

rec 810

STATE OF ALABAMA)

COUNTY OF BALDWIN)

KNOW ALL MEN BY THESE PRESENTS, That we, ROBBINS MACHINERY COMPANY, a corporation, as Principal, and UNITED STATES FIDELITY & GUARANTY COMPANY, as Surety, are held and firmly bound unto H. J. WILLIAMS in the sum of ONE HUNDRED AND NO/100 (\$100.00) DOLLARS, to be paid to the said H. J. WILLIAMS, his heirs, executors, administrators or assigns; for which payment, well and truly to be made, we bind ourselves, and each of us, our and each of our heirs, executors and administrators, jointly and severally and firmly, by these presents.

SEALED with our seals and dated this 26th day of April, 1968, in the year of our Lord, One thousand nine hundred and sixty-eight.

The condition of the above obligation is such, That whereas the above bound ROBBINS MACHINERY COMPANY, a corporation, on the day of the date hereof hath obtained at the suit of ROBBINS MACHINERY COMPANY, a corporation, plaintiff, vs. H. J. Williams, individually, and doing business as BAYSIDE DEVELOPMENT CO., defendant, a summons and complaint for the recovery of personal property in specie against said defendant and asks an endorsement by the Clerk of this Court "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 next term of the Circuit Court of Baldwin County, and which said endorsement is made upon the plaintiff entering into this bond.

NOW, if the said plaintiff shall fail in this suit,
and shall pay the defendant all such costs and damages as he
may sustain by reason of the wrongful complaint in said case,
then this obligation to be void, otherwise to remain in full
force and effect.

ROBBINS MACHINERY COMPANY,
a corporation,

By *Allan R. Cameron* (SEAL)
ALLAN R. CAMERON
Its Attorney As Principal

UNITED STATES FIDELITY & GUARANTY COMPANY

By *Danks Griffith* (SEAL)
Attorney-in-Fact

FILED

APR 26 1968

ALICE J. DUCK CLERK
REGISTER

Approved this 14 day of April, 1968.

Alice J. Duck
CLERK, CIRCUIT COURT, BALDWIN COUNTY,
ALABAMA

STATE OF ALABAMA

IN THE CIRCUIT COURT - LAW SIDE

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon H. J. William,
~~individually and doing business as BAYSIDE DEVELOPMENT CO.,~~ 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
same, then and there to answer the Complaint of Robbins Machinery
Company, a corporation.

WITNESS my hand this day of April, 1968.

Clerk

ROBBINS MACHINERY COMPANY,
a corporation,

Plaintiff : IN THE CIRCUIT COURT OF

-vs-

: BALDWIN COUNTY, ALABAMA

CASE No.

H. J. WILLIAMS, individually,
and doing business as
BAYSIDE DEVELOPMENT CO.,

Defendant

The plaintiff claims of the defendant the following
personal property, viz:

New Trojan Front End Loader Model 204A S/N 64-1651

with Cummins Model JN-130-CI Diesel Engine S/N

533491, 2 1/2 yd. bucket with bolt on type teeth

and adjustable fork lift; and

Four sections K-18 10 ft. Boom Inserts and 30 ft.

Basic Boom,

with the value of the hire or use thereof during the detention,

viz: from the 24th day of April, 1968.


ATTORNEYS FOR PLAINTIFF

APR 26 1968

ALICE J. DICKSON CLERK
RECEIVED

ROBBINS MACHINERY COMPANY,
A Corporation,

Plaintiff,

vs.

H. J. WILLIAMS, individually
and doing business as
BAYSIDE DEVELOPMENT CO.,

Defendant.

X

X

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO: 8107

MOTION FOR JUDGMENT BY DEFAULT

Comes now the Plaintiff in the above styled cause, by its attorneys and moves this Honorable Court to enter a judgment by default in favor of the Plaintiff and against the Defendant in the above styled cause and as grounds therefor says as follows:


That the Defendant was served with a copy of the Summons and Complaint by the Sheriff of Baldwin County, Alabama, on April 26, 1968 and since that time, he has failed to plead, answer or demur to the Complaint.

