

2650

THE STATE OF ALABAMA

MOBILE COUNTY

KNOW ALL MEN BY THESE PRESENTS, That we Quigley Specialty Company, Inc. principal and UNITED STATES FIDELITY & GUARANTY CO. are held and firmly bound unto Fuel Oil Supply Company, Inc. of Fairhope, Baldwin County, in the sum of Eight Hundred Fifty and No/100 (\$850.00) Dollars, and costs to be paid to the said Fuel Oil Supply Company, Inc., its successors or assigns; for which payment, well and truly to be made, we bind ourselves, and each of us, our and each of our successors and assigns, jointly, severally, and firmly, by these presents. Sealed with out seals and dated this 29th day of June, 1955.

The condition of the above obligation is such, that where- as the above bound Quigley's Specialty Company, a Corporation did on the day of the date hereof hath obtained at the suit of Detinue A Summons and complaint for the recovery of personal chattels in specie against Fuel Oil Supply Company, Incorporated and asks an endorsement on the summons, "That the Sheriff is required to take the property mentioned in said Complaint into his possession," as required by law in such cases, which Summons and Complaint are returnable to the Circuit Court of Baldwin County, Alabama, on the _____ day of _____, 1955, and which endorsement is made upon the plaintiff entering into this Bond.

Now, if the said Plaintiff shall fail in this suit, and pay the Defendant all such costs and damages as it may sustain by reason of the wrongful complaint in said cause, then this obligation to be void; otherwise to remain in full force and effect.

QUIGLEY'S SPECIALTY COMPANY, INC.

BY: _____ (L.S.)

S. B. Quigley (L.S.)

UNITED STATES FIDELITY & GUARANTY CO. (L.S.)

Maxim H. [Signature] (L.S.)
ATTORNEY-IN-FACT

*Filed 7-5-55
Avice French
Curt*

THE STATE OF ALABAMA

MOBILE COUNTY

Before me, the undersigned Notary Public, Mobile County, Alabama, personally appeared Ira T. Godwin, who, being duly sworn, deposed and saith: That the property sued for in the complaint of Quigley's Specialty Company, Inc. vs. Fuel Oil Supply Company, Inc. to-wit:

8 10.00X20 Rayon 12 Ply HM Goodyear Truck and Bus tires, Serial numbers: 09JY 733; 08JY 733; 0954533; 10JY533; 808T692; D25Y952 and A87L362.

4 10.00X20 Nylon 12 Ply HM Goodyear Truck and Bus tires, Serial numbers: C682 133; 5 E22533; 5 E 22833 and 4352533.

12 10.00X20 Truck and Bus Goodyear Tubes.

1 Dorsey Trailer #11, Model 1942, Serial 1621.


1 Fruehauf Trailer #13, Model 1942, Serial 1413.

belongs to Quigley's Specialty Company, the said Plaintiff.

 (SEAL)
Ira T. Godwin

Sworn to and subscribed before me

this 29th day of June, 1955.


NOTARY PUBLIC, MOBILE COUNTY, ALABAMA

THE STATE OF ALABAMA }
Baldwin County }

CIRCUIT COURT

No. 2650

July 7 1945

To Any Sheriff of the State of Alabama :

You Are Hereby Commanded to Summon

~~FUEL OIL SUPPLY COMPANY, A Corporation~~

to appear within thirty days from the service of this writ, in the Circuit Court to be held for said County at the place of holding the same, then and there to answer the complaint of

QUIGLEY'S SPECIALTY COMPANY, A Corporation

Witness my hand this ~~22~~^{5th} day of July 1945

Alice J. Plesh, Clerk.

COMPLAINT

~~QUIGLEY'S SPECIALTY COMPANY, Plaintiff~~ Versus ~~FUEL OIL SUPPLY COMPANY, Defendant~~
A Corp. A Corp.

The plaintiff claims of the defendant the following personal property, to-wit:

8 10.00 X20 Rayon 12 Ply HM Goodyear Truck and Bus tires, Serial numbers: 09JY 733; 08JY 733; 095L433; 10JY533; 808T692; D25Y952 and A87L362.

4 10.00X20 Nylon 12 Ply HM Goodyear Truck and Bus tires, Serial numbers: C682 133; 5 E22533; 5E22833 and 4352533.

12 10.00X20 Truck and Bus Goodyear Tubes.

1 Dorsey Trailer #11, Model 1942, Serial 1621.

1 Fruehauf Trailer #13, Model 1942, Serial 1413.

with the value of the hire or use thereof during the detention, to-wit:

from October 22, 194⁵, to 194

Herdon Inge Jr., Plaintiff's Attorney.

HERNDON INGE, JR.

