	THOS. ATCHISON
POULTRY INSPECTION	R. B. JONES
INSPECTION AUDITS	W. P. DEJARNETTE
AGRICULTURAL STATISTICS	J. C. GARRETT
PLANT IND. & MARKETS	B. P. LIVINGSTON
FOODS, FEEDS, FERTILIZERS	GEO. H. MARSH
SOIL SURVEYS	L. G. BRACKEEN
PUBLICATIONS	L. O. BRACKEEN
WEIGHTS, MSRS., WHSES.	H. S. HOLLOWAY
I. S. MCADORY, LIVESTOCK SANITATION, AUBURN	
DR. C. L. HARE, CHEMICAL ANALYSES, AUBURN	

MONTGOMERY

State of Alabama,  
Baldwin County.

This is to certify that the three feed analysis tags attached are guarantees of the analysis of the respective lots of feed referred to in affidavits by Prof. C. L. Hare and Mr. D. J. Murphy, which affidavits and reports of findings by analysts are listed under sample numbers 58-L, 62-L, 63-L, 64-L and 67-L. On each of these three attached tags I have listed the sample numbers from the above list which correspond with the numbers shown in the analysts' reports. By name of feed and corresponding sample numbers these tags are as follows;- Diamond P Dairy Feed, sample numbers 58-L, 62-L and 67-L; Jax 20% Dairy Feed, sample number 63-L; Big 5 H & M Feed, sample number 64-L.

  
J. A. Lloyd,  
Inspector Division of Agricultural Chemistry  
Alabama Dept. Agriculture & Industries.

Sworn to be fore me this. 11 Day of June 1937.

  
Circuit clerk.

# CIRCUIT COURT, BALDWIN COUNTY, ALA. IN EQUITY

*State of Alabama*

No. 324

VS.  
*Certain Commercial Credits, & The Rice Co., et al*

PLAINTIFF  
DEFENDANT

## BILL OF COSTS

	Dollars	Cents			
<b>FEES OF REGISTER</b>			<b>Brought Forward</b> .....	\$	690
Filing each bill and other papers .....	\$	10	For Receiving, keeping and paying out or distributing money, etc.: 1st \$1,000, 1%, all over \$1,000, and not over \$5,000, 3-4 of 1%; all over \$5,000 and not exceeding \$10,000, 1-2 of 1%, all over \$10,000 1-4 of 1%.		
Issuing each subpoena .....		50	Receiving, keeping and paying out money paid into court, etc., 1-2 of 1% of amount received.		
Issuing each copy thereof .....		40	Each notice sent by mail to creditor .....	15	
Entering each return thereof .....		15	Filing receipting for and docketing each claim, etc. ....	25	
For each order of publication .....	1	00	For all entries on subpoena docket, etc.	50	
Issuing Writ of injunction .....	1	50	For all entries on commission docket, etc. ....	50	
For each copy thereof .....		50	Making final record, per 100 words .....	15	
Entering each return thereof .....		15	Certified copy of decree .....	1 00	
Issuing Writ of Attachment .....	1	00	Report of divorce to State Health Office (Acts 1915) .....	50	
Entering each return thereof .....		15			
Docketing each case .....	1	00	<b>TOTAL FEES OF REGISTER..</b>		1090
Entering each appearance .....		25	<b>FEES OF SHERIFF</b>		1350
Issuing each decree pro confesso on per ser. ....	1	00	Serving and returning subpoena on deft. ....	\$ 1 50	
Issuing each decree pro confesso on publica .....	1	00	Serving and returning subpoena for witness .....	65	
Each order appointing guardian .....	1	00	Levying attachment .....	1 50	
Any other order by Register .....		50	Entering and returning same .....	25	
Issuing Commission to take testimony .....		50	Selling property attached .....		
Receiving and filing .....		10	Impaneling Jury .....	75	
Endorsing each package .....		10	Executing Writ of possession .....	2 50	
Entering order submitting cause .....		50	Collecting execution for costs .....	1 50	
Entering any other order of court .....		25	Serving and returning sci. fa., each .....	65	
Noting all testimony .....		50	Serving and returning notice .....	65	
Abstract of cause, etc. ....	1	00	Serving and returning writ of injunction .....	1 50	
Entering each decree .....		75	Serving and returning writ of exeat. ....	1 50	
For every 100 words over 500 .....		15	Taking and approving bonds, each .....	75	
Taking account, etc. ....	3	00	Collecting money on execution .....		
Taking testimony, etc. ....		15	Making Deed .....	2 50	
Each report, 500 words or less .....	2	50	Serving and returning application, etc. ....	1 00	
For every 100 words over 500 .....		15	Serving attachment, contempt of court. ....	1 50	
Amount claimed less than \$500, etc. ....	2	00			
Issuing each subpoena .....		25	<b>TOTAL FEES OF SHERIFF..</b>		3325
Witness certificate, each .....		25	<b>RECAPITULATION</b>		1040
Issuing execution, each .....		75	Register's Fees .....		3325
Entering each return .....		15	Sheriff's Fees .....		3325
Taking and approving bond, each .....	1	00	Commissioner's Fees .....		000
Making copy of bill, etc. ....		15	Solicitor's Fees .....		000
Each notice not otherwise provided for .....		50	Witness Fees .....		000
Each certificate or affidavit, with seal .....		50	Guardian Ad Litem .....		000
Each certificate or affidavit, no seal .....		25	Printer's Fees .....		300
Hearing and passing on application, etc. ....	3	00	Trial Tax .....	3 00	
Each settlement with Receiver, etc. ....	3	00	Recording Decree in Probate Court .....		
Examining each voucher of Receiver, etc. ....		10			
Examining each answer, etc. ....	3	00	<b>TOTAL</b> .....		4665
Recording resignation, etc. ....		75			
Entering each certificate to Supreme Court .....		50			
Taking questions and answers, etc. ....		25			
For all other ser relating to such proceedings .....	1	00			
For services in proceeding to relieve minors, etc., same fee as in similar cases.					
Commission on sales, etc: 1st \$100, 2 per cent: all over \$100 and not exceeding \$1,000, 1 1-2 per cent; all over \$1,000, and not exceeding \$20,000, 1 per ct; all over 20,000, 1-4 of 1 per cent.					
Sub Total Carried Forward .....					