Respectfully submitted,

SULLIVAN & CAMERON

and

CHASON, STONE & CHASON

By: 
Attorneys for Plaintiff

FILED

JUN 20 1968

ALICE J. DUCK CLERK
REGISTER

ROBBINS MACHINERY COMPANY,
a corporation,

Plaintiff

-vs-

H. J. WILLIAMS, individually,
and doing business as
BAYSIDE DEVELOPMENT CO.,

Defendant

:

:

:

:

:

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

CASE No. 8109

STATE OF ALABAMA)

COUNTY OF MOBILE)

Before me, the undersigned Notary Public in and for
said County in said State, personally appeared ALLAN R. CAMERON,
who is known to me and who being duly sworn, deposeth and saith
that the property sued for in the complaint of ROBBINS MACHINERY
COMPANY, a corporation, vs. H. J. WILLIAMS, individually, and
doing business as BAYSIDE DEVELOPMENT CO., belongs to ROBBINS
MACHINERY COMPANY, a corporation, the said plaintiff.



ALLAN R. CAMERON

Attorney for Robbins Machinery Company,
a corporation, Plaintiff in the above
styled action

Subscribed and sworn to before

me this 26th day of April, 1968.



NOTARY PUBLIC, MOBILE COUNTY, ALABAMA

FILED

APR 26 1968

ALICE J. DUCK

CLERK
REGISTER

MOBILE COUNTY SHERIFF'S OFFICE

B A I L E E ' S R E C E I P T

Mobile, Ala. 1968

CASE NO. 8107

ROBBINS MACHINERY COMPANY, EX A CORP.

Plaintiff

VS

H.J. WILLIAMS, INC & d/b/a BAYSIDE DEVELOPMENT COM.

Defendant

STATE OF ALABAMA

COUNTY OF MOBILE

I hereby agree to take, care for and preserve as the BAILLEE of RAY D. BRIDGES, SHERIFF OF MOBILE COUNTY, ALABAMA, the following described personal property this day levied upon under Writ of ~~Ex parte~~ Detinue, issued out of the Circuit - ~~inferior~~ Court ~~of Mobile County~~ of ~~Mobile~~ ~~County~~ ~~Alabama~~ ~~in the above styled case to-wit:~~ ~~MINETTE BALDWIN~~

- 1 - New Trojan Front End Loader Model 204A S.N. 641651. with Cummins Model JN-130CI Deisel Engine S.N.533491, 2 1/2 yard bucket with bolt-on type teeth and adjustable fork lift
- 4 - Sections K-18 10 ft. Boon Inserts, and 30 feet Basic Boom.

I further agree to deliver the aboved described personal property to the said RAY D. BRIDGES, SHERIFF OF MOBILE COUNTY, ALABAMA upon his written order or demand.

NAME

ADDRESS

WITNESS

Property stored at _____

Name of firm, garage, etc.

Address

() VEHICLE DRIVEN IN

() VEHICLE TOWED IN

A FULL DESCRIPTION OF ALL PROPERTY MUST BE SHOWN ON THIS BAILLEE'S RECEIPT.
ON AUTOMOBILES, TRUCKS, TRACTORS, ETC. SHOW: MAKE, MODEL NO. SERIAL NUMBER,
AND LICENSE TAG NO.

(Sgd.) GEORGE M. BELLMANN, CHIEF CLERK.

ATTENTION:

ROBBINS MACHINERY COMPANY,
a corporation,

Plaintiff,

vs.

H. J. WILLIAMS, individually
and doing business as
BAYSIDE DEVELOPMENT CO.,

Defendant.

