

Charles E. Chettle, a minor, by his next of
kin, Thelma L. Chettle, Plaintiff

VS

John W. Crawley, individually, Defendant

2552
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

CASE NO. 2552

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

I, Mary Texas Hurt, Secretary of State, hereby certify that on March 7, 1955,
I sent by registered mail in an envelope addressed as follows:

"John W. Crawley
Lucedale, Mississippi"

"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:

"John W. Crawley
Lucedale, Mississippi

You will take notice that on March 7, 1955, the Sheriff of
Montgomery County, Alabama, served upon me, in my official
capacity, summons and complaint in a case entitled:
Charles E. Chettle, a minor, by his next of kin, Thelma L.
Chettle, Plaintiff VS John W. Crawley, individually,

in the Circuit Court of Baldwin County, Alabama at Law,
Case No. 2552 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 7th day of March 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 March 14, 1955, I received the return card,
showing receipt by the designated addressee of the aforementioned matter
at Lucedale, Mississippi on March 12, 1955.

WITNESS MY HAND and the Great Seal of the State of Alabama this the 14th day
of March 1955.

Mary Texas Hurt
Mary Texas Hurt
Secretary of State

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

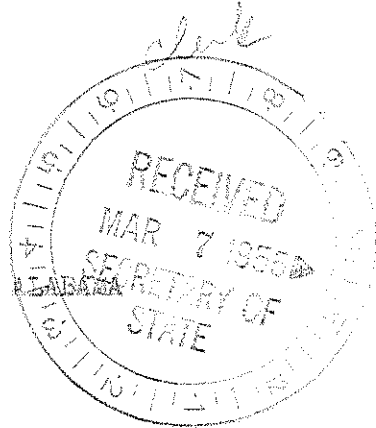
cc: Ernest M. Bailey
Attorney
Fairhope, Alabama

STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

BALDWIN COUNTY, ALABAMA



TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon JOHN W. CRAWLEY, individually, and J. N. CRAWLEY, Jr., individually, to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against JOHN W. CRAWLEY, individually, and J. N. CRAWLEY, Jr., individually, Defendants, by CHARLES E. CHETTEL, a minor, by his next of kin, THELMA L. CHETTEL, Plaintiff.

Witness my hand this 3rd day of March, 1955.

Alice J. Smith, Clerk

John W. Crawley lives at Lucedale, Miss.
J. N. Crawley, Jr. lives Rt. A,
Perkingston, Mississippi.

CHARLES E. CHETTEL, a minor, by
his next of kin, Thelma L. Chettle
Plaintiff

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

-vs-

AT LAW

JOHN W. CRAWLEY, individually, and
J. N. CRAWLEY, Jr., individually
Defendants

Case No. _____

COUNT ONE

The Plaintiff claims of the Defendants the sum of Seventy-Five Thousand Dollars (\$75,000.00) as damages, for that heretofore and on to-wit: the 12th day of March, 1954, the Defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant J. N. Crawley, Jr., of Perkingston, Mississippi, did so negligently operate a truck in a southerly direction on Church Street at to-wit a point where Church Street intersects with White Avenue, in the City of Fairhope, Baldwin County, Alabama, said roads or streets being a public road or street in the County of Baldwin, State of Alabama, as to cause said truck to collide with, run over, upon or against an automobile in which the Plaintiff was riding and had a right to be, and as a direct and proximate consequence of said negligence of said Defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant J. N. Crawley, Jr., of Perkingston, Mississippi, the Plaintiff was injured and damaged, in that he received acute shock; acute concussion of the brain; was caused to suffer severe headaches and dizziness; was caused to suffer permanent dizziness seizures; was made sick and sore and to suffer great physical and mental pain and anguish; was made to suffer

great physical and mental pain and anguish; was made to suffer permanent physical and mental pain and anguish; to incur great hospital bills, medicine bills, doctor bills and nurses' bills; was caused to expend great sums of money for the care and cure of said above injuries, all as a proximate consequence of the said negligence of the Defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant, J. W. Crawley, Jr. of Perikington, Mississippi, hence this suit.

COUNT TWO

The Plaintiff claims of the Defendant the sum of Seventy-Five Thousand (\$75,000.00) Dollars as damages, for that heretofore and on to-wit: the 12th day of March, 1954, the Defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant J. N. Crawley, Jr. of Perkinston, Mississippi, while driving a truck in a Southernly direction on a public road or street commonly known as Church Street, said public road or street being in the County of Baldwin, State of Alabama, at to-wit: a point where Church Street intersects with White Avenue in the City of Fairhope, Baldwin County, Alabama, did willfully or wantonly drive said truck over, upon or against an automobile in which the Plaintiff was riding and had a right to be, and as a direct and proximate consequence of the said willful and wanton act on the part of the Defendant John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant J. N. Crawley, Jr., of Perkinston, Mississippi, the Plaintiff was injured and damaged, in that he received acute shock; acute concussion of the brain; was caused to suffer severe headaches and dizziness seizures; was made sick and sore and to suffer great physical and mental pain and anguish; was made to suffer permanent physical and mental pain and anguish; to incur great hospital bills, medicine bills, doctor bills and nurses' bills; was caused to expend great sums of money for the care and cure of said injuries, all as a proximate consequence of the said willful and wanton act on the part of the Defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant, J. N. Crawley, Jr. of Perkinston, Mississippi, hence this suit.

James M. Bailey
Attorney for Plaintiff

1991年12月15日
 1991年12月15日
 1991年12月15日
 1991年12月15日
 1991年12月15日

George W. Bailey

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

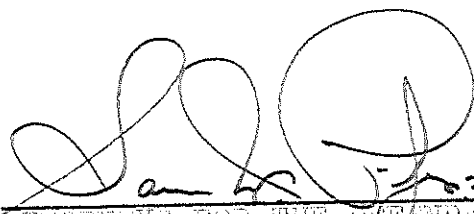
PRINCE E. GRIFFIN, Individually, and)
d/b/a Fairhope Taxi Company,
Plaintiff

-vs-

JOHN W. CRAWLEY, Individually, and)
J. N. CRAWLEY, JR., Individually,)
Defendants.

) TO THE HONORABLE ALICE
) J. DUCK, CLERK OF THE
) CIRCUIT COURT OF
) BALDWIN COUNTY, ALABAMA.

Please take notice that the undersigned, as attorney for the defendants in the above entitled cause, has this day filed a petition and bond in the United States District Court for the Southern District of Alabama, Southern Division, petitioning that Court to remove from the Circuit Court of Baldwin County, Alabama, to the United States District Court for the Southern District of Alabama, Southern Division, that certain cause wherein Prince E. Griffin, individually and d/b/a Fairhope Taxi Company, is Plaintiff and John W. Crawley and J. N. Crawley, Jr., are the defendants, and that the petition and bond constitutes a removal of said cause of action from the Circuit Court of Baldwin County, Alabama, to the United States District Court for the Southern District of Alabama, Southern Division.



ATTORNEYS FOR THE DEFENDANTS,
JOHN W. CRAWLEY AND J. N.
CRAWLEY, Jr.

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

PRINCE E. GRIFFIN, Individually, and)
d/b/a Fairhope Taxi Company,
Plaintiff)

-vs-

NO. _____

JOHN W. CRAWLEY, Individually, and)
J. M. CRAWLEY, JR., Individually,
Defendants.)

Comes now John W. Crawley and J. M. Crawley, Jr.,
defendants in the above entitled cause, and present this petition
for removal of said action from the Circuit Court of Baldwin
County, Alabama, to the United States District Court for the
Southern District of Alabama, Southern Division, and show and
represent unto the Court as follows:

1

That the above entitled cause was begun against these
defendants in the Circuit Court of Baldwin County in the State of
Alabama on the 3rd day of March, 1955; that at the time said suit
was begun, and at the present time, John W. Crawley was a resident
of Lucedale, Mississippi, and J. M. Crawley, Jr., was a resident
of Perkinston, Mississippi;

That the plaintiff in said suit was and still is a
citizen and resident of the State of Alabama; that said suit is
wholly between citizens of different states; that the matter in
dispute in said suit, and for which said suit is brought, exceeds
the sum of Three Thousand and no/100 (\$3,000.00) Dollars, ex-
cluding all interest and costs;

That said suit claims damages for damage to personal
property; and the defendants herewith file a bond with good and
sufficient surety conditioned that the defendants will pay all costs
and disbursements incurred by reason of the removal proceedings,
should it be determined that this cause of action was not removable
or was improperly removed;

That neither petitioner has yet appeared or pleaded
in said action; that service was had upon your petitioners in said

suit by service upon the Secretary of State of the State of Alabama, on the 7th day of March, 1955, less than twenty (20) days before the filing of this petition; that a copy of all process, pleadings and orders that have been served upon the Defendants in the above entitled cause are attached to this petition;

That the defendants will promptly after the filing of this petition and bond give written notice thereof to the plaintiff; and will file a copy of said petition with the Clerk of the Circuit Court of Baldwin County, Alabama;

WHEREFORE the petitioners pray this Honorable Court that this petition and bond may be accepted and approved and that said suit be removed to the United States District Court for the Southern District of Alabama, Southern Division, and that the Circuit Court of Baldwin County, Alabama, proceed no further in the premises.

John W. Crawley
John W. Crawley

J. M. Crawley, Jr.
J. M. Crawley, Jr.

STATE OF MISSISSIPPI

COUNTY OF Leflore

Personally appeared before me, the undersigned authority, John W. Crawley, who being by me first duly sworn deposes and says that he is one of the petitioners in the above entitled cause; that he has read the above and foregoing petition and that the facts stated therein are true.

John W. Crawley
John W. Crawley

Subscribed and sworn to before me

this 24 day of March, 1955.

James C. Butler
NOTARY PUBLIC, Leflore COUNTY, MISS.

My Commission expires Aug 4, 1958

STATE OF MISSISSIPPI

COUNTY OF George

Personally appeared before me, the undersigned authority, J. M. Crawley, Jr., who being by me first duly sworn deposes and says that he is one of the petitioners in the above entitled cause; that he has read the above and foregoing petition and that the facts stated therein are true.

J. M. Crawley, Jr.
J. M. Crawley, Jr.

Subscribed and sworn to before me

this 24 day of March, 1955.

James E. Phipps
NOTARY PUBLIC, George COUNTY, MISS.

My commission expires Aug 4, 1958

Sam H. Jones
ATTORNEY FOR PETITIONERS (DEFENDANTS)
517 First National Bank Bldg.,
Mobile, Alabama.

James D. Cook
OF COUNSEL, 517 First National Bank
Bldg., Mobile, Alabama.

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

March 7, 1955.

John W. Crawley
Lucedale, Mississippi

REGISTERED MAIL
RETURN RECEIPT REQUESTED
DELIVER TO ADDRESSEE ONLY.

You will take notice that on March 7, 1955, the Sheriff of Montgomery County, Alabama, served upon me, in my official capacity, Summons and complaint in a case entitled: Prince E. Griffin, Individually, and d/b/a Fairhope Taxi Company, Plaintiff, vs J. W. Crawley, Jr., individually, and John W. Crawley, individually, Defendant, in the Circuit Court of Baldwin County, Alabama at Law, Case No. 2551, 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 7th day of March, 1955.

/s/ Mary Texas Hurt

Mary Texas Hurt
Secretary of State

Enclosure: 1 Copy of Summons
and Complaint

cc: Ernest M. Bailey
Attorney
Fairhope, Alabama.

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

March 7, 1955.

J. N. Crawley, Jr.
Route "A"
Perkinston, Miss.

REGISTERED MAIL
RETURN RECEIPT REQUESTED
DELIVER TO ADDRESSEE ONLY.

You will take notice that on March 6, 1955, the Sheriff of Montgomery County, Alabama, served upon me, in my official capacity, Summons and Complaint in a case entitled: Prince E. Griffin, Individually, and d/b/a Fairhope Taxi Company, Plaintiff, VS J. N. Crawley, Jr., individually, Defendant, in the Circuit Court of Baldwin County, Alabama at Law, Case No. 2551, 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 7th day of March, 1955.

/s/ Mary Texas Hurt

Mary Texas Hurt
Secretary of State

Enclosure 1 : Copy of Summons and Complaint

cc: Ernest M. Bailey
Attorney
Fairhope, Alabama.

STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon JOHN W. CRAWLEY, individually, and J. N. CRAWLEY, Jr., individually, to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against JOHN W. CRAWLEY, individually, and J. N. CRAWLEY, JR., individually, Defendants, by PRINCE E. GRIFFIN, individually, and d/b/a Fairhope Taxi Company, Plaintiff.

Witness my hand this 3rd day of March, 1955.

/s/ Alice J. Duck, Clerk.

John W. Crawley lives at Lucedale, Miss.
and J. N. Crawley, Jr. lives Route A,
Perkinston, Mississippi.

PRINCE E. GRIFFIN, individually, and)
d/b/a Fairhope Taxi Company,)
Plaintiff)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

-vs-

AT LAW.

