

617

NOAH RUSHING, as Administrator
of the Estate of Wayne Rushing,
Deceased,

Plaintiff,

-vs-

TECHE LINES, INC., a Corporation,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

TO MESSRS. BEEBE & HALL, ATTORNEYS OF RECORD FOR THE PLAINTIFF IN
THE ABOVE STYLED CAUSE:

Please take notice that the defendant in this cause in-
tends to and will, on the 27 day of November, 1940, file in
the Circuit Court of Baldwin County, Alabama, a petition and
bond in the form hereto attached for the removal of said cause
to the District Court of the United States for the Southern
Division of the Southern District of Alabama, and will as soon
thereafter as counsel can be heard, move the Court for an order
removing said cause to the District Court of the United States
for the Southern Division of the Southern District of Alabama.

Dated this 27 day of November, 1940.

McConway, McLeod, Thomas & Rogers
Attorneys for Defendant, Teche Lines, Inc.

We hereby accept service of a copy of the above and fore-
going notice, together with a copy of the petition and bond re-
ferred to therein, and waive further notice of said petition and
bond and of defendant's intention to file the same and of the
filing of said petition and bond, and consent that said petition
for the removal of said cause be heard by the Judge of the Twenty-
first Judicial Circuit of Alabama, who by virtue of his office
is Judge of the Circuit Court of Baldwin County, Alabama, and
that an order removing said cause as prayed in said petition be
entered without further notice to us.

Dated this 27 day of November, 1940.

Beebe & Hall
Attorneys for Plaintiff.

Attorneys for Plaintiff.

Dated this 27 day of November, 1940.
entered without further notice to us.

that an order removing said cause be prayed in said petition be
to Judge of the Circuit Court of Baldwin County, Alabama; and
first judicial circuit of Alabama, who by virtue of his office
for the removal of said cause be heard by the Judge at the Twenty-
filing of said petition and bond, and consent that said petition
bond and of defendant's intention to file the same and the
terred to therein, and waive further notice of said petition and
going notice, together with a copy of the petition and bond re-
We hereby accept service of a copy of the above and fore-

Notice & Acceptance of Service
Attorneys for Defendant, Leche-Rimes, Inc.
Filed November 27 1940
W.S. Black Clerk

Dated this 27 day of November, 1940.

for the Southern Division of the Southern District of Alabama.
removing said cause to the District Court of the United States
hereafter as counsel can be heard, move the Court for an order
Division of the Southern District of Alabama, and will as soon
to the District Court of the United States for the Southern
bond in the form hereto attached for the removal of said cause
the Circuit Court of Baldwin County, Alabama; a petition and
bonds to and will, on the 27 day of November, 1940, file in
Please take notice that the defendant in this cause in-

THE ABOVE SIGNED ORDER:
DO HEREBY, BY ME, CLERK, ATTORNEYS OF RECORD FOR THE DISTRICT IN

Defendant.
LECHE RIMES, INC., a Corporation.
-vs-
Plaintiff,
Deceased,
of the Estate of Melvina Rushing,
NORM RUSHING, as Administrator.
BALDWIN COUNTY, ALABAMA.
IN THE CIRCUIT COURT OF

1940

NOAH RUSHING, as Administrator
of the Estate of Wayne Rushing,
Deceased,

Plaintiff,

-vs-


TECHE LINES, INC., a Corporation,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
AT LAW.

This cause coming on to be heard upon the petition of the defendant herein, for an order removing said cause to the District Court of the United States for the Southern Division of the Southern District of Alabama, in which division and district Baldwin County, the County in which said suit is pending, is embraced, and it appearing to the Court that the defendant has filed its petition for such removal in due form and according to law, and has filed its bond duly conditioned, and with good and sufficient surety, as provided by law, and that written notice of said petition and bond was duly given to the plaintiff in accordance with the law in such cases made and provided, prior to the filing of the same, and it appearing to the Court that this is a proper cause for removal to said District Court of the United States, the said bond is accepted and approved:

It is, therefore, ordered and adjudged by the Court that this cause be, and the same is hereby, removed to the District Court of the United States for the Southern Division of the Southern District of Alabama, in which the County of Baldwin is embraced, and the Clerk is hereby ordered and directed to make up and certify the entire record in said cause for transmission to said District Court of the United States forthwith.

