

STATE OF ALABAMA
BALDWIN COUNTY

IN THE CIRCUIT COURT - LAW SIDE

TO: ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Foley Butane Company, 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 same, then and there to answer the complaint of Emory O. Holliman, Kathleen C. Hofheins and Shelby C. Trice, individually and doing business as Holliman, Hofheins & Trice.

Witness my hand this the 17 day of August, 1960.

Alice J. Duck
Clerk

EMORY O. HOLLIMAN, KATHLEEN C. HOFHEINS and SHELBY C. TRICE, individually and doing business as HOLLIMAN, HOFHEINS & TRICE,	X	
	X	IN THE CIRCUIT COURT OF
	X	BALDWIN COUNTY, ALABAMA
Plaintiffs,	X	
vs.	X	AT LAW
	X	
FOLEY BUTANE COMPANY, INC.,	X	
Defendant.	X	

COUNT ONE:

The Plaintiffs claim of the Defendant Six Thousand Four Hundred Ninety-two Dollars and Ninety-four Cents (\$6,492.94) due from it by account on the 31st day of October, 1958, which sum of money with the interest thereon is still unpaid.

COUNT TWO:

The Plaintiffs claim of the Defendant Six Thousand Four Hundred Ninety-two Dollars and Ninety-four Cents (\$6,492.94) due from it for work and labor done for the Defendant by the Plaintiffs for that period of time from, to-wit: January 24, 1958, to October 31, 1958, at its request, which sum of money with the interest thereon is still unpaid.

CHASON & STONE

By: M. C. Stone, Jr.
Attorneys for Plaintiffs

EMORY O. HOLLIMAN, KATHLEEN
C. HOFLEINS and SHELBY C. TRICE,
individually and doing business
as HOLLIMAN, HOFHEINS & TRICE,

Plaintiffs,

VS.

FOLEY BUTANE COMPANY, INC.,

Defendant.

* * * * *

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

* * * * *

SUMMONS AND COMPLAINT

* * * * *

FILED

AUG 17 1960

Alice J. Duck, CLERK
REGISTER

LAW OFFICES

CHASON & STONE

BAY MINETTE, ALABAMA

Received 17 day of Aug 19 60

and on 3 day of Sept 19 60

served a copy of the within 19 C

on Sally Sutton Copley

Walter R. Copley

by service on _____

TAYLOR, WILKINS, Sheriff

Charles C. Taylor S.

Sheriff claims 72 miles at

Ten Cents per mile Total \$ 7.20

TAYLOR, WILKINS, Sheriff

BY CC

DEPUTY SHERIFF

EMORY O. HOLLIMAN, KATHLEEN
C. HOFHEINS and SHELBY C.
TRICE, individually and doing
business as HOLLIMAN, HOFHEINS
& TRICE,

Plaintiffs,

vs.

FOLEY BUTANE COMPANU, INC.,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

ANSWER

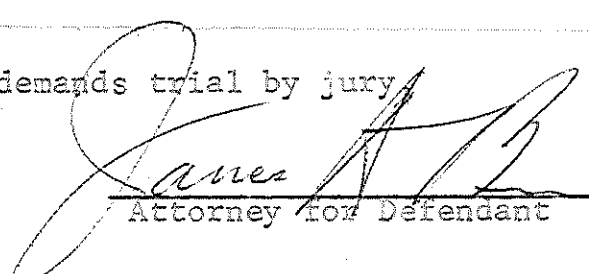
Comes the Defendant in the above styled cause, by its
Attorney, and for answer to the Bill of Complaint heretofore
filed, says:

Not Guilty.


Attorney for Defendant

DEMAND FOR TRIAL BY JURY

The Defendant demands trial by jury


Attorney for Defendant

I hereby certify that I have mailed a copy of this
pleading to Chason and Stone, Attorney's of record for the
Plaintiffs.


James A. Brice

NATIONAL SURETY CORPORATION

New York

A Member of The FUND Insurance Companies
GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that NATIONAL SURETY CORPORATION, a Corporation duly organized and existing under the laws of the State of New York, and having its principal office in the City of New York, N. Y., hath made, constituted and appointed, and does by these presents make, constitute and appoint B. F. ADAMS, JR. & E. S. JENKINS

JOINTLY OR SEVERALLY

of MOBILE and State of ALABAMA

its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver ANY AND ALL BONDS, RECOGNIZANCES, CONTRACTS, AGREEMENTS OF INDEMNITY AND OTHER CONDITIONAL OR OBLIGATORY UNDERTAKINGS, PROVIDED, HOWEVER, THAT THE PENAL SUM OF ANY ONE SUCH INSTRUMENT EXECUTED HEREUNDER SHALL NOT EXCEED ONE MILLION (\$1,000,000.00) DOLLARS

and to bind the Corporation thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the Corporation and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. Said appointment is made under and by authority of the following provisions of the By-laws of NATIONAL SURETY CORPORATION:

"ARTICLE XII. RESIDENT OFFICERS AND ATTORNEYS-IN-FACT.

