

SMITH, HAND, ARENDALL & BEDSOLE
LAWYERS

HARRY H. SMITH
COUNSELOR
CHAS. C. HAND
C. B. ARENDALL, JR.
T. MASSEY BEDSOLE
THOMAS G. GREAVES, JR.
WM. BREVARD HAND
VIVIAN G. JOHNSTON, JR.
J. JEPHTA HILL
PAUL W. BROCK

SUITE 622 FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA
March 3, 1955

2490
MAILING ADDRESS

P. O. BOX 123
MOBILE, ALA.

CABLE ADDRESS:
HAB

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

Dear Mrs. Duck:

Re: Annie Louise Davis vs.
Vann A. Brewster

Enclosed are the removal petition and your notice
of the removal of the above case.

Yours very truly,

SMITH, HAND, ARENDALL & BEDSOLE

By

Paul W. Brock

PWB:ba

Enclosures

Annie Louise Davis - Plaintiff

VS

Vann A. Brewster - Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW,

CASE NO. 2490

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

I, Mary Texas Hurt, Secretary of State, hereby certify that on February 10, 1955,
I sent by registered mail in an envelope addressed as follows:

"Lt. Vann A. Brewster
Co. D, I.F.D.
Eglin AFB, Florida"

"Registered 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:

"Lt. Vann A. Brewster
Co. D, I.F.D.
Eglin AFB, Florida

You will take notice that on December 23, 1954, the Sheriff of
Montgomery County, Alabama, served upon me, in my official
capacity, summons and complaint in a case entitled:

Annie Louise Davis, Plaintiff VS Vann A. Brewster, Defendant

in the Circuit Court of Baldwin County, Alabama at Law,
Case No. 2490 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 10 day of February 1955.

Enclosure (1)

(Signed) Mary Texas Hurt
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 February 23, 1955, I received the return card,
showing receipt by the designated addressee of the aforementioned matter
at Eglin Air Force Base, Florida on February 18, 1955.

WITNESS MY HAND and the Great Seal of the State of Alabama this the 23 day
of February 1955.

Mary Texas Hurt
Mary Texas Hurt
Secretary of State

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

cc: Hon. John Chason
Chason & Stone, Attorneys at Law
Bay Minette, Alabama

In the Matter of the Removal
to the District Court of the
United States for the Southern
District of Alabama, Southern
Division, of the case of:

ANNIE LOUISE DAVIS,

Plaintiff,

Versus

VANN A. BREWSTER,

Defendant.

TO: Hon. Alice J. Duck
Clerk, Circuit Court of
Baldwin County

Pursuant to the provisions of law in such cases made and provided, there is hereby filed with you a copy of the petition of the defendant in the above entitled cause to remove said cause to the United States District Court for the Southern Division of the Southern District of Alabama. The said petition, accompanied by a bond with good and sufficient surety conditioned as is required by law, has been this day filed in the said United States District Court for the Southern Division of the Southern District of Alabama.

Written notice of the filing of the aforesaid petition and bond has been this day given to the attorney for the plaintiff herein by this day mailing such notice, together with a copy of the said petition for removal, to John Chason, Esquire of the firm of Chason & Stone, Attorneys for the Plaintiff, at the address of said law firm in Bay Minette, Alabama, postage prepaid by registered mail, return receipt requested, and you are hereby notified that the filing of a copy of the aforesaid petition with you as Clerk of the Circuit Court of Baldwin County, Alabama effects the removal of said cause to the aforesaid United States District Court.

Dated this 3rd day of March, 1955.

FILED
12-23-54
ALICE J. DUCK, Clerk

Paul W. Brock
Paul W. Brock, Attorney for Defendant
Room 622, First National Bank Building
Mobile, Alabama

OF COUNSEL:

SMITH, HAND, ARENDALL & BEDSOLE

STATE OF ALABAMA)
BALDWIN COUNTY)

IN THE CIRCUIT COURT - LAW SIDE.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Vann A. Brewster to appear within thirty days from the service of this Writ in the Circuit Court to be held for said County at the place of holding same, then and there to answer the complaint of Annie Louise Davis.

Witness my hand this 23 day of December, 1954.

W. J. Rensch
Clerk.

ANNIE LOUISE DAVIS,

Plaintiff,

vs.

VANN A. BREWSTER,

Defendant.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

COUNT ONE:

The Plaintiff claims of the Defendant the sum of One Hundred Thousand Dollars (\$100,000.00), as damages for that on, to-wit, July 21, 1954, the Defendant, Vann A. Brewster, so negligently operated a motor vehicle on U. S. Highway #31, at a point approximately four miles Southwest of Bay Minette, Alabama, in Baldwin County, Alabama, as to cause or allow said motor vehicle to run into, over or against an automobile which was then and there being driven along said Highway by the Plaintiff, where she had a right to be, and as a proximate result of such negligence Plaintiff was injured in this: her left knee was broken, her left leg was fractured below the knee, a large knot was caused to come upon her left leg between her knee and hip, her right ankle was torn and sprained, a hole was knocked in her right

knee, both her hips and her back were seriously injured, her left elbow was cut, her left hand was cut, she received a cut on her forehead which caused a large scar, the left side of her head was seriously injured, she was caused to partially lose the hearing in her left ear, she was bruised, skinned and lacerated on various parts of her body, she was internally injured and she received a permanent injury to her left knee, she was caused to suffer and incur large hospital and medical expenses which included Doctors' bills and X-Rays and medicines and she was caused to lose at least six months from her work and was caused to suffer great physical and mental pain and anguish, all to the damage of the Plaintiff aforesaid, wherefore Plaintiff brings this suit and asks judgment in the above amount.