X
X
X
X
X
X
X
X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO: 8107

MOTION FOR LEAVE TO TAKE DEPOSITION
UPON ORAL EXAMINATION

Comes now the Plaintiff in the above styled cause, by its attorneys, and moves this Honorable Court to grant it leave, without leave, under the provisions of Title 7, Section 474 (1) of the Code of Alabama of 1940 to take the deposition upon oral examination of the Defendant, H. J. Williams, for the purpose of discovery and for use as evidence in the action, and as grounds therefor says as follows:

That this is a detinue suit and the Defendant was served on, to-wit: April 27, 1968 with a copy of the Summons and Complaint but the Writ of Detinue has not been executed because the Sheriff has been unable to locate the item of machinery which is the subject matter of this suit and the Defendant has failed and refuses to inform the Sheriff of the whereabouts of the machinery. That this motion is filed within 30 days after the commencement of the action.

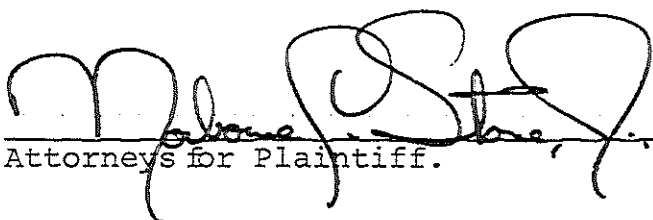
Respectfully submitted,

SULLIVAN & CAMERON

and

CHASON, STONE & CHASON

By:


Attorneys for Plaintiff.

FILED

MAY 20 1968

ALICE J. DECK

CLERK
REGISTER

ORDER:

The above and foregoing Motion having this day been filed and called to the attention of the Court and the Court having considered the same is of the opinion that the same should be granted. It is, therefore

ORDERED and DECREED by the Circuit Court of Baldwin County, Alabama, At Law, that leave be, and the same is hereby, granted to the Plaintiff to take the deposition upon oral examination of the Defendant.

Done this 20th day of May, 1968.

Julian A. Washington
Circuit Judge

FILED

MAY 20 1968

ALICE J. DUCK CLERK
REGISTER

FILED

MAY 20 1968

ALICE J. BISHOP

STATE OF ALABAMA

IN THE CIRCUIT COURT - LAW SIDE

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon H. J. William, individually and doing business as BAYSIDE DEVELOPMENT CO., 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 same, then and there to answer the Complaint of Robbins Machinery Company, a corporation.

WITNESS my hand this 26 day of April, 1968.


Clerk

ROBBINS MACHINERY COMPANY, :
a corporation,

Plaintiff : IN THE CIRCUIT COURT OF

-vs- : BALDWIN COUNTY, ALABAMA

CASE No. 8107

H. J. WILLIAMS, individually, :
and doing business as
BAYSIDE DEVELOPMENT CO.,

:
Defendant

The plaintiff claims of the defendant the following
personal property, viz:

New Trojan Front End Loader Model 204A S/N 64-1651

with Cummins Model JN-130-CI Diesel Engine S/N

533491, 2 1/2 yd. bucket with bolt on type teeth

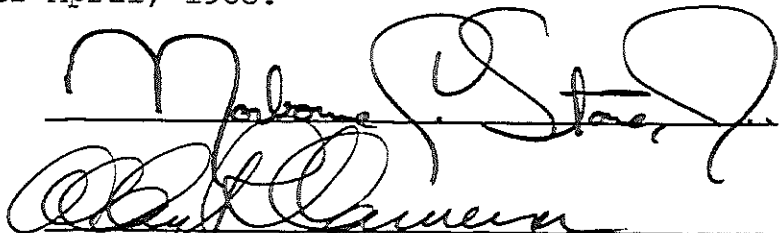
and adjustable fork lift; and

Four sections K-18 10 ft. Boom Inserts and 30 ft.

Basic Boom,

with the value of the hire or use thereof during the detention,

viz: from the 24th day of April, 1968.


