FILED
U. S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS
DEC 8 1971
JAMES R. COONEY, CLERK
BY DEPUTY Mildred C. Verret

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

CLARENCE BOREL

VS.

FIBREBOARD PAPER PRODUCTS CORPORATION, ET AL

CIVIL ACTION NO. 6449

BOND FOR COSTS ON APPEAL

We, the undersigned, jointly and severally, acknowledge that we and our personal representatives are bound to pay Thelma Freida Borel, plaintiff, and National Surety Corporation, intervener, the sum of TWO HUNDRED FIFTY AND NO/100 ($250.00) DOLLARS.

The condition of this Bond is that, whereas defendant has appealed to the Court of Appeals for the Fifth Circuit by Notice of Appeal filed December 8TH, 1971, from the Judgment of this Court entered November 30, 1971, if defendant shall pay all costs adjudged to it if this appeal is dismissed or the judgment affirmed, or shall pay such costs as the Appellate Court may award if the judgment is modified, and upon such payment this Bond is to be void, but if defendant fails to perform this condition, payment of the amount of this Bond shall be forthwith.

FIBREBOARD CORPORATION, PRINCIPAL

BY _____
ATTORNEY OF RECORD

NATIONAL SURETY CORPORATION
~~INSURANCE COMPANY~~,
SURETY

BY _____
ATTORNEY IN FACT Arthur J. Beach

2005

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Taken and acknowledged as to the Principal, Fibreboard Corporation, by the attorney of record, before me, the undersigned authority, on this, the 6th day of December, 1971. My commission expires June 1, 1973.

Ouida L. Swope
NOTARY PUBLIC IN AND FOR JEFFERSON COUNTY, TEXAS

OUIDA L. SWOPE, Notary Public
In and for Jefferson County, Texas

Taken and acknowledged as to the Surety, by Arthur J. Beach before me, the undersigned authority, on this 12th day of November, 1971. My commission expires June, 1973.

Martha Dobson
NOTARY PUBLIC IN AND FOR Harris COUNTY, Texas

2006

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RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO

Name

Street Address

City State Zip

GENERAL POWER OF ATTORNEY

NATIONAL SURETY CORPORATION

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, New York, and its Home Office in the City and County of San Francisco, California, has made, constituted and appointed, and does by these presents make, constitute and appoint

----ARTHUR J. BEACH----

HOUSTON, TEXAS

its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, seal, acknowledge and deliver any and all bonds, undertakings, recognizances or other written obligations in the nature thereof

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.

This power of attorney is granted pursuant to Article VIII, Section 30 and 31 of By-laws of NATIONAL SURETY CORPORATION adopted on the 6th day of September, 1962, and now in full force and effect.

"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 Chairman of the Board of Directors, 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.

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."

This power of attorney is signed and sealed under and by the authority of the following Resolution adopted by the Board of Directors of NATIONAL SURETY CORPORATION at a meeting duly called and held on the 28th day of September, 1966, and that said Resolution has not been amended or repealed:

"RESOLVED, that the signature of any Vice-President, Assistant Secretary, and Resident Assistant Secretary of this Corporation, and the seal of this Corporation may be affixed or printed on any power of attorney, on any revocation of any power of attorney, or on any certificate relating thereto, by facsimile, and any power of attorney, any revocation of any power of attorney, or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Corporation."

IN WITNESS WHEREOF, NATIONAL SURETY CORPORATION has caused these presents to be signed by its Vice-President, and its corporate seal to be hereunto affixed this 28th day of June, 19 71.

NATIONAL SURETY CORPORATION

By James H. Wells

JAMES H. WELLS, Vice-President

STATE OF CALIFORNIA,
CITY AND COUNTY OF SAN FRANCISCO } ss.

On this 28th day of June, 19 71, before me personally came JAMES H. WELLS, to me known, who, being by me duly sworn, did depose and say: 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.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year herein first above written.

ETHEL L. WATKINS
NOTARY PUBLIC - CALIFORNIA
CITY & COUNTY OF SAN FRANCISCO
My Commission Expires March 1, 1975

Ethel L. Watkins

ETHEL L. WATKINS, Notary Public

CERTIFICATE

STATE OF CALIFORNIA,
CITY AND COUNTY OF SAN FRANCISCO } ss.

I, the undersigned, Resident Assistant Secretary of NATIONAL SURETY CORPORATION, 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 Article VIII, Sections 30 and 31 of the By-laws of the Corporation, and the Resolution of the Board of Directors, set forth in the Power of Attorney, are now in force.

Signed and sealed at the City and County of San Francisco. Dated the _____ day of _____, 19_____.

Winifred H. Browne

WINIFRED H. BROWNE, Assistant Secretary

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BOND FOR COSTS ON APPEAL

WELLER, WHEELUS, GREEN & BROCATO
ATTORNEYS AT LAW
BEAUMONT SAVINGS BUILDING
BEAUMONT, TEXAS 77704

The Borel v. Fibreboard Case File (1969-1972), Bond for costs on appeal
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