Dated this 27th day of November, 1940.



Judge of the Circuit Court of Baldwin
County, Alabama.

NOTES TO THE MEMORANDUM
FOR THE RECORD
SUBJECT: [REDACTED]
DATE: [REDACTED]
BY: [REDACTED]
[REDACTED]

[illegible]

Order of Transfer

Filed this 27th day of November 1940
by R.S. Dush

CONFIDENTIAL
OFFICE OF THE ATTORNEY GENERAL
STATE OF NEW YORK

The State of Alabama, }
BALDWIN COUNTY

CIRCUIT COURT. (LAW)

December

Term, 1940

Noah Rushing, as Administrator,

No. 617.

VS.

Plaintiff.

Teche Lines, Inc., a Corporation,

Defendant.

Transferred to District Court of
United States, for the Southern
Division of the Southern District
of Alabama.

BILL OF COSTS

CLERK'S FEES:	AMOUNT
Fees in Circuit Court—	
Docketing Cause, One Fee only of.....	.25
Issuing Summ. and Complt., each.....	1.25
Issuing Alias or Branch Summons & Complaint, each.....	1.25
Making Copies Thereof, Minimum, each .....	.30
Making Copies Thereof, over 200 Words, per 100 words.....	.15
Entering Sheriff's Returns, each .....	.20
Entering Appearances, each .....	.20
Certifying Affidavits, each .....	.25
Issuing Attachments with Bond, each	1.00
Orders of Publication, each .....	.50
Copy of Same, each .....	.50
Issuing Summ. to Garnishee, each .....	.50
Copy of Same, Per 100 Words .....	.15
Swearing Garnishee, Etc., Per 100 words, .15, Minimum .....	.50
Release of Garnishee, each .....	.25
Issuing Scire Facias or Similar Notice, each .....	.75
Copies of Same, Per 100 Words.....	.15
Making Copy of Interrogatories, Per 100 Words, .15; Minimum .....	.50
Commission to Take Depositions, each .....	.75
Filing Depositions, Each Pkg., .....	.10
Endorsing Each Package of Depositions Opened .....	.10
Issuing Subpoenas, Each .....	.30
Issuing Witness Certificates, each .....	.25
Entering Continuances, each .....	.10
Filing Papers, each .....	.60
Other Orders of Court, each .....	.30
Trial and Incidents .....	.75
Entering Judgment, each .....	.30
Complete Record, Per 100 Words .....	.15
Taking Bonds, each .....	.75
Certificate of Appeal .....	.25
Transcript to Superior Court, Per 100 Words .....	.15
Additional Copies of Same, Per 100 Words .....	.05
Issuing Executions or Copy Thereof, each .....	.50
Entering Sheriff's Return, Per 100 Words, .15; Minimum .....	.20
Total Clerk's Fees	15.25
SHERIFF'S FEES:	
Serving and Returning Summons or Writ, each	1.50
Levying Attachment, each	2.00
Entering and Returning Same, each .....	.25
Seizing Personal Property Under Writ of Detinue	3.00
Taking and Approving Bonds, each.....	1.00
Summoning Garnishee .....	.50
Serving and Returning Sci. Fa. or Notice, Each	1.50
Serving and Returning Subpoenas, each .....	.65
Serving Contempt Attachment, each	1.50
Impaneling Jury.....	.75
Collecting Execution for Costs Only, each.....	1.50
Coms. for Collecting Money on Executions	
Executing Writs of Possession, each.....	5.00
Making Deed to Real Estate Sold, each,	2.50
Total Sheriff's Fees	3.00

U.S. District Court

Interrogatories

I certify that the within is a true and correct Bill of Costs in the within styled cause.

ATTEST:

Clerk Circuit Court, Baldwin County, Ala.

Received payment this _____ day of _____ 194 _____

ATTEST:

Clerk Circuit Court, Baldwin County, Ala.