JOHN W. CRAWLEY, individually, and)
J. N. CRAWLEY, JR., individually,)
Defendants.)

CASE NO. 2551.

COUNT ONE.

The Plaintiff claims of the Defendants the sum of Four Thousand Six Hundred (\$4,600.00) Dollars as damages, for that heretofore and on to-wit: the 12th day of March, 1954, the defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant, J. N. Crawley, Jr., did so negligently operate a truck in a Southernly direction on Church Street at to-wit: a point where Church Street intersects with White Avenue, in the City of Fairhope, Baldwin County, Alabama, said road or street being a public road or street in the County of Baldwin, State of Alabama, as to cause said truck to collide with, run over, upon or against an automobile owned and operated by the Plaintiff, and as a direct and proximate consequence of said negligence of said Defendant, John W. Crawley while acting within the line and scope of his employment as the agent, servant or employee of the Defendant, J. N. Crawley, Jr., the plaintiff's automobile was bent, broken, damaged and otherwise destroyed and he was caused to lose the use of said automobile from the date of said accident to the date of the filing of this Bill of Complaint, all as a proximate consequence of the said negligence of the defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant, J. N. Crawley, Jr., to the

damage of the Plaintiff in the aforesaid amount, hence this suit.

COUNT TWO

The Plaintiff claims of the Defendants the sum of Four Thousand Six Hundred (\$4,600.00) Dollars as damages, for that heretofore and on to-wit: the 12th day of March, 1954, the Defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant, J. W. Crawley, Jr., while driving a truck in a Southernly direction on a public road or street commonly known as Church Street, said public road or street being in the County of Baldwin, State of Alabama, at to-wit: a point where Church Street intersects with White Avenue in the City of Fairhope, Baldwin County, Alabama, did willfully or wantonly drive said truck over, upon or against an automobile then and there owned and operated by the Plaintiff, and as a direct and proximate consequence of the said willful and wanton act on the part of the Defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant, J. W. Crawley, Jr., the Plaintiff's automobile was bent, broken, damaged and otherwise destroyed and he was caused to lose the use of said automobile from the date of said accident to the date of the filing of this Bill of complaint, all as a proximate consequence of the said willful and wanton act on the part of the Defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant, J. W. Crawley, Jr., to the damage of the Plaintiff in the aforesaid amount, hence this suit.

/s/ Ernest M. Bailey.
Attorney for Plaintiff

PLAINTIFF DEMANDS A TRIAL BY JURY:

/s/ Ernest M. Bailey
Attorney for Plaintiff.

STATE OF ALABAMA

COUNTY OF MOBILE

KNOW ALL MEN BY THESE PRESENTS, That John W. Crawley and J. N. Crawley, Jr., as principals, and the United States Fidelity & Guaranty Company, a corporation, of Baltimore, Maryland, as surety, are held and firmly bound unto Prince E. Griffin, individually and d/b/a Fairhope Taxi Company, in the penal sum of Five Hundred and no/100 (\$500.00) Dollars, payment whereof well and truly to be made unto the said Prince E. Griffin, individually and d/b/a Fairhope Taxi Company, his heirs and assigns, we bind ourselves, our successors, assigns and representatives jointly and severally firmly by these presents, yet upon these conditions the said John W. Crawley and J. N. Crawley, Jr., are the petitioners in the United States District Court for the Southern District of Alabama, Southern Division, for the removal of a certain cause pending in the Circuit Court of Baldwin County, Alabama, wherein Prince E. Griffin, individually and d/b/a Fairhope Taxi Company, is the plaintiff and John W. Crawley and J. N. Crawley, Jr., are the defendants;

NOW if the said John W. Crawley and J. N. Crawley, Jr., will pay all costs and disbursements incurred by reason of the removal of said cause should it be determined that the case was not removable or was improperly removed, then this obligation to be void, otherwise in full force and effect.

IN WITNESS WHEREOF, John W. Crawley and J. N. Crawley, Jr., have hereunto set their hands and seals on this 24th day of March, 1955, and the United States Fidelity & Guaranty Company has hereunto caused this bond to be signed by Bertha L. Bass, its duly appointed and acting attorney in fact this the 24th day of March, 1955.

John W. Crawley
John W. Crawley

J. N. Crawley, Jr.
J. N. Crawley, Jr.

UNITED STATES FIDELITY &
GUARANTY COMPANY, A Corp.

By: Bertha L. Bass
Attorney-in-fact.

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

PRINCE E. GRIFFIN, Individually, and)
d/b/a Fairhope Taxi Company,
Plaintiff)


-vs-

TO THE HONORABLE ERNEST
M. BAILEY.

JOHN W. CRAWLEY, Individually and)
J. W. CRAWLEY, JR., Individually)
Defendants.)

Please take notice that the undersigned, as attorneys for the Defendants in the above entitled cause, have this day filed a petition and bond in the United States District Court for the Southern District of Alabama, Southern Division, petitioning that Court to remove from the Circuit Court of Baldwin County, Alabama, to the United States District Court for the Southern District of Alabama, Southern Division, that certain cause wherein Prince E. Griffin, individually and d/b/a Fairhope Taxi Company, is the plaintiff, and John W. Crawley and J. W. Crawley, Jr., are the defendants.

The notice herein given is in compliance with Title 28, U. S. C. A. Paragraph 1446.


ATTORNEY FOR PETITIONERS.
517 First National Bank Bldg.,
Mobile, Alabama.

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

PRINCE E. GRIFFIN, Individually,)
and d/b/a Fairhope Taxi Company,)
Plaintiff)

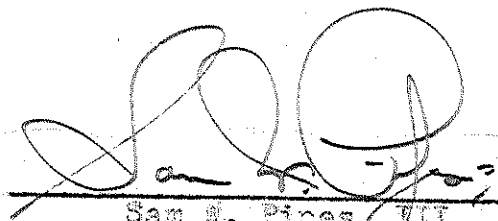
-vs-

JOHN W. CRAWLEY, Individually and)
J. N. CRAWLEY, JR., Individually.)
Defendants.)

C E R T I F I C A T E.

I, Sam W. Pipes, III, one of the attorneys for the Defendants in the above entitled cause, do hereby certify that I have this 25th day of March, 1955, served a copy of the petition and bond for removal of the above entitled cause from the Circuit Court of Baldwin County, Alabama, to the United States District Court for the Southern District of Alabama, Southern Division, upon Ernest M. Bailey, the attorney of record for the plaintiff, by mailing a copy of said petition and bond, postage prepaid, registered mail, return receipt requested, to the said Ernest M. Bailey at Fairhope, Alabama;

And I further certify that I have this 25th day of March, 1955, served a copy of the petition and bond with the clerk of the Circuit Court of Baldwin County, Alabama, by mailing a copy of said petition and bond to the Clerk of said court, postage prepaid, registered mail, return receipt requested, at Bay Minette, Alabama.



Sam W. Pipes, III.

Prince E. Griffin, Individually, and
d/b/a/ Fairhope Taxi Company - Plaintiff

VS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

J. N. Crawley, Jr., individually - Defendant

CASE NO. 2551

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

I, Mary Texas Hurt, Secretary of State, hereby certify that on March 7, 1955,
I sent by registered mail in an envelope addressed as follows:

" J. N. Crawley, Jr.
Route "A"
Perkinston, Mississippi"

"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:

" J. N. Crawley, Jr.
Route "A"
Perkinston, Mississippi

You will take notice that on March 7, 1955, the Sheriff of
Montgomery County, Alabama, served upon me, in my official
capacity, summons and complaint in a case entitled:
Prince E. Griffin, Individually and d/b/a/ Fairhope Taxi Company,
Plaintiff VS J. N. Crawley, Jr., individually, Defendant,

in the Circuit Court of Baldwin County, Alabama at Law,
Case No. 2551 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 7th day of March 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 March 11, 1955 I received the return card,
showing receipt by the designated addressee of the aforementioned matter
at Perkinston, Mississippi on March 9, 1955.

WITNESS MY HAND and the Great Seal of the State of Alabama this the 11 day
of March 1955.


Mary Texas Hurt
Secretary of State

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

cc: Honorable Ernest M. Bailey, Attorney
Fairhope, Alabama

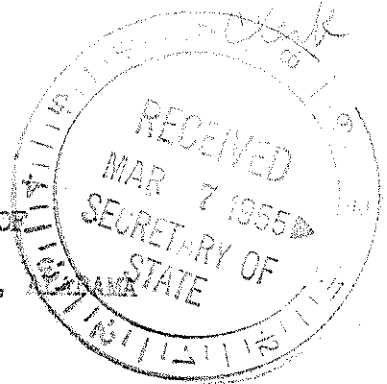
STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

TO ANY SHERIFF OF THE STATE OF ALABAMA:



You are hereby commanded to summon JOHN W. CRAWLEY, individually, and J. N. CRAWLEY, Jr., individually, to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against JOHN W. CRAWLEY, individually, and J. N. CRAWLEY, Jr., individually, Defendants, by PRINCE E. GRIFFIN, individually, and d/b/a Fairhope Taxi Company, Plaintiff.

Witness my hand this 3rd day of March, 1955.

Prince E. Griffin, Clerk.

John W. Crawley lives at Lucedale, Miss.
and J. N. Crawley, Jr. lives Route A,
Perkinston, Mississippi.

PRINCE E. GRIFFIN, individually, and
d/b/a Fairhope Taxi Company

Plaintiff

-vs-

JOHN W. CRAWLEY, individually, and
J. N. CRAWLEY, Jr., individually

Defendants

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

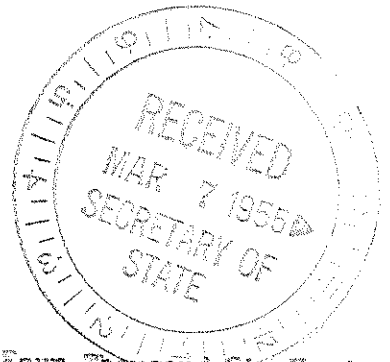
Case No. _____

COUNT ONE


The Plaintiff claims of the Defendants the sum of Four Thousand Six Hundred (\$4,600.00) Dollars as damages, for that heretofore and on to-wit: the 12th day of March, 1954, the Defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant, J. N. Crawley, Jr., did so negligently operate a truck in a Southernly direction on Church Street at to-wit: a point where Church Street intersects with White Avenue, in the City of Fairhope, Baldwin County, Alabama, said road or street being a public road or street in the County of Baldwin, State of Alabama, as to cause said truck to collide with, run over, upon or against an automobile owned and operated by the Plaintiff, and as a direct and proximate consequence of said negligence of said Defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant, J. N. Crawley, Jr., the Plaintiff's automobile was bent, broken, damaged and otherwise destroyed and he was caused to lose the use of said automobile from the date of said accident to the date of the filing of this Bill of Complaint, all as a proximate consequence of the said negligence of the Defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant, J. N. Crawley, Jr., to the damage of the Plaintiff in the aforesaid

amount, hence this suit.


COUNT TWO



The Plaintiff claims of the Defendants the sum of Four Thousand Six Hundred (\$4,600.00) Dollars as damages, for that heretofore and on to-wit: the 12th day of March, 1954, the Defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant, J. M. Crawley, Jr., while driving a truck in a Southernly direction on a public road or street commonly known as Church Street, said public road or street being in the County of Baldwin, State of Alabama, at to-wit: a point where Church Street intersects with White Avenue in the City of Fairhope, Baldwin County, Alabama, did willfully or wantonly drive said truck over, upon or against an automobile then and there owned and operated by the Plaintiff, and as a direct and proximate consequence of the said willful and wanton act on the part of the Defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant J. M. Crawley, Jr., the Plaintiff's automobile was bent, broken, damaged and otherwise destroyed and he was caused to lose the use of said automobile from the date of said accident to the date of the filing of this Bill of Complaint, all as a proximate consequence of the said willful and wanton act on the part of the Defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant J. M. Crawley, Jr., to the damage of the Plaintiff in the aforesaid amount, hence this suit.


Attorney for Plaintiff

PLAINTIFF DEMANDS TRIAL BY JURY:


Attorney for Plaintiff

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

CHARLES E. CHETTLER, A Minor, by)
his next of kin, Thelma L. Chettle,)
Plaintiff)

-vs-

JOHN W. CRAWLEY, Individually and)
J. N. CRAWLEY, JR., Individually.)
Defendants.)

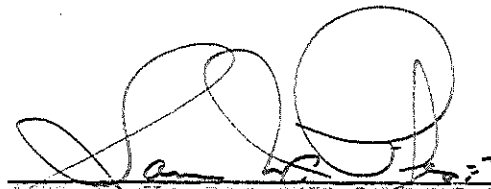
TO THE HONORABLE ALICE
J. DUCK, CLERK OF THE
CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

Please take notice that the undersigned, as attorney
for the Defendants in the above entitled cause, has this day
filed a petition and bond in the United States District Court
for the Southern District of Alabama, Southern Division,
petitioning that Court to remove from the Circuit Court of
Baldwin County, Alabama, to the United States District Court
for the Southern District of Alabama, Southern Division,
that certain cause wherein Charles E. Chettle, a minor, by
his next of kin, Thelma L. Chettle is Plaintiff and John W.
Crawley and J. N. Crawley, Jr., are the defendants, and
that the petition and bond constitutes a removal of said
cause of action from the Circuit Court of Baldwin County,
Alabama, to the United States District Court for the Southern
District of Alabama, Southern Division.