"Section 1.—The Chairman, President or any Vice-President may from time to time appoint Resident Vice-Presidents, Resident Assistant Secretaries and Attorneys-in-Fact to represent and act for and on behalf of the corporation and the Chairman, President, or any Vice-President, the Board of Directors or the Executive Committee may at any time suspend or revoke the powers and authority given to any such Resident Vice-President, Resident Assistant Secretary and Attorney-in-Fact, and also remove them from office. (Adopted April 23, 1933. Applies to all powers of attorney executed prior to May 25, 1933).

"Section 1.—The President, Executive Vice-President or any Vice-President may, from time to time, appoint Resident Vice-Presidents, Resident Assistant Secretaries and Attorneys-in-Fact to represent and act for and on behalf of the Corporation and the President, Executive Vice-President or any Vice-President, the Board of Directors or the Executive and Finance Committee may at any time suspend or revoke the powers and authority given to any such Resident Vice-President, Resident Assistant Secretary or Attorney-in-Fact, and also remove any of them from office. (As amended May 25, 1933. Applies to all powers of attorney executed prior to April 27, 1943).

"Section 1.—Appointment.—The President, Executive Vice President or any Vice President may, from time to time, appoint Resident Vice Presidents, Resident Assistant Secretaries and Attorneys-in-Fact to represent and act for and on behalf of the Corporation. (As amended April 27, 1943. Applies to all powers of attorney executed on or after that date).

"Section 4.—Attorneys-in-Fact.—Attorneys-in-Fact may be given full power and authority to execute, acknowledge and deliver for and in the name and on behalf of the Corporation any and all bonds, recognizances, contracts of indemnity and other conditional or obligatory undertakings, and any such instrument executed by any such Attorney-in-Fact shall be as binding upon the Corporation as if signed by the Chairman or the President and sealed and attested by the Secretary. (Adopted April 23, 1933. Applies to all powers of attorney executed prior to May 25, 1933).

"Section 4.—Attorneys-in-Fact.—Attorneys-in-Fact may be given full power and authority to execute, acknowledge and deliver for and in the name and on behalf of the Corporation any and all bonds, recognizances, contracts of indemnity and other conditional or obligatory undertakings, and any such instrument so executed by any such Attorney-in-Fact shall be as binding upon the Corporation as if signed by the President and sealed and attested by the Secretary. (As amended May 25, 1933. Applies to all powers of attorney executed prior to July 30, 1935).

"Section 4.—Attorneys-in-Fact.—Attorneys-in-Fact may be given full power and authority, for and in the name and on behalf of the corporation, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts of indemnity and other conditional or obligatory undertakings, and any and all notices and documents cancelling or terminating the corporation's liability thereunder, and any such instrument so executed by any such Attorney-in-Fact shall be as binding upon the corporation as if signed by the President and sealed and attested by the Secretary. (As amended July 30, 1935. Applies to all powers of attorney executed prior to April 27, 1943).

"Section 4.—Attorneys-in-Fact.—Attorneys-in-Fact may be given full power and authority, for and in the name and on behalf of the Corporation, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements of indemnity and other conditional or obligatory undertakings, and any and all notices and documents cancelling or terminating the Corporation's liability thereunder, and any such instrument so executed by any such Attorney-in-Fact shall be as binding upon the Corporation as if signed by the President and sealed and attested by the Secretary. (As amended April 27, 1943. Applies to all powers of attorney executed prior to April 28, 1953).

"Section 4.—Attorneys-in-Fact.—Attorneys-in-Fact may be given full power and authority, for and in the name and on behalf of the Corporation, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements of indemnity and other conditional or obligatory undertakings, and any and all consents and releases incident thereto, and any and all notices and documents cancelling or terminating the Corporation's liability thereunder, and any such instrument so executed by such Attorney-in-Fact shall be as binding upon the Corporation as if signed by the President and sealed and attested by the Secretary. (As amended April 28, 1953. Applies to all powers of attorney executed on or after that date).

"Section 7.—Attorneys-in-Fact.—Attorneys-in-Fact are hereby authorized to verify any affidavit required to be attached to bonds, recognizances, contracts of indemnity, or other conditional or obligatory undertakings, and they are also authorized and empowered to certify to a copy of the By-laws of the Corporation or any Article or Section thereof. (Adopted April 23, 1933. Applies to all powers of attorney executed prior to May 25, 1933).

"Section 7.—Attorneys-in-Fact.—Attorneys-in-Fact are hereby authorized to verify any affidavit required to be attached to bonds, recognizances, contracts of indemnity, or other conditional or obligatory undertakings, and they are also authorized and empowered to certify to copies of the By-laws of the corporation or any Article or Section thereof. (As amended May 25, 1933. Applies to all powers of attorney executed prior to April 27, 1943).