No. 617

Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT

NOAH RUSHING, As Administrator
of Estate of Wayne Rushing,
Deceased, vs. Plaintiff.

TECHIE LINES, INC., a Corpora-
tion,
Defendant.

CIVIL COST BILL

December Term, 19 40

Fee Book Consolidated Page 617

Beebe & Hall
Plaintiff's Attorney.

McCorvey, McLeod, Turner & Rogers
Defendant's Attorney.

STATE OF ALABAMA,)
BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon TECHE LINES, INC., 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 NOAH RUSHING, as Administrator of the Estate of Wayne Rushing, deceased.

WITNESS my hand this 28th day of October, 1940.

H. S. Duck

Clerk.

NOAH RUSHING, as Administrator
of the Estate of Wayne Rushing,
Deceased,

Plaintiff,

VS.

TECHE LINES, INC., a Corporation,
Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

ONE:

The Plaintiff claims of the Defendant Eighteen Thousand (\$18,000.00) Dollars, as damages, for that heretofore, on to-wit, the 18th day of August, 1940, the Defendant, acting by and through its agent, servant or employee, who was then and there acting within the line and scope of his employment, so negligently operated an automobile bus on or along the "Old Spanish Trail", a public highway, at a point approximately five miles East of Robertsedale, in Baldwin County, Alabama, that said automobile bus was driven into, against or over the Plaintiff's intestate, Wayne Rushing, a minor four years old, and as a proximate result thereof, the Plaintiff's intestate, the said Wayne Rushing, was seriously injured and as a proximate consequence thereof died.

Plaintiff avers that the said injuries to and death of the Plaintiff's intestate, the said Wayne Rushing, a minor four years old, were proximately caused by the negligence of the Defendant, Teche Lines, Inc., a Corporation, acting by and through its agent, servant or employee, who was then and there acting within the line and scope of his employment in so operating said automobile bus along said highway, at said point.

TWO:

The Plaintiff claims of the Defendant the sum of Eighteen Thousand (\$18,000.00)

Dollars, as damages, for that heretofore, on to-wit, the 18th day of August, 1940, at a point approximately five miles East of Robertsdale, in Baldwin County, Alabama, on the "Old Spanish Trail", a public highway, the Defendant, acting by and through its agent, servant or employee, who was then and there acting within the line and scope of his employment, negligently drove an automobile bus into, over or against the Plaintiff's intestate, Wayne Rushing, a minor four years old, and by reason thereof and as a proximate result and consequence thereof, the Plaintiff's intestate, the said Wayne Rushing, was seriously injured and died, for all of which he claims damages as aforesaid; hence this suit.

THREE:

The Plaintiff claims of the Defendant Eighteen Thousand (\$18,000.00) Dollars, as damages, for that heretofore, on to-wit, the 18th day of August, 1940, the Defendant, acting by and through its agent, servant or employee, who was then and there acting within the line and scope of his employment, so negligently operated an automobile bus on or along the "Old Spanish Trail", a public highway, at a point approximately five miles East of Robertsdale, in Baldwin County, Alabama, that said automobile bus was driven into, against or over the Plaintiff's intestate, Wayne Rushing, a minor four years old, and as a proximate result, the said Wayne Rushing was killed.

Plaintiff avers that the death of Plaintiff's intestate, Wayne Rushing, a minor four years old, was proximately caused by the negligence of the Defendant, acting by and through its agent, servant or employee, who was then and there acting within the line and scope of his employment in so operating said automobile bus along said highway, at said point.

FOUR:

The Plaintiff claims of the Defendant Eighteen Thousand (\$18,000.00) Dollars, as damages, for that heretofore, on to-wit, the 18th day of August, 1940, the Defendant, acting by and through its agent, servant or employee, who was then and there acting within the line and scope of his employment, wilfully, wantonly or intentionally drove an automobile bus, which it was then and there operating on or along the "Old Spanish Trail", a public highway, at a point approximately five miles East of Robertsdale, in Baldwin County, Alabama, into, against or over the Plaintiff's intestate, Wayne Rushing, a minor four years old, and as a proximate result the said Wayne Rushing was seriously injured and died.