FILED

3-3-55

ALICE J. DUCK, Clerk



ATTORNEYS FOR THE DEFENDANTS,
JOHN W. CRAWLEY AND J. N.
CRAWLEY, JR.

STATE OF ALABAMA

BALDWIN COUNTY

AFFIDAVIT

Re: Prince E. Griffin, individually,
and d/b/a Fairhope Taxi Company
-vs- John W. Crawley, individually,
and J. N. Crawley, Jr., individually.

Ernest M. Bailey, being duly sworn, says that he is attorney for the Plaintiff in the above stated cause; that the provisions Title 7, Section 199 (1), Code of Alabama, 1940, as amended, are applicable to this case as the Defendants are non-residents of the State of Alabama and were such non-residents at the time of the accident, out of which this cause arises; that the Defendants were operating, at the time of the accident, a vehicle on the public streets in the State of Alabama; that the last known residence and Post office addresses of the non-residents were as follows:

John W. Crawley
Lucedale, Mississippi

J. N. Crawley, Jr.
Route "A"
Perkinston, Mississippi

Sworn to and subscribed before me on
this 2nd day of March, 1955.


Notary Public

FILED

mar. 2, 1955

ALICE L. DICK, Clerk

Ernest M. Bailey

STATE OF ALABAMA
BALDWIN COUNTY

Q
Q

CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon JOHN W. CRAWLEY, individually, and J. N. CRAWLEY, Jr., individually, to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against JOHN W. CRAWLEY, individually, and J. N. CRAWLEY, Jr., individually, Defendants, by PRINCE E. GRIFFIN, individually, and d/b/a Fairhope Taxi Company, Plaintiff.

Witness my hand this 3rd day of March, 1955.

Alice J. Drake, Clerk.

John W. Crawley lives Lucedale, Miss.
and J. N. Crawley, Jr. lives Rt. "A"
Perkinston, Mississippi.

PRINCE E. GRIFFIN, individually, and Q
d/b/a Fairhope Taxi Company, Q
Plaintiff Q

-vs-

JOHN W. CRAWLEY, individually, and Q
J. N. CRAWLEY, Jr., individually, Q
Defendants Q

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

Case No. _____

COUNT ONE

The Plaintiff claims of the Defendants the sum of Four Thousand Six Hundred (\$4,600.00) Dollars as damages, for that theretofore and on to-wit: the 12th day of March, 1954, the Defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant, J. N. Crawley, Jr., did so negligently operate a truck in a Southernly direction of Church Street at to-wit: a point where Church Street intersects with White Avenue, in the City of Fairhope, Baldwin County, Alabama, said road or street being a public road or street in the County of Baldwin, State of Alabama, as to cause said truck to collide with, run over, upon or against an automobile owned and operated by the Plaintiff, and as a direct and proximate consequence of said negligence of said Defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant, J.N.Crawley, Jr., the Plaintiff's automobile was bent, broken, damaged and otherwise destroyed and he was caused to lose the use of said automobile from the date of said accident to the date of the filing of this Bill of Complaint, all as a proximate consequence of said negligence of the Defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant, J.N.Crawley, Jr., to the damage of the Plaintiff in the aforesaid

amount, hence this suit.

COUNT TWO

The Plaintiff claims of the Defendants the sum of Four Thousand Six Hundred (\$4,600.00) Dollars as damages, for that heretofore and on to-wit: the 12th day of March, 1954, the Defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant, J. N. Crawley, Jr., while driving a truck in a Southernly direction on a public road or street commonly known as Church Street, said public road or street being in the County of Baldwin, State of Alabama, at to-wit: a point where Church Street intersects with White Avenue in the City of Fairhope, Baldwin County, Alabama, did willfully or wantonly drive said truck over, upon or against an automobile then and there owned and operated by the Plaintiff, and as a direct and proximate consequence of the said willful and wanton act on the part of the Defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant J. N. Crawley, Jr., the Plaintiff's automobile was bent, broken, damaged and otherwise destroyed and he was caused to lose the use of said automobile from the date of said accident to the date of the filing of this Bill of Complaint, all as a proximate consequence of the said willful and wanton act on the part of the Defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant J. N. Crawley, Jr., to the damage of the Plaintiff in the aforesaid amount, hence this suit.

PLAINTIFF DEMANDS TRIAL BY JURY:

Ernest M. Bailey
Attorney for Plaintiff

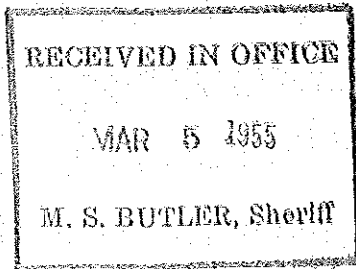
Ernest M. Bailey
Attorney for Plaintiff

FILED

March 2, 1955

ALICE I. BUCK, Clerk

312
Received in Sheriff's Office
this 3 day of MAR 1955
TAYLOR WILKINS, Sheriff



to Court

EXECUTED BY SERVING *6*
COPY OF THE WITHIN

M. J. Nurt
Sec. of State of
State of Ala.

3-7-55

M. S. Butler
Sheriff Montgomery County
By *Mathis*
Deputy Sheriff

702551

BILL OF COMPLAINT

RECORDED

PRINCE E. GRIFFIN, individually, and
d/b/a Fairhope Taxi Company
Plaintiff

-VS-

JOHN W. CRAWLEY, individually, and
J. N. CRAWLEY, Jr., individually
Defendants

FILED
MAR 2 1955
ALICE J. DECK, Register

ERNEST M. BAILEY
ATTORNEY AT LAW
FAIRHOPE, ALABAMA

CHARLES E. CHETTLE, a minor)		
suing by his mother and next	)	IN THE CIRCUIT COURT OF	
friend, Thelma L. Chettle,	)	BALDWIN COUNTY, ALABAMA	
Plaintiff,	)	AT LAW	NO. 2552
VS.)		
JOHN W. CRAWLEY, ET AL,)		
Defendants.)		

ORDER APPOINTING PHYSICIAN TO EXAMINE PLAINTIFF

On motion of the defendant, Prince E. Griffin, individually and doing business as Fairhope Taxi Company, and with the consent of the plaintiff, a disinterested physician, Dr. Hugo Rizzoli, 1150 Connecticut Avenue, N. W., Washington, D. C., is hereby appointed to examine the plaintiff in this cause.

The charges of the said physician in making the said examination shall be paid by the said defendant, and if not so paid by him shall be taxed against him as a part of the costs of this proceeding.

DONE on this the 24th day of July, 1958.

Hubert M. Hall
Judge

FILED
JUL 24 1958
CLERK OF COURT

NO. 2552

ALABAMA

IN THE CIRCUIT COURT OF

JOHN W. CRAWLEY, ET AL,

CHARLES E. CHETTLE, a minor
suing by his mother and next
friend, Thelma L. Chettle,

FILED
JUL 24 1958
CLERK OF COURT

ORDER APPOINTING PHYSICIAN TO
EXAMINE PLAINTIFF

CHARLES E. CHETTLE, a minor suing
by his mother and next friend,
Thelma L. Chettle,

Plaintiff,

VS.

JOHN W. CRAWLEY, ET AL,

Defendants.

RECORDED

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 2552

FILED

JUL 24 1958

ALICE J. DUCK, Clerk

BY THE COURT: WHEREAS the Court has been informed by the
Plaintiff that the Defendant has been suffering from a
mental condition and is unable to manage his affairs;
AND WHEREAS the Court has been informed by the
Plaintiff that the Defendant has been suffering from a
mental condition and is unable to manage his affairs;
AND WHEREAS the Court has been informed by the
Plaintiff that the Defendant has been suffering from a
mental condition and is unable to manage his affairs;

JOHN W. CRAWLEY, ET AL,

VS.

CHARLES E. CHETTLE, a minor suing
by his mother and next friend,
Thelma L. Chettle,

Plaintiff,

VS.

JOHN W. CRAWLEY, ET AL,

Defendants.

Charles E. Chettle, a minor, by his next of
kin, Thelma L. Chettle - Plaintiff

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA AT
LAW

VS

J. N. Crawley, Jr., individually - Defendant

CASE NO. 2552

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

I, Mary Texas Hurt, Secretary of State, hereby certify that on March 7, 1955,
I sent by registered mail in an envelope addressed as follows:

"J. N. Crawley, Jr.
Route "A"
Perkinston, Mississippi"

"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:

"J. N. Crawley, Jr.
Route "A"
Perkinston, Mississippi

You will take notice that on March 7, 1955, the Sheriff of
Montgomery County, Alabama, served upon me, in my official
capacity, summons and complaint in a case entitled:
Charles E. Chettle, a minor, by his next of kin, Thelma L.
Chettle, Plaintiff VS J. N. Crawley, Jr., individually,
Defendant,
in the Circuit Court of Baldwin County, Alabama at Law,
Case No. 2552 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 7th day of March 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.

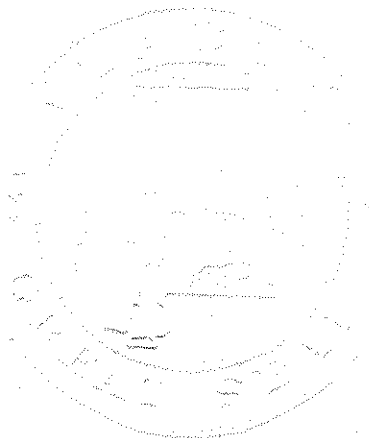
I further certify that on March 11, 1955, I received the return card,
showing receipt by the designated addressee of the aforementioned matter
at Perkinston, Mississippi on March 9, 1955.

WITNESS MY HAND and the Great Seal of the State of Alabama this the 11th day
of March 1955.


Mary Texas Hurt
Secretary of State

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

cc: Honorable Ernest M. Bailey, Attorney
Fairhope, Alabama

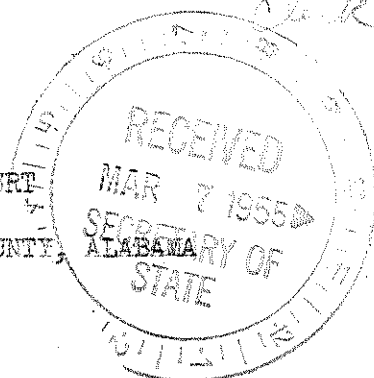


STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

BALDWIN COUNTY,



TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon JOHN W. CRAWLEY, individually, and J. N. CRAWLEY, Jr., individually, to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against JOHN W. CRAWLEY, individually, and J. N. CRAWLEY, Jr., individually, Defendants, by CHARLES E. CHETTLER, a minor, by his next of kin, THELMA L. CHETTLER, Plaintiff.

Witness my hand this 3rd day of March, 1955.

Alice J. Houch, Clerk

John W. Crawley lives at Lucedale, Miss.
J. N. Crawley, Jr. lives Rt. A,
Perkingston, Mississippi.

CHARLES E. CHETTLER, a minor, by
his next of kin, Thelma L. Chettler
Plaintiff

-vs-

JOHN W. CRAWLEY, individually, and
J. N. CRAWLEY, Jr., individually
Defendants

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

Case No. _____

COUNT ONE

The Plaintiff claims of the Defendants the sum of Seventy-Five Thousand Dollars (\$75,000.00) as damages, for that heretofore and on to-wit: the 12th day of March, 1954, the Defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant J. N. Crawley, Jr., of Perkingston, Mississippi, did so negligently operate a truck in a southerly direction on Church Street at to-wit a point where Church Street intersects with White Avenue, in the City of Fairhope, Baldwin County, Alabama, said roads or streets being a public road or street in the County of Baldwin, State of Alabama, as to cause said truck to collide with, run over, upon or against an automobile in which the Plaintiff was riding and had a right to be, and as a direct and proximate consequence of said negligence of said Defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant J. N. Crawley, Jr., of Perkingston, Mississippi, the Plaintiff was injured and damaged, in that he received acute shock; acute concussion of the brain; was caused to suffer severe headaches and dizziness; was caused to suffer permanent dizziness seizures; was made sick and sore and to suffer great physical and mental pain and anguish; was made to suffer

RECEIVED
MAR 7 1955
STATE OF MISSISSIPPI
great physical and mental pain and anguish; was made to suffer permanent physical and mental pain and anguish; to incur great hospital bills, medicine bills, doctor bills and nurses' bills; was caused to expend great sums of money for the care and cure of said above injuries, all as a proximate consequence of the said negligence of the Defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant, J. W. Crawley, Jr. of Perkinston, Mississippi, hence this suit.