OFFICE OF  
**SHERIFF BALDWIN COUNTY**

M. H. WILKINS, SHERIFF

**Bay Minette, Alabama**

August 19, 1937.

M. H. Wilkins, Sheriff,  
Baldwin County, Ala.

In account with

The Pace Company, Robertsdale, Ala.

6 Mo. Storage on 105 Sx Feed	@ 5 00	\$30.00
------------------------------	--------	---------

RECORDED  
Auech  
7-130

Filed April 23, 1937.  
R. J. Auech, Register

RECORDED

Deeds

7-130

Notice

Filed April 21st, 1937

R. S. Deed, Register

RECORDED

Duck

7-129

Mydantic

Filed April 20, 1937.  
R. S. Duck, Register



Circuit Court, Baldwin County, Ala.  
In Equity.

No. \_\_\_\_\_

VS.

**COST BILL**

Paid Sept 7, 1937

*R. S. Ornelas*

Register.

RECORDED

Serial  
7-213

Applicant J. B. ~~Reed~~

Inspector Department of

Agriculture

Post June 11 1937  
R. B. ~~Reed~~  
Inspector

*Sheet*

RECORDED 7-213

*Report of State*

*Chemists, and*

*Applicants*

*First June 11 1939*

*Emmett*

STATE OF ALABAMA,  
Complainant,  
VS.  
PACE COMPANY, et al,  
Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY. NO. 324.

DEMURRER.

Now comes the Pace Company, one of the Respondents in the above entitled cause, and for demurrer to each and every count of the Bill of Complaint filed therein separately and severally says:

- 1. There is no equity in the bill.

*J. B. Blackburn*  
Solicitor for Respondent.

STATE OF ALABAMA  
BALDWIN COUNTY  
IN EQUITY  
CASE NO. 324  
COMPLAINT  
VS.  
PAC COMPANY, ET AL  
DEMAND

The State of Alabama, {  
Baldwin County } Circuit Court of Baldwin County, In Equity

To Any Sheriff of the State of Alabama—GREETING:

WE COMMAND YOU, That you summon The Pace Co.

of Baldwin. County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

The State of Alabama.

against said Pace Co.

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, Robert S. Duck, Register of said Circuit Court, this 6th day

of July. 1937

*Robert S. Duck*

Register

N. B.—Any party defendant is entitled to a copy of the bill upon application to the Register.

STATE OF ALABAMA,

Complainant,

vs.

