GODFREY KLUMPP, Plaintiff,	)	IN THE CIRCUIT COURT OF
versus	)	BALDWIN COUNTY, ALABAMA
CLYDE HUNTER, Defendant.	)	AT LAW - NO. 295

The defendant herein having within the time provided by law filed his petition for removal of this cause to the District Court of the United States for the Southern District of Alabama, Southern Division, and having at the same time offered his bond in the sum of $500.00 with The Fidelity & Deposit Company of Md., good and sufficient surety, pursuant to the statute, and conditioned according to law;

NOW, THEREFORE, this Court does hereby accept and approve said bond and accepts said petition and does order that this cause be removed for trial to the District Court of the United States for the Southern District of Alabama, Southern Division, pursuant to the statute of the United States, and that all other proceedings of this court be stayed, and the Clerk is hereby directed to make up a certified copy of the record in said cause for transmission to the District Court forthwith.

DATED this ____ day of March, 1937.

_____
J U D G E

CIVIL COST BILL

Gill Printing Co., Mobile

The State of Alabama,

Baldwin. COUNTY.

CIRCUIT COURT

Spring, Term, 19 37

Godfrey Klumpp.

No. 295. vs.

Clyde Hunter.

BILL OF COSTS

	CLERK'S FEES	@	Amount
1	Issuing 3 Summons and Complaint	$1 25	3 75
2	Issuing 3 copies thereof	30	90
3	Making every copy thereof, when over 200 words, per 100 words	15	
4	Entering Sheriff's return or copy thereof	20	
5	Docketing cause, to be charged but once	25	25
6	Entering Appearance	20	20
7	Filing 21 pleas, demurrer and other pleadings, for each	10	2 10
8	Every trial, with or without jury, and its incidents, not including judgments by default or nil dicit	75	
9	Entering Continuance (each)	10	
10	Entering judgment, (each)	30	
11	Entering any other order of Court (each)	30	30
12	Issuing Scire Facias, or notice in the nature thereof (each)	75	
13	Issuing Execution or copy thereof (each)	50	
14	Entering return, or copy thereof, for each 100 words, 15 cts; but in no case less than	20	
15	Recording award of arbitrators, referees, auditors, etc., for each 100 words	15	
16	Issuing execution or attachment thereon, and entering return	1 00	
17	Taking bond for certiorari supersedeas, or appeal, or copy thereof and filing same	75	75
18	Issuing Subpoenas for Witness (each)	30	
19	Administering an oath, not relating to a trial pending and certifying the same	25	
20	Issuing Attachment and taking bond (each)	1 00	
21	Filing papers in attachment (each)	10	
22	Issuing Summons for garnishee (each)	50	
23	Swearing and taking examination for Garnishee and recording same, for each 100 words 15 cts; but not less than	50	
24	Order to advertise, or order or survey, or copy thereof	50	
25	Certificate of Judgment	50	
26	Recording each surveyor and surveyor's report or copy thereof, each 100 words 15 cts; but not less than	25	
27	Issuing Commission to take depositions, or copy thereof	75	
28	Making copy of interrogatories accompanying commission	50	50
29	Or for each 100 words	15	45
30	Filing packages of depositions (each)	10	
31	Indorsing package of depositions, opened (each)	10	
32	Issuing writ of ad quod damnum or writ in the nature thereof	75	
33	Recording the return and inquest thereon	50	
34	Or for each 100 words	15	
35	Issuing Writ of certiorari, prohibition, mandamus, or writ in the nature thereof	75	
36	Filing the same and entering return	15	
37	Making a complete record of a cause or copy thereof, for each 100 words	15	20 00
38	Making copy of any paper not herein provided for, for each 100 words	15	
39	Making each certificate requiring the seal of office, and affixing seal	50	50
40	Taking any bond not otherwise provided for	75	
41	Making necessary certificates not otherwise provided for (each witness)	25	
42	For certifying abstract, in lieu of fees for transcript under section 2851 of the Code U S	5 00	~~50~~ ~~50~~
43	Record for Supreme Court, for each 100 words	15	
44	Each additional copy thereof, for each 100 words	05	32 50
45	Collecting money on judgments wherein said judgment has not been paid within 30 days after rendition, one half the per cent allowed sheriffs for same services for collecting money on execution		
	Total Clerk's Fees		~~20~~ ~~20~~

62.20

	SHERIFF'S FEES	@	Amount
1	Levying Attachment	$3 00	
2	Entering and returning Attachment	25	
3	Summoning garnishee and return	1 50	
4	Serving Summons and Return	1 50	
5	Serving Subpoenas	65	
6	Impaneling jury	75	
7	Making deed	2 50	
8	Serving Summons, forcible entry, etc.	1 50	
9	Executing writ of restitution or possession	5 00	
10	Collecting execution for cost	1 50	
11	Serving Sci. Fa., notices, etc.	1 50	
12	Serving any summons not provided for and return	1 50	
13	Serving attachment for contempt	1 50	
14	Taking and approving bond	1 00	
15	Seizing personal property in detinue	3 00	
16	Collecting money under execution, 5% first $200.00; 4% to $500.00; 3% all over $500.00		
17	Selling property attached, same for selling under execution		
18	Former Sheriff's fees		
			~~20~~ ~~20~~
	Total Sheriff's Fees		

RECAPITULATION

1	Clerk's Fees		~~20~~ ~~20~~
2	Clerk's Fees		62.20
3	Sheriff's Fees		
4	Sheriff's Fees		
5	Witness Fees in Circuit Court		
6	Justice of the Peace Fees		
7	Witness Fees, in Justice of the Peace Court		
8	Commissioner's Fees		
9	Commissioner's Residence		
10	Constable's Fees		
11	Garnishee's Fees		
12	Printer's Fees		
13	Stenographer's Fees		3 00
14	Trial Tax		
			65.20
			~~83.20~~
	Total Fees		
15	Judgment		
16	Date		
17	Interest		
18	Damages		
	Total Judgment		
	Interest and Damages		
	Grand Total		

Paid Nov. 18-1929
R. S. Duck
P. J. F.

295

STATE OF ALABAMA

OFFICE OF SECRETARY OF STATE

MONTGOMERY

HOWELL TURNER

August 8, 1936.

Godfrey Klumpp, Plaintiff vs. Clyde Hunter, Defendant	In the Circuit Court of Baldwin County, Alabama.

Mr. Clyde Hunter,
716 S. Orange Ave.,
Orlando, Fla.

You are hereby given notice under H. B. 84 of the General Laws of Alabama that enclosed summons and complaint was served on me in the above styled cause, as Secretary of State of the State of Alabama.

Please acknowledge receipt.

Howell Turner
Howell Turner,
Secretary of State.

HOWELL TURNER

STATE OF ALABAMA
OFFICE OF SECRETARY OF STATE
MONTGOMERY

August 13, 1936.

Mr. R. S. Duck,
Clerk, Circuit Court, Baldwin County,
Bay Minette, Ala.

Dear Sir:

Re: Godfrey Klumpp, Plaintiff
v.
Clyde Hunter, Defendant

In the Circuit Court of Baldwin County, Alabama.

This is to certify that under H. B. 84 of the General Laws of Alabama, I did, on the 8th day of August, 1936, send by registered mail, return receipt requested, addressed to addressee only, to Mr. Clyde Hunter, 716 S. Orange Ave., Orlando, Florida, summons and complaint in the above styled cause.

I further certify that said return receipt which is herewith enclosed, was received by me on the 13th day of August, 1936.

Yours very truly,

Howell Turner,
Secretary of State.

T/ab

CC - Hon. George E. Stone, Jr.,
Merchants National Bank Bldg.,
Mobile, Ala.

GODFREY KLUMPP, Plaintiff	:	
versus	:	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA
CLYDE HUNTER, Defendant	:	AT LAW.

COUNT I. The plaintiff claims of the defendant Ten Thousand and No/100 ($10,000.00) Dollars, as damages for this, that heretofore on, to wit, the 27th day of June, 1936, Mary Knight Hunter, the daughter of the defendant, she being then and there under the age of sixteen years (16), was driving or operating, unaccompanied by any adult person, an automobile which was then the property of the defendant, with the express or implied consent or permission of the owner, and plaintiff avers that on the aforementioned day the said Mary Knight Hunter so negligently drove or operated said automobile on or along a public highway in Baldwin County, Alabama known as Point Clear Road, at or near a point on said road known as Joe Klumpp's Place, as to cause or allow it to run into, over or against a wagon being driven at that time and place by the plaintiff, and as a proximate result of the said negligence of the aforementioned Mary Knight Hunter, plaintiff's wagon was so violently struck by said automobile as to severely injure plaintiff in that his back was so violently wrenched as to be permanently disabled, his head and face cruelly lacerated, his leg cut and bruised, and as a proximate result of said injuries, plaintiff was unable to leave his bed for a long period of time and has ever since been unable to perform physical labor such as he has always been obliged to do in order to earn a living. Plaintiff has further suffered intense physical pain and mental anguish, together with great humiliation and embarrassment, besides incurring charges for medical attention and suffering financial loss from the loss of his horse and wagon; all this being the proximate result and consequence of the negligence of the said Mary Knight Hunter,

wherefore plaintiff sues and asks judgement in the aforementioned sum of Ten Thousand and No/100 ($10,000.00) Dollars.

COUNT 2. The plaintiff claims of the defendant the further sum of Ten Thousand and No/100 ($10,000.00) Dollars, as damages for this, that heretofore on, to wit, the 27th day of June, 1936, Mary Knight Hunter, the daughter of the defendant, she being then and there under the age of sixteen years (16), was driving an automobile which was then the property of the defendant, with the express or implied consent or permission of the owner, and plaintiff avers that on the aforementioned day, while driving said automobile on or along the public highway in Baldwin County, Alabama known as Point Clear Road, and at or near a point on said highway known as Joe Klumpp's Place, the said Mary Knight Hunter wilfully or wantonly injured plaintiff by wilfully or wantonly causing said automobile to run into, over or against a wagon being then and there driven by the plaintiff, and that as a proximate result of the said wilful or wanton negligence of Mary Knight Hunter plaintiff was severely injured in that his back was so violently wrenched as to be permanently disabled, his head and face were cruelly lacerated, his leg cut and bruised, and as a proximate result of said injuries, plaintiff was unable to leave his bed for a long period of time and has ever since been unable to perform physical labor such as he has always been obliged to do in order to earn a living. Plaintiff has further suffered intense physical pain and mental anguish, together with great humiliation and embarrassment, besides incurring charges for medical attention and suffering financial loss from the loss of his horse and wagon; all this being the proximate result of the wilful or wanton negligence of the said Mary Knight Hunter, wherefore plaintiff sues and asks judgement in the aforementioned sum of Ten Thousand and No/100 ($10,000.00) Dollars.