COUNT TWO

The Plaintiff claims of the Defendant the sum of Seventy-Five Thousand (\$75,000.00) Dollars as damages, for that heretofore and on to-wit: the 12th day of March, 1954, the Defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant J. W. Crawley, Jr. of Perkinston, Mississippi, while driving a truck in a Southernly direction on a public road or street commonly known as Church Street, said public road or street being in the County of Baldwin, State of Alabama, at to-wit: a point where Church Street intersects with White Avenue in the City of Fairhope, Baldwin County, Alabama, did willfully or wantonly drive said truck over, upon or against an automobile in which the Plaintiff was riding and had a right to be, and as a direct and proximate consequence of the said willful and wanton act on the part of the Defendant John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant J. W. Crawley, Jr., of Perkinston, Mississippi, the Plaintiff was injured and damaged, in that he received acute shock; acute concussion of the brain; was caused to suffer severe headaches and dizziness seizures; was made sick and sore and to suffer great physical and mental pain and anguish; was made to suffer permanent physical and mental pain and anguish; to incur great hospital bills, medicine bills, doctor bills and nurses' bills; was caused to expend great sums of money for the care and cure of said injuries, all as a proximate consequence of the said willful and wanton act on the part of the Defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant, J. W. Crawley, Jr. of Perkinston, Mississippi, hence this suit.

Emmett B. Bailey
Attorney for Plaintiff

PLAINTIFF DEMANDS TRIAL BY JURY:

Emmett B. Bailey

UNITED STATES DISTRICT COURT

OFFICE OF THE CLERK
SOUTHERN DISTRICT OF ALABAMA
MOBILE 10, ALABAMA

WILLIAM J. O'CONNOR
CLERK

September 12, 1956

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

Re: Charles E. Chettle, a minor,
by his next of kin, Thelma
L. Chettle, Vs. John W.
Crawley, et al.

Dear Mrs. Duck:

On August 29, 1956 Judge Thomas entered an order remanding the above-styled matter to your court. Accordingly, I enclose a certified transcript of the pleadings and proceedings had since it was removed from the Circuit Court to this Court. It would be appreciated if you will acknowledge its receipt.

With best wishes, I am

Sincerely yours,

William J. O'Connor
William J. O'Connor,
Clerk.

Resard Regards To You.
WJ

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

CHARLES E. CHESTER, a minor
suing by his mother and next
friend, WILLIAM L. CHESTER,

Plaintiff,

VERSUS

JOHN W. CRAWLEY, J. H. CRAWLEY,
and PRINCE E. GRIFFIN, individually
and doing business as FAIRHOPE TAXI
COMPANY, jointly and severally,

Defendants.

CIVIL ACTION NO. 1463.

This cause comes on to be heard in open Court on the motion
of the Defendants, PRINCE E. GRIFFIN, individually and doing busi-
ness as FAIRHOPE TAX COMPANY, jointly and severally, to dismiss the
action insofar as it applies to them, and

After being considered by the Court,

IT IS ORDERED by the Court that due to the fact that the Court
has heretofore entered an order remanding this case to the Circuit
Court of Baldwin County, Alabama, the necessity of a ruling of this
Court on the Defendants' motion to dismiss this action is hereby
eliminated.

Made at Mobile, Alabama, this the 29th day of August A. D.,
1956.

Daniel H. Thomas

UNITED STATES DISTRICT JUDGE.

U. S. DISTRICT COURT
SOU. DIST. ALA.

FILED AND ENTERED THIS THE

29 DAY OF August

1956, MINUTE ENTRY

NO. 2390

WILLIAM J. O'CONNOR, CLERK

BY Lillian J. O'Connor
DEPUTY CLERK

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

CHARLES E. CHITTIL, a minor
suing by his mother and next
friend, THOMAS E. CHITTIL,

Plaintiff,

VERSUS

JOHN V. CRAWLEY, J. H. CRAWLEY,
and PRINCE E. GRIFFIN, individually
and doing business as FAIRHOPE TAXI
COMPANY, jointly and severally,

Defendants.

CIVIL ACTION NO. 1163.

ORDER GRANTING MOTION
TO REMAND.

This cause having come on for hearing on the motion of Plaintiff to remand to the Circuit Court of Baldwin County, Alabama, and the Court having considered the pleadings in support of the said motion, and having heard the argument of counsel, and being fully advised, and it appearing to the Court that this cause ought to be so remanded, in that the controversy therein is not now wholly between citizens of different states, the Defendant, Prince E. Griffin, individually and doing business as Fairhope Taxi Company, being a citizen of the State of Alabama, the same state as that of which Plaintiff is a citizen;

IT IS ORDERED that the Plaintiff's motion be, and the same hereby is, GRANTED, and that this cause be remanded to the Circuit Court of Baldwin County, Alabama; and that a certified copy of this order be mailed by the Clerk of this Court to the Clerk of the Circuit Court of Baldwin County, Alabama.

Made at Mobile, Alabama, this the ^{29th} day of August A. D. 1956.

U. S. DISTRICT COURT
SOU. DIST. ALA.

Daniel H. Thomas
UNITED STATES DISTRICT JUDGE.

FILED AND ENTERED THIS THE

29 DAY OF August,

1956, MINUTE ENTRY

NO. 2389

WILLIAM J. O'CONNOR, CLERK

BY Lillian J. Osborn
DEPUTY CLERK

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

CHARLES E. CHETTLER, a minor X
suing by his mother and next X
friend, THELMA L. CHETTLER, X
Plaintiff X

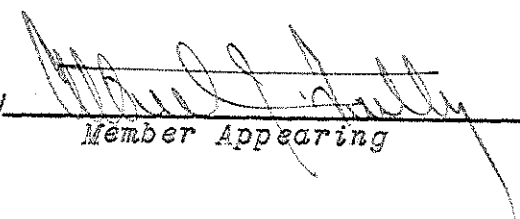
vs. X CIVIL ACTION NO. 1463

JOHN W. CRAWLEY, J. N. CRAWLEY X
and PRINCE E. GRIFFIN, indi- X
vidually and doing business X
as FAIRHOPE TAXI COMPANY, X
jointly and severally, X
Defendants X

MOTION TO REMAND

Plaintiff moves the Court for an order remanding this cause to the Circuit Court of Baldwin County, Alabama, on the ground that the cause was improperly and improvidently removed and is not within the jurisdiction of this court in that the controversy herein is not wholly between citizens of different states, the Defendant Prince E. Griffin, individually and doing business as Fairhope Taxi Company, being a citizen of the State of Alabama, the same state as that of which Plaintiff is a citizen; all of which more clearly appears in the pleadings in this cause; and Plaintiff further moves that this court shall order the payment by the Defendants John W. Crawley and J. N. Crawley to the Plaintiff of all costs and disbursements incurred by reason of the removal proceedings.

HOLBERG, TULLY & ALDRIDGE
Attorneys for Plaintiff

By 
Member Appearing

Of counsel for Plaintiff:-

Holberg, Tully & Aldridge
631-7 First National Bank Building
Mobile, Alabama

NOTICE OF MOTION

TO J. B. BLACKBURN, ESQ., ATTORNEY FOR DEFENDANTS PRINCE E. GRIFFIN,
INDIVIDUALLY AND DOING BUSINESS AS FAIRHOPE TAXI COMPANY:-

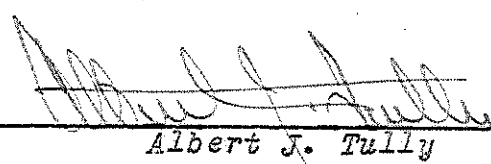
TO SAM W. PIPES, ESQ., ATTORNEY FOR DEFENDANTS JOHN W. CRAWLEY AND
J. N. CRAWLEY, JR.:-

Please take notice that the undersigned will bring the above motion on for hearing before this Court at the place of the holding of such Court on the 4th day of September, 1956, at 10:00 A.M., or as soon thereafter as counsel may be heard.

Dated this 22nd day of August, 1956.


Albert J. Tully, of counsel for Plaintiff

I, Albert J. Tully, of counsel of record for Plaintiff in the foregoing cause, do hereby certify that a copy of the above and foregoing motion and notice of motion was served upon J. B. Blackburn, Esq., counsel of record for Defendant Prince E. Griffin, individually and doing business as Fairhope Taxi Company, by mailing a copy thereof to his office at Bay Minette, Alabama, with postage pre-paid in the correct amount, and that a copy of the above and foregoing motion and notice was served upon Sam W. Pipes, Esq., counsel of record for the defendants John W. Crawley and J. N. Crawley, Jr., by lodging a copy thereof at his office in the First National Bank Building, Mobile, Alabama, this the 22nd day of August, 1956.


Albert J. Tully

U. S. DISTRICT COURT
SOU. DIST. ALA.
FILED IN CLERK'S OFFICE

AUG 22 1956

WILLIAM J. O'CONNOR
CLERK

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

CHARLES E. CHETTEL, a minor suing
by his mother and next friend,
THERMA L. CHETTEL,

Plaintiff,

VS.

CIVIL ACTION NO. 1463

JOHN W. CRAWLEY, J. N. CRAWLEY
and PRINCE E. GRIFFIN, individ-
ually and doing business as
FAIRHOPE TAXI COMPANY, jointly
and severally,

Defendants.

MOTION TO DISMISS

Now come Prince E. Griffin, individually, and doing
business as Fairhope Taxi Company, jointly and severally, two of
the defendants in the above entitled action, and move to dismiss
this action in so far as it applies to them because it appears upon
the face of the complaint that the court lacks jurisdiction of these
said defendants, because it affirmatively appears that the plain-
tiff and these said defendants are all residents of Alabama and
that these said defendants are not indispensable parties to this
action.

J. B. Blackburn
Attorney for defendants named above
Bay Minette, Alabama

NOTICE OF MOTION

TO H. M. ALDRIDGE, ATTORNEY FOR PLAINTIFF:

Please take notice that the undersigned will bring the
above motion on for hearing before this court at the place of hold-
ing same on the 15th day of August, 1956, at ten
o'clock in the forenoon of that day, or as soon thereafter as court
can be heard.

Dated this 14th day of August, 1956.

J. B. Blackburn
Attorney for defendants named
above
Bay Minette, Alabama

Prince S. Griffin, individually, and doing business as
Fairhope Taxi Company, jointly and severally, demand a jury trial
of this cause.

J. B. Blackburn
Attorney for Defendants named above,
Bay Minette, Alabama.

U. S. DISTRICT COURT
SOU. DIST. ALA.
FILED IN CLERK'S OFFICE

AUG 8 1965

WILLIAM J. O'CONNOR
CLERK

United States District Court

RECEIVED
C-968
JUL 19 1956
E
U.S. MARSHAL
Mobile, Ala.

FOR THE

SOUTHERN DISTRICT OF ALABAMA

SOUTHERN DIVISION

CIVIL ACTION FILE NO. 1463.

CHARLES E. CHETTLE, a minor suing by his mother
and next friend, THELMA L. CHETTLE,

Plaintiff

v.

SUMMONS

JOHN W. CRAWLEY, J. N. CRAWLEY, and PRINCE E.
GRIFFIN, individually and doing business as
FAIRHOPE TAXI COMPANY, jointly and severally,

Defendant s.

To the above named Defendant :PRINCE E. GRIFFIN, individually and doing business
as FAIRHOPE TAXI COMPANY, 233 Fairhope Avenue,
You are hereby summoned and required to serve upon Fairhope, Alabama.

HONORABLE H. M. ALDRIDGE, ATTORNEY,
HOLBERG, TULLY & ALDRIDGE,

plaintiff's attorney , whose address is:

631-6 FIRST NATIONAL BANK BUILDING,
MOBILE, ALABAMA;

amended

an answer to the/complaint which is herewith served upon you, within 20 days after service
(TWENTY)

of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default

will be taken against you for the relief demanded in the complaint.

WILLIAM J. O'CONNOR.

Clerk of Court.

s/ Minnie Pearl Cox (SEAL)

Deputy Clerk.

Date: July 19, 1956.

[Seal of Court]

RETURN ON SERVICE OF WRIT

I hereby certify and return, that on the 19th day of July 1956 ,

I received this summons and served it together with the complaint herein as follows:

Endeavor at his Standard Filling station in Fairhope July 20, 1956, and on same date completed service by handing to him in hand copy of summons and complaint at his Standard Filling station in Robertsedale, Alabama.

19 mi
12
27
58 mi MARSHAL'S FEES
Travel \$5.80
Service 2.00
\$7.80
J L MAY
United States Marshal.
By Deputy United States Marshal.

Subscribed and sworn to before me, a
day of , 19
[SEAL]
U.S.DISTRICT COURT
SOU.DIST.ALA.
FILED IN CLERK'S OFFICE
JUL 23 1956
WILLIAM J. O'CONNOR CLERK

Note.—Affidavit required only if service is made by a person other than a United States Marshal or his Deputy.

