

questions that have arisen this morning, and since it is a matter of public record, I violate no trust or confidence in giving you the number of the case, Civil Action No. 899-67, in the U.S. District Court, Civil Action No. 104-67. I refer particularly to 104-67.

Senator TYDINGS. Could you give us the title of the cases?

Mr. WILLIAMS 104-67 is the case of *Amy Dunlap v. Monarch Construction Corp., Wilson S. Kidwell, Auctioneer, Bernard Garfinkle, Trustee, and A. Rushing, Trustee.*

I will confine myself to that one case because it covers all the points.

Senator TYDINGS. We would be happy to have the other cases, just for the record.

Mr. WILLIAMS. The other case is *Lewis G. Queholland v. Wilson S. Kidwell, Auctioneer, William S. Thompson, Virginald L. Gaunton, and Frederick H. Evans.*

Now, in the *Amy Dunlap* case I bring to your attention particularly because this lady was sued in General Sessions Court on a note for \$3,500 by Monarch Construction Co. and an answer was filed.

Within 2 months foreclosure proceedings were instituted arising out of security on the same note. The lady had a refinancial problem and thought she had paid off Monarch Construction the \$3,500, but she was unaware of the fact that she had a second trust still outstanding on the property, so Monarch Construction then took the—

Senator TYDINGS. Do you mean when she paid she refinanced and paid off the first note that Monarch did not release the second trust?

Mr. WILLIAMS. No, sir; they did not.

Senator TYDINGS. Even though they were paid off?

Mr. WILLIAMS. Yes, sir. The reason for it is she thought she was paying it off, but the papers do not reflect that they were paid off. That is how we got in the case.

Now, because of additional charges arising out of the transaction and the work that purportedly was done by Monarch Construction—and incidentally, the lady signed a completion certificate at the time she signed the contract. They told her this was necessary in order to complete the work.

I know it sounds fantastic, but this is true. It is supported by the record.

So, in any event, when the lady found her house was going to be foreclosed, she immediately called me because I had known her over the years, she had raised children and sent them to school and had difficulty with them, and what-not, and I went ahead and filed a suit in the district court for a temporary restraining order and then for an injunction and then for injunctive relief and a suit asking for damages.

Now, ordinarily this would not have happened unless that lady had \$300. You cannot pay your office staff and you cannot get other lawyers to participate in the case unless you pay them, and you can see the volume of writing that is necessary in order to effect just a little simple transaction.

Now, the case is still pending. You asked a little while ago about the trustees. In this particular case, we still have not been able to find one of the trustees, even though he is listed on the trust. Trustees do not note their addresses on the trust instrument; therefore, you must fiddle