COUNT 3. The plaintiff claims of the defendant the further sum of Ten Thousand and No/100 ($10,000.00) Dollars, as damages for this, that heretofore on, to wit, the 27th day of June, 1936, the defendant was the owner of an automobile which he did negligently permit or allow his daughter, Mary Knight Hunter, who was at that time under the age of sixteen years (16) to drive or operate, unaccompanied by any adult person, along or over the public highway in Baldwin County, Alabama known as Point Clear Road, and that on the aaforementioned day the said Mary Knight Hunter did so negligently drive or operate said automobile on or along said highway at or near a point on said highway known as Joe Klumpp's Place as to cause or allow it to run into, over, or against a wagon being then and there driven by the plaintiff, and as a proximate result and consequence of said negligence of defendant, said wagon was so violently struck as to severely injure in that his back was so violently wrenched as to be permanently disabled, his head and face were cruelly lacerated, his leg was seriously cut and bruised, and as a proximate result of said injuries plaintiff was unable to leave his bed for a long period of time and has been ever since unable to perform physical labor such as he has always been obliged to do in order to earn a living. Plaintiff has further suffered intense physical pain and mental anguish, together with great humiliation and embarrassment, besides incurring charges for medical attention and suffering financial loss from the loss of his horse and wagon; all this being the proximate result and consequence of the negligence of defendant, wherefore plaintiff sues and asks judgement in the aforementioned sum of Ten Thousand and No/100 ($10,000.00) Dollars.

COUNT 4. Plaintiff claims of the defendant the further sum of Ten Thousand and No/100 ($10,000.00) Dollars, as damages for this, that heretofore on, to wit, the 27th

day of June, 1936, the defendant was the owner of an automobile which he did negligently allow or permit his daughter, Mary Knight Hunter, she being at that time under the age of sixteen years (16) to drive or operate, unaccompanied by any adult person, along or over the public highway in Baldwin County, Alabama known as Point Clear Road, and that on the aforementioned day the said Mary Hunter wilfully or wantonly injured plaintiff by wilfully or wantonly causing or allowing the said automobile to run into, over or against a wagon being driven along said highway at or near a point on said highway known as Joe Klumpp's Place by the plaintiff, and as a proximate result and consequence of the aforesaid negligence of the defendant, said wagon was so violently struck as to severely plaintiff in that his back was so violently wrenched as to be permanently disabled, his head and face were cruelly lacerated, his leg was seriously cut and bruised, and as a proximate result of said injuries, plaintiff was unable to leave his bed for a long period of time, and has ever since been unable to perform physical labor such as he has always been obliged to do in order to earn a living. Plaintiff has further suffered intense physical pain and mental anguish, together with great humiliation and embarrassment, besides incurring charges for medical attention and sustaining financial loss as a result of the loss of his horse and wagon; all this being the proximate result of the aforesaid negligence of the defendant, wherefore plaintiff sues and asks judgement in the aforementioned sum of Ten Thousand and No/100 ($10,000.00) Dollars.

COUNT 5. The Plaintiff claims of the defendant the further sum of Tne Thousand and No/100 ($10,000.00) Dollars, as damages for this, that heretofore on, to wit, the 27th day of June, 1936, Mary Knight Hunter, the agent or servant of the defendant, while acting within the line and scope of her

authority as such agent or servant, so negligently drove or operated an automobile of which the defendant was then the owner on or along the public highway in Baldwin County, Alabama known as Point Clear Road, at or near a point on said highway known as Joe Klumpp's Place, that as a proximate result and consequence of said negligence a wagon which the plaintiff was then and there driving was so violently struck by said automobile as to severely injure plaintiff in that his back was so violently wrenched as to be permanently disabled, his head and face were cruelly lacerated, his leg seriously cut and bruised, and as a proximate result of said injuries the plaintiff was unable to leave his bed for a long period of time and has ever since been unable to perform physical labor such as he has always been obliged to do in order to earn a living. Plaintiff further suffered intense physical pain and mental anguish, together with great humiliation and embarrassment, besides incurring charges for medical attention and suffering financial loss as a result of the loss of his horse and wagon; all of this being the proximate result and consequence of the said negligence of the aforementioned Mary Knight Hunter, wherefore plaintiff sues and asks damages in the aforementioned amount of Ten Thousand and No/100 ($10,000.00) Dollars.

COUNT 6. The Plaintiff claims of the defendant the further sum of Ten Thousand and No/100 ($10,000.00) Dollars, as damages for this, that heretofore, on to wit, the 27th day of June, 1936, Mary Knight Hunter, the agent or servant of the defendant, while acting within the line and scope of her authority as such agent or servant, wilfully or wantonly injured plaintiff by wilfully or wantonly causing or allowing the automobile which was then and there the property of the defendant and which she was then and there driving or operating on or along the public highway in Baldwin County, Alabama known as Point Clear Road to run into, over or against a wagon which the plaintiff was then and there driving along said highway at

or near a point on said highway known as Joe Klumpp's Place, and as a proximate result and consequence of the said wilful or wanton negligence of the aforesaid Mary Knight Hunter, while acting within the line and scope of her authority as the agent or servant of the defendant, the plaintiff was severely injured in that his back was so violently wrenched as to be permanently disabled, his head and face were cruelly lacerated, his leg was cut and bruised, and as the proximate result of these injuries, the plaintiff was unable to leave his bed for a long period of time and has ever since been unable to perform physical labor such as he has always been obliged to do in order to earn a living. Plaintiff has further suffered intense physical pain over a period of many weeks, together with mental anguish and humiliation, besides suffering financial loss from the loss of his horse and wagon; all this being the proximate result and consequence of the negligence, wilful or wanton, of the aforesaid Mary Knight Hunter while acting within the line and scope of her authority as the agent or servant of the defendant, wherefore the plaintiff sues and asks judgement in the aforementioned sum of Ten Thousand and No/100 ($10,000.00) Dollars.

COUNT 7. The plaintiff claims of the defendant the further sum of Ten Thousand and No/100 ($10,000.00) Dollars, as damages for this, that heretoforeon, to wit, the 27th day of June, 1936, Mary Knight Hunter, the minor Daughter of the defendant, Clyde Hunter, said Mary Knight Hunter being on that day under the age of sixteen (16) years, was driving or operating, unaccompanied by any adult person, an automobile which was then the property of the defendant on or along the public highway in Baldwin County, Alabama known as Point Clear Road, and at or near a point on said highway known as Joe Klumpp's Place negligently caused or allowed said automobile to run into, over or against a wagon being then and there driven by the plaintiff. And at that time and place the said Mary Knight Hunter was operating or driving said automobile, unaccompanied by any adult person, by and

with the authority or permission, express or implied, of the defendant Clyde Hunter, who with knoledge of the fact tthat the said Mary Knight Hunter was under the age of sixteen (16) years, negligently permitted or allowed her to drive or operate said automobile at said place on the aforementioned date, unaccompanied by any adult person, she being at that time a member of the defendant's family. Plaintiff avers that as a proximate result and consequence of said negligence of defendant, combined and together with the said negligence of the said Mary Knight Hunter that the wagon which the plaintiff was then and there driving was so violently struck by said automobile as to severely injure plaintiff in that his back was so violently wrenched as to be permanently disabled, his head and face were cruelly lacerated, his leg was seriously cut and bruised, and as a proximate result of said injuries he was unable to leave his bed for a long period of time and has ever since been unable to perform physical labor as he has always been obliged to do in order to earn a living. Plaintiff has further suffered intense physical pain over a period of many weeks, together with mental anguish and humiliation because of his plight, besides incurring charges for medical attention and suffering financial loss because of the loss of his horse and wagon; all this being the proximate result of the negligence of the defendant, combined and together with the negligence of the said Mary Knight Hunter, wherefore plaintiff sues and asks judgement in the aforesaid sum of Ten Thousand and No/100 ($10,000.00) Dollars.

COUNT 8. The plaintiff claims of the defendant the further sum of Ten Thousand and No/100 ($10,000.00) Dollars, as damages for this, that heretofore on, to wit, the 27th day of June, 1936, Mary Knight Hunter, the minor daughter of the defendant Clyde Hunter, said Mary Knight Hunter beingon that day under the age of sixteen (16) years, was driving or operating, unaccompanied by any adult person, an automobile

which was then the property of the defendant on or along the public highway in Baldwin County, Alabama known as Point Clear Road, and at or near a point on said highway known as Joe Klumpp's Place negligently caused or allowed said automobile to run into, over or against a wagon being then and there driven by the plaintiff. And at that time and place said Mary Knight Hunter was operating or driving said automobile, unaccompanied by any adult person, by and with the authority or permission, express or implied, of the defendant Clyde Hunter, who with knowledge of the fact that the said Mary Hunter was under the age of sixteen (16) years, negligently permitted or allowed her to drive or operate said automobile at said place on the aforementioned day, unaccompanied by any adult person, she being at the time a member of the defendant's family. Plaintiff avers that as the proximate result and consequence of the aforesaid negligence of the defendant, Clyde Hunter, that the wagon which the plaintiff was then and there driving was so violently struck as to severely injure plaintiff in that his back was so violently wrenched as to be permanently disabled, his head and face were cruelly lacerated, his leg seriously cut and bruised, and as the proximate result of said injuries plaintiff was unable to leave his bed for a long period of time and has ever since been unable to perform physical labor such as he has always been obliged to do in order to earn a living. Plaintiff has further suffered intense physical pain and mental anguish, together with great humiliation and embarrassment, besides incurring charges for medical attention and suffering financial loss because of the loss of his horse and wagon; all this being the proximate result of the negligence of the defendant Clyde Hunter, wherefore plaintiff sues and asks judgement in the aforesaid amount of Ten Thousand and No/100 ($10,000.00) Dollars.

George E. Stone Jr.
ATTORNEY FOR PLAINTIFF

Plaintiff demands trial by jury of the above styled cause.

George E. Stone Jr.
ATTORNEY FOR PLAINTIFF

Duck
7-540

Filed this 1st day Aug. 19 36
Robert L. Duck
Clerk-~~Register~~

GODFREY KLUMPP, Plaintiff	:	
versus	:	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. AT LAW.
CLYDE HUNTER, Defendant	:	

Comes the plaintiff in the above styled cause and moves the Court to allow plaintiff to amend his bill of complaint in the following particulars:

That in each and every paragraph the words and figures as follows: " The plaintiff claims of the defendant the sum of Ten Thousand and no/100 ($10,000.00) Dollars ", shall be changed and amended so as to read as follows : " The plaintiff claims of the defendant the sum of Two Thousand, Nine Hundred Dollars and no/100 ($2,900.00) ".

