

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon M. C. SHUTT, individually, and also operating under the name and style of Shutt Seafood Company, 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 O. K. RUBBER WELDERS, a partnership composed of Elwood Burks, Douglas Burks and Barney Burks.

Witness my hand, this the 26 day of April, 1960.

EX 4-28-60

Alice J. Duck  
Clerk

O. K. RUBBER WELDERS, a  
partnership composed of  
Elwood Burks, Douglas Burks,  
and Barney Burks,  
Plaintiff,

vs

M. C. SHUTT, Individually, and  
also operating under the name  
and style of SHUTT SEAFOOD COMPANY,  
Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

No. 4243

The Plaintiff claims of the Defendant the sum of SIX HUNDRED TWENTY FIVE & No/100 (\$625.00) DOLLARS, as rent of a building located on the East 110 feet of Lot No. 10, in the Wingo Subdivision in the Town of Robertsdale, Baldwin County, Alabama, demised by the Plaintiff to the Defendant on to-wit: the first day of January, 1959, said rent commencing on the 1st day of August, 1959, and ending on the 1st day of May, 1960.

FILED

4-26-60

Alice J. Duck, CLERK  
REGISTER

John P. Boelke  
Attorney for Plaintiff

L Hall 4243

Received 26 day of April 1960  
and on 28 day of April 1960  
I served a copy of the within REC  
on M.C. Shutt

By service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff  
By Edleigh Steadham D. S.

Sheriff claims 50 miles at  
Ten cents per mile Total \$ 5.00

TAYLOR WILKINS, Sheriff  
BY Ed  
Robertsdale, Ala

G.K. Rubber Welders

VS

M.C. Shutt

FILED

APR 26 1960

Alice L. Duck, CLERK REGISTER

THE STATE OF ALABAMA, {  
Baldwin County.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

WHEREAS, O. K. Rubber Welders, a partnership composed of Elwood Burks, Douglas Burks and Barney Burks,

hath complained on oath to me, ALICE J. DUCK, Clerk of Circuit Court of Baldwin County, Ala., that  
M. C. Shutt, individually, and also operating under the name and  
style of Shutt Seafood Company,

is justly indebted to the Plaintiff O. K. Rubber Welders, as aforesaid,

in the sum of SIX HUNDRED TWENTY FIVE (\$625.00) - - - - - Dollars, and  
the said Plaintiff having made affidavit and given bond  
as required by law, in such cases, you are hereby commanded to attach so much of the estate of  
M. C. Shutt, individually, and also operating under the name and  
style of Shutt Seafood Company

as will be of value sufficient to satisfy said debt and costs, according to the complaint; and such estate, so  
attached unless replevied, so to secure, that the same may be liable to further proceedings thereon to be  
had by the Circuit Court of Baldwin County, Ala., at a term thereof, to be held at the Court House of said  
County, on \_\_\_\_\_ Monday of \_\_\_\_\_ 19 \_\_\_\_  
next; when and where you must make known to said Court how you have executed this Writ.

WITNESS, my hand, this 26 day of April A. D., 1960.

Alice J. Duck Clerk.

No. 14243

## ATTACHMENT

U.K. Rubber Welders

Vs. } ATTACHMENT

M. C. Shutt

Issued \_\_\_\_\_, 19\_\_\_\_

Moore Printing Co.,

Attached the following  
Property:

- 1- walk-in cooler
- 1- 6 ft. Aridrich Cooler
- 1- 6 ft. Vikin Cooler
- 1- Ice Crusher
- 1- Counter(Wood)
- 7- Stools
- 1- Display case 8'
- 7- Chairs
- 2- Tables
- 1- pr. scales
- 1- cash register & Add  
machine victor

Received 26 day of April 1960  
and on 28 day of April 1960  
I served a copy of the within attach  
on M. C. Shutt

By service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff  
By Edleigh Steadman

Robertsdale, Ala

Executed 4-28-1960  
by attaching the within  
described property

Sheriff claims 50 miles of 5.00

Ten Cents per mile Total \$  
TAYLOR WILKINS, Sheriff

BY Edleigh Steadman  
DEPUTY SHERIFF

ATTACHMENT BOND

THE STATE OF ALABAMA  
BALDWIN COUNTY

CIRCUIT COURT AT BAY MINETTE, ALA.

