October 5, 1964

S. H. MANSFIELD, Plaintiff

VS

ROMAN S. WILLIS, Defendant

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW

CASE NO.

6188

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW:

I, Mrs. Agnes Baggett, Secretary of State, hereby certify that on September 23, 1964. I sent by certified mail in an envelope addressed as follows:

"Roman S. Willis c/o Wallace M. Quinn Fisheries Empire, La."

"Certified Mail— Return Receipt Requested Deliver to Addressee Only"

bearing sufficient and proper prepaid postage, a notice bearing my signature and the Great Seal of the State of Alabama in words and figures as follows:

Roman S. Willis c/o Wallace M. Quinn Fisheries Empire, La.

You will take notice that on September 23,1964 the Sheriff of Montgomery County, Alabama, served upon me, in my official capacity, summons and complaint in a case entitled: S. H. MANSFIELD, Plaintiff VS ROMAN S. WILLIS, Defendant

in the CIRCUIT COURT OF BAIDWIN COUNTY, ALABAMA AT LAW

Case No. 6188 a true copy of which summons and complaint is attached hereto and the said service upon me as Secretary of State of the State of Alabama has the force and effect of personal service upon you.

WITNESS MY HAND and the Great Seal of the State of Alabama this the 23 day of September 1964

Enclosure (1)

(Signed) Mrs. Agnes Baggett Secretary of State"

I further certify that the notice above set out which was so mailed in the envelope addressed as above set forth had attached to it a true copy of the summons and complaint in the above-styled cause.

I further certify that on Oct 2 1964 I received the return card, showing receipt by the designated addressee of the aforementioned matter at Dulac La. on 5/30/64

WITNESS MY HAND and the Great Seal of the State of Alabama this the

of October 1964

day

Mrs. Agnes Baggett Secretary of State

Enclosures: Return Receipt Card and copy of Summons and Complaint.

lst National Bank Blg.
Mobile, Ala.

The State of Alabama,	Circuit C	ourt, Baldwin C	ounty
Baldwin County.	No0188		TERM, 19
TO ANY SHERIFF OF THE STA	TE OF ALABAMA:		:
You Are Hereby Commanded to Sur	nmon Roman S. Wil	lis	
	· ·		
		N	
to appear and plead, answer or demu	r, within thirty days from the serv	vice hereof, to the c	complaint filed in
the Circuit Court of Baldwin County,	State of Alabama, at Bay Minett	e, against	
Roman_	S. Willis	~~~	_, Defendant
byS. #•_	Mansfield		
· · · · · · · · · · · · · · · · · · ·			, Plaintiff
Witness my hand this	day ofSeptember	1964	
	- Clic	A-ulic	k, Clerk

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No Pa	ge		Defendan	t lives at
The State of Ala Baldwin Count	· · · · · · · · · · · · · · · · · · ·	e		:
CIRCUIT CO	URT	e e e e e e e e e e e e e e e e e e e	Received	In Office
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		SZONKURIL GYAL		, Sheriff
	Plaintiffs			this summons
			thisby leaving a copy wit	
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	Defendants			: :
Summons and Co	omplaint			
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Filed	19			
	Clerk		:	:
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Plaint	iff's Attorney	Constitution of the consti		Sheriff
Defenda	ant's Attorney	The state of the s		DeputySheriff

S. H. MANSFIELD, : IN THE CIRCUIT COURT OF

Plaintiff, : BALDWIN COUNTY, ALABAMA

VS:

AT LAW

ROMAN S. WILLIS,

Defendant.

