

The Fidelity and Casualty Company of New York

The Pioneer Bonding Company of the United States
BONDING DEPARTMENT: HALE ANDERSON, Vice-President, in charge
80 MAIDEN LANE, NEW YORK, N. Y.

Know all Men by these Presents:

That The Fidelity and Casualty Company of New York has made, constituted, and appointed, and by these presents does make, constitute, and appoint

W. Kent Timberlake of Atlanta, Georgia

its true and lawful attorney for it and in its name, place, and stead to execute on behalf of the said Company, as surety, bonds, undertakings, and contracts of suretyship to be given to
all obligees

provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed in amount the sum of one hundred thousand dollars.

In Witness Whereof The Fidelity and Casualty Company of New York has caused its official seal to be hereunto affixed, and these presents to be signed by one of its secretaries and attested by one of its assistant secretaries this 4th day of November, 1940

The Fidelity and Casualty Company of New York

By John C. Brodsky
Secretary.

Attest:

C. O'Leary, Jr.

Assistant Secretary.

STATE OF ALABAMA
COUNTY OF BALDWIN

Before me, the undersigned Notary, personally appeared this day JOHN F. FISHER, who, being sworn says that he is the Complainant in the bill of complaint filed July 15, 1943 in the Circuit Court of Baldwin County against LeBARON MOSELEY and that the averments in said bill are true.

J. A. Fisher

Subscribed and sworn to before me on this the 29th day of September, 1943.

Elliot B. Rinsley
Notary Public, Baldwin County, Alabama.

No. 2015425

The Fidelity and Casualty Company of New York

IN THE MATTER OF

J. F. Fisher, Complainant

VS

LeBaron Moseley, Defendant

NO. 969 EQUITY

Circuit Court of

Baldwin County, Alabama

:-:

KNOW ALL MEN BY THESE PRESENTS: That we, Carl L. Bloxham of Fairhope, Alabama, as Principal, and The Fidelity and Casualty Company of New York, having its principal place of business at 80 Maiden Lane, New York City, as Surety, are held and firmly bound unto the

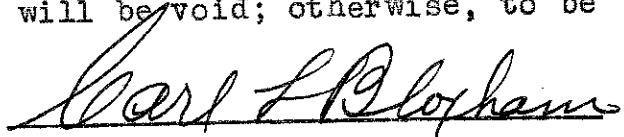
in the sum of Five Hundred (\$500.00) Dollars, in lawful money of the United States, to be paid to the said

_____ for which payment, well and truly to be made, the said Carl L. Bloxham binds himself, his heirs, executors, and administrators, and the said Company binds itself, its successors and assigns, jointly and severally, by these presents.

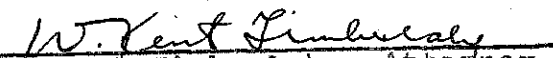
Signed and sealed this 7th day of October, 1943.

WHEREAS, by an order made by Hon. F. W. Hare, Judge of _____ Court of Baldwin County dated the 30th day of September, 1943, the said Carl L. Bloxham was appointed, with the usual powers, Receiver of all the property, assets and effects in the case of J. F. Fisher Vs. LeBaron Moseley.

NOW, THEREFORE, the condition of this obligation is such that if the said Carl L. Bloxham shall faithfully discharge the duties of his trust as such Receiver, and shall well and truly account for all moneys and property that shall come into his hands and shall abide by and perform all things which he in said order is instructed to do, or shall hereafter be by the Court commanded to perform, then this obligation will be void; otherwise, to be in full force and effect.



THE FIDELITY AND CASUALTY COMPANY
OF NEW YORK

BY: 
W. Kent Timberlake, Attorney.

No.

E Q U I T Y

J. F. FISHER,
Complainant.

CIRCUIT COURT

vs.

of

BALDWIN COUNTY, ALABAMA.

LeBARON MOSELEY,
Defendant.

Comes the Complainant and shows to the Court that the Defendant, LeBARON MOSELEY, having been duly notified, has failed within thirty days to plead, answer or demur to the bill of complainant, and now moves the Court that a responsible realtor of the Town of Fairhope be named by the Court as receiver as prayed in the bill to take over rent and maintenance of the property involved in the suit during the pendency of this cause.

Solicitor for Complainant.

JOHN F. FISHER,
Complainant

VS.

Le BARON MOSELEY,
Respondent

E Q U I T Y #969

CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

This cause coming on to be heard upon the Bill as amended and agreement of counsel made in open court and it appearing that the averments of the Bill are not controverted and same being duly considered, the Court is of the opinion that Complainants JOSEPHINE C. WILLIAMS and MARY ANN VOLLMER, the widow and daughter and sole next of kin of original Complainant, now deceased, are entitled to the relief prayed in the Bill.

It is therefore ORDERED, ADJUDGED and DECREED that upon the payment into the Registry of this Court by Complainants for delivery to Respondent of the sum of Five Hundred Dollars the agreed purchase price of the property described in the Bill, the title to Lot Number Nine in Block Eleven of Magnolia Beach Addition to the Town of Fairhope as per plat of said addition recorded in Miscellaneous Book I, page 236 of the Probate Records of Baldwin County, together with all improvements thereon shall thereupon vest in Complainants Josephine C. Williams and Mary Ann Vollmer and all right, title, interest and claim of Respondent, Le Baron Moseley, in and to said land is forever quieted and annulled as against him.