No.	United States District Court FOR THE	SUMMONS IN CIVIL ACTION	Returnable not later than after service.	Attorney for Plaintiff. FPI-LK-9-27-54-160M-1393
			days	

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

CHARLES E. CHETTLER, a minor
suing by his mother and next
friend, THELMA L. CHETTLER,

Plaintiff,

-vs-

JOHN W. CRAWLEY, J. N. CRAWLEY,
and PRINCE E. GRIFFIN, individually
and doing business as FAIRHOPE TAXI
COMPANY, jointly and severally,

Defendants.

CIVIL ACTION
NO. 1463.

ORDER ON MOTIONS, ETC.

This cause having been set down for hearing on this date, came on to be heard on motion of plaintiff to enter upon the records the appearance of H. M. Aldridge as his attorney of record in this cause, and upon plaintiff's motion for leave to amend the original complaint herein by making Prince E. Griffin, individually and doing business as Fairhope Taxi Company, a party-defendant, and directing the issuance of service of process upon him, and for leave to amend the complaint as set out in the proposed amended complaint incorporated in plaintiff's motion. The Court having considered said motions and being of the opinion that each motion should be granted, it is therefore

ORDERED and ADJUDGED that plaintiff's motion to enter the name of H. M. Aldridge as his attorney of record herein be, and it hereby is, GRANTED.

FURTHER ORDERED and ADJUDGED that plaintiff's motion to amend the complaint and to add PRINCE E. GRIFFIN, individually and doing business as FAIRHOPE TAXI COMPANY as a party-defendant is hereby GRANTED, and the Clerk is directed to issue proper summons for service on the said defendant, together with a copy of the amended complaint and of this order.

DONE at Mobile, Alabama, this the 17th day of July, 1956.

U.S.DISTRICT COURT SOU.DIST.ALA.
FILED AND ENTERED THIS THE 17 DAY
OF JULY, 1956
MINUTE ENTRY NO. 2286
WILLIAM J. O'CONNOR, CLERK
BY JOHN V. O'BRIEN DEPUTY CLERK

DANIEL H. THOMAS
UNITED STATES DISTRICT JUDGE.

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

CHARLES E. CHETTLER, a minor
suing by his mother and next
friend, THELMA L. CHETTLER,

Plaintiff,

-vs-

JOHN W. CRAWLEY, J. N. CRAWLEY,
and PRINCE E. GRIFFIN, individually
and doing business as FAIRHOPE TAXI
COMPANY, jointly and severally,

Defendants.

CIVIL ACTION NO. 1463

MOTION FOR LEAVE TO ENTER
APPEARANCE AS ATTORNEYS
FOR PLAINTIFF, TO AMEND
COMPLAINT, AND TO ADD DE-
FENDANT.

Now comes Plaintiff in the above-entitled cause and respectfully moves this Court for leave to enter upon the records of said Court the appearance of H. M. ALDRIDGE, ESQ., a practicing attorney admitted to practice before this Court, as his attorney of record in this said cause; and for leave to amend the original Complaint previously filed by him in said cause by making PRINCE E. GRIFFIN, individually and doing business as FAIRHOPE TAXI COMPANY, a party-defendant herein, and directing the issuance of service of process upon him, the said PRINCE E. GRIFFIN; the said PRINCE E. GRIFFIN subject to the jurisdiction of this Court, both as to service of process and venue, who can be made a party-defendant without depriving the Court of jurisdiction, upon the allegations hereinafter set forth.

Plaintiff also respectfully moves the Court for leave to amend the original Complaint in said cause so that the same shall read as follows:

1. Plaintiff and the Defendant, PRINCE E. GRIFFIN, are citizens of the State of Alabama and the Defendants, JOHN W. CRAWLEY and J. N. CRAWLEY, JR. are citizens of the State of Mississippi. The matter in controversy exceeds, exclusive of interests and costs, the sum of THREE THOUSAND and NO/100 (\$3,000.00) DOLLARS.

2. That, on, to-wit, March 12, 1954, in a public highway called CHURCH STREET, at a point where the said CHURCH STREET intersects a public highway called WHITE AVENUE, in the City of Fairhope, County of Baldwin, Alabama, the Defendant, JOHN W. CRAWLEY negligently drove or caused to be driven a motor vehicle in, upon and against a motor vehicle which Plaintiff was then and there riding in and along the said WHITE AVENUE.

3. Plaintiff further alleges that at the time and place described in Paragraph 2, the Defendant, J. N. CRAWLEY, JR., acting by and through an agent, servant or employee, who was then and there acting in the line and scope of his authority as such, negligently drove or caused to be driven a motor vehicle into, upon and against a motor vehicle which Plaintiff was then and there riding in and along WHITE AVENUE.

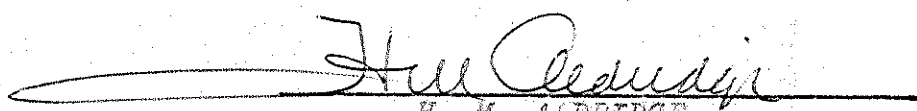
4. Plaintiff further alleges that at the time and place described in Paragraph 2, the Defendant PRINCE E. GRIFFIN who was then and there engaged in the business of a public carrier for hire, and who was acting by and through an agent, servant or employee, then and there acting in the line and scope of his authority as such, negligently drove or caused to be driven or operated a taxicab, the property of the Defendant, wherein Plaintiff was riding as a passenger for hire, so as to cause or allow said taxicab to run into, upon or against a motor vehicle being then and there operated by the Defendant J. N. CRAWLEY, JR.

5. Plaintiff further alleges that at the time and place described in Paragraph 2 Defendant JOHN W. CRAWLEY, or Defendant J. N. CRAWLEY, JR., then and there acting by and through an agent, servant or employee who was then and there acting in the line and scope of his authority as such, or Defendant PRINCE E. GRIFFIN, who was then and there acting by or through an agent, servant or employee who was then and there acting in the line and scope of his employment

as such, or Defendant JOHN W. CRAWLEY, J. N. CRAWLEY, JR. and PRINCE E. GRIFFIN, the latter two Defendants being then and there acting by and through their respective agents, servants or employees, who were then and there acting within the line and scope of their respective employments as such, willfully or recklessly or negligently drove or caused to be driven their respective motor vehicles into collision, the Plaintiff being at said time and place a passenger for hire in the vehicle of PRINCE E. GRIFFIN, a public carrier for hire.

6. As a result Plaintiff was severely injured, both temporarily and permanently, was made sick and sore and caused to suffer great physical and mental pain and anguish; has been required to incur great expense of hospital bills, medical bills, doctors and nurses bills, in and about the treatment of his injuries, and will continue to incur great and substantial expense therefor; all in the total sum of SEVENTY-FIVE THOUSAND and NO/100 (\$75,000.00) DOLLARS.

WHEREFORE, Plaintiff demands judgment against JOHN W. CRAWLEY or against J. N. CRAWLEY, JR. or against PRINCE E. GRIFFIN, or against any two, or all three, of the said Defendants in the full sum of SEVENTY-FIVE THOUSAND and NO/100 (\$75,000.00) DOLLARS.


H. M. ALDRIDGE
631-6 First National Bank Bldg.
Mobile, Alabama

Of counsel:

HOLBERG, TULLY & ALDRIDGE
631-6 First National Bank Bldg.
Mobile, Alabama

Service of process may be had on the Defendant PRINCE E. GRIFFIN individually and doing business as FAIRHOPE TAXI COMPANY, at his place of business at 233 Fairhope Avenue, Fairhope, Alabama.

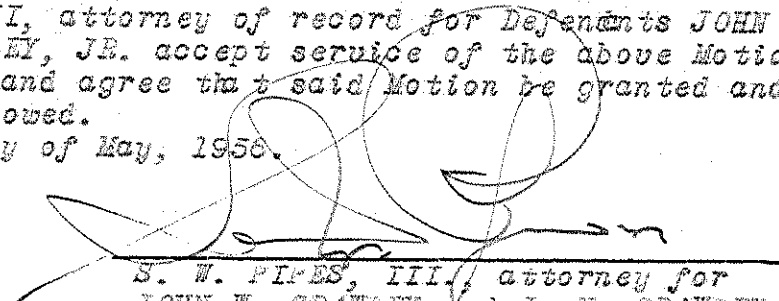
I, S. W. PIPES III, attorney of record for Defendants JOHN W. CRAWLEY and J. N. CRAWLEY, JR. accept service of the above Motion and Amendment, and consent and agree that said Motion be granted and that said Amendment be allowed.

Dated this 3 day of May, 1956.

U. S. DISTRICT COURT
SOU. DIST. ALA.
FILED IN CLERK'S OFFICE

MAY 3 1956

WILLIAM J. O'CONNOR
CLERK


S. W. PIPES, III, attorney for
JOHN W. CRAWLEY and J. N. CRAWLEY, JR.

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

CHARLES E. CHEFFLE, a Minor by
his next kin, THOMAS E. CHEFFLE,
PLAINTIFF.

ES. 1445.

VS.

ANSWER.

JOHN W. CRAWLEY, individually,
and J. W. Crawley, Jr. Individually,

DEFENDANTS.

Come now the defendants and answering the
Plaintiff's first cause of action, entitled Count 1, and
Plaintiff's second cause of action, entitled Count 2, assign
the following defense:

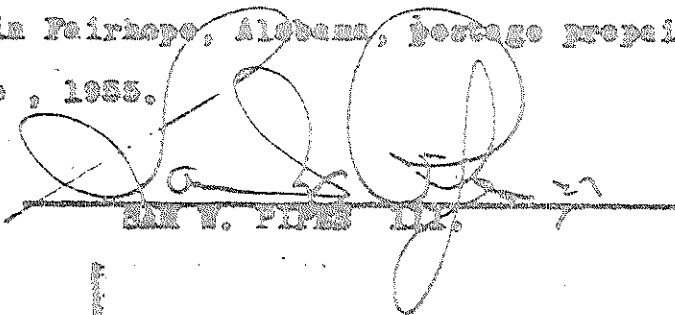
DEFENSE NO. 1.

The defendants deny the allegation of said cause of
action.


ERNEST M. BAILEY


ATTORNEY FOR DEFENDANTS,
517 FIRST NATIONAL BANK BLDG
MOBILE, ALA.

I, Sam W. Pipes III, one of the attorneys of
record for the defendants in the above entitled cause, do hereby
certify that I have served a copy of the above and foregoing
answer on the Hon. Ernest M. Bailey, attorney of record for the
plaintiff by mailing a copy of said answer to the said Ernest
M. Bailey, at his office in Fairhope, Alabama, postage prepaid
this the 13th. day of June, 1955.


SAM W. PIPES III

U. S. DISTRICT COURT
SOU. DIST. ALA.
FILED IN CLERK'S OFFICE

JUN 15 1955

WILLIAM J. O'CONNOR
CLERK

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

CHARLES E. CHETTLE, A Minor, by)	
his next of kin, Thelma L. Chettle,)	
)	
Plaintiff,	)	CIVIL ACTION NO. 1463.
)	
Versus)	
	)	ORDER OVERRULING
JOHN W. CRAWLEY, Individually and	)	DEFENDANTS' MOTION TO
J. N. CRAWLEY, JR., Individually,	)	DISMISS.
)	
Defendants.)	

This cause having come on for hearing on this date on
defendants' motion to dismiss the complaint, and the parties
being represented in open Court through their attorneys of
record, arguments are presented by respective counsel.

Now, after consideration by the Court, it is
ORDERED and ADJUDGED that defendants' motion to dismiss
the complaint be, and it hereby is, OVERRULED.

Done at Mobile, Alabama, this 8th day of June, 1955.

DANIEL H. THOMAS
U. S. DISTRICT JUDGE.

U. S. DISTRICT COURT SOU. DIST. ALA.
FILED AND ENTERED THIS THE 8TH DAY
OF JUNE, 1955 MINUTE ENTRY NO. 943
WILLIAM J. O'CONNOR, CLERK
BY JOHN V. O'BRIEN DEPUTY CLERK

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

SOUTHERN DIVISION

CHARLES E. CHETTLER, a Minor, by his Ø
Next of kin, Thelma L. Chettle, Ø
Plaintiff Ø

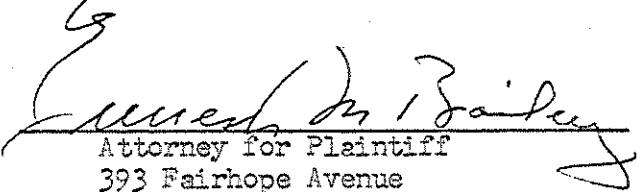
No. 1463

-vs- Ø

DEMAND FOR JURY TRIAL

JOHN W. CRAWLEY, Individually, and Ø
J. N. CRAWLEY, JR., Individually. Ø
Defendants Ø

Comes now the Plaintiff and makes this his demand for a trial by jury in the above styled cause in accordance with Rule 38, Federal Rules of Civil Procedure.