"Section 7.—Attorneys-in-Fact—Verifications.—Attorneys-in-Fact are hereby authorized to verify any affidavit required to be attached to bonds, recognizances, contracts, agreements of indemnity, or other conditional or obligatory undertakings, and they are also authorized and empowered to certify to copies of the By-laws of the Corporation or any Article or Section thereof. (As amended April 27, 1943. Applies to all powers of attorney executed prior to June 27, 1944).

"Section 7.—Attorneys-in-Fact—Verifications—Certifications.—Attorneys-in-Fact are hereby authorized to verify, by affidavit or otherwise, the authority to execute bonds, recognizances, contracts, agreements of indemnity, and other conditional or obligatory undertakings; and to certify, by affidavit or otherwise, as to the inspection or examination of assets of the estates, where the fiduciary responsible for such assets is bonded by the Corporation; and they are also authorized and empowered to certify to copies of the By-laws of the Corporation or any Article or Section thereof. (As amended June 27, 1944. Applies to all powers of attorney executed on or after that date).

"ARTICLE VIII. APPOINTMENT AND AUTHORITY OF RESIDENT ASSISTANT SECRETARIES, AND ATTORNEYS-IN-FACT, AND AGENTS TO ACCEPT LEGAL PROCESS AND MAKE APPEARANCES.

Section 30. Appointment. The President, any Vice President, or any other person authorized by the Board of Directors, the Chairman of the Board of Directors, the President or any Vice President, may, from time to time, appoint Resident Assistant Secretaries and Attorneys-in-Fact to represent and act for and on behalf of the Corporation and Agents to accept legal process and make appearances for and on behalf of the Corporation. (Adopted October 25, 1955. Applies to all Powers of Attorney executed on and after that date.)

Section 31. Authority. The authority of such Resident Assistant Secretaries, Attorneys-in-Fact, and Agents shall be as prescribed in the instrument evidencing their appointment, and any such appointment and all authority granted thereby may be revoked at any time by the Board of Directors or by any person empowered to make such appointment. (Adopted October 25, 1955. Applies to all Powers of Attorney executed on and after that date.)

IN WITNESS WHEREOF, NATIONAL SURETY CORPORATION has caused these presents to be signed by its Vice President, attested by its Assistant Secretary, and its corporate seal to be hereto affixed this 11th day of MAY A.D. 1953

NATIONAL SURETY CORPORATION

(Seal)

By

S. G. DRAKE

Vice President

ATTEST: A. N. MacDOUGALL

F. 2014 REV. 1/56

Assistant Secretary

STATE OF NEW YORK,
COUNTY OF NEW YORK,

SS. :

On this 11th day of MAY A.D., 1953.

before me personally came S. G. DRAKE, to me known, who, being by me duly sworn, did depose and say, that he resides in the City of New York; that he is Vice President of NATIONAL SURETY CORPORATION, the Corporation described in and which executed the above instrument; that he knows the seal of said Corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Corporation and that he signed

his name thereto by like order. And said S. G. DRAKE

further said that he is acquainted with A. N. MacDOUGALL and knows him to be an Assistant Secretary of said Corporation; and that he executed the above instrument.

ELIZABETH C. KING

(Notarial seal affixed)

Notary Public

STATE OF GEORGIA
COUNTY OF FULTON

SS. :

I, NELLIE COOK, Resident Assistant Secretary and Attorney-in-Fact of NATIONAL SURETY CORPORATION, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney (including applicable By-law sections), executed by said NATIONAL SURETY CORPORATION, which is still in force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Corporation, at the

City of ATLANTA

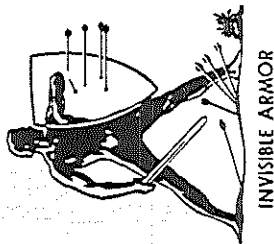
this _____ day _____

AUG 15 1960

A.D. 19____.

Nellie Cook

Resident Assistant Secretary and Attorney-in-Fact



NATIONAL SURETY
CORPORATION
New York

A Member of The FUND Insurance Companies

GENERAL
POWER OF ATTORNEY

—TO—

ON

DATE

19

F. 2014

JAMES A. BRICE
ATTORNEY AT LAW
FOLEY, ALABAMA

POST OFFICE BOX 298

WHITEHALL 3-3601

September 12, 1960

Mrs. Alice J. Duck
Circuit Clerk
Bay Minette, Alabama

Re: Emory O. Holliman, Kathleen
C. Hofheins and Shelby C.
Trice, individually and doing
business as Holliman, Hofheins,
and Trice, Plaintiffs
Vs: Foley Butane Company, Inc.,
Defendant

Dear Mrs. Duck:

Enclosed herewith is the defendants answer to the
above complaint.

Sincerely,



James A. Brice

JAB:j

cc: Foley Butane Co., Inc.
Foley, Alabama