CASE NO. 6/88

COUNT ONE

The Plaintiff claims of the Defendant TWENTY FIVE THOUSAND AND 00/100 (\$25,000.00) DOLLARS, for this that heretofore and on, to-wit, the 25th day of April 1964, the Plaintiff was operating his motor vehicle on U. S. Highway 90 at or near its intersection with U. S. Highway 31 at Spanish Fort in Baldwin County, Alabama, both said highways being then and there public highways in Baldwin County, Alabama, and at the time and place aforesaid the Defendant did so negligently operate a motor vehicle so as to cause or allow the same to run into, upon and against the rear of the motor vehicle which the Plaintiff was then and there operating and as a direct and proximate result of the aforesaid negligence of the Defendant the motor vehicle of the Plaintiff was greatly bent, smashed and broken, the Plaintiff was caused to receive severe and ' permanent injuries in and about his back and neck, he was caused to expend sums of money for medical and hospital care and expenses/will be caused to expend same in the future, he was caused to lose time from his employment and will be caused to lose time from same in the future and he was caused to suffer physical pain and mental anguish all to his damage in the amount aforesaid.

COUNT TWO

Plaintiff claims of the Defendant TWENTY FIVE THOUSAND AND 00/100 (\$25,000.00) DOLLARS, for this that heretofore and on, to-wit, the 25th day of April 1964, the Plaintiff was operating his motor vehicle on U.S. Highway 90 at or

near its intersection with U. S. Highway 31 at Spanish Fort in Baldwin County, Alabama, both said highways coing then and there public highways in Baldwin County, Alaba the time and place aforesaid the Defendant diffe, weirtang operate a motor vehicle so as to cause or allow the run into, upon and against the rear of the motor webicle which the Plaintiff was then and there operating and as a direct and proximate result of the aforesaid wanton operation of the motor vehicle by the Defendant the motor vehicle of the Plaintiff was wantonly bent, smashed, and broken, the Plaintiff was wantonly injured in this; the Plaintiff was caused to receive severe and permanent injuries in and about his back and neck, he was caused to expend sums of money for medical and hospital care and expenses and will be caused to expend same in the future, he was caused to lose time from his employment and will be caused to lose time from same in the future and he was caused to suffer physical pain and mental anguish all to his damage in the amount aforesaid, hence this suit.

COLLINS, GALLOWAY & MURCHY

By: Thomas M. Galloway

Attorneys for Plaintiff

Plaintiff respectfully demands a trial by jury of this cause.

COLLINS, GALLOWAY & MURPHY

37: **U**

Thomas M. Galloway

Attorneys for Plainiff

Address of Defendant:

c/o Wallace M. Quinn Fisheries Empire, Louisiana (The Defendant being a non resident of the A State of Alabama please serve through the Secretary of State.)

INGE, TWITTY, DUFFY & PRINCE

LAWYERS

THOS. E. TWITTY
FRANCIS H. INGE (1902-1959)
RICHARD H. INGE
THOS. E. TWITTY JR.
JAMES J. DUFFY, JR.
SYDNEY R. PRINCE, III

MERCHANTS NATIONAL BANK BUILDING

MOBILE,ALABAMA

36601

October 12, 1964

MAILING ADDRESS:

P. O. BOX 1109 MOBILE, ALA. 36601

CABLE ADDRESS: TWINING TELEPHONE HEMLOCK 3-5441

Honorable Alice J. Duck, Clerk Circuit Court of Baldwin County Bay Minette Alabama

Dear Mrs. Duck:

Re: S. H. Mansfield vs. Roman S. Willis Case No. 6188

Enclosed you will find removal petition, bond and notice for filing in the Circuit Court of Baldwin County to effectuate removal of the above entitled cause to the United States District Court for the Southern District of Alabama, Southern Division.

I am not certain when service was obtained on the defendant, and I shall, therefore, appreciate your entering the enclosed papers for filing immediately upon their receipt and confirming by return mail the date on which they were filed. The original removal papers are being filed in the United States District Court here.

With kindest regards,

Cordially,

Thomas E. Twitty, J

for

INGE, TWITTY, DUFFY & PRINCE.

TET, jr:k encls.