That in each and every paragraph the words and figures as follows: " The plaintiff claims of the defendant the further sum of Ten Thousand and no/100 ($10,000.00) Dollars ", shall be changed and amended so as to read as follows: " The plaintiff claims of the defendant the sum of Two Thousand, Nine Hundred Dollars and no/100 ($2,900.00) ".

That in each and every paragraph the words and figures as follows: " wherefore plaintiff sues and asks ~~[illegible]~~ damages in the aforementioned amount of Ten Thousand and No/100 Dollars ", shall be changed and amended so as to read as follows: " wherefore plaintiff sues and asks damages in the aforementioned amount of Two Thousand, Nine Hundred Dollars and no/100 ($2,900.00)."

Geo. E. Stone Jr.
ATTORNEY FOR PLAINTIFF

Duck

RECORDED 8-10-57

Filed Feb 27 1957
137 relas. PM
R S Deal

GODFREY KLUMPP, Plaintiff,	)	IN THE CIRCUIT COURT OF
versus	)	BALDWIN COUNTY, ALABAMA
CLYDE HUNTER, Defendant.	)	AT LAW - NO. 295

COMES your petitioner, Clyde Hunter, the defendant in the above styled cause, and shows unto this Honorable Court:

1. That the plaintiff in this suit was, at the time of the commencement of said suit, and ever since has been and now is, a resident and citizen of the State of Alabama; that at the time of the commencement of this suit, and ever since, your petitioner, Clyde Hunter, was and still is a citizen of the State of Florida, with his residence in said state, and that he is a nonresident of the State of Alabama; that the amount in dispute in the above entitled cause exceeds the sum of Three Thousand Dollars ($3,000.00), exclusive of costs and interest, and that the suit as to your petitioner and plaintiff was at the time of the filing thereof and still is between citizens of different states;

2. That the time required by law for answering and pleading to the complaint in said cause, under the laws of the State of Alabama and the rules of the Circuit Court of Baldwin County, Alabama, has not yet expired.

Your petitioner herewith tenders good and sufficient bond, as is required by law to remove said cause, and has given the adverse party, through his attorney of record, due notice of his intention to file this petition; WHEREFORE, your petitioner prays that this Honorable Court will proceed no further herein, except to make an order of removal as is required by law and to accept and approve the surety bond herewith tendered, and to cause the record herein to be filed in the District Court of

Deed
8 - 1937

RECORDED

Filed - Jul. 27 1937
1:37 o'clock p.m.
[illegible]

the United States for the Southern District of Alabama, Southern Division, at Mobile, Alabama, in which said district the County of Baldwin, in the State of Alabama, is embraced.

Smith & Johnston
Attorneys for Defendant

STATE OF ALABAMA)
)
COUNTY OF MOBILE)

Before me, Genevieve G. Greenwood, a Notary Public in and for said County, in said State, personally appeared Dan T. McCall, Jr., who, being by me first duly sworn, deposes and says that he is one of the attorneys for the petitioner in the above styled cause, and, as such, is duly authorized to make this affidavit on his behalf, and that the statements contained in the foregoing petition are true.

Dan T. McCall, Jr.

Subscribed and sworn to before me this 27th day of ~~March~~ Feb, 1937.

Genevieve G. Greenwood
Notary Public, Mobile County, Alabama

8-106

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW - NO. 295

GODFREY KLUMPP,

Plaintiff,

versus

CLYDE HUNTER,

Defendant.

P E T I T I O N

for

Removal

Filed Feb 27 1937
at 3:0 Pm
R S Deck
Clerk

SMITH & JOHNSTON

Attorneys for Petitioner

GODFREY KLUMPP, Plaintiff,	)	IN THE CIRCUIT COURT OF
versus	)	BALDWIN COUNTY, ALABAMA
CLYDE HUNTER, Defendant.	)	AT LAW - NO. 295

TO - Mr. George E. Stone, Jr., attorney of record for plaintiff in the above styled cause:

Please take notice that the defendant, Clyde Hunter, in this cause intends to and will, on the 27th day of February, 1937, file in the Circuit Court of Baldwin County, Alabama, a petition and bond in the form hereto attached for the removal of said cause to the District Court of the United States for the Southern District of Alabama, Southern Division, and will, as soon thereafter as consent can be had, move the Court for an order of removal of said cause to the United States District Court.

DATED this 27th day of February, 1937.

Smith & Johnston
Attorneys for Defendant

STATE OF ALABAMA)
COUNTY OF MOBILE)

Before me, the undersigned authority in and for said State and County, personally appeared Dan T. McCall, Jr., who, upon being first duly sworn, on oath deposes and says that he is one of the attorneys for the defendant in the above entitled cause, and that as such attorney he has authority to make this affidavit; that he served a copy of the above and foregoing notice, together with copies of the petition and bond referred to therein, on Mr. George E. Stone, Jr., attorney of record for the plaintiff, Godfrey Klumpp, on the 27th day of February, 1937.

Dan T. McCall, Jr.

Subscribed and sworn to before me this 27th day of February, 1937.

Genevieve G. Greenwood
Notary Public, Mobile County, Alabama

RECORDED
8-107

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW - NO. 295

GODFREY KLUMPP,

Plaintiff,

versus

CLYDE HUNTER,

Defendant.

N O T I C E

of filing petition and bond
for Removal

Filed Oct 27 1937
at 3 10 pm.
R S Reed
Clerk

SMITH & JOHNSTON
Attorneys for Defendant

GODFREY KLUMPP, Plaintiff,	)	IN THE CIRCUIT COURT OF
versus	)	BALDWIN COUNTY, ALABAMA
CLYDE HUNTER, Defendant.	)	AT LAW - NO. 295

STATE OF ALABAMA)
COUNTY OF Mobile)

KNOW ALL MEN BY THESE PRESENTS that Clyde Hunter, a resident and citizen of the State of Florida, as principal, and The Fidelity & Deposit Company of Md., as surety, are held and firmly bound unto Godfrey Klumpp, plaintiff in the above styled cause, in the sum of $500.00, for the payment of which well and truly to be made we bind ourselves, our successors and assigns, jointly and severally, firmly by these presents.

The condition of the above obligation is such that, whereas, the said Clyde Hunter has filed his petition in this court for the removal of said above entitled cause to the District Court of the United States for the Southern District of Alabama, Southern Division, at Mobile, Alabama, now, if the said Clyde Hunter shall enter in the said District Court of the United States, at Mobile, Alabama, within 30 days after filing said petition a copy of the record in said suit, and shall well and truly pay all costs that may be awarded by the District Court of the United States, if said court shall hold that said suit was wrongly or improperly removed thereto, then this obligation to be void; otherwise, it shall remain in full force and effect.

WITNESS our hands this 27 day of ~~March~~ Feb., 1937.

Clyde Hunter
Principal
By Smith & Johnston his Attorneys

Fidelity & Deposit Co., of Md.
Surety
By [illegible]
ATTORNEY IN FACT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW - NO. 295

GODFREY KLUMPP,

Plaintiff,

versus

CLYDE HUNTER,

Defendant.

B O N D

Filed Feb 29 1937
at 3:10 P.M.
R. Sandell
Clerk.

GODFREY KLUMPP, Plaintiff,	)	IN THE CIRCUIT COURT OF
versus	)	BALDWIN COUNTY, ALABAMA
CLYDE HUNTER, Defendant.	)	AT LAW - NO. 295

The defendant herein having within the time provided by law filed his petition for removal of this cause to the District Court of the United States for the Southern District of Alabama, Southern Division, and having at the same time offered his bond in the sum of $500.00 with The Fidelity & Deposit Company of Md. Baltimore Md., good and sufficient surety, pursuant to the statute, and conditioned according to law;

NOW, THEREFORE, this Court does hereby accept and approve said bond and accepts said petition and does order that this cause be removed for trial to the District Court of the United States for the Southern District of Alabama, Southern Division, pursuant to the statute of the United States, and that all other proceedings of this court be stayed, and the Clerk is hereby directed to make up a certified copy of the record in said cause for transmission to the District Court forthwith.

DATED this 4th day of March, 1937.

F. W. Hare
JUDGE

Q - 382

RECORDED

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW - NO. 295

GODFREY KLUMPP,

Plaintiff,

versus

CLYDE HUNTER,

Defendant

ORDER

Filed March 4, 1937.
R. L. Duck, Clerk.

HOWELL TURNER

STATE OF ALABAMA

OFFICE OF SECRETARY OF STATE

MONTGOMERY

Feb. 1, 1937

Mr. R. S. Duck, Clerk
Circuit Court - Baldwin County
Bay Minette, Ala.

Dear Sir:

Re: Godfrey Klumpp, Plaintiff
v
Clyde Hunter, Defendant

Godfrey Klumpp, Plaintiff
v.
Mary Knight Hunter,
Defendant

Enclosed herewith find copy of letter which, together with copy of summons and complaint, was sent to the Sheriff of Orlando, Florida, by registered mail, return receipt requested, also copy of interrogatories, with request that service be made on Clyde Hunter.

Yours very truly,

Howell Turner

Howell Turner,
Secretary of State.

HT:M

STATE OF ALABAMA

OFFICE OF SECRETARY OF STATE

MONTGOMERY

HOWELL TURNER

Feb. 1, 1937

Godfrey Klumpp, Plaintiff	)	In The Circuit Court of Baldwin County, Alabama
v.	)	
Clyde Hunter, Defendant	)	

Mr. Clyde Hunter,
716 S. Orenge Ave.
Orlando, Fla.

You are hereby given notice under H. B. 84 of the General Laws of Alabama that enclosed summons and complaint was served on me in the above styled cause, as Secretary of State of the State of Alabama, together with the enclosed copy of interrogatories.

Please acknowledge receipt.

Howell Turner

Howell Turner,
Secretary of State.

STATE OF ALABAMA

OFFICE OF SECRETARY OF STATE

MONTGOMERY

HOWELL TURNER

Feb. 1, 1937

Godfrey Blanpy,
Plaintiff

v.

Clyde Hunter,
Defendant

In The Circuit Court of
Baldwin County, Alabama

Mr. Clyde Hunter,
716 S. Orange Ave.
Orlando, Fla.