ATTORNEY AT LAW

FIRST NATIONAL BANK BUILDING

POST OFFICE BOX 635

MOBILE, ALABAMA

July 1, 1955

Mrs. Alice Duck
Clerk of the Circuit Court
of Baldwin County
Bay Minette, Alabama

Re: Quigley Specialty Company
Vs: Fuel Oil Supply Company, Inc. of Fairhope

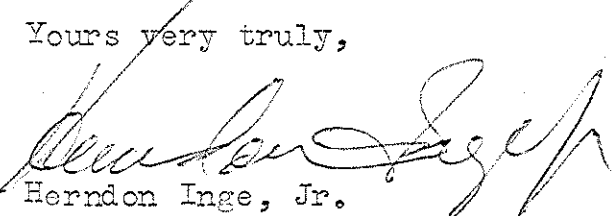
Dear Mrs. Duck:

Enclosed please find a bill of complaint and copy in detinue against the Fuel Oil Supply Company, Inc. of Fairhope. Also enclosed is a detinue bond properly executed by Quigley Specialty Company as principal and United States Fidelity and Guaranty Company as surety. I will appreciate this matter being duly entered and sent to the Sheriff's office for taking into his possession the property named in the suit. I am sending a copy of this letter to the Sheriff of Baldwin County in order that he can call Quigley Specialty Company in Mobile and speak to Mr. Abner Spann when he is ready to go down to pick up the property. Mr. Spann will be glad to meet him wherever he states in order that the property can be taken.

Please telephone me collect if there is any information needed.

Thanking you for all past favors and with kindest regards, I am

Yours very truly,


Herndon Inge, Jr.

HI:nl
Enc.

SAMUEL M. McMILLAN

ATTORNEY AT LAW

FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

February 22, 1956

Mrs. Alice Duck
Clerk of the Circuit Court
of Baldwin County
Bay Minette, Alabama

Re: Quigley Specialty Company
Vs: Fuel Oil Supply Company, Inc. of Fairhope

Dear Mrs. Duck:

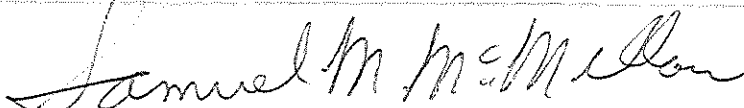
MO. 7650

I have succeeded Herndon Inge, Jr. as Attorney for Plaintiff, Quigley Specialty Company in the above case. As you know, Mr. Inge has been appointed a Circuit Judge and does not practice law anymore. The Defendant has paid the entire claim, and I would like to nonsuit the case. Here in Mobile a letter such as this to the Clerk of the Court is sufficient to effect a nonsuit. If that is your rule of Court, please take this as your authority to nonsuit the case.

Please send me the cost bill.

If this letter is not sufficient, please advise me and I will file a motion.

Yours very truly,



Samuel M. McMillan

SMM;nl

QUIGLEY'S SPECIALTY COMPANY, : IN THE CIRCUIT COURT
A Corporation, :
Plaintiff : OF BALDWIN COUNTY,
 :
-vs- : ALABAMA
 :
FUEL OIL SUPPLY COMPANY, :
A Corporation, :
 : NO. _____
Defendant :

COUNT ONE

The Plaintiff claims of the Defendant the following described personal property, to-wit:

8 10.00X20 Rayon 12 Ply HM Goodyear Truck and Bus tires, Serial numbers: 09JY 733; 08JY 733; 0954533; 10JY533; 808T692; D25Y952 and A87L362.

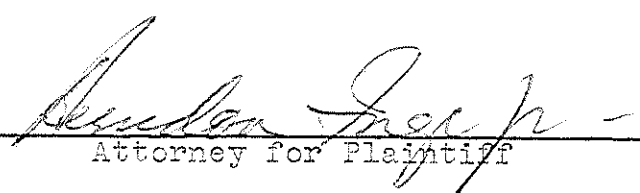
4 10.00X20 Nylon 12 Ply HM Goodyear Truck and Bus tires, Serial numbers: C682 133; 5 E22533; 5 E 22833 and 4352533.

12 10.00X20 Truck and Bus Goodyear Tubes.

1 Dorsey Trailer #11, Model 1942, Serial 1621.

1 Fruehauf Trailer #13, Model 1942, Serial 1413.

with the value of the use thereof from, to-wit, October 22, 1954.



Attorney for Plaintiff

Defendant's Address:

Fairhope, Alabama

THE STATE OF ALABAMA }
Baldwin County }

CIRCUIT COURT

No. 2650

July 7 1945

To Any Sheriff of the State of Alabama :

You Are Hereby Commanded to Summon

FUEL OIL SUPPLY COMPANY, A Corporation

to appear within thirty days from the service of this writ, in the Circuit Court to be held for said County at the place of holding the same, then and there to answer the complaint of

QUIGLEY'S SPECIALTY COMPANY, A Corporation

Witness my hand this 5th day of July 1945

Alice J. Hurl, Clerk.

COMPLAINT

QUIGLEY'S SPECIALTY COMPANY, Plaintiff, Versus FUEL OIL SUPPLY COMPANY, Defendant, A Corp. A Corp.

The plaintiff claims of the defendant the following personal property, to-wit:

8 10.00 X20 Rayon 12 Ply HM Goodyear Truck and Bus tires, Serial numbers: 09JY 733; 08JY 733; 0954433; 10JY533; 808T692; D25Y952 and A87L362.

4 10.00X20 Nylon 12 Ply HM Goodyear Truck and Bus tires, Serial numbers: C682 133; 5 E22533; 5E22833 and 4352533.

12 10.00X20 Truck and Bus Goodyear Tubes.

1 Dorsey Trailer #11, Model 1942, Serial 1621.

1 Fruehauf Trailer #13, Model 1942, Serial 1413.

with the value of the hire or use thereof during the detention, to-wit:

from October 22, 1945, to 1945

Herdon Inge Jr., Plaintiff's Attorney.