Plaintiff avers that the death of Plaintiff's intestate, Wayne Rushing, a minor four years old, was proximately caused by the agent, servant or employee of the

Defendant, while acting within the line and scope of his employment, wilfully, wantonly or intentionally driv^{ing} said automobile bus into, upon or against the Plaintiff's intestate, Wayne Rushing.

FIVE:

The Plaintiff claims of the Defendant Eighteen Thousand (\$18,000.00) Dollars, as damages, for that heretofore, on to-wit, the 18th day of August, 1940, the Defendant, acting by and through its agent, servant or employee, who was then and there acting within the line and scope of his employment, wantonly, wilfully or intentionally injured the Plaintiff's intestate, Wayne Rushing, a minor four years old, by causing an automobile bus, which the said Defendant, acting by and through its agent, servant or employee, who was then and there acting within the line and scope of his employment, was operating along the "Old Spanish Trail," a public highway, at a point approximately five miles East of Robertsedale, in Baldwin County, Alabama, to run over, upon or against the Plaintiff's intestate, Wayne Rushing, a minor four years old, and as a proximate result and consequence thereof, the said Wayne Rushing was killed.

SIX:

The Plaintiff claims of the Defendant Eighteen Thousand (\$18,000.00) Dollars, as damages, for that heretofore, on to-wit, the 18th day of August, 1940, the Defendant, acting by and through its agent, servant or employee, who was then and there acting within the line and scope of his employment, while operating an automobile bus on or along the "Old Spanish Trail," a public highway, at a point approximately five miles East of Robertsedale, in Baldwin County, Alabama, did wilfully, wantonly or intentionally drive said automobile bus into, upon, over or against the Plaintiff's intestate, Wayne Rushing, a minor four years old, and by reason thereof and as a proximate result and consequence thereof, the Plaintiff's intestate, Wayne Rushing, was killed.

BEEBE & HALL,

By: [Signature]
Attorneys for Plaintiff

The Plaintiff demands a trial by Jury.

BEEBE & HALL,

By: [Signature]
Attorneys for Plaintiff

1529
B
257✓

RECORDED

SUMMONS AND COMPLAINT

NOAH RUSHING, as Administrator
of the Estate of Wayne Rushing,
Deceased,

Plaintiff,

VS.

TECHE LINES, INC., a Corporation,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
AT LAW.

Filed October 28, 1940
R. S. Duck, Clerk

B

Received 29 Day of Oct 1940
and on 31 Day of Oct 1940
I served a Copy of the within
on Teche Lines Inc. a
Corporation
by service on Wm. McLeod Apt.
W. H. HOLCOMBE, Sheriff
By M. B. Hunter D.S.

NOAH RUSHING, as Administrator) IN THE CIRCUIT COURT OF
of the Estate of Wayne Rushing,)
Deceased,)
Plaintiff,) BALDWIN COUNTY, ALABAMA,
VS.) AT LAW.
TECHE LINES, INC., a Corporation,)
Defendant.)

INTERROGATORIES PROPOUNDED TO THE DEFENDANT, UNDER AND IN ACCORDANCE WITH SECTION 7764, ET SEQ., OF THE 1923 CODE OF ALABAMA:

1. Please state your name and place of principal office.
2. Please state whether or not the Defendant is a corporation, and if so, where incorporated.
3. Please state whether or not on August 18th, 1940, the Defendant was operating a bus line through Baldwin County, Alabama, over what is known as the "Old Spanish Trail."
4. Please state whether or not an automobile bus, owned by you and operated by one of your servants, agents or employees, on August 18th, 1940, at a point approximately five miles East of Robertsedale, in Baldwin County, Alabama, on the "Old Spanish Trail", ran over and killed a child, Wayne Rushing.
5. If your answer to Question 4 is in the affirmative, then please state the name of your agent, servant or employee who was in charge of said bus, and whether or not he was acting within the line and scope of his employment.