You are hereby given notice under Z. 84 of the General Laws of Alabama that enclosed summons and complaint was served on me in the above styled cause, as Secretary of State of the State of Alabama, together with the enclosed copy of interrogatories.

Please acknowledge receipt.

Howell Turner,
Secretary of State.

Howell Turner

Filed February 3, 1937
R. S. Leck, Clerk

HOWELL TURNER

STATE OF ALABAMA
OFFICE OF SECRETARY OF STATE
MONTGOMERY

November 12, 1936.

Mr. R. S. Duck,
Clerk, Circuit Court, Baldwin County,
Bay Minette, Ala.

Dear Sir:

Re: Godfrey Klumpp, Plaintiff
v.
Clyde Hunter, Defendant

In the Circuit Court of Baldwin County, Alabama.

The copy of summons and complaint which was sent by registered mail, return receipt requested, the envelope marked "Deliver to addressee only", to Mr. Clyde Hunter, 716 S. Orange Ave., Orlando, Florida, has been returned, the envelope reading "Unclaimed."

Upon your advice we will attempt to effect service accordingly.

Yours very truly,

Howell Turner,
Secretary of State.

T/ab

CC - Hon. George E. Stone, Jr.,
Merchants National Bank Bldg.,
Mobile, Ala.

STATE OF ALABAMA

OFFICE OF SECRETARY OF STATE

MONTGOMERY

HOWELL TURNER

October 24, 1936.

Godfrey Klumpp, Plaintiff v. Clyde Hunter, Defendant	In the Circuit Court of Baldwin County, Alabama.

Mr. Clyde Hunter,
716 S. Orange Ave.,
Orlando, Florida.

You are hereby given notice under H. B. 84 of the General Laws of Alabama that enclosed summons and complaint was served on me in the above styled cause, as Secretary of State of the State of Alabama, together with the enclosed copy of interrogatories.

Please acknowledge receipt.

Howell Turner,
Secretary of State.

RECORDED
Sheek
7-587

HOWELL TURNER
SECRETARY OF STATE.

STATE OF ALABAMA

OFFICE OF SECRETARY OF STATE

MONTGOMERY

October 24, 1936.

HOWELL TURNER,

CAPITAL SEAT,

ALABAMA

To the Circuit Court of
Bullock County, Alabama.

Filed Oct. 27, 1936
R. L. Sheek, Clerk.

COMPLETE NUMBER

Plaintiff,

v.

Judge Hunter,
Defendants.

Hon. Clyde Hunter,
Ala. State Grange Ave.,
Orlando, Florida.

As a Member Elect of the Federal Civil Service Commission
for the General Election to be held in Alabama that enclosed herewith
is a copy of the above styled cause,
completed and returned as required by the Statutes of Alabama, pertaining
as Secretary of State to the State of Alabama.
Please acknowledge receipt.

STATE OF ALABAMA

OFFICE OF SECRETARY OF STATE

MONTGOMERY

HOWELL TURNER

September 15, 1936

Godfrey Klumpp, Plaintiff v. Clyde Hunter, Defendant	In the Circuit Court of Baldwin County, Alabama.

Mr. Clyde Hunter,
716 S. Orange Ave.,
Orlando, Florida.

You are hereby given notice under H. B. 84 of the General Laws of Alabama that enclosed summons and complaint was served on me in the above styled cause, as Secretary of State of the State of Alabama.

Please acknowledge receipt.

Howell Turner

Howell Turner,
Secretary of State.

STATE OF ALABAMA

OFFICE OF SECRETARY OF STATE

MONTGOMERY

HOWELL TURNER

September 16, 1936

Godfrey Klumpp, Plaintiff v. Clyde Hunter, Defendant	In the Circuit Court of Baldwin County, Alabama.

Mr. Clyde Hunter,
716 S. Orange Ave.,
Orlando, Florida.

You are hereby given notice under H. B. 84 of the General Laws of Alabama that enclosed summons and complaint was served on me in the above styled cause, as Secretary of State of the State of Alabama.

Please acknowledge receipt.

Howell Turner
Howell Turner,
Secretary of State.

Filed Sept. 16, 1936
G. P. Duck,
Clerk

RECEIVED
Duck
7-5-43

GODFREY KLUMPP, Plaintiff	:	IN THE CIRCUIT COURT OF
vs.	:	BALDWIN COUNTY, ALABAMA.
	:	NO. _____ AT LAW.
CLYDE HUNTER, Defendant	:	

INTERROGATORIES PROPOUNDED TO THE DEFENDANT BY THE PLAINTIFF:

1. Please state your relationship with Mary Knight Hunter, a minor child residing at 716 S. Orange Street, Orlando, Florida.

2. If the answer to the preceding question be that she is your daughter, please state her age on June 27, 1936.

3. Please state whether or not on June 27, 1936, you owned or had registered in your name a Ford automobile with the license number Florida- 157820.

4. If the answer to the preceding question be in the affirmative, please state whether or not, prior to June 27, 1936, you ever allowed your daughter, Mary Knight Hunter to operate or drive the aforementioned Ford automobile for her own use or pleasure.

5. Please state whether or not your daughter Mary Knight Hunter is, or ever was licensed to drive an automobile in the State of Florida.

6. Please state whether or not on June 27, 1936 your daughter Mary Knight Hunter was operating or driving the aforesaid Ford automobile as your agent.

7. Please state whether or not on June 27, 1936 your daughter Mary Knight Hunter was in possession or control of the said Ford automobile as your agent.

8. Please state whether or not on June 27, 1936, your daughter Mary Knight Hunter was in possession or control of the aforesaid Ford automobile with your consent or permission.

9. Please state whether or not on June 27, 1936, your daughter, Mary Knight Hunter was a member of a group staying or residing at Point Clear, Alabama.

10. If the answer to the preceding question be in the affirmative, please state whether or not the aforementioned Ford automobile was being used by this group or by any member of this group with your consent or permission on June 27, 1936.

11. Please state whether or not the aforementioned Ford automobile is or was on June 27, 1936 covered or partially covered by liability or accident insurance.

12. If the answer to the preceding question be in the affirmative, please state the name of the company in which such insurance is or was carried.

George E. Stone Jr.
ATTORNEY FOR PLAINTIFF

STATE OF ALABAMA :
COUNTY OF MOBILE :

Before me, the undersigned authority in and for said County and State, personally appeared George E. Stone Jr., who, being by me duly sworn, on oath deposeth and says that he is the attorney for the Plaintiff in the above styled cause, and that Defendant's answers to the foregoing interrogatories, if truthfully made, will be material evidence for the Plaintiff in the trial of this cause.

George E. Stone Jr.

Suscribed and sworn to before me this 11 day of September, 1936.

Katherine McDermott
NOTARY PUBLIC, MOBILE COUNTY, ALABAMA

Sum on
Shirley Johnson
Matilda

184
125

Rec in office
9/12/34
M H Wilkins
Sheriff

Kilgo,

vs

Hunter

Filed Sept 12 1934
R S Duncan
Clerk

GODFREY KLUMPP, Plaintiff	:	IN THE CIRCUIT COURT OF
vs.	:	BALDWIN COUNTY, ALABAMA.
	:	NO. _____ AT LAW.
CLYDE HUNTER, Defendant	:	

INTERROGATORIES PROPOUNDED TO THE DEFENDANT BY THE PLAINTIFF:

1. Please state your relationship with Mary Knight Hunter, a minor child residing at 716 S. Orange Street, Orlando, Florida.

2. If the answer to the preceding question be that she is your daughter, please state her age on June 27, 1936.

3. Please state whether or not on June 27, 1936, you owned or had registered in your name a Ford automobile with the license number Florida- 157820.

4. If the answer to the preceding question be in the affirmative, please state whether or not, prior to June 27, 1936, you ever allowed your daughter, Mary Knight Hunter to operate or drive the aforementioned Ford automobile for her own use or pleasure.

5. Please state whether or not your daughter Mary Knight Hunter is, or ever was licensed to drive an automobile in the State of Florida.

6. Please state whether or not on June 27, 1936 your daughter Mary Knight Hunter was operating or driving the aforesaid Ford automobile as your agent.

7. Please state whether or not on June 27, 1936 your daughter Mary Knight Hunter was in possession or control of the said Ford automobile as your agent.

8. Please state whether or not on June 27, 1936, your daughter Mary Knight Hunter was in possession or control of the aforesaid Ford automobile with your consent or permission.

9. Please state whether or not on June 27, 1936, your daughter, Mary Knight Hunter was a member of a group staying or residing at Point Clear, Alabama.

10. If the answer to the preceding question be in the affirmative, please state whether or not the aforementioned Ford automobile was being used by this group or by any member of this group with your consent or permission on June 27, 1936.

11. Please state whether or not the aforementioned Ford automobile is or was on June 27, 1936 covered or partially covered by liability or accident insurance.

12. If the answer to the preceding question be in the affirmative, please state the name of the company in which such insurance is or was carried.

George E. Stone Jr.
ATTORNEY FOR PLAINTIFF

STATE OF ALABAMA :
COUNTY OF MOBILE :

Before me, the undersigned authority in and for said County and State, personally appeared George E. Stone Jr., who, being by me duly sworn, on oath deposeth and says that he is the attorney for the Plaintiff in the above styled cause, and that Defendant's answers to the foregoing interrogatories, if truthfully made, will be material evidence for the Plaintiff in the trial of this cause.

George E. Stone Jr.

Suscribed and sworn to before me this 11 day of September, 1936.

Katherine McBennett
NOTARY PUBLIC, MOBILE COUNTY, ALABAMA

SMITH & JOHNSTON
LAWYERS
622-626 FIRST NATIONAL BANK BUILDING
MOBILE, ALA.

HARRY H. SMITH
SAMUEL M. JOHNSTON

P. C. FOUNTAIN
DAN T. McCALL, JR.

March 2, 1937

Hon. R. S. Duck
Clerk of the Circuit Court
Bay Minette, Alabama

Dear Sir: RE: Klumpp v. Hunter - Nos. 295 and 296

I have your letter of March 1, acknowledging receipt of our petition to remove, the removal bond, notice to plaintiff's attorney, and order, in the above entitled cause. I also note that plaintiff's attorney has filed a motion for leave to amend his complaint in certain particulars, and that for this reason you feel you are unable to proceed with the petition to remove until the motion has been heard.

Under the facts stated, I think the authorities uniformly hold that, where a proper petition and bond for removal have been filed in the State Court, the State Court has no further jurisdiction over the case, and no other alternative than to proceed with removal. It is true that plaintiff's attorney has filed a motion for leave to amend. However, it is also true that there has been no amendment of the complaint to date, and as the proper papers for removal were filed before the amendment, it occurs to me that the State Court has no further jurisdiction over the matter, and that it would be for the Federal Court to determine whether or not plaintiff's amendment should be allowed.