It is FURTHER ORDERED, ADJUDGED and DECREED that Carl L. Bloxham, the Receiver in this cause, make a full report of the administration of his receivership and pay into the Registry of this Court for the account of the Complainants, who are entitled thereto, all sums received by him as such Receiver less the usual commissions due him as Realtor collecting such monies and that the Register of this Court hold a reference, of which due notice be given to Complainants, to ascertain and pass upon the correctness of said report and ascertain and report a suitable amount to be paid to said Receiver for his services in this cause.

It is FURTHER ORDERED that the sum of Five Hundred Dollars paid into Court by Complainants as herein before provided, less the costs of this proceeding, be paid to Respondent Le Baron Moseley in full satisfaction for his interest in the realty here sued for and that the rents collected by the Receiver and accounted for by him be paid to Complainants.

It is FURTHER ORDERED, ADJUDGED and DECREED that a certified copy of this decree be filed for record in the Probate Court of Baldwin County and the cost of such recording be taxed as a part of the costs of this cause.

It is FURTHER ORDERED that the Respondent Le Baron Moseley pay the costs of this proceeding for which let execution issue.

Done at Monroeville, Alabama, this 23rd day of

July, 1947.

Ch. Q. R. 7/2/47
A. K.
9.13.75

J. W. Stare
Judge

STATE OF NEW YORK,

} ss.:

COUNTY OF NEW YORK,

C. O'Leary, Jr.

being duly sworn, deposes and says:

That he is an assistant secretary of The Fidelity and Casualty Company of New York, the corporation which is described in and which executed the instrument overleaf; that he knows the corporate seal of the said corporation; that the seal affixed to the instrument overleaf is the corporate seal of The Fidelity and Casualty Company of New York, and was thereto affixed by order and authority of the board of directors of the said Company; that he signed his name thereto by like order and authority; that he is acquainted with JOHN C. BRODSKY, and knows him to be a secretary of the said Company; that the signature of the said JOHN C. BRODSKY subscribed to the said instrument is in the genuine handwriting of the said JOHN C. BRODSKY, and was thereto subscribed by order and authority of the said board of directors of the said Company; that the said Company is duly and legally incorporated under the laws of the State of New York, and has complied with and is now complying with the provisions of the Act of Congress of August 13, 1894, allowing certain corporations to be accepted as surety on bonds.

The deponent further states that the following is a true copy of an extract from the minutes of a meeting of the board of directors of the said Company held at its office in the City of New York on the 20th day of December, 1939, a quorum being present, and the resolution contained in the said extract was unanimously adopted and is now in full force and effect:

"RESOLVED, That BERNARD M. CULVER, president of the Company, be, and that he hereby is; that FRANK A. CHRISTENSEN and HALE ANDERSON, vice-presidents of the Company, be, and that each of them hereby is, and that WILLIAM L. BATES and JOHN C. BRODSKY, secretaries of the Company, be, and that each of them hereby is, authorized to execute powers of attorney qualifying the attorney named in the given power of attorney to execute in behalf of The Fidelity and Casualty Company of New York bonds, undertakings, and all contracts of suretyship; and that any vice-president, or any secretary, or any assistant secretary be, and that each of them hereby is, authorized to attest the execution of any such power of attorney, and to attach thereto the seal of the Company."

C. O'Leary, Jr.

Sworn to before me this

Assistant Secretary.

4th day of November, 1940

Florence Carroll

COMMISSIONER OF DEEDS,
CITY OF NEW YORK.

Daisy Wood

I, _____, an attorney of The Fidelity and Casualty Company of New York, do hereby certify that I have compared the copy of the power of attorney overleaf and the foregoing copy of the affidavit annexed to the said power of attorney with the originals now on file in the home office of the said Company, and that the same are correct transcripts therefrom and of the whole of the said originals, and that the said power of attorney has not been revoked and is now in full force and effect.

In testimony whereof I have hereunto set my hand and affixed the seal of the said Company this 7th day of October, in the year of one thousand nine hundred and forty-three

Daisy Wood
Attorney.

No. 969,

RECORDED

EQUITY.

JOHN F. FISHER,
Complainant

vs

LeBARON MOSELEY,
Defendant.

AFFIDAVIT VERIFYING BILL.

Filed

9-30-43

R.S. Dwyer
Register

RECORDED
No. 969.--Equity.

JOHN F. FISHER,
Complainant,

VS

LEBARON MOSELEY,
Defendant.

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MOTION FOR APPOINTMENT
OF RECEIVER.

Filed

9-30-43

*R.S. Mucke
Register*

E. G. RICKARBY,
Solicitor for Compt.

N^o 969
Requie

JOHN F. FISHER,
Complainant

VS.

Le BARON MOSELEY,
Respondent

.....
DECREE
.....

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