BEEBE & HALL,
By: Hubert M. Hall
Attorneys for Plaintiff

STATE OF ALABAMA,)
BALDWIN COUNTY.)

Before me, the undersigned authority, in and for said County, in said State, personally appeared HUBERT M. HALL, who being by me first duly sworn, deposes and says, that he is attorney of record for the Plaintiff, in the above styled cause; that true answers to the foregoing interrogatories will be material testimony for the Plaintiff, in the above cause.

Hubert M. Hall

Sworn to and subscribed before me
this 12 day of October, 1940.

W. B. Jones
Notary Public, Baldwin County, Ala.

617
INTERROGATORIES PROPOUNDED
TO THE DEFENDANT:

NOAH RUSHING, as Administrator
of the Estate of Wayne Rushing,
Deceased,

Plaintiff,

VS.

TECHE LINES, INC., a Corporation,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

AT LAW.

Filed October 28, 1940
R.S. Duck, Clerk

W. H. HOLCOMBE, Sheriff
By *W. H. Holcombe* D.S.

Received *29* Day of *Oct* 19 *40*
and on *31* Day of *Oct* 19 *40*
I served a Copy of the within *Interrogatories*
on *Teche Lines, Inc.*
by service on *Wm. H. Holcomb, Jr.*

-----:
Noah Rushing, as Administrator :
of the Estate of Wayne Rushing, :
Deceased, :
Plaintiff, :
-----:

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

-vs-

AT LAW.

-----:
Teche Lines, Inc., a corporation, :
Defendant. :
-----:

PETITION FOR REMOVAL OF ABOVE ENTITLED CAUSE TO THE
DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN
DISTRICT OF ALABAMA, SOUTHERN DIVISION

TO THE HONORABLE FRANCIS W. HARE, JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA:

Now comes Teche Lines, Inc., a corporation, the defendant in the above entitled cause, and files this its petition for the removal of this suit from the Circuit Court of Baldwin County, Alabama, to the District Court of the United States in and for the Southern District of Alabama, Southern Division, and shows unto this Honorable Court as follows:

1. That this suit was brought in the Circuit Court of Baldwin County, Alabama, and is now pending in said Court;
2. That this is a suit of a civil nature at law of which the district courts of the United States have original jurisdiction in that it is a suit by the plaintiff to recover of the defendant \$18,000.00 as damages for the death of plaintiff's intestate, Wayne Rushing, and the plaintiff and the defendant were at the time of the filing of this suit and still are citizens of different states;
3. That the plaintiff, Noah Rushing, as Administrator of the Estate of Wayne Rushing, deceased, and who sues in his capacity as such, was at the time of the commencement of this suit, and ever since has been, and now is, a citizen and resident of the State of Alabama, and that the defendant, Teche Lines, Inc., a corporation, was at the time of the commencement of this suit, and still is, a corporation incorporated under the laws of the State of Louisiana and a citizen and resident of the said State of Louisiana and a non-resident of the State of Alabama;
4. That the amount in controversy herein at the time of the commencement of this suit exceeded and now exceeds the sum of

Three Thousand Dollars, exclusive of interest and costs, and the controversy herein is wholly between citizens of different states;

5. That the time within which petitioner, as defendant in this suit, is required by the laws of Alabama and the rules of this Court to answer or plead to the complaint filed herein has not expired and petitioner has not yet filed any pleading herein;

6. That your petitioner herewith tenders a bond with good and sufficient surety as provided by the statute in such cases that it will enter in said District Court of the United States for the Southern District of Alabama, Southern Division, within thirty days from the date of filing this petition a certified copy of the record in this suit and for the payment of all costs that may be awarded by the said United States District Court if said Court shall hold that this suit was wrongfully or improperly removed thereto;

7. That your petitioner has given the defendant, through his attorneys of record, due notice of its intention of filing this petition.

WHEREFORE, your petitioner prays that this Honorable Court will accept this petition and the said bond and order the removal of this suit into the District Court of the United States for the Southern District of Alabama, Southern Division, in which division and district Baldwin County, Alabama, is embraced, and that this Court proceed no further herein.