150-100 LB. SACKS  
DIAMOND "A" DAIRY  
FEED, 25-100 LB.  
SACKS JAY 50% DAIRY  
FEED, 25-100 LB.  
SACKS BIG 5 H & H  
FEED, THE FINE COMPANY,  
& Corporation, and VAL-  
LEY HILLS, a Corporation,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

TO HONORABLE P. W. HARR, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

Comes the Complainant, THE STATE OF ALABAMA, acting by and through J. A. Lloyd, Representative of the Commission of Agriculture and Industries of the State of Alabama, and respectfully represents and shows unto your Honor and this Honorable Court as follows:

1. That J. A. Lloyd is the duly authorized representative of the Commission of Agriculture and Industries of the State of Alabama and authorized by law to bring this suit; that the Fine Company is a corporation with its principal place of business in this State at Robertsdale, in Baldwin County, Alabama; that the Valley Hills is a corporation of Jackson, Mississippi.

2. That the said J. A. Lloyd, as representative of the Commission of Agriculture and Industries of the State of Alabama, on to-wit, April 30th, 1937, seized, in accordance with law, the following described property, to-wit:

150-100 lb. Ss. Diamond "A" Dairy Feed, 25-100 lb.  
Ss. Jay 50% Dairy Feed, 25-100 lb. Ss. Big 5 H & H  
Feed;

That said feed was located in the warehouse of the Fine Company, a Corporation, and that from information available belonged to the Valley Hills, a Corporation of Jackson, Mississippi.

3. That said feeds were being sold, offered or exposed for sale in the State of Alabama, in violation of the law regulating the sale of commercial feeds, in that the said feeds were and are adulterated and misbranded.

WHEREFORE, the premises considered, Complainant prays that your Honor will, by proper process, make the said Fine Company and Valley Hills party respondents to this Bill of Complaint, and require them to plead, answer or demur

to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Complainant further prays that your Honor will, upon a final hearing of this cause, make and enter an order and decree condemning the said food, to-wit: 120-100 lb. ca. Diamond "1" Dairy Feed, 25-100 lb. ca. Jan 20% Dairy Feed, 25-100 lb. ca. Big S H & H Feed, and order the same confiscated, in accordance with law. Complainant prays for such other, further, different or general relief as it may be in equity and good conscience entitled to receive, and as in duty bound it will ever pray.

STATE OF MICHIGAN,

By Healy  
Commissioner of Agriculture and Industries.

**FOOT NOTES:**

The respondents, and each of them, are required to answer each and every allegation contained in the foregoing Bill of Complaint, in paragraphs 1 to 5, inclusive, but not under oath, oath being hereby expressly waived.

STATE OF MICHIGAN,

By Healy  
Commissioner of Agriculture and Industries.

STATE OF ALABAMA:

BALDWIN COUNTY:

This is to certify that those certain lots of commercial feed consisting of 130 100-pound sacks of Diamond P Dairy Feed; 25 100-pound sacks of Jax 20% Dairy Feed; and 35 100-pound sacks of Big 5 H & M Feed, which are now held under notices of suspension from sale on the premises of the Pace Company, Robertsdale, Alabama, said notices having been issued by Inspector J. A. Lloyd of the Alabama Department of Agriculture and Industries under Sample Numbers 58-L, 63-L, 62-L, 67-L and 64-L, were bought by us from the Valley Mills, Jackson, Mississippi, as per invoices as follows;

*No. 5318 of 3/8/37 in sum of \$859.95*

which invoices are attached hereto and made a part of this affidavit.

I certify further that these feeds were not manufactured by the Pace Company of Robertsdale, nor did any agent or employee of said Pace Company give any orders or instructions that the feeds in question should be manufactured according to any specifications other than those set forth on the analysis tags attached to the respective lots of feed.

I certify further that my name is J. W. Brett, *Jr* that I am now ~~owner~~ Manager of the Pace Company of Robertsdale, Alabama, and have held that position during the entire period of time within which the feed in question was bought and received by the Pace Company and was sampled, analysed and suspended from sale by said Alabama Department of Agriculture and Industries.

*J W Brett Jr*

Sworn to and subscribed before me  
this 23rd day of April, 1937.

*Chris M. Brown*  
NOTARY PUBLIC  
My Commission Expires  
APRIL 2nd 1939



STATE OF ALABAMA,

Complainant,

VS.

