Know all Men by these Presents: That MARYLAND CASUALTY COMPANY tion created by and existing under the laws of the State of Maryland, of Baltimore City, Maryland, in pursuance of the authority set forth in Section 12 of Article V of its By-laws, from which the following is a true extract, and which Section has not been amended nor rescinded:

"The Chairman of the Board and President or any Vice-President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Corporation, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and

does hereby nominate, constitute and appoint J. C. VAN ANTWERP, JR. and HUGH F. TINI	
each with full power to act alone,	
en en mariente de la compansión de la comp	
of MOBILE State of ALABAMA its Attorney -in-	² act
to make, execute, seal, and deliver on its behalf as Surety, and as its act and deed, any and all bonds, recordances, stipulations, undertakings, and other like instruments, when penalty doe: not exceed	ani∗
ONE HUNDRED THOUSAND DOLLARS (\$100,000).	
\$\tag{\frac{1}{2}} \frac{1}{2} \frac{1} \frac{1}{2} \frac{1}{2} \frac{1}{2} \frac{1}{2} \frac{1}{2} \f	

DEU & SECTION TO TAN UND DES

Such bonds, recognizances, stipulations, undertakings or other like instruments shall be binding upon said Company as fully and to all intents and purposes as if such instruments had been duly executed and acknowledged and delivered by the authorized officers of the Company, when duly executed by either one of the aforesaid attorneys in fact.

This instrument supersedes power of attorney granted J. C. Van Antwerp, Jr., dated September 1, 1959.

Wilmess Wineroof, MARYLAND CASUALTY COMPANY has caused these presents to be executed in its name and on its behalf and its Corporate Seal to be hereunto affixed and attested by its officers thereunto dulyday of _____May authorized, this \sim 19 $^{
m 61}$, at Saltimore City, Maryland.

ATTEST.

Assistant Secretary.

MARYLAND CASUALTY COMPANY,

STATE OF MARYLAND

BALTIMORE CITY

26th On this. day of May

, A. D., 19.01., before the subscriber,

a Notary Public of the State of Maryland, in and for Baltimore City, duly commissioned and qualified, came...

Albert H. Walker Albert H. Walker Vice-President, and Rose E. Lutz Assistant Secretary, of MARYLAND CASUALTY COMPANY, to me personally known, and known to be the officers described in, and who executed the preceding instrument; and they each acknowledged the execution of the same; and Rose E. Lutz being by me duly sworn, they severally and each for himself deposed and said that they respectively hold the offices in said Corporation as indicated, that the Seal affixed to the preceding instrument is the Corporate Seal of said Corporation, and that the said Corporate Seal, and their signatures as such officers, were duly affixed and subscribed to the said instrument pursuant to all due corporate authorization.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal, at Baltimore City, the day and year first above written.

My commission expires May 6, 1963

THE COLLEGE OF BURBLE OF SESSIONS OF MUCH. - 1801年 - 1900年 - 1800年 - 18 men allos I. **B**er, Crécie Cerr 🕟 Eclevic Courty Court Rouse to growing by Act Sc. 76, Acts of Alabama, 1961, I am enclosing to t rall wing papers in the above styled case: Complaint and Stewons Saugus Ara Boyara on Completing Rail America Time in Resemble Document Comments 7/0/27/48 000000121 Manager and Control of the Control o Will wor please solchowledge redelpt of the shove papers on the bottom of layers and return to me in the enclosed self-addressed, stamped envelopes Their jos for john obsperetion. . Trains very towary V. V. Balan, Glerk ana pageng de pues campo reselver les pae Obreant Comru al Telligia. Compu The state of the s garren da orto distribili. Sorrengo a Laberra

COMPLAINT AND SUMMONS



REPORT TO GENERAL SESSIONS COURTROOM "B" FIRST FLOOR

The State of Ale MOBILE COUN		TO THE SHERIFF OF MOBILE	COUNTY—GREETINGS
You are hereby	commanded to sur	mmon Charles Herbert Kil	Patrick

to be and appear before	e the Court of Ge	eneral Sessions of Mobile County a	the Courthouse of Mobile
County, on the15	day of	November , 19 65	at the hour of 9:30 A M
then and there to answ	er a complaint of	Gary Milton Havel, a mino	r, who sues by and
**************************************		through his father and ne	xt friend,
		Milton V. Havel	
and the second of the second o		g Five Hundred Dollars.	
Herein fail not ar	d have you then	and there this precept with your	doings.
Witness my hand,	thisday o	ofOctober	19 65
		b.V. ad	am I
Cause of Action		Clerk of the Court of Gener	al Sessions of Mobile County.