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF ALABAMA, SOUTHERN DIVISION

s. H. M	ANSFIELD,)	
	Plaintiff,		
VS.		Para Para Para Para Para Para Para Para	CIVIL ACTION NO. 6/88
ROMAN	S. WILLIS,)	
	Defendant.)	
TO:	Honorable Alice J. Duck Baldwin County Court House Baldwin County Court House Bay Minette, Alabama		
	Thomas M. Galloway, Esq. Collins, Galloway & Murphy First National Bank Building Mobile, Alabama		

PLEASE BE ADVISED that on the 12th day of October, 1964, at Mobile, Alabama, Roman S. Willis, Defendant in the above entitled cause, filed in the District Court of the United States for the Southern District of Alabama, Southern Division thereof, a petition to remove the above entitled cause to said District Court of the United States from the Circuit Court of Mobile County, Alabama. True and correct copies of the petition and bond filed in said cause are attached hereto.

This notice is given you in accordance with the provisions of Title 28, Section 1446 (e), United States Code.

Attorney for Defendant, Roman S.

Of Counsel: Inge, Twitty, Duffy & Prince 1309 Merchants National Bank Building Mobile, Alabama

oct 13 P6t

CERTIFICATE OF FILING AND SERVICE

This is to certify that a copy of the foregoing notice of removal of the above entitled cause from the Circuit Court of Baldwin County, Alabama to the District Court of the United States for the Southern District of Alabama, Southern Division, together with a true and correct copy of the removal petition and bond therein, has been served upon Honorable Alice J. Duck, Clerk of the Circuit Court of Baldwin County, for filing in said Court, by mailing copies thereof, postage prepaid, to her, and a copy of said notice of removal, petition and bond has been served upon the Plaintiff in said cause by mailing copies thereof, postage prepaid, to Plaintiff's attorney of record in said cause, all on this, the 12th day of October, 1964.

Attorney for Petitione

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF ALABAMA

	SOUTHERN DIVISION		
S. H. MANSFIELD,)		
Plaintiff,	>		
VS)		
ROMAN S. WILLIS,	>	CIVIL ACTION NO.	
Defendant.	•		

PETITION FOR REMOVAL OF CAUSE TO FEDERAL COURT

Appearing specially for the purpose of filing this Petition, and without submitting to the jurisdiction of this Court to take any action other than action upon this Petition, now comes your Petitioner, ROMAN S. WILLIS, Defendant in the above entitled cause, by and through his attorney in the above entitled cause, and presents and files this, his Petition for removal of the above entitled cause from the Circuit Court of Baldwin County, Alabama, to the District Court of the United States for the Southern District of Alabama, Southern Division thereof, held in the City of Mobile, Alabama, and respectfully shows in support thereof the following:

- 1. This cause was filed by the above named Plaintiff in the Circuit
 Court of Baldwin County, Alabama, on, to-wit, the 16th day of September, 1964
 and was commenced by the filing of the complaint and the issuance of a summons
 thereon. The complaint seeks recovery of TWENTY-FIVE THOUSAND and 00/100
 (\$25,000.00) DOLLARS as damages, which Plaintiff claims for personal injuries
 allegedly suffered by Plaintiff on, to-wit, the 25th day of April, 1964 by reason of
 the alleged negligence of Petitioner in and about the operation of a motor vehicle
 on U. S. Highway 90 at or near its intersection with U. S. Highway 31 at
 Spanish Fort in Baldwin County, Alabama.
- 2. Copies of the complaint and summons which were issued in this cause are attached hereto and made a part hereof. Said complaint and summons were served on Petitioner on, to-wit, the 23rd day of September, 1964, and are the only pleadings, orders and process which have been heretofore served on Petitioner in this cause.
- 3. Petitioner further shows that the above entitled cause is one of a civil nature and is a suit for the recovery of TWENTY-FIVE THOUSAND and

00/100 (\$25,000.00) DOLLARS and that the amount in controversy exceeds the sum of TEN THOUSAND DOLLARS (\$10,000.00), exclusive of interest and costs.

- 4. The Plaintiff in this cause, was at the commencement of this suit, and still is a citizen and resident of the State of Alabama; and Petitioner was at the commencement of this suit and still is a citizen and resident of the State of Louisiana.
- 5. Petitioner files herewith a good and sufficient bond, such as is required by law, conditioned that Petitioner will pay all costs and disbursements which may be awarded by this Court, if this Court shall determine that this suit was not removable by Petitioner or was wrongfully or improperly removed hereby by Petitioner.