120-100 LB. SACKS  
DIAMOND "P" DAIRY  
FEED, 25-100 LB.  
SACKS JAX 20% DAIRY  
FEED, 35-100 LB.  
SACKS BIG 5 H & M  
FEED; THE PACE COMPANY,  
a Corporation, and VAL-  
LEY MILLS, a Corporation,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

TO HONORABLE P. W. MARR, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

Comes the Complainant, THE STATE OF ALABAMA, acting by and through J. A. Lloyd, Representative of the Commission <sup>OR</sup> of Agriculture and Industries of the State of Alabama, and respectfully represents and shows unto your Honor and this Honorable Court as follows:

1. That J. A. Lloyd is the duly authorized representative of the Commission <sup>OR</sup> of Agriculture and Industries of the State of Alabama and authorized by law to bring this suit; that the Pace Company is a corporation with its principal place of business in this State at Robertsdale, in Baldwin County, Alabama; that the Valley Mills is a corporation of Jackson, Mississippi.

2. That the said J. A. Lloyd, as representative of the Commission <sup>OR</sup> of Agriculture and Industries of the State of Alabama, on to-wit, April 20th, 1937, seized, in accordance with law, the following described property, to-wit:

120-100 lb. Sx. Diamond "P" Dairy Feed, 25-100 lb.  
Sx. Jax 20% Dairy Feed, 35-100 lb. Sx. Big 5 H & M  
Feed;

That said feed was located in the warehouse of the Pace Company, a Corporation, and that from information available belonged to the Valley Mills, a Corporation of Jackson, Mississippi.

3. That said feeds were being sold, offered or exposed for sale in the State of Alabama, in violation of the law regulating the sale of commercial feeds, in that the said feeds were and are adulterated and misbranded.

WHEREFORE, the premises considered, Complainant prays that your Honor will, by proper process, make the said Pace Company and Valley Mills party respondents to this Bill of Complaint, and require them to plead, answer or demur

to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Complainant further prays that your Honor will, upon a final hearing of this cause, make and enter an order and decree condemning the said feed, to-wit: 150-100 lb. Sx. Diamond "P" Dairy Feed, 25-100 lb. Sx. Jar 20% Dairy Feed, 25-100 lb. Sx. Big 5 H & H Feed, and order the same confiscated, in accordance with law. Complainant prays for such other, further, different or general relief as it may be in equity and good conscience entitled to receive, and as in duty bound it will ever pray.

*[Handwritten signatures]*

Respondent

Complainant  
THE BYGE COMPANY, INC.  
CORPORATED IN VI.

Complainant

*[Handwritten signature]*  
STATE OF ALABAMA  
COMMISSIONER OF AGRICULTURE AND INDUSTRIES

STATE OF ALABAMA  
COURT OF CIVIL JUDICIAL

*[Handwritten notes]*

FOOT NOTE:

The Respondents, and each of them, are required to answer each and every allegation contained in the foregoing Bill of Complaint, in paragraphs 1 to 3, inclusive, but not under oath, oath being hereby expressly waived.

STATE OF ALABAMA,

*[Handwritten signature]*  
Representative of the Commission of Agriculture and Industries.

STATE OF ALABAMA,

Complainant,

VS.

130-100 LB. SACKS  
DIAMOND "P" DAIRY  
FEED, 25-100 LB.  
SACKS JAX 20% DAIRY  
FEED, 35-100 LB.  
SACKS BIG 5 H & M  
FEED; THE PACE COMPANY,  
a Corporation, and VAL-  
LEY MILLS, a Corporation,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

TO HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

Comes the Complainant, THE STATE OF ALABAMA, acting by and through J. A. Lloyd, Representative of the Commission<sup>OR</sup> of Agriculture and Industries of the State of Alabama, and respectfully represents and shows unto your Honor and this Honorable Court as follows:

1. That J. A. Lloyd is the duly authorized representative of the Commission<sup>OR</sup> of Agriculture and Industries of the State of Alabama and authorized by law to bring this suit; that the Pace Company is a corporation with its principal place of business in this State at Robertsdale, in Baldwin County, Alabama; that the Valley Mills is a corporation of Jackson, Mississippi.

2. That the said J. A. Lloyd, as representative of the Commission<sup>OR</sup> of Agriculture and Industries of the State of Alabama, on to-wit, April 20th, 1937, seized, in accordance with law, the following described property, to-wit:

130-100 lb. Sx. Diamond "P" Dairy Feed, 25-100 lb.  
Sx. Jax 20% Dairy Feed, 35-100 lb. Sx. Big 5 H & M  
Feed;

That said feed was located in the warehouse of the Pace Company, a Corporation, and that from information available belonged to the Valley Mills, a Corporation of Jackson, Mississippi.