While I do not admit it, probably had the amendment been completed before I filed my petition for removal, there would be a question as to my right to remove, but where there has been no amendment, and only a motion for leave to amend, pending at the time of filing the papers for removal, I feel certain that the State Court's jurisdiction over the matter would cease immediately, and that a certified copy of the proceedings in the State Court to the Federal Court would be the only matter left for the State Court to attend to.

I refer you, in particular, to the decision of our Supreme Court, entitled Great Atlantic and Pac. Tea Co. v. Miller, 229 Ala. 313, 156 So. 834, wherein Justice Foster said:

"It is conceded that if a proper petition and bond for removal be duly filed, the State Court has no jurisdiction to proceed further. Ex parte, Consolidated Graphite Corp., 221 Ala. 394, 129 So. 262; Stix v. Keith, 90 Ala. 121, 7 So. 423."

The Supreme Court of the United States has recently supported this decision by holding that, on filing a sufficient petition and bond in a removable case, the State Court's jurisdiction ceases, and the Federal Court's jurisdiction immediately attaches. Kingston v. American Car & Foundry Co., 285 U. S. 560; Janoske v. Porter, 64 F. (2d) 958; Wieland v. N. Y. Cent. R., 9 Fed. Sup. 572; New Orleans, etc. R. v. Mississippi, 102 U. S. 135.

In the case of Great Northern R. Co. v. Galbraith Cattle Co., 271 U. S. 99, the Supreme Court held that if any ground of the petition for removal to the Federal Court is well taken, it is error for the State Court to deny the petition and proceed further in the case.

It has further been held by Federal Courts that, if the State Court proceeds further after the petition for removal has been filed, such proceedings would be erroneous and void. Kern v. Huidekoper, 103 U. S. 485; Anniston v. Western Union Tel. Co., 218 Fed. 78.

So, if the State Court should make an order allowing this amendment after our petition for removal has been filed, certainly it would be acting after the jurisdiction of the Federal Court had attached.

At the time of filing our petition for removal, the amount in controversy was $10,000.00. It is true that the plaintiff has filed a motion for leave to amend, but the amendment has not yet taken effect, and the amount in controversy still continues to be $10,000.00. In the meantime, the State Court's jurisdiction over the case has been terminated by the filing of our petition for removal. Consequently, it would not have authority to hear this motion for leave to amend.

As the certified transcript is required to be in the Federal Court within thirty days from the filing of our petition, I would thank you to give the matter your early consideration, and advise me as to what course you intend to follow.

Thanking you for your favor in this matter, I am

Yours very truly,

Jas. T. McCall, Jr.

McC:G

GODFREY KLUMPP, Plaintiff,	)	IN THE CIRCUIT COURT OF
versus	)	MOBILE COUNTY, ALABAMA
CLYDE HUNTER, Defendant.	)	AT LAW

COMES the defendant in the above entitled cause and appears specially and for no other purpose than entering this his motion to quash the service and set aside the return, on the following separate and several grounds:

1. Because there was no personal service on the defendant.

2. Because there has been no legal service on the defendant.

3. Because it is apparent from the face of the record that there has been no valid service on the defendant.

4. Because the return shows on its face that there has been no personal service on the defendant, who is a nonresident of Alabama.

5. Because to render a judgment against the defendant would be in violation of his rights under the Fourteenth Amendment of the Constitution of the United States.

6. Because to render a judgment against the defendant would be in violation of due process of law.

7. Because the defendant has not been served according to the laws of the State of Alabama.

8. Because the defendant is a nonresident of the State of Alabama, and has not waived service of process nor submitted to the jurisdiction of the Court.

9. Because the defendant is a nonresident of the State of Alabama, and has not waived personal service of process nor submitted to the jurisdiction of the Court.

10. Because the complaint shows on its face that the person alleged to have been operating the automobile was not doing so as the defendant's agent, and the record shows that there has been no

personal service on the defendant, who is a nonresident of the State of Alabama.

Smith & Johnston

Attorneys for Defendant

7-3-43

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

GODFREY KLUMP,

Plaintiff,

versus

CLYDE HUNTER,

Defendant.

Motion to Quash Service

Filed Sept 8 - 1936
R S Duck
Clerk

Refiled Oct. 2, 1936
R.S. Duck, Clerk

Smith & Johnston,
Attorneys for Defendant

Refiled Jan 15-1936
R S Duck
Clerk

Refiled Feb 19 1937
R S Duck Clerk

SUMMONS AND COMPLAINT

MOORE PRINTING CO., BAY MINETTE, ALA.

THE STATE OF ALABAMA, Baldwin County. } No. 295 CIRCUIT COURT

.....193....

To Any Sheriff of the State of Alabama:

You are hereby commanded to summon CLYDE HUNTER

to appear and plead, answer or demur, within thirty day from the service hereof, to the Complaint filed in the Circuit Court of Baldwin County, State of Alabama at Bay Minette, Ala., against

CLYDE HUNTER, Defendant by GODFREY KLUMPP,

Plaintiff

Witness my hand this 20th day of November 1936

R. L. Duck, Clerk.

COMPLAINT

Plaintiff versus

The Plaintiff claims of the Defendant

Dollars, due by

Plaintiff's Attorney.

GODFREY KLUMPP, Plaintiff	:	
vs.	:	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA
CLYDE HUNTER, Defendant	:	AT LAW.

Count 1. The plaintiff claims of the defendant the sum of Ten Thousand and No/100 ($10,000.00) Dollars as damages for this, that heretofore on, to wit, the 27th day of June, 1936, Mary Knight Hunter, the agent or servant of the defendant, while acting within the line and scope of her authority as such agent or servant, so negligently drove or operated an automobile of which the defendant was then the owner on or along the public highway in Baldwin County, Alabama known as Point Clear Road, at or near a point on said highway known as Joe Klumpp's Place, that as a proximate result and consequence of said negligence a wagon which the plaintiff was then and there driving was so violently struck by said automobile as to severely injure plaintiff in that his back was so violently wrenched as to be permanently disabled, his head and face were cruelly lacerated, his leg seriously cut and bruised, and as a proximate result of said injuries the plaintiff was unable to leave his bed for a long period of time and has ever since been unable to perform physical labour such as he has always been obliged to do in order to earn a living. Plaintiff further suffered intense physical pain and mental anguish, together with great humiliation and embarrassment, besides incurring charges for medical attention and suffering financial loss as a result of the loss of his horse and wagon; all of this being the proximate result and consequence of the said negligence of the aforementioned Mary Knight Hunter, wherefore Plaintiff sues and asks judgement in the aforementioned sum of Ten Thousand and No/100 ($10,000.00) Dollars.

Count 2. The plaintiff claims of the defendant the further sum of Ten Thousand and No/100 ($10,000.00) Dollars, as damages for this, that heretofore, on to wit, the 27th day of June, 1936, Mary Knight Hunter, the agent or servant of the defendant, while acting within the line and scope of her authority as such agent or servant, wilfully or wantonly injured plaintiff by wilfully or wantonly causing or allowing the automobile which was then and there the property of the defendant and which she was then and there driving or operating on or along the public highway in Baldwin County, Alabama known as Point Clear Road to run into, over or against a wagon which the plaintiff was then and there driving along said highway at or near a point on said highway known as Joe Klumpp's Place, and as a proximate result and consequence of the said wilful or wanton negligence of the aforesaid Mary Knight Hunter, while acting within the line and scope of her authority as the agent or servant of the defendant, the plaintiff was severely injured in that his back was so violently wrenched as to be permanently disabled, his head and face were cruelly lacerated, his leg was cut and bruised, and as the proximate result of those injuries, the plaintiff was unable to leave his bed for a long period of time and has ever since been unable to perform physical labour such as he has always been obliged to do in order to earn a living. Plaintiff has further suffered intense physical pain and mental anguish over a period of many weeks, together with great humiliation and embarrassment, besides incurring charges for medical attention and suffering financial loss from the loss of his horse and wagon; all of this being the proximate result and consequence of the negligence, wilful or wanton, of the aforesaid Mary Knight Hunter while acting within the line and scope of her authority as the agent or servant of the defendant, wherefore Plaintiff sues and asks judge-

ment in the aforesaid sum of Ten Thousand and No/100 ($10,000.00) Dollars.

Count 3. The plaintiff claims of the defendant the further sum of Ten Thousand and no/100 ($10,000.00) Dollars as damages for this, that heretofore on, to wit, the 27th day of June, 1936, Mary Knight Hunter, the minor daughter of the defendant, Clyde Hunter, said Mary Knight Hunter being on that day under the age of sixteen (16) years, was driving or operating, unaccompanied by any adult person, an automobile which wa. then and there the property of the defendant on or along the public highway in Baldwin County, Alabama known as Point Clear Road, and at or near a point on said highway known as Joe Klumpp's Place negligently caused or allowed said automobile to run into, over or against a wagon being then and there driven by the plaintiff. And at that time and place the said Mary Knight Hunter was operating or driving said automobile, unaccompanied by any adult person, by and with the authority or permission express or implied, of the defendant, Clyde Hunter, who with knowledge of the fact that the said Mary Knight Hunter was then under the age of sixteen (16) years, negligently permitted or allowed her to drive or operate said automobile at said place on the aforementioned date, unaccompanied by any adult person, she being at that time a member of the defendant's family. Plaintiff avers that as a proximate result and consequence of said negligence of defendant, combined and together with the said negligence of the aforementioned Mary Knight Hunter that the wagon which the plaintiff was then and there driving was so violently struck by said automobile as to severely injure plaintiff in that his back was so violently disabled as to be permanently disabled, his head and face were cruelly lacerated, his leg was seriously cut and bruised, and as a proximate result of said injuries plaintiff was

unable to leave his bed for a long period of time and has ever since been unable to perform physical labour such as he has always been obliged to do in order to earn a living. Plaintiff has further suffered intense physical pain and mental anguish over a period of many weeks, together with humiliation and embarrassment because of his plight, besides incurring charges for medical attention and suffering financial loss because of the loss of his horse and wagon; all of this being the proximate result of the negligence of the defendant, combined and together with the negligence of the aforesaid Mary Knight Hunter, wherefore plaintiff sues and asks judgement in the aforementioned sum of Ten Thousand and No/100 ($10,000.00) Dollars.