Attorney for Plaintiff
393 Fairhope Avenue
Fairhope, Alabama

I, Ernest M. Bailey, attorney of record for the Plaintiff, do hereby certify that I have served a copy of the above and foregoing demand for jury trial on Sam W. Pipes, III, one of the attorneys of record for the Defendants in the above styled cause, by mailing a copy of said demand to the said Sam W. Pipes, III at his office in Mobile, Alabama, postage prepaid, this the 1st day of April, 1955.


Ernest M. Bailey

U. S. DISTRICT COURT
SOU. DIST. ALA.
FILED IN CLERK'S OFFICE

APR 2 1955

WILLIAM J. O'CONNOR
CLERK

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

CHARLES E. CHETTLE, A Minor, by)
his next of kin, Thelma L. Chettle,)
Plaintiff)

-vs-

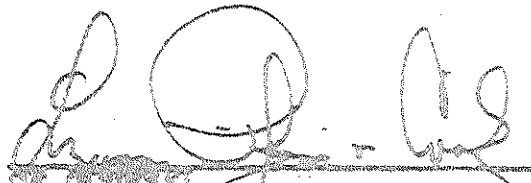
JOHN W. CRAWLEY, Individually and)
J. N. CRAWLEY, JR., Individually.)
Defendants.)

NO. 1463.

MOTION TO DISMISS.

Come now the defendants in the above entitled cause and move to dismiss the plaintiff's cause of action and each and every separate statement thereof on the following separate and several grounds:

1. Said cause of action fails to state facts upon which the relief prayed for can be granted by this Court.


OF COUNSEL
517 First National Bank Bldg.,
Mobile, Alabama.


ATTORNEY FOR THE DEFENDANTS
517 First National Bank Bldg.,
Mobile, Alabama.

I, Sam W. Pipes, III, one of the attorneys of record for the defendants in the above entitled cause, do hereby certify that I have served a copy of the above and foregoing motion to dismiss on the Hon. Ernest M. Bailey, attorney of record for the plaintiff, by mailing a copy of said motion to the said Ernest M. Bailey at his office in Fairhope, Alabama, postage prepaid, this the 26th day of March, 1935.


Sam W. Pipes, III

U. S. DISTRICT COURT
SOU. DIST. ALA.
FILED IN CLERK'S OFFICE

MAR 30 1935

WILLIAM J. O'CONNOR
CLERK

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

* CHARLES E. CHETTLER, A Minor, by
his next of kin, Thelma L. Chettler,
Plaintiff

-vs-

JOHN W. CRAWLEY, Individually and
J. W. CRAWLEY, JR., Individually.
Defendants.

CERTIFICATE

I, Sam W. Pipes, III, one of the attorneys for the Defendants in the above entitled cause, do hereby certify that I have this 24th day of March, 1955, served a copy of the petition and bond for removal of the above entitled cause from the Circuit Court of Baldwin County, Alabama, to the United States District Court for the Southern District of Alabama, Southern Division, upon Ernest M. Bailey, the attorney of record for the plaintiff, by mailing a copy of said petition and bond, postage prepaid, registered mail, return receipt requested, to the said Ernest M. Bailey at Fairhope, Alabama;

And I further certify that I have this 26th day of March, 1955, served a copy of the petition and bond with the clerk of the Circuit Court of Baldwin County, Alabama, by mailing a copy of said petition and bond to the Clerk of said court, postage prepaid, registered mail, return receipt requested, at Bay Minette, Alabama.


Sam W. Pipes, III

U. S. DISTRICT COURT
SOU. DIST. ALA.
FILED IN CLERK'S OFFICE

MAR 25 1955

WILLIAM J. O'CONNOR
CLERK

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

CHARLES E. CHETTLE, A Minor, by
his next of kin, Thelma L. Chettle,
Plaintiff

-vs-

JOHN W. CRAWLEY, Individually and
J. N. CRAWLEY, JR., Individually,
Defendants

TO THE HONORABLE ERNEST
M. BAILEY.

Please take notice that the undersigned, as attorneys for the Defendants in the above entitled cause, have this day filed a petition and bond in the United States District Court for the Southern District of Alabama, Southern Division petitioning that Court to remove from the Circuit Court of Baldwin County, Alabama, to the United States District Court for the Southern District of Alabama, Southern Division, that certain cause wherein Charles E. Chettle, a minor, by his next of kin, Thelma L. Chettle is the Plaintiff, and John W. Crawley and J. N. Crawley, Jr., are the defendants.

The notice herein given is in compliance with Title 28, U. S. C. A., Paragraph 1446.

Sam W. Pipes, III

ATTORNEYS FOR PETITIONERS.
517 First National Bank Bldg.,
Mobile, Alabama.

U. S. DISTRICT COURT
SOU.DIST.ALA.
FILED IN CLERK'S OFFICE
MAR 25 1955
WILLIAM J. O'CONNOR CLERK

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

CHARLES E. CHETTLE, A Minor, by)	
his next of kin, Thelma L. Chettle,)	
Plaintiff	)	TO THE HONORABLE ALICE
	)	J. DUCK, CLERK OF THE
-vs-	)	CIRCUIT COURT OF
	)	BALDWIN COUNTY, ALABAMA.
JOHN W. CRAWLEY, Individually and)	
J. N. CRAWLEY, JR., Individually,)	
Defendants.)	

Please take notice that the undersigned, as attorney for the Defendants in the above entitled cause, has this day filed a petition and bond in the United States District Court for the Southern District of Alabama, Southern Division, petitioning that Court to remove from the Circuit Court of Baldwin County, Alabama, to the United States District Court for the Southern District of Alabama, Southern Division, that certain cause wherein Charles E. Chettle, a minor, by his next of kin, Thelma L. Chettle is Plaintiff and John W. Crawley and J. N. Crawley, Jr., are the defendants, and that the petition and bond constitutes a removal of said cause of action from the Circuit Court of Baldwin County, Alabama, to the United States District Court for the Southern District of Alabama, Southern Division.

Sam W. Pipes, III

ATTORNEYS FOR THE DEFENDANTS,
JOHN W. CRAWLEY AND J. N.
CRAWLEY, JR.

U. S. DISTRICT COURT
SOU.DIST.ALA.
FILED IN CLERK'S OFFICE
MAR 25 1955
WILLIAM J. O'CONNOR CLERK

United States of America

SOUTHERN DISTRICT OF ALABAMA

ss:

I, WILLIAM J. O'CONNOR, Clerk of the United States District Court
for the SOUTHERN District of ALABAMA, do hereby certify that the annexed
and foregoing is a true and full copy of the original file in the case of CHARLES E. CHETTLE,
a minor, suing by his mother and next friend, THELMA L. CHETTLE, Plaintiff,
vs. JOHN W. CRAWLEY, J. N. CRAWLEY, and PRINCE E. GRIFFIN, individually and
doing business as FAIRHOPE TAXI COMPANY, jointly and severally, Defendants,
Civil Action No. 1463, containing all of the proceedings had since the
removal of the cause from the Circuit Court of Baldwin County, Alabama,

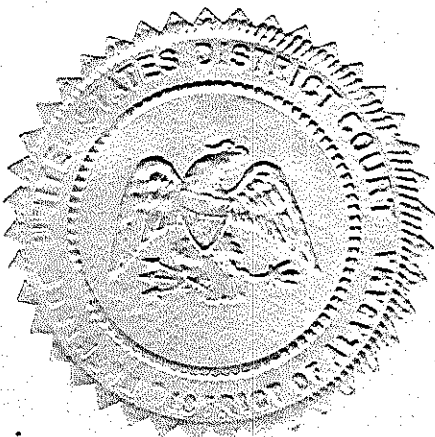
now remaining among the records of the said Court in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and
affixed the seal of the aforesaid Court at MOBILE, ALABAMA,
this 12TH day of SEPTEMBER, A. D. 1956.

WILLIAM J. O'CONNOR,

Clerk.

By Minnie Rose Cox
Deputy Clerk.



CHARLES E. CHETTLE, a minor X IN THE CIRCUIT COURT OF
suing by his mother and next X BALDWIN COUNTY, ALABAMA
friend, THELMA L. CHETTLE, X
 Plaintiff X
vs. X AT LAW
JOHN W. CRAWLEY, et al, X NO. 2552
 Defendants X

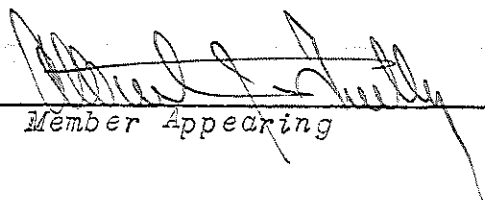
NOTICE TO TAKE DEPOSITION UPON ORAL EXAMINATION

TO:- J. B. Blackburn, Esq.
Attorney at Law
Bay Minette, Alabama
Attorney for Defendant Prince E. Griffin

Please take notice that at 1:30 P.M. on the 21st day of February, 1959, in the offices of JONATHAN M. WILLIAMS, M. D., 1726 M Street, N.W., Washington, D. C., the Plaintiff in the action entitled as above will take the deposition of JONATHAN M. WILLIAMS, M. D., such deposition being upon oral examination and being taken pursuant to the statutes applicable to the taking of the same, before an officer authorized to administer oaths by the laws of the place where the examination is to be held. The said oral examination will continue from place to place and from day to day until completed. You are invited to attend and cross-examine.

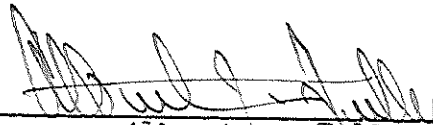
Dated this the 16th day of February, 1959.

HOLBERG, TULLY & MOBLEY
Attorneys for Plaintiff

By  _____
Member Appearing

I, ALBERT J. TULLY, one of the attorneys of record for the Plaintiff in the cause styled as above do hereby certify that on the 16th day of February, 1959, a copy of the above

and foregoing Notice to Take Deposition upon Oral Examination was served upon J. B. BLACKBURN, Esq., attorney of record for Defendant PRINCE E. GRIFFIN, by mailing a copy thereof, with postage prepaid in the correct amount, to the address of such attorney in Bay Minette, Alabama.


Albert J. Tully

FILED
FEB 17 1959
ALICE I. DUCK, CLERK
REGISTER

CHARLES E. CHETTLE, a minor
suing by his mother and next
friend, Thelma L. Chettle,

Plaintiff,

vs.

JOHN W. CRAWLEY, ET AL.,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW. NO. 2552.

DEMURRER:

Now comes the Defendant, Prince E. Griffin, individually and doing business as Fairhope Taxi Company, and demurs to the petition or complaint filed by the Plaintiffs on, to-wit, May 3, 1956, in the United States District Court for the Southern Division of the Southern District of Alabama, (before the said cause was remanded to the Circuit Court of Baldwin County, Alabama), and to each and every count or paragraph thereof, separately and severally, and as grounds of such demurrer, assigns separately and severally, the following:

1. It does not state a cause of action.
2. No facts are alleged on which the relief sought can be granted.
3. There is a misjoinder of causes of action.
4. There is a misjoinder of parties defendant.
5. There is a misjoinder of causes of action in that it joins two separate and distinct causes of action in one and the same count.
6. No facts are alleged to show that the taxicab in which the Plaintiff was riding when he was injured was the property of this Defendant.
7. The place where the alleged accident happened is not described with sufficient certainty.
8. Plaintiff's alleged injuries are not described with sufficient certainty.
9. The allegations thereof are vague, indefinite and uncertain.

10. No facts are alleged to show who was acting as the agent, servant or employee of this Defendant at the time or place of the alleged accident.

J. B. Blachere
Attorney for the above named
Defendant.

Filed Feb. 17, 1959
Alice J. Luck,
clerk

DEMURRER

CHARLES E. CHETTLER, a minor
suing by his mother and next
friend, Thelma L. Chettler,

Plaintiff,

vs.

JOHN W. CRAWLEY, ET AL.,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW. NO. 2552

FILED
FEB 17 1959
ALICE J. DUCK, CLERK
REGISTER

CHARLES E. CHETTLE, a minor
suing by his mother and next
friend, THELMA L. CHETTLE,

Plaintiff

vs.

JOHN W. CRAWLEY, et al,

Defendants

X

X

X

X

X

X

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

NO. 2552

AMENDMENT

comes now the Plaintiff in the cause entitled as above and amends the Bill of Complaint heretofore filed in said cause by adding to said Bill of Complaint the following additional counts, that is to say:-

COUNT A

Plaintiff alleges that at all times herein mentioned Plaintiff was riding as a passenger for hire in a certain taxicab then and there being driven by an agent, servant or employee, then and there acting in the line and scope of his authority as such, of the Defendant Prince E. Griffin, who was then and there engaged in the business of a public carrier for hire, said taxicab being then and there driven along the public highway called White Avenue, in the City of Fairhope, County of Baldwin, Alabama, at a point where said White Avenue intersects a public highway called Church Street, in said city, county and state.