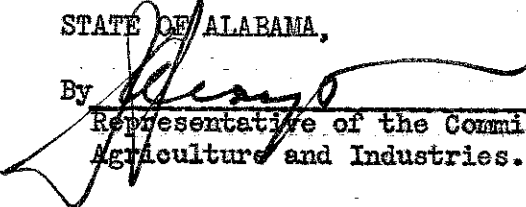
3. That said feeds were being sold, offered or exposed for sale in the State of Alabama, in violation of the law regulating the sale of commercial feeds, in that the said feeds were and are adulterated and misbranded.

WHEREFORE, the premises considered, Complainant prays that your Honor will, by proper process, make the said Pace Company and Valley Mills party respondents to this Bill of Complaint, and require them to plead, answer or demur

to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Complainant further prays that your Honor will, upon a final hearing of this cause, make and enter an order and decree condemning the said feed, to-wit: 130-100 lb. Sx. Diamond "P" Dairy Feed, 25-100 lb. Sx. Jax 20% Dairy Feed, 35-100 lb. Sx. Big 5 H & M Feed, and order the same confiscated, in accordance with law. Complainant prays for such other, further, different or general relief as it may be in equity and good conscience entitled to receive, and as in duty bound it will ever pray.

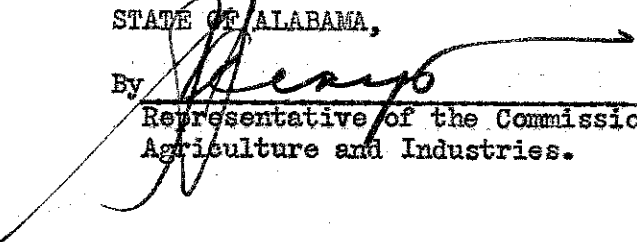
STATE OF ALABAMA,

By   
Representative of the Commission of  
Agriculture and Industries.

FOOT NOTE:

The Respondents, and each of them, are required to answer each and every allegation contained in the foregoing Bill of Complaint, in paragraphs 1 to 3, inclusive, but not under oath, oath being hereby expressly waived.

STATE OF ALABAMA,

By   
Representative of the Commission of  
Agriculture and Industries.

STATE OF ALABAMA,

Complainant,

VS.

130-100 LB. SACKS  
DIAMOND "P" DAIRY  
FEED, 25-100 LB.  
SACKS JAX 20% DAIRY  
FEED, 35-100 LB.  
SACKS BIG 5 H & M  
FEED; THE PACE COMPANY,  
a Corporation, and VAL-  
LEY MILLS, a Corporation,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

This cause coming on to be heard was submitted on the pleadings and proof as noted by the Register and after understanding and considering the matter, the Court is of the opinion that the Complainant is entitled to the relief prayed for.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the feeds described in the Bill of Complaint, to-wit:

130-100 lb. Sx. Diamond "P" Dairy Feed, 25-100 lb.  
Sx. Jax 20% Dairy Feed, 35-100 lb. Sx. Big 5 H & M  
Feed,

were being sold, offered or exposed for sale in the State of Alabama, in violation of the law regulating the sale of commercial feeds, and that said feeds were and are adulterated and misbranded.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that said feeds be and they are hereby condemned and ordered confiscated and delivered over to the Searchey's Hospital for Insane, at Mt. Vernon, Alabama, a State Institution, upon the payment of the costs in this cause.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the Complainant pay the costs in this cause for which execution may issue.

Done at Monroeville, in Monroe County, Alabama, this 1<sup>st</sup> day of September, 1937.

J. W. Hare  
Judge.

THE STATE OF ALABAMA, } CIRCUIT COURT, IN EQUITY.  
Baldwin County. } No. \_\_\_\_\_ Spring \_\_\_\_\_, Term, 1937

----- MARY ARD AND BOSE ARD -----, Complainant S

Vs.

----- CERTAIN LANDS DESCRIBED IN BILL OF COMPLAINT, and  
RUTH Y. MOORER, individually and as executrix of the estate of Henry D. Moorner, deceased. ----- Defendant S

Motion is hereby made for a Decree Pro Confesso against RUTH Y. MOORER, individually and as executrix of the estate of Henry D. Moorner, deceased, ----- Defendant S

in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 21st day of June 1937.

*Miss M. Brown*  
-----  
Solicitor.

8550 REQUEST FOR DECREE IN VACATION.

CIRCUIT COURT, IN EQUITY.