		Margin J. Barthamar and Margin	emper en
30 Maria 1 Mar			
	***************************************	And the same of the same of the same	

COULAND COULAND	1/58
COMPLAINT AND SUMMONS	The state of the s
Atty. for Plaintiff: Cunningham & Bounds Atty. for Defendant:	RECEIVED IN OFFICE
THE COURT OF GENERAL SESSIONS OF MOBILE COUNTY	M'SBUTLIR, Shenii
No. 15027	
Ret. November 15, 1965	Executed by servingcopies of
Cary Milton Havel, a minor, who sues by and through his father and next friend, VS. Milton V. Havel Charles Herbert Kilpatrick 21 N. Navy Blvd. Pensacola, Florida	
Continued To	Sheriff of Montgomery County
(SERVE THROUGH SECRETARY OF STATE)	M. S. Butler, S.
Executed by Service on	The Sheriff claims 2
Defendant	miles at 10c per mile for a total of \$
This day, 19	Montgomery County, Ala. (a.
Sheriff of Mobile County	100 444 4 77 777

Deputy Sheriff

COST BILL

5

THE STATE OF ALABAMA MOBILE COUNTY The Court of General Sessions of Mobile County

handle of the second	
Dary Milton Havel, a mines who by the through his father the Excend	asus
of agrious the father the Equend	CASE NO. 44097
Charles Herbert Kilpatrick	, ,
	The committee of the co
COURT FEES	
Summons and proceedings thereon to judgment	\$1.00 / 00
Docketing each cause	
Attachment Bond and Affidavit	
Issuing each Attachment	.50
Summoning Garnishee and taking examination	
Subpoena for each witness	
Execution and taxing costs thereon	
Each appeal or certiorari, including bond and certificate of proceeding	
Every necessary Certificate or Notice not otherwise provided for	
For issuing each Writ of Detinue	
For each Scire Facias, or notice in the nature thereof	
Every other Bond	
Administering an oath and certifying the same	
Issuing Notice of Appeal	1 11 1
Law Library Fee Judgment Ni Si against Garnishee	
Writ of Discovery Writ of Contempt	.50
Writ of Arrest	.50
Alias Summons	
Witness Fee fifty cents for each day's attendance	

	2 3.5
TOTA	L \$ 2,35
SHERIFF'S FEES	
Levying Attachment	6.00
Entering and returning same	.25
Summoning Comishee and making return	1.50
Serving Summons and other mesne process, and returning the same	1.50
Summaning and Witness and returning Supposers	75
Collecting execution for costs only	1.50
Serving Scire Facias or other like notice	1.50
Serving any summons not herein provided for, and making return	
Seizing personal property under Writ of Detinue	
Taking care of such property, such just compensation as Court may fix	
Taking and approving bonds of every kind	
When property is sold under execution or attachment	
Commission:	
When sale is stayed by restraining order	2 ½ % 1.50
GRAND TOTA	74. 577-
I respectfully call your attention to the above Court Cost Bill which it	-
19, it will be my unpleasant duty to issue execution on your property G. V. A	ADAMS, Clerk.

GARY MILTON HAVEL, a minor, X
who sues by and through his
father and next friend, X
MILTON V. HAVEL,

Y IN THE CIRCUIT COURT OF
Plaintiff,
X BALDWIN COUNTY, ALABAMA
VS.

X LAW SIDE
X
CHARLES HERBERT KILPATRICK,

Defendant.

DEMURRER

χ

Comes the Defendant in the above styled cause and demurs to Count One of the complaint filed in said cause and assigns the following separate and several grounds, viz:

- 1. That said complaint does not state a cause of action.
- 2. That said complaint does not state in what manner the automobile was bent, broken and damaged.
- 3. That said complaint is vague and indefinite as to the damage of Plaintiff's automobile.
- 4. That said complaint does not state the length of time that the Plaintiff lost the use of his motor vehicle.
- 5. That said complaint does not allege that the Plaintiff was using such automobile for any business purposes.