Attorney for Petitioner

OF COUNSEL:

Inge, Twitty & Duffy 1399 Merchants National Bank Building Mobile, Alabama

STATE OF ALABAMA) COUNTY OF MOBILE)

Personally appeared before me, the undersigned authority. THOMAS E. TWITTY, JR., whose name is signed above and who is known to me, and who being by me first duly sworn on oath doth depose and say that his is one of the attorneys in the above entitled cause for Roman S. Willis; that he is familiar with the allegations of the foregoing Petition; that he is informed and believes that the allegations of said Petition are true and correct; and that upon such information and belief he states the allegations of said Petition are true and correct.

Thomas E. Twitty, Jr.

Subscribed and sworn to before me this 12th day of October, 1964

Notary Public, Mobile County, Alabama

S. H. MANUSTRID, : IN THE GIROURY COURT OF

Plaintiff, alabam county, alabam

VS: AT LAW

ROMAN'S. WELLES, and the

Defendant. + Olds No. L. L. S.

COURT OFF

The Plaintiff elaime of the Defendant THERM FIVE THOUSAND AND GO/LOG (425,000.00) DOLLARS, for this that herotofore and on, te-wit, the 25th day of April 1964, the Plointiff was operating his motor weblole on U. S. Mighway 90 at or neer lts impersotion with U. S. Highway 31 of Spanish Fort in Baldwin County, Alabama, both caid highways being blos and there poblic highways in Baldwin County, Alabama, and at the time and place afforesaid the Defendant did so negligontly operate a notor vehicle co as to cause or allow the pass to run imbo, when this col apainst TORO FARE OR TORO RECORD COLLO LA MERCO DE PERCENTE MES TRADO and there operating and an address and proming a result eotom off danderead and he ecasphilyer blacestant and lo wohitele of the linerible was groutly bout, accorded and broken, the Plaintill the paresol to receive pevero and ' arm ed , sidem fra Mend with brooks but and coincip to customary Lotigeed bas Leadibar well person to assed baseque of heads care and empareds/hill be easied to expend same in the future, he was earsed to loss time from his employment and will be compact to less time from some in the fixe fature and he A STATE OF THE STA to his demage in the amount presents.

CONTRACTOR

AND 00/100 (925,000.00) DOLLARS, for this that herotefore and on, to-wit, the 25th day of April 1964, the "lefted fifther operating his motor vohicle on T. S. Highway 90 at or

near its intersection with U.S. Highway 31 st Spanish Fort in Baldwin County, Alabama, both said highways being thon and there public highways in Boldwin County, Alabama, and at the time and place aforesaid the Defendant did so wantenly of emak edd wolla to bestable as as a classic and allow to run into, upon and against the rear of the motor vehicle which the Flaintiff was then and there operating and as a direct and proximate result of the aforestid wanten operation of the motor vehicle by the Defendant the motor vehicle of the Flointiff was wantonly bent, smashed, and broken, the Flaintiff was wantonly injured in this; the Plaintiff was caused to receive severe and permanent injuries in and about his back and neck, he was caused to expend sums of money for medical breeze of beenso ed illy bes sesneque bas ess letigeod bas some in the future, he was caused to lose time from his employment and will be caused to lose time from same in the future and he was caused to suffer physical pain and mental anguish all to his demage in the amount aforesaid, hence this suit.

By: Chinas W. Gallowey
Tattomays for Plaintiff

Pleintiff respectfully demands a trial by jury of this cause.

COLLINS, GALLOWAY & MURPHY

Phones N. Galloway / Abtorneys for Plainiff

Address of Defendant:

c/o Vallace M. Quinn Fisheries Empire, Louisiana (The Defendant being a non resident of the State of Alabama please serve through the Secretary of State.)