STATE OF ALABAMA,  
BALDWIN COUNTY

No. \_\_\_\_\_ Spring \_\_\_\_\_ Term, 1937

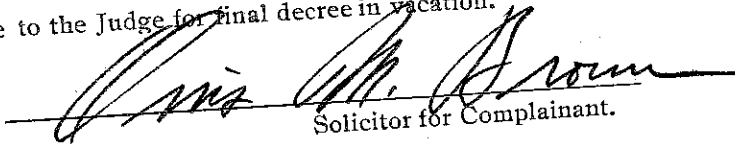
\_\_\_\_\_  
MARY ARD AND BOSE ARD, Complainant

Vs.

~~CERTAIN LANDS DESCRIBED IN BILL OF COMPLAINT, and~~ Defendant  
RUTH Y. MOORER, individually and as executrix of the estate of  
Henry D. Moorer, deceased.  
To ROBERT S. DUCK, Register :

In the above stated cause a Decree Pro Confesso having been taken against the Defendant,  
and evidence having been taken, and the cause being ready for submission for final decree, and no  
defense having been interposed, the Complainants by ORVIS M. BROWN

their Solicitors of record, now files with the Register of this Court  
this written request to deliver the papers in this cause to the Judge for final decree in vacation.

  
Solicitor for Complainant.

MARY ARD AND BOSE ARD

vs.

CERTAIN LANDS DESCRIBED IN  
BILL OF COMPLAINT, and RUTH Y.  
MOORER, individually and as exe-  
cutrix of estate Henry D. Moorers,  
deceased.

THE STATE OF ALABAMA  
Baldwin County

IN EQUITY  
Circuit Court of Baldwin County

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, and upon  
~~acceptance of service upon Ruth Y. Moorers, individually and as~~  
~~executrix of the estate of Henry D. Moorers, deceased, Service~~  
~~Publication, Motion for Decree Pro Confesso, Publication,~~  
~~Decree Pro Confesso, Testimony of Bose Ard, Amos Garrett, and~~  
J. P. Cooper

and in behalf of Defendant upon

*Produce*

Register.



The State of Alabama,  
Baldwin County.

CIRCUIT COURT, IN EQUITY.  
No. .... Spring ... Term, 1937

~~MARY ARD AND BOSE ARD~~ Complainant<sup>S</sup>  
CERTAIN LANDS, and RUTH Y. MOORER, individually and as  
vs. ~~executrix of estate of Henry D. Moorner, deceased,~~ Defendant<sup>S</sup>

In this cause it appears to the Register Robert S. Duck that the order of publi-  
cation heretofore made in this cause, was published for four consecutive weeks, commencing on the  
29th day of April, 1937, in the Foley Onlooker  
a newspaper published in Foley, Alabama, that a copy of said order was posted  
at the Court House door in Baldwin County, on the 29th day of  
April, 1937, and

And it now further appearing to the Register Robert S. Duck, that the said  
Ruth Y. Moorner, individually, and Ruth Y. Moorner, as executrix  
of the estate of Henry D. Moorner, deceased, having accepted service  
of bill of complaint and that no other person having appeared in  
the land file claim

having to the date hereof failed to demur, plead to or answer the Bill of Complaint in this cause, it  
is now, therefore, on motion of Complainant<sup>S</sup>, ordered and decreed by the Register Robert  
S. Duck that the Bill of Complaint in this cause be, and it hereby is in all things  
taken as confessed against the said Ruth Y. Moorner and against all persons having  
any claim and cloud on the title to the lands described in the Bill  
of Complaint.

This 21st day of June, 1937

Robert S. Duck Register.

Duch  
2-282

RECORDED

No. \_\_\_\_\_

**The State of Alabama**  
BALDWIN COUNTY

**IN EQUITY**  
Circuit Court of Baldwin County

VS.

**NOTE OF TESTIMONY**

Filed in Open Court this 21<sup>st</sup>

day of June 1937

R. S. Duch

REGISTER

No. \_\_\_\_\_ Page \_\_\_\_\_

**The State of Alabama,**

Baldwin County.

CIRCUIT COURT, IN EQUITY

~~MARY ARD AND BOSE ARD~~

Vs.

~~CERTAIN LANDS, and RUTH YL MOORER, individually and as executrix of estate Henry D. Moorner, deceased.~~

**REQUEST FOR DECREE IN VACATION**

Filed June 21<sup>st</sup>, 1937

R. S. Quirk

Register.

Recorded in \_\_\_\_\_ Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register.

Inch  
7-194

RECORDED

No. ----- Page -----

State of Alabama,  
Baldwin County.

