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GENNIE S. TANKERSLEY
R.M.C.

IN THE COUNTY COURT

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE
Doris S. McClellan,
Plaintiff,

-vs-

Carolina Discount Company
of South Carolina or any
successor corporation,
Marion Harris, Grover S.
Parnell, Jr., and Donnie
S. Tankersley,

Defendants.

ORDER

*Executed
Donnie S. Tankersley
R.M.C.*

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This is an action to satisfy and cancel a Mortgage given by the Plaintiff to Carolina Discount Company of South Carolina dated February 1, 1960 in the amount of Two Thousand One Hundred Sixty and 00/100 (\$2,160.00) Dollars which was payable Ninety and 00/100 (\$90.00) Dollars per month which Mortgage was duly recorded in the RMC Office for Greenville County in Mortgage Book 815, at Page 288.

WJUI
11/13/77

The Plaintiff testified that the Mortgage to Carolina Discount Company was sold to Marion Harris, one of the Defendants, and that she gave a new Mortgage to Marion Harris dated September 14, 1960 in the amount of One Thousand Nine Hundred Ninety-two and 50/100 (\$1,992.50) Dollars which was also duly recorded in the RMC Office for Greenville County in Mortgage Book 836, at Page 405. The Plaintiff has introduced a letter of the Honorable O. Frank Thornton, Secretary of State, dated October 27, 1976 showing that Carolina Discount Company of South Carolina was merged into Carolina Investment Company of Greenville, South Carolina on January 10, 1961, but the corporation was canceled on November 8, 1961 for failure to pay capital stock taxes. The case of Bulova Watch Co. v. Roberts Jewelers of Rock Hill, Inc., 240 S.C. 130, 125 S.E. 2d 643 shows that a corporation cannot do business if its charter has been canceled and the corporate charter of Carolina Discount Company of South Carolina was canceled over fifteen years ago and such company could not do business not having a corporate charter.

PAGE ONE It is quite apparent that the Mortgage of Carolina Discount Company of South Carolina was paid in full, satisfied and canceled but not satisfied and canceled of record. This is indicated by the other two Mortgages of

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