The State of Alaba	ama, Circuit Court, Bald	lwin County
Baldwin County.	Xo	TERM, 19
TO ANY SHERIFF OF T	HE STATE OF ALABAMA:	
You Are Hereby Commande	d to Summon - Propagation (272).188	
		. :
to appear and plead, answer	or demur, within thirty days from the service hereof,	to the complaint filed in
the Circuit Court of Baldwin	County, State of Alabama, at Bay Minette, against.	
		, Defendant
by		· · · · · · · · · · · · · · · · · · ·
		, Plaintiff
Witness my hand this	day of 19	
		Esseche Clerk



STATE OF ALABAMA OFFICE OF SECRETARY OF STATE MONTGOMERY 4, ALABAMA

September 23, 1964

MRS. AGNES DAGGETT

Roman S. Willis c/o Wallace M. Quinn Fisheries Empire, La. CERTIFIED MAIL
RETURN RECEIPT REQUESTED
DELIVER TO ADDRESSEE ONLY

1	i	
You will take notice that on	September 23, 1964	the Sheriff of
Montgomery County, Alabama, serv		Summons and Com-
plaint in a case entitled: S. H. Man	VSFIELD,	
	N	
	Plaintiff VS ROMAN S. WILL	IS.
***************************************	Defendant in the CIRCUIT (CURT OF BALDWIN
COUNTY, ALABAMA AT LAW		
Case No. 6188 true copy o	f which Summons and Complaint is	s attached hereto and
the said service upon me as Secretary	y of State of the State of Alabama ha	as the force and effect
of personal service upon you.	•	
or bersomer service about you.		
	Freat Seal of the State of Alabama t	his tha 23
•	freat Dear O. the State Of Alabama to	445 VANC
day of September 1964	2	
	Mio- China	o Durante
	Mrs. Agne Secretary	s Baggett
	·	
	Enclosure : Copy of Succe Hon. Thomas M. Ga	

Mobile, Ala.

Collins, Galloway & Murphy lst National Bank Bldg.

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF ALABAMA, SOUTHERN DIVISION.

S. H. MANSFIELD,)
Plaintiff)
vs.	
ROMANS. WILLIS,) CIVIL ACTION NO.
Defendant.))

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, ROMAN S. WILLIS, acting herein by and through one of his attorneys in the above entitled cause, being duly authorized in the premises, and The Aetha Casualty and Surety Company, a corporation, as Surety, are held and firmly bound unto the Plaintiff in the above entitled cause, in the sum of FIVE HUNDRED and 00/100 (\$500.00) DOLLARS for the payment of which well and truly to be made, the undersigned, and each of the undersigned, do bind themselves, their successors and assigns, jointly, severally and firmly by these presents.

DATED this, the 12th day of October, 1964.

The condition of this odigation is such that whereas the undersigned Roman S. Willis, the principal obligor, has applied to the District Court of the United States for the Southern District of Alabama, Southern Division thereof, to remove a cause from the Circuit Court of Baldwin County, Alabama, wherein he is Defendant, to the District Court of the United States for the Southern District of Alabama, Southern Division thereof, held in the City of Mobile, Alabama, and that all further action in the Circuit Court as aforesaid be stayed.

NOW, THEREFORE, if the undersigned shall pay all costs and disbursements that may be awarded by the United States District Court if the said District Court shall hold that such suit was not removable or was wrongfully removed thereto, then this obligation shall be void, otherwise to be and

remain in full force and effect.

	ROMANS. WILLIS By As one of his attorneys
	PRINCIPAL
	THE AETNA CASUALTY AND SURETY COMPANY BY As its attorney-in-fact SURETY
CCEPTED AND APPROVED ON this,	theday of October, 1964.
	JUDGE
the control of the co	

S. H. MANSFIELD, : IN THE CIRCUIT COURT OF

Plaintiff, : BALDWIN COUNTY, ALABAMA

VS: :

AT LAW

ROMAN S. WILLIS, :

