

February 27, 1957

EDITH BAGGETT HOWELL, Plaintiff  
VS  
WILLIAM G. RICHARDSON, Defendant

IN THE CIRCUIT COURT OF BALDWIN  
COUNTY, ALABAMA AT LAW

CASE NO. 3152

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

I, Mary Texas Hurt, Secretary of State, hereby certify that on February 25, 1957  
I sent by registered mail in an envelope addressed as follows:

"

William G. Richardson  
43 Dallas Manor  
Chattanooga, Tennessee"

"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:

"

William G. Richardson  
43 Dallas Manor  
Chattanooga, Tennessee

You will take notice that on February 25, 1957 the Sheriff of Montgomery County, Alabama, served upon me, in my official capacity, summons and complaint in a case entitled: EDITH BAGGETT HOWELL, Plaintiff VS WILLIAM G. RICHARDSON, Defendant,

in the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW  
Case No. 3152 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 25  
day of February 1957

Enclosure (1)

(Signed) Mary Texas Hurt  
Secretary of State"

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

I further certify that on February 27, 1957 I received the return card, showing receipt by the designated addressee of the aforementioned matter at Chattanooga, Tenn.  
on Feb 26 1957

WITNESS MY HAND and the Great Seal of the State of Alabama this the 27 day  
of February 1957

*Mary Texas Hurt Garner*

Mary Texas Hurt  
Secretary of State

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

cc: Honorable N. C. Stone  
Chason & Stone, Attorneys at Law  
Arcade Building  
Bay Minette, Alabama

STATE OF ALABAMA

BALDWIN COUNTY

IN THE CIRCUIT COURT - LAW SIDE

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon William G. Richardson to appear within thirty days from the service of this Writ in the Circuit Court to be held for said County at the place of holding the same, then and there to answer the complaint of Edith Baggett Howell.

Witness my hand this 21 day of February, 1957.

Henry J. Welch  
Clerk.

EDITH BAGGETT HOWELL,

Plaintiff,

vs.

WILLIAM G. RICHARDSON,

Defendant.

I

I

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I

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

COUNT ONE

The Plaintiff claims of the Defendant Twenty Thousand Dollars (\$20,000.00) as damages for that on, heretofore, to-wit: August 3, 1956, at about 12:15 o'clock A. M. at a point approximately two miles East of the Malbis Plantation on U. S. Highway #90, a public highway in Baldwin County, Alabama, the Defendant so negligently operated a motor vehicle as to cause or allow the same to run into and collide with a motor vehicle then and there being operated by the Plaintiff and as a proximate consequence and result of the negligence of the Defendant, aforesaid, the Plaintiff, Edith Baggett Howell, was seriously and permanently injured in this: She suffered shock, she suffered severe lacerations of both knees, she suffered severe contusions and lacerations on her right arm, she suffered multiple contusions and bruises over and about her entire body, she was scarred and disfigured on both her legs. She was caused to be hospitalized for a period of sixteen (16) days, she was caused to be bedridden for a great length of time, she was caused to suffer and did suffer great

pain and anguish, she was caused to incur and did incur great expense in and about the treatment and care of her wounds, and she was permanently and partially disabled, all to her damages as aforesaid, wherefore she brings this suit and asks judgment in the above amount.

COUNT TWO

The Plaintiff claims of the Defendant the sum of Twenty Thousand Dollars (\$20,000.00) as damages for that on heretofore, to-wit: August 3, 1956, at about 12:15 o'clock A. M. at a point approximately two (2) miles East of the Malbis Plantation on U. S. Highway #90, a public highway in Baldwin County, Alabama, the Defendant wantonly injured the Plaintiff by then and there wantonly driving a motor vehicle into, upon and against a motor vehicle which was then and there being operated by the Plaintiff and as a proximate consequence and result of the wantonness of the Defendant, aforesaid, the Plaintiff was seriously and permanently injured in this: She suffered shock, she suffered severe lacerations of both knees, she suffered severe contusions and lacerations on her right arm, she suffered multiple contusions and bruises over and about the entire body, she was scarred and disfigured on both her legs. She was caused to be hospitalized for a period of sixteen (16) days, she was caused to be bedridden for a great length of time, she was caused to suffer and did suffer great pain and anguish, she was caused to incur and did incur great expense in and about the treatment and care of her wounds, and she was permanently and partially disabled, all to her damages as aforesaid, wherefore she brings this suit and asks judgment in the above amount.