KNOW ALL MEN BY THESE PRESENTS, That We, Elwood Burks, Douglas Burke and Barney Burks d/b/a O.K. Rubber Welders a partnership; and <sup>UNITED STATES FIDELITY AND GUARANTY COMPANY,</sup>  
<sup>A CORPORATION UNDER THE LAWS OF THE STATE</sup> \_\_\_\_\_, are held and firmly bound unto <sup>OF MARYLAND AND HAVING ITS PRINCIPAL OFFICE IN THE CITY OF BALTIMORE, MARYLAND</sup> M.C. Shutt individually and operating as Shutt Seafood Company in the sum of One Thousand Two Hundred Fifty (\$1,250.00) Dollars, to be paid to the said M.C. Shutt individually and operating as Shutt Seafood Company 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, firmly by these presents.

Sealed with our seals and dated the 25th day of June, 1960.  
THE CONDITION OF THIS OBLIGATION IS SUCH:

That whereas, the above bounden O.K. Rubber Welders a partnership as aforesaid had, on the day of the date hereof, prayed an Attachment at the suit of D.K. Rubber Welders a partnership as aforesaid against the estate of above named M.C. Shutt individually and operating as Shutt Seafood Company for the sum of One Thousand Two Hundred Fifty (\$1,250.00) Dollars, and hath obtained the same, returnable to the Circuit Court of Baldwin County:

Now, if the said O.K. Rubber Welders a partnership as aforesaid should prosecute said Attachment to effect, and pay the said Defendant all such damages as he may sustain by the wrongful or vexations suing out said Attachment, then the above obligation to be void; otherwise to remain in full force and effect.

And we and each of us hereby waive all rights of claims of exemption we or either of us have now, or may hereafter have, under the Constitution and Laws of the State of Alabama.

Signed, Sealed, and delivered the date above written.

Barney Burks (SEAL)  
Douglas Burke  
Elwood Burks  
<sup>UNITED STATES FIDELITY AND GUARANTY COMPANY,</sup> (SEAL)

Countersigned:

John P. Wilson, Jr.  
John P. Wilson, Jr., Resident  
Alabama Agent

James R. Reed (SEAL)  
ATTORNEY IN FACT

Approved, this 24 day of June, 1960.

Allice J. Burks, Clerk

## GENERAL POWER OF ATTORNEY

No. 66110

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 **Hunter Brown, Herbert Pfeiffer, Chester Hilliard, H. C. Sarra, G. C. Pfeiffer, Dave Johnson, James Redd, Martha S. McCall, Farrell Dearing, John A. Hoefflin, Eddie Bonifay and Frances Scherffius** of the City of **Pensacola**, State of **Florida** its true and lawful attorney ~~in and for the State of Florida~~

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 ~~done~~ **anyone of the said Hunter Brown and the said Herbert Pfeiffer and the said Chester Hilliard and the said H. C. Sarra and the said G. C. Pfeiffer and the said Dave Johnson and the said James Redd and the said Martha S. McCall and the said Farrell Dearing and the said John A. Hoefflin and the said Eddie Bonifay and the said Frances Scherffius** 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 **20th** day of **August**, A. D. 19 **52**

UNITED STATES FIDELITY AND GUARANTY COMPANY.

(Signed)

By **J. D. Williams**

Vice-President.

(SEAL)

(Signed)

**Frieda Walter**

Assistant Secretary.