Count 4. The plaintiff claims of the defendant the further sum of Ten Thousand and No/100 ($10,000.00) Dollars as damages for this, that heretofore, on to wit, the 27th day of June, 1936, Mary Knight Hunter, the minor daughter of the defendant Clyde Hunter, said Mary Knight Hunter being on that day under the age of sixteen years (16), was driving or operating, unaccompanied by any adult person, an automobile which was then the property of the defendant on or along the public highway in Baldwin County, Alabama known as Point Clear Road, and at or near a point on said highway known as Joe Klumpp's Place negligently caused or allowed said automobile to run into, over or against a wagon being then and there driven by the plaintiff. And at that time and place said Mary Knight Hunter was operating or driving said automobile, unaccompanied by any adult person, by and with the authority or permission, express or implied of the defendant Clyde Hunter, who with knowledge of the fact that the said Mary Knight Hunter was then under the age of sixteen years (16) , negligently permitted or allowed her to operate or drive said automobile at said place on the aforementioned day, unaccompanied by any adult person, she being at the time a member of the defendant's family. Plaintiff avers that as the

proximate result of the aforesaid negligence of the defendant Clyde Hunter, that the wagon which the plaintiff was then and there driving was so violently struck by said automobile as to severely injure plaintiff in that his back was so violently wrenched as to be permanently disabled, his head and face were cruelly lacerated, his leg seriously cut and bruised, and as the proximate result of said injuries plaintiff was unable to leave his bed for a long period of time and has ever since been unable to perform physical labour such as he has always been obliged to do in order to earn a living. Plaintiff has further suffered intense physical pain and mental anguish, together with great humiliation and embarrassment, besides incurring charges for medical attention and suffering financial loss because ofthe loss of his horse and wagon; all this being the proximate result of the negligence of the defendant Clyde Hunter, wherefore plaintiff sues and asks judgement in the aforementioned sum of Ten Thousand and No/100 ($10,000.00) Dollars.

George E. Stone Jr.
ATTORNEY FOR PLAINTIFF

Plaintiff demands trial by jury of the above entitled cause.

George E. Stone Jr.
ATTORNEY FOR PLAINTIFF

716 Orange Ave
Orlando Fla

GODFREY KLUMPP, Plaintiff	:	
versus	:	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA
CLYDE HUNTER, Defendant	:	AT LAW.

Count I. The plaintiff claims of the defendant Ten Thousand and No/100 ($10,000.00) Dollars, as damages for this, that heretofore on, to wit: the 27th day of June, 1936, Mary Knight Hunter, the agent or servant of the defendant, while acting within the line and scope of her authority or employment as such agent or servant, so negligently drove or operated an automobile of which the defendant was then the owner on or along the public highway in Baldwin County, Alabama known as Point Clear Road, at or near a point on said highway known as Joe Klumpp's Place, that as a proximate result and consequence of said negligence a wagon which the plaintiff was then and there driving was so violently struck by said automobile as to severely injure plaintiff in that his back was so violently wrenched as to be permanently disabled, his head and face were cruelly lacerated, his leg seriously cut and bruised, and as a proximate result of said injuries the plaintiff was unable to leave his bed for a long periodof time and has ever since been unable to perform physical labour such as he has always been obliged to do in order to earn a living. Plaintiff further avers that he has suffered intense physical pain and mental anguish, together with great humiliation and embarrassment, besides incurring charges for medical attention and suffering financial loss as a result of

the loss of his horse and wagon; all of this being the proximate result and consequence of the said negligence of the aforementioned Mary Knight Hunter, wherefore plaintiff sues and asks judgement in the aforementioned amount of Ten Thousand and No/100 ($10,000.00) Dollars.

Count 2. Plaintiff claims of the defendant the further sum of Ten Thousand and No/100 ($10,000.00) Dollars, as damages for this, that heretofore on, to wit: the 27th day of June, 1936, Mary Knight Hunter, the agent or servant of the defendant, while acting within the line and scope of her authority as such agent or servant, wilfully or wantonly injured plaintiff by wilfully or wantonly causing or allowing the automobile which was then and there the property of the defendant and which she was then and there driving or operating on or along the public highway in Baldwin County, Alabama known as Point Clear Road to run into, over or against a wagon which the plaintiff was then and there driving along said highway at or near a point on said highway known as Joe Klumpp's Place, and as a proximate result and consequence of the said wilful or wanton negligence of the aforesaid Mary Knight Hunter, while acting within the line and scope of her authority as the agent or servat of the defendant, the plaintiff was severely injured in that his back was so violently wrenched as to be permanently disabled, his head and face were cruelly lacerated, his leg was cut and bruised, and as the proximate result of these injuries, the plaintiff was unable to leave his bed for a long period of time and has ever since been unable to perform physical labour such as he has always been obliged to do in order to earn a living. Plaintiff further avers that he has suffered intense physical pain over a period of many weeks, together with mental anguish and humiliation, besides suffering financial loss

from the loss of his horse and wagon; all of this being the proximate result and consequence of the negligence, wilful or wanton, of the aforesaid Mary Knight Hunter while acting within the line and scope of her authority as the agent or servant of the defendant, wherefore plaintiff sues and asks judgement in the aforementioned sum of Ten Thousand and No/100 ($10,000.00) Dollars.

3. The plaintiff claims of the defendant the further sum of Ten Thousand and No/100 ($10,000.00) Dollars, as damages for this, that heretofore on, to wit: the 27th day of June, 1936, Mary Knight Hunter, the minor daughter of the defendant, Clyde Hunter, said Mary Knight Hunter being on that day under the age of sixteen years (16), was driving or operating unaccompanied by any adult person, an automobile which was then the property of the defendant on or along the public highway in Baldwin County, Alabama known As Point Clear Road, and at or near a point on said road known as Joe Klumpp's Place negligently caused or allowed said automobile to run into, over, or against a wagon being then and there driven by the plaintiff. And at that time and place the said Mary Knight Hunter was operating or driving said automobile, unaccompanied by any adult person, by and with the authority or permission, express or implied, of the defendant, Clyde Hunter, who with knowledge of the fact that the said Mary Knight Hunter was under the age of sixteen years (16), negligently permitted or allowed her to drive or operate said automobile unaccompanied by any adult person, she being at that time a member of the defendant's family. Plaintiff avers that as a proximate result and consequence of said negligence of defendant, combined and to-

-gether with the said negligence of the said Mary Knight Hunter that the wagon which plaintiff was then and there driving was so violently struck by said automobile as to severely injure plaintiff in that his back was so severely wrenched as to be permanently disabled, his head and face were cruelly lacerated, his leg was seriously cut and bruised, and as a proximate result of said injuries he was unable to leave his bed for along period of time and has ever since been unable to perform physical labouf such as he has always been accustomed to do in order to earn a living. Plaintiff ha s further suffered intense physical pain and mental anguish, besides incurring charges for medical attention and suffering financial loss because of the loss of his horse and wagon; all of this being the proximate result of the negligence of the defendant, combined and together with the negligence of the said Mary Knight Hunter, wherefore plaintiff sues and asks judgement in the aforementioned sum of Ten Thousand and No/100 ($10,000.00) Dollars.

Count 4. The Plaintiff claims of the defendant the further sum of Ten Thousand and No/100 ($10,000.00) Dollars, as damages for this, that heretofore on, to wit: the 27th day of June, 1936, Mary Knight Hunter, the minor daughter of the defendant Clyde Hunter, said Mary Knight Hunter being on that day under the age of sixteen years (16), was driving or operating, unaccompanied by any adult person, an automobile which wasthen the property of the defendant on or along the public highway in Baldwin County, Alabama known as Point Clear Road, and at or near a point on said road knownas Joe Klumpp's Place negligently caused or allowed said automobile to run into, over or against a wagon being then and there driven by the plaintiff. And at that time and place said Mary Knight Hunter

was under the age of sixteen years(16), and was driving or operating said automobile, unaccompanied by any adult person, by and with the authority or permission, express or implied, of the defendant Clyde Hunter, who with knowledge of the fact that the said Mary Knight Hunter was under the age of sixteen years (16), negligently permitted or allowed her to drive or operate said automobile at said place on the aforementioned day, unaccompanied by any adult person, Mary Knight Hunter being at the time a member of the defendant's family. Plaintiff avers that as the proximate result and consequence of the aforesaid negligence of the defendant Clyde Hunter, that the wagon which the plaintiff was then and there driving was so violently struck by said automobile as to severely injure plaintiff in that his back was so violently wrenched as to be permanently disabled, his head and face were cruelly lacerated, his leg was seriuosly cut and bruised, and as the proximate result of said injuries plaintiff was unable to leave his bed for a long period of time and has ever since been unable to perform physical labour such as he has always been obliged to do in order to earn a living. Plaintiff has further suffered intense physical pain and mental anguish, together with great humiliation and embarrassment, besides incurring charges for medical attention and suffering financial loss because of the loss of his horse and wagon; all this being the proximate result of the negligence of the defendant Clyde Hunter, wherefore plaintiff sues and asks judgement in the aforementioned amount of Ten Thousand and No/100 ($10,000.00) Dollars.

George E. Stone Jr.
ATTORNEY FOR PLAINTIFF

Plaintiff demands trial by jury of the above entitled cause.

George E. Stone Jr.
ATTORNEY FOR PLAINTIFF

Alias.

SUMMONS AND COMPLAINT

MOORE PRINTING CO., BAY MINETTE, ALA.

THE STATE OF ALABAMA,
Baldwin County.

No. _____ CIRCUIT COURT

January 1937

To Any Sheriff of the State of Alabama:

You are hereby commanded to summon Clyde Hunter.

to appear and plead, answer or demur, within thirty day from the service hereof, to the Complaint filed in the Circuit Court of Baldwin County, State of Alabama at Bay Minette, Ala., against

Clyde Hunter. Defendant by Godfrey Klumpp.

Plaintiff

Witness my hand this 30th day of January 1937

R L Deck Clerk.

COMPLAINT

Plaintiff versus

The Plaintiff claims of the Defendant

Dollars, due by

George E Stone Jr.
Plaintiff's Attorney.

No. Alias

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

Godfrey Klumpp

PLAINTIFF

VS.

Clyde Hunter

DEFENDANT

Summons and Complaint

Filed, Jan 30 1937

D. R. Deck, Clerk.

Defendant Lives at

George E. Stone Jr.

Plaintiff's Attorney.

Defendant's Attorney

MOORE PRINTING CO., BAY MINETTE, ALA.