CHASON & STONE

By: Melvin P. Stone

Attorneys for Plaintiff

Plaintiff respectfully demands a trial of this cause by jury.

CHASON & STONE

By: Melvin P. Stone

Attorneys for Plaintiff

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

EDITH BAGGETT HOWELL,

Plaintiff,

vs.

WILLIAM G. RICHARDSON,

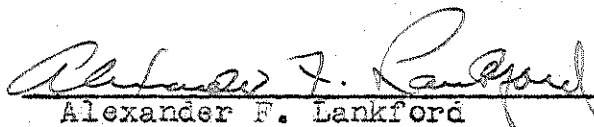
Defendant.

CIVIL ACTION NO. \_\_\_\_\_

CERTIFICATE

Alexander F. Lankford, one of the attorneys of record for the defendant, William G. Richardson, herein, being duly sworn on oath, says that heretofore, upon the filing herein of the petition for removal and requisite bond, he forthwith, on the 15th day of March, 1957, gave written notices thereof to the adverse party by mailing on this said date such notices, together with a copy of said petition for removal, a copy of said notice being attached hereto, to Norborne C. Stone, Jr., Esquire, Attorney for the plaintiff herein, at the Arcade Building, Bay Minette, Alabama, postage prepaid, by registered mail, return receipt requested; and that on the said 15th day of March, 1957, a copy of said petition together with notice thereof, a copy of which is attached hereto, was forwarded by registered mail, return receipt requested, to Honorable Alice J. Duck, as Clerk of the Circuit Court of Baldwin County, Alabama, Bay Minette, Alabama, for filing with the said Clerk of said Court, wherein this action originally was pending.

Dated on this the 15th day of March, 1957.

  
Alexander F. Lankford

Subscribed to and sworn before me  
on this the 15th day of March,  
1957.

  
Notary Public, Mobile County, Alabama

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

EDITH BAGGETT HOWELL,

Plaintiff,

vs.

WILLIAM G. RICHARDSON,

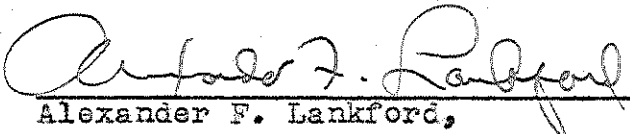
Defendant.

TO: Norborne C. Stone, Jr., Esquire  
Attorney for Plaintiff  
Arcade Building  
Bay Minette, Alabama

Please take note that William G. Richardson, defendant in the above styled cause, has, on this the 15th day of March, 1957, filed his petition to remove the above entitled action to the United States District Court for the Southern Division of the Southern District of Alabama, a copy of the said petition being attached to this said notice, and that said defendant has on this said date filed in said United States District Court a bond with good and sufficient surety conditioned as is provided by law with respect to said proceedings. You are hereby further notified that a copy of the said petition is being this day forwarded by registered mail, return receipt requested, to the Honorable Alice J. Duck, as Clerk of the Circuit Court of Baldwin County, Alabama, Bay Minette, Alabama, for filing with the said Clerk of said Court wherein said cause is now pending, which shall effect the removal of this cause from said Court.

This said notice is given to you as Attorney for the plaintiff in compliance with the provisions of Title 28, Section 1446, U.S.C.A.

Dated this 15th day of March, 1957.

  
Alexander F. Lankford,  
Attorney for Defendant  
First National Bank Building  
Mobile, Alabama

OF COUNSEL:

HAND, ARENDALL & BEDSOLE

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

EDITH BAGGETT HOWELL,

:

Plaintiff,

:

vs.

:

CIVIL ACTION NO. \_\_\_\_\_

WILLIAM G. RICHARDSON,

:

Defendant.

:

PETITION OF DEFENDANT WILLIAM G. RICHARDSON FOR REMOVAL TO  
UNITED STATES DISTRICT COURT

TO THE HONORABLE JUDGE OF SAID COURT:

Comes now your petitioner, William G. Richardson, defendant in the above-styled cause, and, appearing specially and for the sole purpose of filing this petition for removal, respectfully shows unto this Honorable Court as follows:

1. That the defendant, William G. Richardson, is now and was at the time of the commencement of this suit a citizen and resident of the State of Tennessee, being a member of the armed forces and temporarily stationed at Barin Field, near Foley, Alabama; that this is an action brought by Edith Baggett Howell, a citizen and resident of the State of Florida, against your petitioner, a citizen and resident of the State of Tennessee, and is one which can be fully determined between them.