ATTORNEYS FOR PLAINTIFF

FILED

APR 26 1968

ALICE J. DUCK CLERK
REGISTER

Received 26 day of April 1968
and on 26 day of April 1968
served a copy of the within
A. J. Williams

by service on above
Mable's Cut off
TAYLOR WILLIAMS, Sheriff
By Roy Randall D. S.

Received May 6, 1968
Returned July 22, 1968
No property deft found
in my Court
RAY E. JONES, Sheriff
By J. W. Lacy D. S.

REC'D SHERIFF DEPT.
MOBILE COUNTY, ALA.
MAY 6 1 18 PM '68

no. 8107 4782

H
ROBBINS MACHINERY COMPANY,
a corporation,
Plaintiff,

vs.

H. J. WILLIAMS, individually
and doing business as BAYSIDE
DEVELOPMENT CO.,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 8107

SUMMONS AND COMPLAINT

CHASON, STONE & CHASON
ATTORNEYS AT LAW
P. O. Box 120
BAY MINETTE, ALABAMA

986

To the Sheriff of said County:

Whereas, the Plaintiff in the within stated cause has made affidavit and given bond as required by law you are hereby required to take the property mentioned in Complaint into your possession unless the Defendant gives bond payable to the Plaintiff with sufficient surety in double the amount of the value of the property, with condition that if the Defendant is cast in the suit he will within thirty days thereafter, deliver the property to the Plaintiff, and pay all damages and costs which may accrue from the detention thereof.

Alvin J. Hunk Clerk

No property found

888
CERTIFIED COPY

GENERAL POWER OF ATTORNEY

No. 76021

Know all Men by these Presents:

That UNITED STATES FIDELITY AND GUARANTY COMPANY, a corporation organized and existing under the laws of the State of Maryland, and having its principal office at the City of Baltimore, in the State of Maryland, does hereby constitute and appoint

Banks Griffith

of the City of **Mobile**, State of **Alabama**,
its true and lawful attorney in and for the State of **Alabama**

for the following purposes, to wit:

To sign its name as surety to, and to execute, seal and acknowledge any and all bonds, and to respectively do and perform any and all acts and things set forth in the resolution of the Board of Directors of the said UNITED STATES FIDELITY AND GUARANTY COMPANY, a certified copy of which is hereto annexed and made a part of this Power of Attorney; and the said UNITED STATES FIDELITY AND GUARANTY COMPANY, through us, its Board of Directors, hereby ratifies and confirms all and whatsoever the said

Banks Griffith

may lawfully do in the premises by virtue of these presents.

In Witness Whereof, the said UNITED STATES FIDELITY AND GUARANTY COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its Vice-President and Assistant Secretary, this **3rd** day of **March**, A. D. 19 **64**

UNITED STATES FIDELITY AND GUARANTY COMPANY.

(Signed) **E. G. Hundley**

Vice-President.

(SEAL)

(Signed) **A. W. Griffith**

Assistant Secretary.

STATE OF MARYLAND,
BALTIMORE CITY,

ss:

On this **3rd** day of **March**, A. D. 19**64**, before me personally came
E. G. Hundley

A. W. Griffith, Vice-President of the UNITED STATES FIDELITY AND GUARANTY COMPANY and **A. W. Griffith**, Assistant Secretary of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said that they resided in the City of Baltimore, Maryland; that they, the said **E. G. Hundley** and **A. W. Griffith** were respectively the Vice-President and the Assistant Secretary of the said UNITED STATES FIDELITY AND GUARANTY COMPANY, the corporation described in and which executed the foregoing Power of Attorney; that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so fixed by order of the Board of Directors of said corporation, and that they signed their names thereto by like order as Vice-President and Assistant Secretary, respectively, of the Company.

My commission expires the first ~~Monday in May, A.D. 1965~~

(SEAL)

Monday in May, A.D. 1965

(Signed)

Anne M. O'Brien

Notary Public.

STATE OF MARYLAND
BALTIMORE CITY,

Sct.