STATE OF MARYLAND

BALTIMORE CITY.

ss:

On this **20th** day of **August**, A. D. 19**52**, before me personally came **J. D. Williams**, Vice-President of the UNITED STATES FIDELITY AND GUARANTY COMPANY and **Frieda Walter**, 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 **J. D. Williams** and **Frieda Walter** 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 affixed 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. 19 **53**

(Seal)

(Signed)

**Paul J. Werneth**

Notary Public.

STATE OF MARYLAND.

BALTIMORE CITY.

Sct.

I, **M. Luther Pittman**, Clerk of the Superior Court of Baltimore City, which Court is a Court of Record, and has a seal, do hereby certify that **Paul J. Werneth**, 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 **20th** day of **August**, A. D. 19**52**

(SEAL)

(Signed)

**M. Luther Pittman**

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, **H. G. Sachse**, 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 **Hunter Brown, Herbert Pfeiffer, Chester Hilliard, H. C. Sarra, G. C. Pfeiffer, Dave Johnson, James Redd, Martha S. McCall, Farrell Dearing, John A. Hoefflin, Eddie Bonifay and Frances Scherffius** of Pensacola, Florida

, authorizing and empowering them 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 **June 25, 1960**  
(Date)



Assistant Secretary.

THE STATE OF ALABAMA {  
Baldwin County }

CIRCUIT COURT AT BAY MINETTE, ALA.

KNOW ALL MEN BY THESE PRESENTS, That We, Elwood Burks, Douglas Burks  
and Barney Burks d/b/a O.K. Rubber Welders a partnership; and THE  
FIDELITY & CASUALTY COMPANY  
OF NEW YORK, N.Y., of the County of Baldwin

are held and firmly bound unto M.C. Shutt individually and operating as  
Shutt Seafood Company

in the sum of One Thousand Two Hundred Fifty (\$1,250.00) -----Dollars, to

be paid to the said M.C. Shutt individually and operating as Shutt Seafood Co  
heirs, executors, administrators, or assigns, for which payment, well and truly to be made, we bind our-  
selves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly  
by these presents.

Sealed with our seals and dated the 26th day of April, 19 60

The Condition of this Obligation is such:

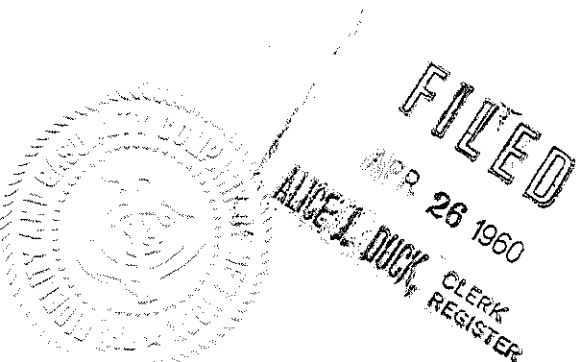
. That whereas, the above bounden O.K. Rubber Welders a partnership as  
aforsaid ----- ha\_d, on the day of the date  
hereof, prayed an Attachment at the suit of O.K. Rubber Welders a partnership as  
aforsaid ----- against the estate of above named  
M.C. Shutt individually and operating as Shutt Seafood Company

for the sum of One Thousand Two Hundred Fifty (\$1,250.00) ----- Dollars,  
and hath obtained the same, returnable to the Circuit Court of Baldwin County:

Now, if the said O.K. Rubber Welders a partnership as a foresaid -----  
should prosecute said Attachment to effect, and pay the said Defendant all such damages as he  
may sustain by the wrongful or vexatious suing out said Attachment, then the above obligation to be  
void; otherwise to remain in full force and effect.

And we and each of us hereby waive all rights of claims of exemption we or either of us have now,  
or may hereafter have, under the Constitution and Laws of the State of Alabama.

Signed, Sealed, and delivered the date above written.