Defendant. : CASE NO. 6148

COUNT ONE

The Plaintiff claims of the Defendant TWENTY FIVE THOUSAND AND 00/100 (\$25,000.00) DOLLARS, for this that heretofore and on, to-wit, the 25th day of April 1964, the Plaintiff was operating his motor vehicle on U. S. Highway 90 at or near its intersection with U.S. Highway 31 at Spanish Fort in Baldwin County, Alabama, both said highways being then and there public highways in Baldwin County, Alabama, and at the time and place aforesaid the Defendant did so negligently operate a motor vehicle so as to cause or allow the same to run into, upon and against the rear of the motor vehicle which the Plaintiff was then and there operating and as a direct and proximate result of the aforesaid negligence of the Defendant the motor vehicle of the Plaintiff was greatly bent, smashed and broken, the Plaintiff was caused to receive severe and ' permanent injuries in and about his back and neck, he was caused to expend sums of money for medical and hospital care and expenses/will be caused to expend same in the future, he was caused to lose time from his employment and will be caused to lose time from same in the future and be was caused to suffer physical pain and mental anguish all to his damage in the amount aforesaid.

COUNT TWO

Plaintiff claims of the Defendant TWENTY FIVE THOUSAND AND 00/100 (\$25,000.00) DOLLARS, for this that heretofore and on, to-wit, the 25th day of April 1964, the Plaintiff was operating his motor vehicle on U.S. Highway 90 at or



near its intersection with U. S. Highway 31 at Spanish Fort in Baldwin County, Alabama, both said highways being then and there public highways in Baldwin County, Alabama, and at the time and place aforesaid the Defendant did so wantonly operate a motor vehicle so as to cause or allow the same to run into, upon and against the rear of the motor vehicle which the Plaintiff was then and there operating and as a direct and proximate result of the aforesaid wanton operation of the motor vehicle by the Defendant the motor vehicle of the Plaintiff was wantonly bent, smashed, and broken, the Plaintiff was wantonly injured in this; the Plaintiff was caused to receive severe and permanent injuries in and about his back and neck, he was caused to expend sums of money for medical and hospital care and expenses and will be caused to expend same in the future, he was caused to lose time from his employment and will be caused to lose time from same in the future and he was caused to suffer physical pain and mental anguish all to his damage in the amount aforesaid, hence this suit.

COLLINS, GALLOWAY & MURPHY

By: Calloway
Thomas M. Galloway
Attorneys for Plaintiff

Plaintiff respectfully demands a trial by jury of this cause.

COLLINS, GALLOWAY & MURPHY

Thomas M. Galloway

Attorneys for Plaintift 817 First National Bank Building

Address of Defendant: Mobile, Alabama

c/o Wallace M. Quinn Fisheries
Empire, Louisiana
(The Defendant being a non resident of the
State of Alabama please serve through the
Secretary of State.)

FILE DI SEP 16 1984 ALIGE I. DUCK, REGISTER

The State of Alabama,	Circuit Court, Baldwin County
Baldwin County. No.	6188
Baldwin County.	TERM, 19
	· · · · · · · · · · · · · · · · · · ·
TO ANY SHERIFF OF THE STATE OF	ALABAMA:
You Are Hereby Commanded to Summon	Roman S. Willis
to appear and plead, answer or demur, within t	thirty days from the service hereof, to the complaint filed in
the Circuit Court of Baldwin County, State of	Alabama, at Bay Minette, against
Roman S Will:	is, Defendant
	Derendant
by S. H. Mansfie	ld
	, Plaintiff
	Camtamban (1)
Witness my hand thisday	ofSeptember1904
	allice f. Marche, Clerk
EX- 9-23-64	Clerk

No6188 Page	Defendant lives at
The State of Alabama Baldwin County	RECEIVED IN OFFICE
CIRCUIT COURT	Received In Office
S. H. MANSFIELD	M. S. BUTLER, Sheriff
Plaintiffs	I have executed this summons
vs.	this191
ROMAN S. WILLIS	by leaving a copy with
Defendants	Executed by serving copies of
Summons and Complaint	the within on Com Bagger Secretary of State of The State of
Filed 9-16 19 64	Alabama. This the 23 day of 19.6,4
Alice J. Duck	Sheriff of Montgomery County M. S. Butler,
	By engression stanness server B.
	miles at 10e per mile for a total or 3
Collins, Galloway & Murphy Plaintiff's Attorney	M. S. Butler, Shoriff Montgomery-County, Sheri
Defendant's Attorney	Deputy Sheri