CIRCUIT COURT, IN EQUITY.

~~MARY ARD and BOSE ARD~~  
Complainant<sup>s</sup>

Vs.

~~CERTAIN LANDS, and RUTH Y.  
MOORER, individually and as  
executrix of estate of Henry  
D. Moorner, deceased~~  
Defendant

Motion for Decree Pro Confesso  
On Publication.

Filed June 2, 1937

R. S. Dink  
Register.

Recorded in ----- Record,

Vol. ----- Page -----

Register.

No. \_\_\_\_\_ Page \_\_\_\_\_

**The State of Alabama,**  
Baldwin County.

**CIRCUIT COURT, IN EQUITY.**

vs.

**DECREE PRO CONFESSO  
OF PUBLICATION**

Issued 6/31 1937

*Product*

Register.

Recorded in \_\_\_\_\_ Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register.

(ORIGINAL)

# STATE CHEMICAL LABORATORY

Auburn, Ala., 5/18 19 37

## CERTIFICATE OF ANALYSIS

Laboratory No. 16518

Sample 58-L

From DEPARTMENT OF AGRICULTURE & IND.,  
MONTGOMERY, ALABAMA.

Water	15.15%
Ash	7.83%
Crude Protein	16.12%
Crude Fat	3.69%
Crude Fiber	13.02%
Carbohydrates (not including fiber)	44.19%

Remarks \_\_\_\_\_

C. L. Hare  
State Chemist

BROWN PRINTING CO., MONTGOMERY, ALA., 1934

(ORIGINAL)

# STATE CHEMICAL LABORATORY

Auburn, Ala., 5/18 19 37

## CERTIFICATE OF ANALYSIS

Laboratory No. 16586

Sample 67-L

From DEPARTMENT OF AGRICULTURE & IND.,  
MONTGOMERY, ALABAMA.

Water	13.54%
Ash	7.41%
Crude Protein	16.41%
Crude Fat	3.57%
Crude Fiber	14.67%
Carbohydrates (not including fiber)	44.40%

Remarks \_\_\_\_\_

C. L. Hare  
State Chemist

BROWN PRINTING CO., MONTGOMERY, ALA., 1934

(ORIGINAL)

# STATE CHEMICAL LABORATORY

Auburn, Ala., 5/18 19 37

## CERTIFICATE OF ANALYSIS

Laboratory No. 16581

Sample 63-L

From DEPARTMENT OF AGRICULTURE & IND.,  
MONTGOMERY, ALABAMA.

Water	13.61%
Ash	7.00%
Crude Protein	20.31%
Crude Fat	5.65%
Crude Fiber	13.60%
Carbohydrates (not including fiber)	39.83%

Remarks \_\_\_\_\_

(ORIGINAL)

# STATE CHEMICAL LABORATORY

Auburn, Ala., 5/18 19 37

## CERTIFICATE OF ANALYSIS

Laboratory No. 16582

Sample 64-L

From DEPARTMENT OF AGRICULTURE & IND.,  
MONTGOMERY, ALABAMA.

Water	15.41%
Ash	6.08%
Crude Protein	10.81%
Crude Fat	2.85%
Crude Fiber	10.21%
Carbohydrates (not including fiber)	54.64%

Remarks \_\_\_\_\_

# RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

*W. S. Webb*  
(Signature of addressee)  
*W. S. Webb*  
(Signature of addressee)

JUL 8 1937

Date of delivery \_\_\_\_\_ 19\_\_\_\_  
Form 3814

(ORIGINAL)

## STATE CHEMICAL LABORATORY

Auburn, Ala., 5/18 19\_\_\_\_

### CERTIFICATE OF ANALYSIS

Laboratory No. 16580

Sample 62-L

From DEPARTMENT OF AGRICULTURE & MONTGOMERY, ALABAMA.

Water	.....	13.1
Ash	.....	10.3
Crude Protein	.....	14.9
Crude Fat	.....	3.7
Crude Fiber	.....	15.0
Carbohydrates (not including fiber)	.....	42.2

Remarks .....

0 1 11

First Office Requirement

OFFICIAL BUSINESS

REGISTERED ARTICLE

NO. 627

INSURED PARCEL

NO. 0

*W. S. Webb Reg. Co*  
(NAME OF SENDER)

and Number of Post Office Box

Post Office at \_\_\_\_\_

WARNING FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE (300)



(ORIGINAL)

# STATE CHEMICAL LABORATORY

Auburn, Ala., 5/18 1937

## CERTIFICATE OF ANALYSIS

Laboratory No. 16580

Sample 62-L

From DEPARTMENT OF AGRICULTURE & IND.,  
MONTGOMERY, ALABAMA.