RECEIVED IN OFFICE

_____, 193__

_____, Sheriff

I have executed this Writ

this _____, 193__

by leaving a copy of the within Summons and Complaint with

_____, Sheriff.

_____, Deputy Sheriff.

SUMMONS AND COMPLAINT

ORE PRINTING CO., BAY MINETTE, ALA.

THE STATE OF ALABAMA,
Baldwin County.

No. _____ CIRCUIT COURT

October 21 1936

To Any Sheriff of the State of Alabama:

You are hereby commanded to summon Clyde Hunter.

to appear and plead, answer or demur, within thirty day from the service hereof, to the Complaint filed in the Circuit Court of Baldwin County, State of Alabama at Bay Minette, Ala., against Clyde Hunter.

Defendant by Godfrey Klumpp.

Plaintiff

Witness my hand this 21 day of October. 1936

R. L. Deason Clerk.

COMPLAINT

Plaintiff versus

The Plaintiff claims of the Defendant

Dollars, due by

Plaintiff's Attorney.

No. this

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

Godfrey Kilmnsp

PLAINTIFF

VS.

Clyde Hunter

DEFENDANT

Summons and Complaint

Filed, Jan 30 1937

W. D. Leech, Clerk.

Defendant Lives at

George E. Stone Jr.

Plaintiff's Attorney.

Defendant's Attorney

MOORE PRINTING CO., BAY MINETTE, ALA.

RECEIVED IN OFFICE

_____, 193__

_____, Sheriff

I have executed this Writ

this _____, 193__

by leaving a copy of the within Summons and Complaint with

_____, Sheriff.

_____, Deputy Sheriff.

GODFREY KLUMPP, Plaintiff	:	
	:	IN THE CIRCUIT COURT OF
vs.	:	BALDWIN COUNTY, ALABAMA.
	:	AT LAW.
CLYDE HUNTER, Defendant	:	

COUNT I.

The Plaintiff claims of the Defendant the sum of Ten Thousand and No/100 ($10,000.00) Dollars as damages for this, that heretofore on, to wit, the 27th day of June, 1936, Mary Knight Hunter, the agent or servant of the Defendant, while acting within the line or scope of her authority or employment as such agent or servant, so negligently drove or operated an automobile of which the Defendant was then and there the owner on or along the public highway in Baldwin County, Alabama known as Point Clear Road, at or near a point on said road known as Joe Klumpp's Place, that as a proximate result and consequence of said negligence a wagon which the Plaintiff was then and there driving was so violently struck by said automobile as to severely injure Plaintiff in that his back was so violently wrenched as to be permanently disabled, his head and face cruelly lacerated, his leg seriously cut and bruised, and as a proximate result of said injuries the Plaintiff was unable to leave his bed for a long period of time, and over a period of several months was unable to perform physical labour such as he has always been obliged to do in order to earn a living. Plaintiff further suffered intense physical pain and mental anguish, together with great humiliation and embarrassemnt, besides incurring charges for medical attention and suffering financial loss as a result of the loss of his horse and wagon; all this being the proximate result and consequence of the said negligence of the aforementioned Mary Knight Hunter, wherefore Plaintiff sues and asks damages in the aforementioned amount of Ten Thousand and No/100 ($10,000.00) Dollars.

COUNT 2.

The Plaintiff claims of the Defendant the further sum of Ten Thousand and No/100($10,000.00) Dollars as damages for this, that heretofore on, to wit, the 27th day of June, 1936, Mary Knight Hunter, the agent or servant of the defendant, while acting within the line or scope of her authority or employment as such agent or servant, wilfully or wantonly injured Plaintiff by wilfully or wantonly causing or allowing an automobile which was then and there the property of the Defendant and which she was then and there driving or operating on or along the public highway in Baldwin County, Alabama known as Point Clear Road, at or near a point on said highway known as Joe Klumpp's Place to run into, over or against a wagon which the Plaintiff was then and there driving along said highway, and as a proximate result and consequence of the said wilful or wanton negligence of the aforesaid Mary Knight Hunter, while acting within the line or scope of her authority or employment as the agent or servant of the Defendant, the Plaintiff was severely injured in that his back was so violently wrenched as to be permanently disabled, his head and face were cruelly lacerated, his leg was cut and bruised, and as a proximate result of these injuries, Plaintiff was unable to leave his bed for a long period of time and over a period of several months was unable to perform such physical labour as he has always been obliged to do in order to earn a living. Plaintiff has further suffered intense physical pain over a period of several weeks, together with mental anguish anguish and humiliation, besides suffering financial loss from the loss of his horse and wagon and the fact that he incurred charges for medical attention; all of this being the proximate result and consequence of the wilful or wanton negligence of the aforementioned Mary Knight Hunter while said Mary Knight Hunter was acting within the line or scope of her authority or employment as the agent or servant of the Defendant, wherefore Plaintiff sues and asks judgement in the afore-

mentioned sum of Ten Thousand and No/100 ($10,000.00) Dollars.

COUNT 3.

The Plaintiff claims of the Defendant the further sum of Ten Thousand and No/100 ($10,000.00) Dollars, as damages for this, that heretofore on, to wit, the 27th day of June, 1936, Mary Knight Hunter, the minor daughter of the Defendant Clyde Hunter, said Mary Knight Hunter being on that day under the age of sixteen years (16), was driving or operating, unaccompanied by any adult person, an automobile which was then the property of the Defendant on or along the public highway in Baldwin County, Alabama known as Point Clear Road, and at or near a point on said highway known as Joe Klumpp's Place negligently caused or allowed said automobile to run into, over or against a wagon being then and there driven by the Plaintiff; and at that time and place the said Mary Knight Hunter was driving or operating said automobile, unaccompanied by any adult person, by and with the authority and permission, express or implied, of the Defendant Clyde Hunter, who with knowledge of the fact that the said Mary Knight Hunter was under the age of sixteen years (16), negligently permitted or allowed her to drive or operate said automobile at said place on the aforementioned day, unaccompanied by any adult person, she being at that time a member of the Defendant's family. Plaintiff avers that as a proximate result and consequence of said negligence of defendant, combined and together with the said negligence of the said Mary Knight Hunter that the wagon which the Plaintiff was then and there driving was so violently struck by said automobile as to severely injure Plaintiff in that his back was so violently wrenched as to be permanently disabled, his head and face were cruelly lacerated, his leg seriously cut and bruised, and as a proximate result of said injuries he was unable to leave his bed for a long period of time and for a period of several months was unable to perform physical labour such as he has always been obliged to do in order to earn a living. Plaintiff

has further suffered intense pain and mental anguish over a period of several weeks, together with great humiliation and embarrassment because of his plight, besides incurring charges for medical attention and suffering financial loss from the loss of his horse and wagon; all of this being the proximate result and consequence of the negligence of the defendant, combined and together with the negligence of the said Mary Knight Hunter, wherefore Plaintiff sues and asks judgement in the aforementioned sum of Ten Thousand and No/100($10,000.00) Dollars.

COUNT 4.

The Plaintiff claims of the Defendant the further sum of Ten Thousand and No/100($10,000.00) Dollars as damages for this, that heretofore on, to wit, the 27th day of June, 1936, Mary Knight Hunter, the minor daughter of the Defendant Clyde Hunter, said Mary Knight Hunter being on that day under the age of sixteen years (16), was driving or operating, unaccompanied by any adult person, an automobile which was then the property of the Defendant on or along the public highway in Baldwin County, Alabama known as Point Clear Road, and at or near a point on said highway known as Joe Klumpp's Place, negligently caused or allowed said automobile to run into, over or against a wagon being then and there driven by the Plaintiff. And at that time and place said Mary Knight Hunter was operating or driving said automobile, unaccompanied by any adult person, by and with the authority or permission, express or implied, of the Defendant Clyde Hunter, who with knowledge of the fact that the said Mary Knight Hunter was under the age of sixteen years (16), negligently permitted or allowed her to drive or operate said automobile at said place on the aforementioned day, unaccompanied by any adult person, she being at the time a member of the Defendant's family. Plain-

tiff avers that as a proximate result and consequence of the aforesaid negligence of the Defendant Clyde Hunter, that the wagon which the Plaintiff was then and there driving was so violently struck as to severely injure Plaintiff in that his back was so violently wrenched as to be permanently disabled, his head and face were cruelly lacerated, his leg seriously cut and bruised, and the proximate result of said injuries Plaintiff was unable to leave his bed for a long period of time and for several months was unable to perform physical labour such as he has always been obliged to do in order to earn a living. Plaintiff has further suffered intense physical pain and mental anguish, together with financial loss as a result of charges for medical attention and for the loss of his horse and wagon; all of this being the proximate result of the negligence of the Defendant Clyde Hunter, wherefore Plaintiff sues and asks judgement in the aforementioned sum of Ten Thousand and No/100 ($10,000.00) Dollars.

George E. Stough Jr.
ATTORNEY FOR PLAINTIFF

Plaintiff demands trial by jury of the above entitled cause.

George E. Stough Jr.
ATTORNEY FOR PLAINTIFF

Dunn
8-1-04

RECORDED

Plaintiff avers that as a proximate result and consequence of the aforesaid negligence of the Defendant Clyde Hunter, that the wagon which the Plaintiff was then and there driving was so violently struck as to severely injure Plaintiff in that his back was so violently wrenched as to be permanently disabled, his head and face were cruelly lacerated, his leg seriously cut and bruised, and the proximate result of said injuries Plaintiff was unable to leave his bed for a long period of time and, for several months was unable to perform physical labor, on as he has always been obliged to do in order to earn a living. Plaintiff has further suffered intense physical pain and mental anguish, together with financial loss on account of charges for medical attention and for the loss of his time, wages and wagon; all of this being the proximate result of the negligence of the Defendant Clyde Hunter, therefore Plaintiff sues and asks judgment in the aforementioned sum of Ten Thousand and No/100 ($10,000.00) Dollars.

Attorney for Plaintiff

Plaintiff demands trial by jury of the above entitled cause.

Attorney for Plaintiff

Filed 8-1-04
Dismissed

295

STATE OF ALABAMA

OFFICE OF SECRETARY OF STATE

MONTGOMERY

HOWELL TURNER

March 1, 1937

Mr. R. S. Duck, Clerk
Circuit Court - Baldwin County
Bay Minette, Ala.

Dear Sir:

Re: Godfrey Klumpp,
Plaintiff
vs.
Clyde Hunter,
Defendant

Godfrey Klumpp,
Plaintiff
vs.
Mary Knight Hunter,
Defendant

This is to certify that under H.B.84 of the General Laws of Alabama, I did on the 1st day of February, 1937, send by registered mail, return receipt requested, to Frank Karel, Sheriff, Orange County, Orlando, Florida, summons and complaint in the above styled causesto be served on the above parties at 716 S. Orange Ave., Orlando, Florida.