TECHE LINES, INC.

Petitioner,

By

Its

McConney McLeod Turner & Rogers
Attorneys for Teche Lines, Inc.

State of Louisiana,
Parish of Orleans.

Personally appeared before me, William A. Porteous, a Notary Public in and for said State and Parish, who is known to me, who being by me first duly sworn, deposes and says that he is Vice President of Teche Lines, Inc., the defendant in the above entitled cause, and is duly authorized by said defendant to make this affidavit in its behalf, and that the statements contained in the foregoing petition are true.

Subscribed and sworn to before me this 26 day of November, 1940, in witness whereof I have hereunto set my hand and official notarial seal.

William A. Porteous
Notary Public, Parish of Orleans, Louisiana.
My commission expires: at my death

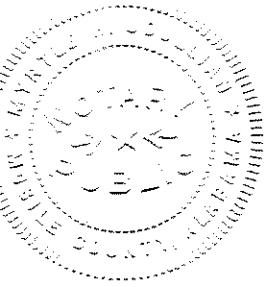
State of Alabama,
Mobile County.

Before me, Myrtle H. Joullian, a Notary Public in and for said state and county, personally appeared William McLeod, who is known to me, who being by me first duly sworn, deposes and says that he is one of the attorneys for Teche Lines, Inc., the defendant in the above entitled cause and that the statements contained in the foregoing petition are true and correct.

William McLeod

Subscribed and sworn to before me
this 27 day of November, 1940.

Myrtle H. Joullian
Notary Public, Mobile County, Alabama.



Petition

RECORDED

*Filed September 27, 1940
R.S. Smith, Clerk*

MCCORVEY, MCLEOD, TURNER & ROGERS
ATTORNEYS AT LAW
NINTH FLOOR, MERCHANTS NATIONAL BANK BUILDING
MOBILE, ALABAMA

NOAH RUSHING, as Administrator
of the Estate of Wayne Rushing,
Deceased,

Plaintiff,

-vs-

TECHE LINES, INC., a Corporation,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
AT LAW.

KNOW ALL MEN BY THESE PRESENTS, that we, Teche Lines,
Inc., a corporation incorporated and existing under the laws of
the State of Louisiana, executing this instrument by and through
H. Vance Greenslit, its Vice-President,
and ✓ Royal Indemnity Company,
a corporation, executing this instrument by _____

J. Milton Ladd, its Attorney-in-Fact.

_____,
as surety, are held and firmly bound unto Noah Rushing, as Admin-
istrator of the estate of Wayne Rushing, deceased, in the sum of
Five Hundred Dollars (\$500.00) for the payment thereof we bind
ourselves, our successors and assigns, firmly by these presents.

IN WITNESS WHEREOF, the said Teche Lines, Inc., has caused
this instrument to be executed on its behalf and in its name by

H. Vance Greenslit, its Vice-President,

and the said Royal Indemnity Company

has caused this instrument to be executed on its behalf and in
its name by J. Milton Ladd, its Attorney-in-Fact

this 19th day of November, 1940.

The condition of the above obligation is such that:

WHEREAS, Teche Lines, Inc., has filed in the Circuit Court
of Baldwin County, Alabama, its petition for the removal of the
cause therein pending wherein the said Noah Rushing, as Adminis-
trator of the Estate of Wayne Rushing, deceased, is plaintiff,
and the said Teche Lines, Inc., a corporation, is defendant, to
the United States District Court for the Southern Division of the
Southern District of Alabama.

NOW, THEREFORE, should the said Teche Lines, Inc., enter
in said District Court of the United States for the Southern

2.

Division of the Southern District of Alabama within thirty days of the date of the filing of said petition a certified copy of the record in said suit, and well and truly pay all costs that may be awarded by the said District Court of the United States for the Southern Division of the Southern District of Alabama, if said Court holds that said suit was wrongfully or improperly removed thereto, then this obligation to be void, otherwise the same to be and remain in full force and effect.