At all times herein mentioned the Defendant John W. Crawley was operating a certain motor vehicle along said Church Street at a point where the said Church Street intersects White Avenue, the said Church Street and the said White Avenue being public highways in the City of Fairhope, County of Baldwin, Alabama.

At all times herein mentioned the Defendant J. N. Crawley, Jr., was acting by and through an agent, servant or employee, who was then and there acting in the line and scope of his authority as such.

That on, to-wit, the 12th day of March, 1954, the said Defendant John W. Crawley and the said Defendant Prince E. Griffin, each, respectively, acting by and through an agent, servant or employee,

who was then and there acting in the line and scope of his authority as such, so carelessly and negligently operated the said vehicles that they came into collision with great force and violence in the intersection of the said Church Street and of the said White Avenue, in the City of Fairhope, County of Baldwin, State of Alabama. That the collision aforesaid was caused and brought about by the joint and concurrent negligence of the said Defendants John W. Crawley and Prince E. Griffin.

That as the proximate result of the carelessness and negligence of the said Defendants John W. Crawley and Prince E. Griffin, aforesaid, Plaintiff was greatly and severely injured, both temporarily and permanent, was made sick and sore and caused to suffer great physical and mental pain and anguish; has been required to incur great expense of hospital bills, medical bills, doctors and nurses bills, in and about the treatment of his said injuries, and will continue to incur great and substantial expense therefor, all in the total sum of Seventy-Five Thousand and No/100 (\$75,000.00) Dollars, wherefore Plaintiff sues and claims said sum of Seventy-Five Thousand and No/100 (\$75,000.00) Dollars.

COUNT B

On, to-wit, the 12th day of March, 1954, the Plaintiff was riding as a passenger for hire in a taxicab, the property of the Defendant Prince E. Griffin, who was then and there engaged in the business of a public carrier for hire, and who was then and there acting by and through an agent, servant or employee, then and there acting in the line and scope of his authority as such.

On, to-wit, the 12th day of March, 1954, the Defendant John W. Crawley was operating a motor vehicle or truck. On, to-wit, the 12th day of March, 1954, the Defendant J. N. Crawley, Jr., was acting by and through an agent, servant or employee, then and there acting in the line and scope of his authority as such.

On, to-wit, the 12th day of March, 1954, in a public highway called Church Street at a point where the said Church Street

intersects a public highway called White Avenue, in the City of Fairhope, County of Baldwin, State of Alabama, the said Defendants so carelessly and negligently operated their said respective vehicles so as to cause them to collide with great force and violence, at the time and place aforesaid. As the proximate result thereof Plaintiff was severely injured, both temporarily and permanently, was made sick and sore and caused to suffer great physical and mental pain and anguish; plaintiff sustained severe injuries to his head, some of which injuries will be permanent; Plaintiff has been required to incur great expense of hospital bills, medical bills, doctors and nurses bills, in and about the treatment of his injuries, and will continue to incur great and substantial expense therefor, wherefore Plaintiff sues and demands judgment in the sum of Seventy-Five Thousand and No/100 (\$75,000.00) Dollars.

COUNT C

On, to-wit, March 12, 1954, in a public highway called Church Street, at a point where the said Church Street intersects a public highway called White Avenue, in the City of Fairhope, County of Baldwin, State of Alabama, the Defendant John W. Crawley, and the Defendant J. N. Crawley, Jr., who was then and there acting by and through an agent, servant or employee who was then and there acting in the line and scope of his authority as such, and the Defendant Prince E. Griffin, who was then and there acting by and through an agent, servant or employee who was then and there acting in the line and scope of his employment as such, so negligently operated their respective motor vehicles at said time and place as to cause them to collide with great force and violence, the Plaintiff being at said time and place a passenger for hire in the vehicle of the said Defendant Prince E. Griffin, a public carrier for hire. As a proximate result of said negligence aforesaid the Plaintiff was severely injured, both temporarily and permanent, was made sick and sore and caused to suffer great physical and mental pain and anguish;

was permanently injured; has been required to incur great expense of hospital bills, medical bills, doctors and nurses bills, in and about the treatment of his injuries, and will continue to incur great and substantial expense therefor; wherefore Plaintiff sues and claims the sum of Seventy-Five Thousand and No/100 (\$75,000.00) Dollars.

HOLBERG, TULLY & MOBLEY
Attorneys for Plaintiff

By 

Member Appearing

FILED

Feb. 17 1958

ALICE L. DUCK, CLERK
REGISTER

CHARLES E. CHETTLE, a minor suing)
by his mother and next friend,)
Thelma L. Chettle,)

Plaintiff,)

VS.)

JOHN W. CRAWLEY, ET AL,)

Defendants.)

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 2552

MOTION

Now comes the defendant, Prince E. Griffin, individually and doing business as Fairhope Taxi Company, one of the defendants in the above entitled cause, and moves the court to appoint a disinterested physician to examine the plaintiff in this cause.

The defendant suggests Dr. Herbert H. Schoenfeld, 4325 49th Street, N. W., Washington, D. C., as a suitable person to make the said examination.

Dated this 10th day of February, 1958.

J. T. B. Blashburn

Attorney for Prince E. Griffin,
individually and doing business as
Fairhope Taxi Company

I hereby certify that I delivered a copy of the above motion to Albert J. Tully, Esquire, attorney for the plaintiff, on this the 10th day of February, 1958.

J. T. B. Blashburn

Attorney for defendant named above

Filed Feb. 11, 1958

CHARLES E. CHETTLE, a minor
suing by his mother and next
friend, Thelma L. Chettle,

Plaintiff,

vs.

JOHN W. CRAWLEY, ET AL.,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW. NO. 2552.

MOTION TO STRIKE

Now comes Prince E. Griffin, individually and doing business as Fairhope Taxi Company, Defendants in the above entitled cause, by their attorney and move the court to strike paragraphs numbered 1, 2, 3, 5 and 6 of the Petition or Complaint filed by the Plaintiffs against these Defendants in the District Court of the United States for the Southern Division of the Southern District of Alabama, before the said cause was transferred to this Court by the said District Court and as grounds for said motion assign separately and severally, the following:

1. It is unnecessarily prolix.
2. It is frivolous.
3. It is irrelevant.
4. It is unnecessarily repeated.

J. B. Blackburn
Attorney for above named Defendant.

Filed Aug. 5, 1957

RECORDED

MOTION TO STRIKE

CHARLES E. CHETTLER, a minor
suing by his mother and next
friend, Thelma L. Chettler,

Plaintiff,

vs.

JOHN W. CRAWLEY, ET AL.,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW. NO. 2552.

FILED
AUG 5 1957
ALICE L. DUCK, Clerk

STATE OF ALABAMA

AFFIDAVIT

BALDWIN COUNTY

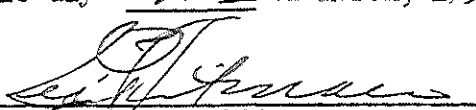
Re: Charles E. Chettle, a minor,
by his next of kin, Thelma L.
Chettle -vs- John W. Crawley,
individually and J. N. Crawley,
Jr., individually.

Ernest M. Bailey, being duly sworn, says that he is attorney for the Plaintiff in the above stated cause; that the provisions Title 7, Section 199 (1), Code of Alabama, 1940, as amended, are applicable to this case as the defendants are non-residents of the State of Alabama and were such non-residents at the time of the accident out of which this cause arises; that the defendants were operating, at the time of the accident, a vehicle on the public streets in the State of Alabama; that the last known residence and Post office addresses of the non-residents were as follows:

John W. Crawley
Lucedale, Mississippi

J. N. Crawley, Jr.
Route "A"
Perkinston, Mississippi

Sworn to and subscribed before me
on this day 2nd of March, 1955


Notary Public


FILED

March 3, 55
ALICE J. DUCK, Clerk

STATE OF ALABAMA
BALDWIN COUNTY

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

BOOK
003
PAGE 362

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon JOHN W. CRAWLEY, individually, and J. N. CRAWLEY, Jr., individually, to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against JOHN W. CRAWLEY, individually, and J. N. CRAWLEY, Jr., individually, Defendants, by CHARLES E. CHETTLE, a minor, by his next of kin, Thelma L. Chettle, Plaintiff.

Witness my hand this 3 day of March, 1955.

David J. Lusk, Clerk.

John W. Crawley lives Lucedale, Miss.
J. N. Crawley, Jr. lives Rt. "A",
Perkinston, Mississippi.

CHARLES E. CHETTLE, a minor, by his
next of kin, Thelma L. Chettle,
Plaintiff

-vs-

JOHN W. CRAWLEY, individually, and
J. N. CRAWLEY, Jr., individually,
Defendants

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

Case No. _____

COUNT ONE

The Plaintiff claims of the Defendants the sum of Seventy-Five Thousand Dollars (\$75,000.00) as damages, for that heretofore and on to-wit: the 12th day of March, 1954, the Defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant J. N. Crawley, Jr., of Perkinston, Mississippi, did so negligently operate a truck in a Southernly direction on Church Street at to-wit a point where Church Street intersects with White Avenue, in the City of Fairhope, Baldwin County, Alabama, said road or street being a public road or street in the County of Baldwin, State of Alabama, as to cause said truck to collide with, run over, upon or against an automobile in which the Plaintiff was riding and had a right to be, and as a direct and proximate consequence of said negligence of said Defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant J. N. Crawley, Jr., of Perkinston, Mississippi, the Plaintiff was injured and damaged, in that he received acute shock; acute concussion of the brain; was caused to suffer severe headaches and dizziness; was caused to suffer permanent dizziness seizures; was made sick and sore and to suffer great physical and mental pain and anguish; was made to suffer

great physical and mental pain and anguish; was made to suffer permanent physical and mental pain and anguish; to incur great hospital bills, medicine bills, doctor bills and nurses' bills; was caused to expend great sums of money for the care and cure of said above injuries, all as a proximate consequence of the said negligence of the Defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant, J. N. Crawley, Jr. of Perkingston, Mississippi, hence this suit.

COUNT TWO

The Plaintiff claims of the Defendant the sum of Seventy-Five Thousand (\$75,000.00) Dollars as damages, for that heretofore and on to-wit: the 12th day of March, 1954, the Defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant J. N. Crawley, Jr. of Perkingston, Mississippi, while driving a truck in a Southernly direction on a public road or street commonly known as Church Street, said public road or street being in the County of Baldwin, State of Alabama, at to-wit: a point where Church Street intersects with White Avenue in the City of Fairhope, Baldwin County, Alabama, did willfully or wantonly drive said truck over, upon or against an automobile in which the Plaintiff was riding and had a right to be, and as a direct and proximate consequence of the said willful and wanton act on the part of the Defendant John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant J. N. Crawley, Jr., of Perkingston, Mississippi, the Plaintiff was injured and damaged, in that he received acute shock; acute concussion of the brain; was caused to suffer severe headaches and dizziness seizures; was made sick and sore and to suffer great physical and mental pain and anguish; was made to suffer permanent physical and mental pain and anguish; to incur great hospital bills, medicine bills, doctor bills and nurses' bills; was caused to expend great sums of money for the care and cure of said injuries, all as a proximate consequence of the said willful and wanton act on the part of the Defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant, J. N. Crawley, Jr. of Perkingston, Mississippi, hence this suit.

PLAINTIFF DEMANDS TRIAL BY JURY:

James M. Bailey
Executed 3-7-55

James M. Bailey
Attorney for Plaintiff

FILED

March 3, 1955

ALICE L. BUCK, Clerk

313

Received in Sheriff's Office
This 3 day of March 1955
TAYLOR WILKINS, Sheriff

RECEIVED IN OFFICE
MAR 5 1955
M. S. BUTLER, Sheriff

EXECUTED BY SERVING 6
COPIES OF THE WITHIN

M. J. Hurt
Sec. of State of
State of Ala.
3-2-55

M. S. Butler
Sheriff Montgomery County
By Markis
Deputy Sheriff

RECORDED

MD 2-562

BILL OF COMPLAINT

CHARLES E. CHETTLER, a minor, by
his next of kin, THELMA L. CHETTLER
Plaintiff

-VS-

JOHN W. CRAWLEY, individually, and
J. N. CRAWLEY, JR., individually.
Defendants

FILED
MAR 3 1955
ALICE J. RUCK, Clerk

ERNEST M. BAILEY
ATTORNEY AT LAW
FAIRHOPE, ALABAMA

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

CHARLES E. CHETTLE, A Minor, by)
his next of kin, Thelma L. Chettle,)
Plaintiff)

-vs-)

NO. _____

JOHN W. CRAWLEY, Individually and)
J. N. CRAWLEY, JR., Individually.)
Defendants.)