I further certify that said return receipt which is herewith enclosed was received by me on February 6,1937, and that copies of summons and complaint in the above cases, with a record of the Sheriff's service was received by ~~on~~ me on February 27, 1937, which I am herewith enclosing.

You will also find herewith enclosed check for 30¢. The sheriffs costs being only $3.70, whereas check for $4.00 was sent.

Please acknowledge receipt.

Yours very truly,

Howell Turner,
Secretary of State.

CC: Geo. E. Stone, Jr
Mobile, Ala.

HOWELL TURNER

STATE OF ALABAMA
OFFICE OF SECRETARY OF STATE
MONTGOMERY

September 19, 1936.

Mr. R. S. Duck,
Clerk, Circuit Court, Baldwin County,
Bay Minette, Ala.

Dear Sir:

Re: Godfrey Klumpp, Plaintiff
v.
Clyde Hunter, Defendant

In the Circuit Court of Baldwin County, Alabama.

This is to certify that under H. B. 84 of the General Laws of Alabama, I did, on the 15th day of September, 1936, send by registered mail, return receipt requested, addressed to addressee only, to Mr. Clyde Hunter, 716 S. Orange Ave.,Orlando, Florida, summons and complaint in the above styled cause.

I further certify that said return receipt which is herewith enclosed, was received by me on the 19th day of September, 1936.

Yours very truly,

Howell Turner,
Secretary of State.

T/ab

CC - Hon. George E. Stone, Jr.,
Merchants National Bank Bldg.,
Mobile, Ala.

RECORDED
Duck
7-5-43

Filed Liber ER-1436
R S Duck
Clerk

HOWELL TURNER

STATE OF ALABAMA
OFFICE OF SECRETARY OF STATE
MONTGOMERY

[illegible] 21, 1936

To the Sheriff,
Orlando, Florida.

Dear Sir:

Re: Godfrey Klumpp, Plaintiff
v.
Clyde Hunter, Defendant

In the Circuit Court of Baldwin County,
Alabama.

Will you please serve the enclosed notice and summons and complaint on the defendant at the following address: (also enclosed copy of interrogatories)

716 S. Orange Ave.,
Orlando, Fla.

Please make return on one copy of the summons and complaint and return to me.

For your information, I enclose herewith a copy of Act No. 32, approved February 8, 1935, page 2 of which I call to your attention.

I am enclosing herewith check in the sum of $4.00 covering service fee in this case and the one styled Godfrey Klumpp v. Mary Knight Hunter.

Please acknowledge receipt.

Yours very truly,

Howell Turner

Howell Turner,
Secretary of State.

STATE OF ALABAMA

OFFICE OF SECRETARY OF STATE

MONTGOMERY

HOWELL TURNER

November 18, 1936.

Hon. George E. Stone, Jr.,
First National Bank Bldg.,
Mobile, Ala.

Dear Sir:

Re: Godfrey Klumpp, Plaintiff
v.
Clyde Hunter, Defendant

Godfrey Klumpp, Plaintiff
v.
Mary Knight Hunter,
Defendant

In the Circuit Court of Baldwin County,
Alabama.

Please mail us the fee of $2.00 in each of the above suits in order that we may send it to the officer in the State of Florida who makes service. I refer you to Section 1 of Act No. 32 of the 1935 General Acts.

For your information, in one other case we have had occasion to call on the U. S. Marshal to effect service in another State. However, you will note that a sheriff can also effect service for us in another State. If satisfactory with you, upon receipt of the above fee, we shall communicate with the Sheriff at Orlando, Florida.

Yours very truly,

Howell Turner

Howell Turner,
Secretary of State.

T/ab

Filed Nov. 24, 1936
G. S. Quick, Clerk

STATE OF ALABAMA

OFFICE OF SECRETARY OF STATE

MONTGOMERY

HOWELL TURNER

November 18, 1936.

Hon. George S. Stone, Jr.,
First National Bank Bldg.,
Mobile, Ala.

Dear Sir:

Re: Godfrey Klumpp, Plaintiff
v.
Clyde Hunter, Defendant

Godfrey Klumpp, Plaintiff
v.
Mary Knight Hunter,
Defendant

In the Circuit Court of Baldwin County,
Alabama.

Please mail us the fee of $3.00 in each of the above suits in order that we may send it to the officer in the State of Florida who makes service. I refer you to Section 1 of Act No. 32 of the 1935 General Acts.

For your information, in one other case we have had occasion to call on the U. S. Marshal to effect service in another State. However, you will note that a sheriff can also effect service for us in another State. If satisfactory with you, upon receipt of the above fee, we shall communicate with the Sheriff at Orlando, Florida.

Yours very truly,

Howell Turner,
Secretary of State.

T/ab

STATE OF ALABAMA

OFFICE OF SECRETARY OF STATE

MONTGOMERY

HOWELL TURNER

November 21, 1936

To the Sheriff,
Orlando, Florida.

Dear Sir:

Re: Godfrey Klumpp, Plaintiff
v.
Clyde Hunter, Defendant

In the Circuit Court of Baldwin County,
Alabama.

Will you please serve the enclosed notice and summons and complaint on the defendant at the following address: (also enclosed copy of interrogatories)

716 S. Orange Ave.,
Orlando, Fla.

Please make return on one copy of the summons and complaint and return to me.

For your information, I enclose herewith a copy of Act No. 32, approved February 8, 1935, page 2 of which I call to your attention.

I am enclosing herewith check in the sum of $4.00 covering service fee in this case and the one styled Godfrey Klumpp v. Mary Knight Hunter.

Please acknowledge receipt.

Yours very truly,

Howell Turner,
Secretary of State.

Filed November 23, 1936
R. T. Jones,
Clerk

STATE OF ALABAMA

OFFICE OF SECRETARY OF STATE

MONTGOMERY

HOWELL TURNER

November 21, 1936

To the Sheriff,
Orlando, Florida.

Dear Sir:

Re: Godfrey Klumpp, Plaintiff
v.
Clyde Hunter, Defendant

In the Circuit Court of Baldwin County,
Alabama.

Will you please serve the enclosed notice and summons and complaint on the defendant at the following address: (also enclosed copy of interrogatories)

Fla S. Orange Ave.,
Orlando, Fla.

Please make return on one copy of the summons and complaint and return to me.

For your information, I enclose herewith a copy of Act No. 52, approved February 6, 1935, page 2 of which I call to your attention.

I am enclosing herewith check in the sum of $4.00 covering service fee in this case and the one styled Godfrey Klumpp v. Mary Knight Hunter.

Please acknowledge receipt.

Yours very truly,

Howell Turner,
Secretary of State.

SUMMONS AND COMPLAINT

MOORE PRINTING CO., BAY MINETTE, ALA.

THE STATE OF ALABAMA, Baldwin County. } No. 295 CIRCUIT COURT

.....193....

To Any Sheriff of the State of Alabama:

You are hereby commanded to summon CLYDE HUNTER

to appear and plead, answer or demur, within thirty day from the service hereof, to the Complaint filed in the Circuit Court of Baldwin County, State of Alabama at Bay Minette, Ala., against

CLYDE HUNTER, Defendant by GODFREY SHUMPP,

Plaintiff

Witness my hand this 20th day of November 1939

R. L. Duck, Clerk.

COMPLAINT

Plaintiff versus

The Plaintiff claims of the Defendant

Dollars, due by

Plaintiff's Attorney.

212

No. 995

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

GODFREY KLUTEP,

PLAINTIFF

VS.

CLYDE HUNTER,

DEFENDANT

Summons and Complaint

Filed, November 20th 1936

, Clerk.

Defendant Lives at

Plaintiff's Attorney.

Defendant's Attorney

MOORE PRINTING CO., BAY MINETTE, ALA.

RECEIVED IN OFFICE

, 193

, Sheriff

I have executed this Writ

this , 193

by leaving a copy of the within Summons and Complaint with

Clyde Hunter Free Orlando Fla.
716 Orange Ave.,
January 7 1936
Not found in my County after diligent search and inquiry
Riley d
R. L. HOLCOMBE Sr. Sheriff
By D. I. Pugh

, Sheriff.

, Deputy Sheriff.

STATE OF ALABAMA :
BALDWIN COUNTY :

TO ANY SHERIFF OF THE
STATE OF ALABAMA :

You are hereby commanded to summon Clyde Hunter to appear within thirty days from the service of this writ in the circuit court, to be held for said county at Bay Minnette, in Baldwin County, Alabama, then and there to answer the complaint of Godfrey Klumpp.

Witness my hand, this 21 day of October, 1936.

R. L. Duck
CLERK

448
3

42

400
30
12000

40
30
12

60
30
3600
1500
4900
35

Post Office Department
OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300

REGISTERED ARTICLE
No. 26461
INSURED PARCEL
No.

POSTMARK OF DELIVERING OFFICE AND DATE OF DELIVERY

Return to Secretary of State
(NAME OF SENDER)
Street and Number, or Post Office Box

MONTGOMERY,
ALABAMA

Post Office Department
OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300

REGISTERED ARTICLE
No. 23141
INSURED PARCEL
No.

POSTMARK OF DELIVERING OFFICE AND DATE OF DELIVERY

Return to SECRETARY OF STATE
(NAME OF SENDER)
Street and Number, or Post Office Box

MONTGOMERY,
ALABAMA

Post Office Department
OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300

REGISTERED ARTICLE
No. 25641
INSURED PARCEL
No.

POSTMARK OF DELIVERING OFFICE AND DATE OF DELIVERY

RECEIVED
AUG 11 1986
SECRETARY OF STATE

Return to Secretary of State
(NAME OF SENDER)
Street and Number, or Post Office Box

MONTGOMERY,
ALABAMA

G K
C H

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

(Signature or name of addressee)

(Signature of addressee's agent)

Date of delivery AUG 10 1920 *193*

Form 3811

U.S. GOVERNMENT PRINTING OFFICE: 1920

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

(Signature or name of addressee)

(Signature of addressee's agent)

Date of delivery FEB *193*

Form 3811

U.S. GOVERNMENT PRINTING OFFICE

RECEIVED
FEB
SECRETARY OF
STATE

G K
C H

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

(Signature or name of addressee)

Delivered to Addressee only

(Signature of addressee's agent)

Date of delivery SEP 1 1 *193*

Form 3811

U.S. GOVERNMENT PRINTING OFFICE

RECEIVED
SEP 19 193
SECRETARY OF
STATE