I, **James F. Carney**, Clerk of the Superior Court of Baltimore City, which Court is a Court of Record, and has a seal, do hereby certify that **Anne M. O'Brien**, Esquire, before whom the annexed affidavits were made, and who has thereto subscribed his name, was at the time of so doing a Notary Public of the State of Maryland, in and for the City of Baltimore, duly commissioned and sworn and authorized by law to administer oaths and take acknowledgments, or proof of deeds to be recorded therein. I further certify that I am acquainted with the handwriting of the said Notary, and verily believe the signature to be his genuine signature.

In Testimony Whereof, I hereto set my hand and affix the seal of the Superior Court of Baltimore City, the same being a Court of Record, this **3rd** day of **March**, A. D. 19 **64**

(SEAL)

(Signed)

James F. Carney

Clerk of the Superior Court of Baltimore City.

COPY OF RESOLUTION

That Whereas, it is necessary for the effectual transaction of business that this Company appoint agents and attorneys with power and authority to act for it and in its name in States other than Maryland, and in the Territories of the United States and in the Provinces of the Dominion of Canada and in the Colony of Newfoundland.

Therefore, be it Resolved, that this Company do, and it hereby does, authorize and empower its President or either of its Vice-Presidents in conjunction with its Secretary or one of its Assistant Secretaries, under its corporate seal, to appoint any person or persons as attorney or attorneys-in-fact, or agent or agents of said Company, in its name and as its act, to execute and deliver any and all contracts guaranteeing the fidelity of persons holding positions of public or private trust, guaranteeing the performances of contracts other than insurance policies and executing or guaranteeing bonds and undertakings, required or permitted in all actions or proceedings, or by law allowed, and

Also, in its name and as its attorney or attorneys-in-fact, or agent or agents to execute and guarantee the conditions of any and all bonds, recognizances, obligations, stipulations, undertakings or anything in the nature of either of the same, which are or may by law, municipal or otherwise, or by any Statute of the United States or of any State or Territory of the United States or of the Provinces of the Dominion of Canada or of the Colony of Newfoundland, or by the rules, regulations, orders, customs, practice or discretion of any board, body, organization, office or officer, local, municipal or otherwise, be allowed, required or permitted to be executed, made, taken, given, tendered, accepted, filed or recorded for the security or protection of, by or for any person or persons, corporation, body, office, interest, municipality or other association or organization whatsoever, in any and all capacities whatsoever, conditioned for the doing or not doing of anything or any conditions which may be provided for in any such bond, recognizance, obligation, stipulation, or undertaking, or anything in the nature of either of the same.

I, **R. H. Bland, Jr.**, an Assistant Secretary of the UNITED STATES FIDELITY AND GUARANTY COMPANY, do hereby certify that the foregoing is a full, true and correct copy of the original power of attorney given by said Company to **Banks Griffith**

of **Mobile, Alabama**, authorizing and empowering **him** to sign bonds as therein set forth, which power of attorney has never been revoked and is still in full force and effect.

And I do further certify that said Power of Attorney was given in pursuance of a resolution adopted at a regular meeting of the Board of Directors of said Company, duly called and held at the office of the Company in the City of Baltimore, on the 11th day of July, 1910, at which meeting a quorum of the Board of Directors was present, and that the foregoing is a true and correct copy of said resolution, and the whole thereof as recorded in the minutes of said meeting.

In Testimony Whereof, I have hereunto set my hand and the seal of the UNITED STATES FIDELITY AND GUARANTY COMPANY on **April 26, 1968.**
(Date)

R. H. Bland Jr.

Assistant Secretary.

Attention: Mr. George Bellman

Bay Minette, Ala., May 3 1968

To the Sheriff of Mobile County, Mobile, Alabama

I enclose herewith Retinue & C to be served on
H.J. Williams

Please serve and return as early as possible.

Taylor Watkins

Sheriff, Baldwin County, Alabama

(If not found in your county, please advise promptly giving information as to present location if possible)