Defendant demands trial of

this cause by jury.

Since or haven

I, John Chason, as one of the attorneys for the Defen-

dant in the above styled cause, do hereby certify that I have this day mailed a copy of the foregoing demurrer to Messrs.

Cunningham, Bounds and Byrd by United States mail, postage prepaid, to their post office address, at 1350 Dauphin Street, Mobile, Alabama, on this the day of December, 1965.

When Sinon

FILE DI ALIGE ! DUCK, SCENER GARY MILTON HAVEL, a minor, who sues by and through his father and next friend, MILTON V. HAVEL,

Plaintiff,

vs.

CHARLES HERBERT KILPATRICK,

Defendant.

* * * * * * * * * * * * * * * * *

DEMURRER

* * * * * * * * * * * * * * * * *

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

LAW SIDE



GARY MILTON HAVEL, a Mino who sues by and through		IN THE COURT OF
his father and next frien MILTON V. HAVEL,	Plaintiff GENERAL SESSIONS OF MOBILE COUNTY, ALABAMA)	
Plaintiff)	MOBILE COUNTY, ALABAMA
VS)	
CHARLES HERBERT KILPATRICH	ζ, ,	
Defendant)	CASE NO. 44,097

PLEA IN ABATEMENT

Comes now Charles Herbert Kilpatrick, appearing specially and solely for the purpose of presenting the following matter in abatement and for no other reason and not submitting to the jurisdiction of this court alleges:

On, to-wit, the 14th day of October, 1965, the plaintiff in the above styled cause did cause a summons to be issued addressed to the defendant, Charles Herbert Kilpatrick, service of the summons and complaint to be perfected upon the defendant through the Secretary of State, State of Alabama, the aforesaid summons being issued by the Clerk of the Court of General Sessions of Mobile County, Alabama. The defendant respectfully avers that at the time referred to in the plaintiff's complaint, i.e. to-wit, March 19, 1965 the defendant was a resident of Pensacola, Florida, his address in said City in said State being 21 North Navy Boulevard. The defendant further respectfully avers that, as shown in the plaintiff's complaint the automobile collision referred to in said complaint allegedly occurred in Baldwin County, Alabama.

The defendant respectfully avers that since the time of the alleged automobile collision as referred to in the plaintiff's complaint he has continued to reside in Pensacola, Florida. The defendant respectfully avers that service of process was not properly effected upon him in accordance with Title 7, Section 201 of the Code of Alabama, Recompiled, 1958 and that the plaintiff failed to file with the Clerk of the Court of General Sessions of Mobile County, Alabama an affidavit as is required by the above quoted statute.

Wherefore, Charles Herbert Kilpatrick, prays this court will order the summons and attempted service above described abated and held for naught.

PILLANS, REAMS, TAPPAN, WOOD &ROBERTS

STATE OF ALABAMA COUNTY OF MOBILE

The said Fred W. Killion, Jr., attorney for the aforesaid Charles Herbert Kilpatrick, being first duly sworn, says that he is the attorney for the defendant in the above styled action, that he has read the foregoing Plea and the facts alleged therein are true.

Subscribed and sworn to before me on this 5 th day of November, 1965.

Notary Public State of allebrame at Longe

Left Allex

I, Fred W. Killion, Jr., hereby certify that I have on this day of November, 1965 mailed a copy of the foregoing Plea in Abatement to Mr. Richard Bounds, Attorney of Record for the Plaintiff, P. O. Box 4486, Mobile, Alabama.

THE COURT OF GENERAL SESSIONS OF MOBILE COUNTY

CASE NO. 44097 October 11, 1965 GARY MILTON HAVEL, a minor, who sues by) Filed: and through his father and next friend, Milton V. Havel Summons Issued: October 14, 1965 November 15, 1965 PLAINTIFF Returnable: Secretary of State 10/18/65 Service Had: **v**s Cause of Action: Complaint and Summons Attorney for Plaintiff: Cunningham & Bounds CHARLES HERBERT KILPATRICK Attorney for Defendant: Fred Killion DEFENDANT AMOUNT OF CLAIM \$500.00

Plea In Abatement Filed 11/8/65.

12/13/65 Plea Granted .