---

Water	<u>13.12</u> %
Ash	<u>10.34</u> %
Crude Protein	<u>14.98</u> %
Crude Fat	<u>3.71</u> %
Crude Fiber	<u>15.04</u> %
Carbohydrates (not including fiber)	<u>42.81</u> %

---

Remarks \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

0 L H...



# RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

*W. H. M. Smith*  
(Signature or name of addressee)

*Wm. W. C. Crisman*  
(Signature or name of addressee's agent)

**JUL 8 1937**

Date of delivery \_\_\_\_\_ 19\_\_\_\_  
Form 3531

Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE

No. *527*

INSURED PARCEL

No. \_\_\_\_\_

*W. H. M. Smith*  
NAME OF SENDER

Street and Number  
Post Office Box

Post Office at \_\_\_\_\_

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, ETC.



Received from the Postmaster the Registered or Insured Article the original number of which appears on the face of this card.

*J. H. Kelly*  
Clerk

Name of addressee

*Chokras*  
19

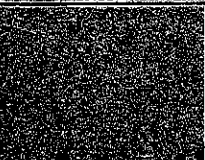
Date of delivery

APR 28 1937

Form 3911

UNITED STATES POSTAL SERVICE

POSTAGE WILL BE PAID BY ADDRESSEE



Post Office Department

REGISTERED MAIL

NO. 1

NO. 2

NO. 3

Return to *R S Smith*

NAME OF SENDER

Street and Number or Post Office Box

Post Office at

*MINNAPOLIS*

State

Form 37

ALABAMA  
STAMP TAX  
100 POUNDS

GUARANTY THIS STAMP TO THE  
ALL CHARGES PAID

INGREDIENTS:  
Oat Dust  
Molasses,  
Nitrogen-free  
Crude Fat, 4.00%  
Crude Fiber,  
Crude Protein,  
Crude Fat, 4.00%  
Crude Fiber,  
Nitrogen-free

Big  
The Feed

100 LBS. NET  
"5" H. & M. Feed  
Manufactured For  
Co., Pensacola, Fla.

GUARANTEED ANALYSIS

Protein, not less than	9.00%
Fat, not less than	2.00%
Crude Fiber, not more than	13.00%
CARBOHYDRATES Extract, not less than	54.00%

INGREDIENTS: Cracked Corn, Rolled Oats  
C/S Meal, Oat Feed (Oat Hulls,  
Oat Shorts) Alfalfa Meal and  
Not over 1% Salt.

100 POUNDS NET  
Jax 20% Dairy Feed  
Manufactured by  
VALLEY MILLS  
JACKSON & LAUREL, MISS.

GUARANTEED ANALYSIS

Crude Protein, not less than	20.00%
Crude Fat, not less than	4.00%
Crude Fiber, not more than	12.00%
CARBOHYDRATES Nitrogen-free Extract, not less than	55.00%

INGREDIENTS: Cotton Seed Meal, Alfalfa Meal,  
Wheat Bran, Brewers' Dried Grains, Yellow  
Corn Meal, Corn Gluten Feed, Rice Bran, 1%  
Bone Meal, Molasses, Not over 1% Salt.

ALABAMA  
STAMP TAX  
100 POUNDS

GUARANTY THIS STAMP TO THE  
ALL CHARGES PAID

ALABAMA  
STAMP TAX  
100 POUNDS

GUARANTY THIS STAMP TO THE  
ALL CHARGES PAID

INGREDIENTS:  
Molasses,  
Nitrogen-free  
Crude Fat, 4.00%  
Crude Fiber,  
Crude Protein,  
Crude Fat, 4.00%  
Crude Fiber,  
Nitrogen-free

DIARY

100 LBS. NET  
COND P DAIRY FEED  
Manufactured For  
THE PACE COMPANY  
PENSACOLA, FLA.

GUARANTEED ANALYSIS

Protein, not less than	16.00%
Fat, not less than	3.50%
Crude Fiber, not more than	15.00%
CARBOHYDRATES Nitrogen-free Extract, not less than	46.00%

INGREDIENTS: Cotton Seed Meal, Wheat  
Bran, Dried Grains, Alfalfa Meal, Oat  
Meal, Rice Bran, 1% Bone Meal,  
Not over 1% Salt.