COUNT TWO:

The Plaintiff claims of the Defendant the sum of Two Thousand Dollars (\$2,000.00), as damages for that on, to-wit, July 21, 1954, the Defendant, Vann A. Brewster, so negligently operated a motor vehicle on U. S. Highway #31, at a point approximately four miles Southwest of Bay Minette, Alabama, in Baldwin County, Alabama, as to cause or allow said motor vehicle to run into, over or against an automobile belonging to the Plaintiff, which was then and there being driven along said Highway by the Plaintiff, where she had a right to be, and as a proximate result of such negligence Plaintiff's automobile was damaged in this: it was almost completely destroyed, its only value after such wreck being a small amount of salvage, all to the damage of the Plaintiff aforesaid, wherefore Plaintiff brings this suit and asks judgment in the above amount.

COUNT THREE:

The Plaintiff claims of the Defendant the sum of One Hundred Thousand Dollars (\$100,000.00), as damages for that on, to-wit, July 21, 1954, the Defendant, Vann A. Brewster, willfully and wantonly injured the Plaintiff on U. S. Highway #31, at a point approximately four miles Southwest of Bay Minette, Alabama, in Baldwin County, Alabama, by then and there driving a motor vehicle into, over or against an automobile which was then and there being driven along said Highway by the Plaintiff, where she had a right to be, and as a proximate result thereof the Plaintiff was injured in this: her left knee was broken, her left leg was fractured below the knee, a large knot was

caused to come upon her left leg between her knee and hip, her right ankle was torn and sprained, a hole was knocked in her right knee, both her hips and her back were seriously injured, her left elbow was cut, her left hand was cut, she received a cut on her forehead which caused a large scar, the left side of her head was seriously injured, she was caused to partially lose the hearing in her left ear, she was bruised, skinned and lacerated on various parts of her body, she was internally injured and she received a permanent injury to her left knee, she was caused to suffer and incur large hospital and medical expenses which included Doctors' bills and X-Rays and medicines and she was caused to lose at least six months from her work and was caused to suffer great physical and mental pain and anguish, all to the damage of the Plaintiff aforesaid, wherefore Plaintiff brings this suit and asks judgment in the above amount.

COUNT FOUR:

The Plaintiff claims of the Defendant the sum of Two Thousand Dollars (\$2,000.00), as damages for that on, to-wit, July 21, 1954, the Defendant, Vann A. Brewster, willfully and wantonly injured the Plaintiff on U. S. Highway #31, at a point approximately four miles Southwest of Bay Minette, Alabama, in Baldwin County, Alabama, by then and there driving a motor vehicle into, over or against an automobile belonging to the Plaintiff which was then and there being driven along said Highway by the Plaintiff, where she had a right to be and as a proximate result thereof the Plaintiff's automobile was damaged in this: it was almost completely destroyed, its only value after such wreck being a small amount of salvage, all to the damage of the Plaintiff aforesaid, wherefore Plaintiff brings this suit and asks judgment in the above amount.

Sharon Stone
Attorneys for Plaintiff.

Plaintiff demands a trial of this cause by jury.

Sharon Stone
Attorneys for Plaintiff.

Lt. Vann A. Brewster's address is: Ranger Department
o 66572
Fort Benning, Georgia

FILED

12-23-54

ALICE J. DUCK, Clerk

1673

Received in the Office
this 23 day of Dec. 1954
TAYLOR WILKINS, Sheriff

RECEIVED IN OFFICE

DEC 24 1954

G. A. MOSLEY, Sheriff

NO 2490

SUMMONS AND COMPLAINT

ANNIE LOUISE DAVIS,

Plaintiff,

vs.

VANN A. BREWSTER,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

Filed this 23 day of December,
1954.

Richard J. Stone
Clerk.

EXECUTED BY SERVING
COPY OF THE WITHIN

Agnes Baggett
Sec. of State of
State of Ala.
12-28-54

G. A. Mosley
Sheriff Montgomery County

Mathis
Deputy Sheriff

LAW OFFICES

CHASON & STONE

BAY MINETTE, ALABAMA

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: Frances G. Crawford

KNOW YE: that we, having full faith in your prudence and competency, have appointed you
Commissioner, and by these presents do authorize you, at such time and place as you may appoint,
to call before you and examine Norma W. Albertson and Jean Foley

as witnesses in behalf of Complainant in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein Norma W. Albertson

Complainant
and Fred A. Albertson

Respondent
on oath, to be by you administered, upon them
to take and certify the depositions of the witness and return the same to our Court, with all
convenient speed, under your hand.

Witness 23rd day of August, 1950

Archie J. Haskins
Register.

Commissioner's Fee, \$ NONE

Witness' Fees, \$ NONE