TECHE LINES, INC.,

By

M. Vance Greenblatt
its *Vice President*

ROYAL INDEMNITY COMPANY OF NEW YORK

By

Milton Ladd
its *Attorney-in-Fact.*

Power of Attorney

No. _____

KNOW ALL MEN BY THESE PRESENTS: That the ROYAL INDEMNITY COMPANY, a corporation of the State of New York, pursuant to the following By-Law, which was adopted by the Directors of the said Company on January 28, 1931, to wit:

Article V, Section I, Provides "The President, any Vice-President, or any other Officer designated by the Board shall have power and authority to appoint Resident Vice-Presidents, Resident Secretaries, Resident Assistant Secretaries, and Attorneys in fact, and to give such appointees full power and authority to sign, and to seal with the Company's seal, where required, all policies, bonds, recognizances, stipulations and all underwriting undertakings, and he may at any time in his judgment remove any such appointees and revoke any authority given to them."

hath made, constituted and appointed and by these presents does make, constitute and appoint _____

its true and lawful ATTORNEY (S) -IN-FACT, at _____, in the State of _____, to make, execute and deliver on its behalf as Surety, bonds and undertakings, the penal sum of no one of which is in any event, to exceed _____ (\$ _____) Dollars and to be given for the following purposes only, to wit:—

GUARANTEEING THE FIDELITY OF PERSONS HOLDING PLACES OF PUBLIC OR PRIVATE TRUST. GUARANTEEING THE PERFORMANCE OF CONTRACTS OTHER THAN INSURANCE POLICIES; GUARANTEEING THE PERFORMANCE OF INSURANCE CONTRACTS WHERE SURETY BONDS ARE ACCEPTED BY STATES AND MUNICIPALITIES IN LIEU OF ACTUAL DEPOSITS; AND EXECUTING OR GUARANTEEING BONDS AND UNDERTAKINGS REQUIRED OR PERMITTED IN ALL ACTIONS OR PROCEEDINGS OR BY LAW REQUIRED.

Such bonds and undertakings for said purposes, when duly executed by one of the aforesaid Attorney(s)-in-Fact shall be binding upon the said Company as fully and to the same extent as if such bonds and undertakings were signed by the President and Secretary of the Company and sealed with its corporate seal.

IN WITNESS WHEREOF, the ROYAL INDEMNITY COMPANY has caused these presents to be signed by its Vice-President, and its corporate seal to be hereunto affixed duly attested by its Assistant Secretary, this _____ day of _____, 19____, at the City of New York, New York.

ROYAL INDEMNITY COMPANY

Attest: _____ By _____
Assistant Secretary Vice-President

STATE OF NEW YORK }
COUNTY OF NEW YORK } ss.:

On this _____ day of _____, 19____, before me personally appeared _____, Vice-President of the ROYAL INDEMNITY COMPANY, with whom I am personally acquainted, who, being by me duly sworn, said: that he resides in the State of New York; that he is Vice-President of the ROYAL INDEMNITY COMPANY, the corporation described in and which executed the foregoing instrument; that he knows the corporate seal of the said Company; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Company; and that he signed his name thereto as Vice-President of said Company by like authority.

(SEAL)

AUGUST VERKES
NOTARY PUBLIC, BRONX COUNTY
BRONX CO. CLK. NO. 3, REGISTER NO. 6-Y-42
CERTIFICATE FILED IN
NEW YORK CO. CLK. NO. 40, REGISTER NO. 2-Y-20
COMMISSION EXPIRES MARCH 30, 1942

STATE OF NEW YORK }
COUNTY OF NEW YORK } ss.:

I, _____ Assistant Secretary of the ROYAL INDEMNITY COMPANY, a corporation of the State of New York, do hereby certify that the above and foregoing is a full, true and correct copy of Power of Attorney issued by said Royal Indemnity Company, and that I have compared same with the original and that it is a correct transcript therefrom and of the whole of the original. Said Power of Attorney is still in full force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company, at the City of New York, this _____ day of _____, 19____.

Assistant Secretary

Bond **RECORDED**

6/19

Filed November 27, 1940
R.S. Duck, Clerk