12/13/65 Transfer to Baldwin County, Circuit Court. Warren L. Finch.

I hereby certify that the foregoing is a true and correct copy of the above styled cause, as it appears on record and in the files of The Court of General Sessions of Mobile County, Alabama.

Witness my hand this the 20th day of December, 1965.

Clerk of the Court of General Sessions of Mobile County, Alabama.

ZAKA XAXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX	XL IIIIIII EK
STATE OF ALABAMA, MOBILE COUNTY	
Gary Milton Havel, a minor, who sues by	
& through his father	Land Cover model of the
& through his father & next friend, Milton Vs.	
Charles Herbert Kilpatrick	
Tapa crick	
Defendant	
To Chamles we	
ToCharles Herbert Kilpatrick	A .
in said Cause:	*
You are hereby water	
You are hereby notified that Gary Milton Havel, a mino	r who
through his father and next friend, Milton-V. Havel-	-ymo-sues-by-and
thedescendant_plaintiffin the above entitled c a notice of transfer tained approach transfer	ause has prayed and oh-
TO SEPTEMBER AND ALL A	
Judge of the COURT OF GENERAL SESSIONS OF MARKET	
Judge of the COURT OF GENERAL SESSIONS OF MOBILE COUplied with the requirements of the law in such cases made and proving granted to the next term of the CIRCUIT COURT	
granted to the next term of the CIRCLER CO.	ided, the same has been
granted to the next term of the CIRCUIT COURT of MENNEXCENT County, you are hereby notified accordingly. BALDWIN COU	The to be built
decoldingly.	••**
Given under my hand this the 20 day of December	Addition Specification of the Communication of the
	14
Clerk, Court of Congress of	
, and of General Sessions of Mobil	e County, Civil Division

Gary Milton Havel, etal	
Plaintiff,	TO A LESS AND ASSESSMENT OF THE PROPERTY OF A SECOND OF THE PROPERTY O
vs	
Charles Herbert Kilpatrick	
Defendant.	euspach (Arbeite
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GARY MILTON HAVEL, a minor, who)

sues by and through his father
and next friend, MILTON V. HAVEL,)

Plaintiff.)

ALABAMA.

-vs-)

CASE NO. ______

CHARLES HERBERT KILPATRICK,)

Defendant.)

COUNT ONE

Plaintiff claims of the Defendant the sum of FIVE HUNDRED (\$500.00) DOLLARS, damages, for that heretofore and on, to-wit, March 19, 1965, the Defendant so negligently operated a motor vehicle on U. S. Highway 90 at a point, to-wit, 1.8 miles West of Spanish Fort, Alabama, said U. S. Highway 90 being a public road in Baldwin County, Alabama, as to cause said motor vehicle to collide with a motor vehicle then and there operated by Plaintiff on said U. S. Highway 90, and as a direct and proximate consequence of the negligence of the Defendant as aforesaid, the Plaintiff's automobile was bent, broken and damaged and he lost the use there-of over a period of time, hence this suit.

CUNNINGHAM, BOUNDS & BYRD ATTORNEYS FOR PLAINTIFF

3Y:///

RICHARD BOUNDS

Address of Defendant:

21 North Navy Boulevard Pensacola, Florida

(SERVE THROUGH SECRETARY OF STATE)

COMPLAINT AND SUMMONS

REPORT TO GENERAL SESSIONS COURTROOM "B" FIRST FLOOR

The	State	of	Alabama,
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MORITE COUNTA

TO THE SHERIFF OF MOBILE COUNTY—GREETINGS:

You are hereby commanded to summon Charles Herbert Kilpatrick
to be and appear before the Court of General Sessions of Mobile County at the Courthouse of Mobile
County, on the 15 day of November, 19 65 at the hour of 9:30 A.M.,
then and there to answer a complaint of Gary Milton Havel, a minor, who sues by and
through his father and next friend,
Milton V. Havel
of a debt or other demand not exceeding Five Hundred Dollars.
Herein fail not and have you then and there this precept with your doings.
Witness my hand, this 14 day of October , 1965.
S. V. adama I
Clerk of the Court of General Sessions of Mobile County.
Cause of Action
293

COMPLAINT AND SUMMONS

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Noven	mber 15,	1965		***********		
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