----- (Seal)  
THE FIDELITY & CASUALTY CO. OF N.Y. (Seal)  
Broderick & Green (Seal)  
Attorney in Fact  
----- (Seal)

Approved, this 26 day of April, 19 60

Alice L. Duck, Clerk



**THE STATE OF ALABAMA** }  
**Baldwin County**

CIRCUIT COURT AT BAY MINETTE, ALABAMA

Before me, \_\_\_\_\_

in and for said County, personally appeared \_\_\_\_\_

John P. Beebe,

who, being duly sworn, on oath saith that he is the attorney of record for thePlaintiff, and that M. C. Shutt, individually and as Shutt Seafood Co.O. K. Rubber Welders, a partnership composed of Elwood Burks,  
Douglas Burks and Barney Burks,in the sum of SIX HUNDRED TWENTY FIVE & No/100 (\$625.00) - - - - Dollars,

which said amount is justly due after allowing all just offsets and discounts, and that the said

M. C. Shutt has failed and refused, on demand, to pay such rent,and that the attachment is not for the purpose of vexing or har-  
assing the Defendant,

and that this Attachment is not sued out for the purpose of vexing or harassing the Defendant, or other improper motive.

\_\_\_\_\_  
Attorney of record for PlaintiffSubscribed and sworn to before me this 26 day of April, 1960.

Page \_\_\_\_\_

**STATE OF ALABAMA**  
**Baldwin County**

**CIRCUIT COURT**  
**At Bay Minette, Ala.**

TO

ATTACHMENT BOND AND AFFIDAVIT

Filed this the \_\_\_\_\_ day

of \_\_\_\_\_, 19 \_\_\_\_\_

\_\_\_\_\_, Clerk

\_\_\_\_\_, Attorney



# The Fidelity and Casualty Company of New York

## GENERAL POWER OF ATTORNEY

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

Grady P. Gilbert, Jr. of Robertsdale, Alabama

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 FIFTY THOUSAND (\$50,000) DOLLARS.

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of THE FIDELITY AND CASUALTY COMPANY OF NEW YORK at a meeting duly called and held on the 16th day of October, 1957:

"RESOLVED, that the Chairman of the Board, the President, an Executive Vice President or any Vice President of the Company, be, and that each or any 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 Secretary or any Assistant Secretary be, and that each or any of them hereby is, authorized to attest the execution of any such Power of Attorney, and to attach thereto the seal of the Company.

FURTHER RESOLVED, that the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached."

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 Vice Presidents and attested by one of its Secretaries this 31st day of March, 1959.

THE FIDELITY AND CASUALTY COMPANY OF NEW YORK

Attest:

By



*Carroll R. Young*

Vice-President

*E. J. Miller*  
Secretary

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

On this 31st day of March, 1959, before me personally came Carroll R. Young, to me known, who being by me duly sworn, did depose and say: that he resides in Berkeley Heights in the County of Union, State of New Jersey, at 23 Ridge Drive East; that he is a Vice-President of THE FIDELITY AND CASUALTY COMPANY OF NEW YORK, the corporation described in and which executed the above instrument; that he knows the seal of the 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.



CERTIFICATE

*Robert J. Mettalia*

ROBERT J. METTALIA  
Notary Public - State of New York  
No. 41-2675700  
Qualified in Queens County  
Certificate Filed in New York County  
Term Expires March 30, 1961

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

I, the undersigned, a Secretary of THE FIDELITY AND CASUALTY COMPANY OF NEW YORK, a New York corporation, DO HEREBY CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and furthermore that the Resolution of the Board of Directors, set forth in the said Power of Attorney, is now in force.

Signed and sealed at the City of New York. Dated the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.



*E. J. Miller*  
Secretary

- 1- Wackin Cooler
- 1- 6<sup>th</sup> Friedrich Cooler
- 1- 6<sup>th</sup> Vickers Cooler
- 1- Ice Crusher, (Brown Bottom 25)
- 1- counter (wood)
- 7- Curved Stools
- 2- Duffles
- 7- Chairs
- 1- Display Case 8'
- 1- 2<sup>nd</sup> Seater, Sealer
- 1- Wash Register & Card machine Victory
- 1- ~~Is~~