Come now John W. Crawley and J. N. Crawley, Jr., defendants in the above entitled cause, and present this petition for removal of said action from the Circuit Court of Baldwin County, Alabama, to the United States District Court for the Southern District of Alabama, Southern Division, and show and represent unto the Court as follows:

That the above entitled suit was begun against these defendants in the Circuit Court of Baldwin County in the State of Alabama on the 3rd day of March, 1955; that at the time said suit was begun, and at the present time, John W. Crawley was a resident of Lucedale, Mississippi, and J. N. Crawley, Jr., was a resident of Perkinston, Mississippi;

That the plaintiff in said suit was and still is a citizen and resident of the State of Alabama; that said suit is wholly between citizens of different states; that the matter in dispute in said suit, and for which said suit is brought, exceeds the sum of Three Thousand and no/100 (\$3,000.00) Dollars, excluding all interest and costs;

That said suit claims damages for personal injuries; and the defendants herewith file a bond with good and sufficient surety conditioned that the defendants will pay all costs and disbursements incurred by reason of the removal proceedings, should it be determined that this cause of action was not removable or was improperly removed;

That neither petitioner has yet appeared or pleaded in said action; that service was had upon your petitioners in said

suit by service upon the Secretary of State of the State of Alabama, on the 7th day of March, 1955, less than twenty (20) days before the filing of this petition; that a copy of all process, pleadings and orders that have been served upon the Defendants in the above entitled cause are attached to this petition;

That the defendants will promptly after the filing of this petition and bond give written notice thereof to the plaintiff; and will file a copy of said petition with the Clerk of the Circuit Court of Baldwin County, Alabama;

WHEREFORE the petitioners pray this Honorable Court that this petition and bond may be accepted and approved and that said suit be removed to the United States District Court for the Southern District of Alabama, Southern Division, and that the Circuit Court of Baldwin County, Alabama, proceed no further in the premises.

John W. Crawley
JOHN W. CRAWLEY

J. W. Crawley, Jr.
J. W. CRAWLEY, JR.

STATE OF MISSISSIPPI

COUNTY OF George

Personally appeared before me, the undersigned authority, John W. Crawley, who being by me first duly sworn deposes and says that he is one of the petitioners in the above entitled cause; that he has read the above and foregoing petition and that the facts stated therein are true.

John W. Crawley
John W. Crawley

Subscribed and sworn to before me
this 2nd day of March, 1955.

James C. Ruffin
NOTARY PUBLIC, George COUNTY, MISS.

My Commission expires Aug 4, 1958

STATE OF MISSISSIPPI

COUNTY OF George

Personally appeared before me, the undersigned authority, J. N. Crawley, Jr., who being by me first duly sworn deposes and says that he is one of the petitioners in the above entitled cause; that he has read the above and foregoing petition and that the facts stated therein are true.

J. N. Crawley, Jr.
J. N. Crawley, Jr.

Subscribed and sworn to before me
this 24 day of March, 1955.

James C. Buffin
NOTARY PUBLIC, George COUNTY, MISS.
My Commission Expires Aug 4, 1958

James J. Goetz
ATTORNEY FOR PETITIONERS (DEFENDANTS)
517 First National Bank Bldg.,
Mobile, Alabama.

Samuel J. Cook
OF COUNSEL, 517 First National Bank
Bldg., Mobile, Alabama.

STATE OF ALABAMA
OFFICE OF SECRETARY OF STATE.

MONTGOMERY 4, ALA.

March 7, 1955.

J. N. Crawley, Jr.
Route "A"
Perkinston, Mississippi.

REGISTERED MAIL
RETURN RECEIPT REQUESTED
DELIVER TO ADDRESSEE ONLY

You will take notice that on March 7, 1955, the Sheriff of Montgomery County, Alabama, served upon me, in my official capacity, Summons and Complaint in a case entitled: Charles E. Chettle, a minor, by his next of kin, Thelma L. Chettle, Plaintiff vs J. N. Crawley, Jr., individually, Defendant in the Circuit Court of Baldwin County, Alabama at Law, Case No. 2552 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 7th day of March, 1955.

/s/ Mary Texas Hurt

Mary Texas Hurt
Secretary of State

Enclosure 1: Copy of Summons and Complaint

cc: Ernest M. Bailey
Attorney
Fairhope, Alabama

STATE OF ALABAMA
OFFICE OF SECRETARY OF STATE.

MONTGOMERY 4, ALA.

March 7, 1955.

JOHN W. CRAWLEY
Lucedale, Mississippi

REGISTERED MAIL
RETURN RECEIPT REQUESTED
DELIVER TO ADDRESSEE ONLY.

You will take notice that on March 7, 1955, the Sheriff of Montgomery County, Alabama, served upon me, in my official capacity, Summons and Complaint in a case entitled: Charles E. Chettle, a minor, by his next of kin, Thelma L. Chettle, Plaintiff vs John W. Crawley, individually, Defendant, in the Circuit Court of Baldwin County, Alabama, at Law, Case No. 2552, 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 7th day of March, 1955.

/s/ Mary Texas Hurt

Mary Texas Hurt
Secretary of State

Enclosure: 1 Copy of Summons and
Complaint.

cc: Ernest M. Bailey
Attorney
Fairhope, Alabama.

STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT
BALDWIN COUNTY, ALABAMA

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon JOHN W. CRAWLEY, individually, and J. N. CRAWLEY, JR., individually, to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against JOHN W. CRAWLEY, individually, and J. N. CRAWLEY, JR., individually, Defendants, by CHARLES E. CHETTLE, a minor, by his next of kin, THELMA L. CHETTLE, Plaintiff.

Witness my hand this 3rd day of March, 1955.

/s/ Alice J. Duck, Clerk

John W. Crawley lives at Lucedale, Miss.
J. N. Crawley, Jr. lives Rt. A,
Perkingston, Mississippi.

CHARLES E. CHETTLE, a minor, by
his next of kin, Thelma L. Chettle,
Plaintiff

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

-vs-

AT LAW

JOHN W. CRAWLEY, Individually and
J. N. CRAWLEY, JR., individually
Defendants.

CASE NO. 2552.

COUNT ONE.

The Plaintiff claims of the Defendants the sum of Seventy-Five Thousand Dollars (\$75,000.00) as damages, for that heretofore and on to-wit: the 12th day of March, 1954, the Defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant J. N. Crawley, Jr., of Perkingston, Mississippi, did so negligently operate a truck in a southerly direction on Church Street at to-wit a point where Church Street intersects with White Avenue, in the City of Fairhope, Baldwin County, Alabama, said roads or streets being a public road or street in the County of Baldwin, State of Alabama, as to cause said truck to collide with, run over, upon or against an automobile in which the Plaintiff was riding and had a right to be, and as a direct and proximate consequence of said negligence of said defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant J. N. Crawley, Jr., of Perkingston, Mississippi, the Plaintiff was injured and damaged, in that he received acute shock; acute concussion of the brain; was caused to suffer severe headaches and dizziness; was caused to suffer permanent dizziness seizures;

was made sick and sore and to suffer great physical and mental pain and anguish; was made to suffer great physical and mental pain and anguish; was made to suffer permanent physical and mental pain and anguish; to incur great hospital bills, medicine bills, doctor bills and nurses' bills; was caused to expend great sums of money for the care and cure of said above injuries, all as a proximate consequence of the said negligence of the Defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant, J. N. Crawley, Jr. of Perkinston, Mississippi, hence this suit.

COUNT TWO

The Plaintiff claims of the defendant the sum of Seventy-five Thousand (\$75,000.00) Dollars as damages, for that heretofore and on to-wit: the 12th day of March, 1954, the defendant, John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant J. N. Crawley, Jr. of Perkinston, Mississippi, while driving a truck in a Southernly direction on a public road or street commonly known as Church Street, said public road or street being in the County of Baldwin, State of Alabama, at to-wit: a point where Church Street intersects White Avenue in the City of Fairhope, Baldwin County, Alabama, did willfully or wantonly drive said truck over, upon or against an automobile in which the Plaintiff was riding and had a right to be, and as a direct and proximate consequence of the said willful and wanton act on the part of the Defendant John W. Crawley, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant J. N. Crawley, Jr., of Perkinston, Mississippi, the Plaintiff was injured and damaged, in that he received acute shock; acute concussion of the brain; was caused to suffer severe headaches and dizziness seizures; was made sick and sore and to suffer great physical and mental pain and anguish; was made to suffer permanent physical and mental pain and anguish; to incur great hospital bills, medicine bills, doctor bills and nurses' bills; was caused to expend great sums of money for the care and cure of said injuries, all as a proximate consequence of the said willful and wanton act on the part of the Defendant, John W. Crawley, while so acting within the line and scope of his employment as the agent, servant or employee of the Defendant, J. N. Crawley, Jr., of Perkinston,

Mississippi, hence this suit.

/s/ Ernest M. Bailey

Attorney for Plaintiff

PLAINTIFF DEMANDS TRIAL BY JURY:

/s/ Ernest M. Bailey

STATE OF ALABAMA

COUNTY OF MOBILE

KNOW ALL MEN BY THESE PRESENTS, That John W. Crawley and J. N. Crawley, Jr., as principals, and the United States Fidelity & Guaranty Company, a corporation, of Baltimore, Maryland, as surety, are held and firmly bound unto Charles E. Chettle, a minor by his next of kin, Thelma L. Chettle, in the penal sum of Five Hundred and no/100 (\$500.00) Dollars, payment whereof well and truly to be made unto the said Charles E. Chettle, a minor, by his next of kin, Thelma L. Chettle, his heirs and assigns, we bind ourselves, our successors, assigns and representatives jointly and severally firmly by these presents, yet upon these conditions the said John W. Crawley and J. N. Crawley, Jr., are the petitioners in the United States District Court for the Southern District of Alabama, Southern Division, for the removal of a certain cause pending in the Circuit Court of Baldwin County, Alabama, wherein Charles E. Chettle, a minor, by his next of kin, Thelma L. Chettle, is the plaintiff and John W. Crawley and J. N. Crawley, Jr., are the defendants;

NOW if the said John W. Crawley and J. N. Crawley, Jr. will pay all costs and disbursements incurred by reason of the removal of said cause should it be determined that the case was not removable or was improperly removed, then this obligation to be void, otherwise in full force and effect.

IN WITNESS WHEREOF, John W. Crawley and J. N. Crawley, Jr., have hereunto set their hands and seals on this 24th day of March, 1955, and the United States Fidelity & Guaranty Company has hereunto caused this bond to be signed by Bertha L. Boas, its duly appointed and acting attorney in fact this the 24th day of March, 1955.

John W. Crawley
John W. Crawley

J. N. Crawley, Jr.
J. N. Crawley, Jr.

UNITED STATES FIDELITY &
GUARANTY COMPANY, A Corp.

By: Bertha L. Boas
Attorney-in-fact.

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

CHARLES E. CHETTLE, A Minor, by
his next of kin, Thelma L. Chettle,
Plaintiff

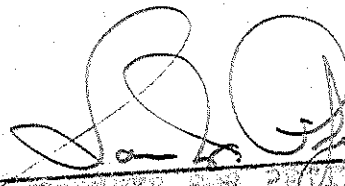
TO THE HONORABLE ERNEST
M. BAILEY.

-vs-

JOHN W. CRAWLEY, Individually and
J. M. CRAWLEY, JR., Individually.
Defendants.

Please take notice that the undersigned, as attorneys
for the Defendants in the above entitled cause, have this day
filed a petition and bond in the United States District Court
for the Southern District of Alabama, Southern Division,
petitioning that Court to remove from the Circuit Court of
Baldwin County, Alabama, to the United States District Court
for the Southern District of Alabama, Southern Division, that
certain cause wherein Charles E. Chettle, a minor, by his next
of kin, Thelma L. Chettle is the plaintiff, and John W. Crawley
and J. M. Crawley, Jr., are the defendants.

The notice herein given is in compliance with Title 28,
U. S. C. A., Paragraph 1446.


ATTORNEYS FOR PETITIONERS.
517 First National Bank Bldg.,
Mobile, Alabama.

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

CHARLES E. CHETTLE, A Minor, by)
his next of kin, Thelma L. Chettle,)
Plaintiff)

-vs-

JOHN W. CRAWLEY, Individually and)
J. N. CRAWLEY, JR., Individually.)
Defendants.)

C E R T I F I C A T E

4
10
3
I, Sam W. Pipes, III, one of the attorneys for the Defendants in the above entitled cause, do hereby certify that I have this 25th day of March, 1955, served a copy of the petition and bond for removal of the above entitled cause from the Circuit Court of Baldwin County, Alabama, to the United States District Court for the Southern District of Alabama, Southern Division, upon Ernest M. Bailey, the attorney of record for the plaintiff, by mailing a copy of said petition and bond, postage prepaid, registered mail, return receipt requested, to the said Ernest M. Bailey at Fairhope, Alabama;

And I further certify that I have this 25th day of March, 1955, served a copy of the petition and bond with the clerk of the Circuit Court of Baldwin County, Alabama, by mailing a copy of said petition and bond to the Clerk of said court, postage prepaid, registered mail, return receipt requested, at Bay Minette, Alabama.



Sam W. Pipes, III