2. That this is a suit to recover damages for the alleged wrongful injuries to the person which the plaintiff claims she has suffered as a result of the negligence of the defendant.

3. That the amount sued for and involved in this action exceeds the sum of Three Thousand Dollars (\$3,000.00), exclusive of interest and costs; that your petitioner has filed no pleading in said cause in the state court; that the time within which your petitioner is allowed by law to file his said petition for removal has not expired, and that your petitioner has a good defense to said cause. Your petitioner attaches hereto as Exhibit "A",


and makes a part hereof, a copy of all process, pleadings, and orders purported to have been served upon him in such action.

4. Petitioner desires to remove this action to this Court on the ground of diversity of citizenship existing therein between the plaintiff, Edith Baggett Howell, and the petitioner in pursuance to the Acts of Congress in that behalf provided. Petitioner heretofore files and offers herewith bond with good and sufficient surety in the penal sum of Five Hundred Dollars (\$500.00) conditioned that the petitioner will pay all costs and disbursements incurred by reason of this said removal proceedings should it be determined that this action was wrongfully or improperly removed to this court.

5. Petitioner represents that promptly upon the filing of this petition and the said bond filed herewith, this petitioner shall give written notice thereof to the adverse party and shall file a copy of the petition with the Clerk of the Circuit Court of Baldwin County, Alabama, wherein said action is now pending.

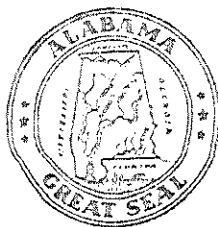
WHEREFORE, your petitioner prays that the said bond filed herewith be accepted as good and sufficient and that this court will enter such order or orders as may be proper in the premises.

DATED this 15th day of March, 1957.

  
Alexander F. Lankford,  
Attorney for William G. Richardson,  
Defendant  
Room 622 First National Bank Building  
Mobile, Alabama

OF COUNSEL:

HAND, ARENDALL & BEDSOLE



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

February 25, 1957

MARY TEXAS HURT  
SECRETARY OF STATE

William G. Richardson  
13 Dallas Manor  
Chattanooga, Tennessee

REGISTERED MAIL  
RETURN RECEIPT REQUESTED  
DELIVER TO ADDRESSEE ONLY

You will take notice that on February 25, 1957 the Sheriff of Montgomery County, Alabama, served upon me, in my official capacity, Summons and Complaint in a case entitled: EDITH MARSHALL HOWELL

Plaintiff VS. WILLIAM G. RICHARDSON

Defendant in the CIRCUIT COURT OF  
DALE COUNTY, ALABAMA AT LAW

Case No. 3151 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 25 day of February 1957.

Mary Texas Hurt  
Secretary of State

Enclosure: Copy of Summons and Complaint

cc: Honorable R. C. Stone  
Chason & Stone, Attorneys at Law  
Arcade Building  
Bay Minette, Alabama

Exhibit "A"



STATE OF ALABAMA

IN THE CIRCUIT COURT - LAW SIDE

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon William C. Richardson to appear within thirty days from the service of this Writ in the Circuit Court to be held for said County at the place of holding the same, then and there to answer the complaint of Edith Baggett Howell.

Witness my hand this \_\_\_\_\_ day of February, 1957.

Clerk.

EDITH BAGGETT HOWELL,

Plaintiff,

vs.

WILLIAM C. RICHARDSON,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

COUNT ONE

The Plaintiff claims of the Defendant Twenty Thousand Dollars (\$20,000.00) as damages for that on, heretofore, to-wit: August 3, 1956, at about 12:15 o'clock A. M. at a point approximately two miles East of the Walbis Plantation on U. S. Highway #90, a public highway in Baldwin County, Alabama; the Defendant so negligently operated a motor vehicle as to cause or allow the same to run into and collide with a motor vehicle then and there being operated by the Plaintiff and as a proximate consequence and result of the negligence of the Defendant, aforesaid, the Plaintiff, Edith Baggett Howell, was seriously and permanently injured in this: She suffered shock, she suffered severe lacerations of both knees, she suffered severe contusions and lacerations on her right arm, she suffered multiple contusions and bruises over and about her entire body, she was scarred and disfigured on both her legs. She was caused to be hospitalized for a period of sixteen (16) days, she was caused to be bedridden for a great length of time, she was caused to suffer and did suffer great

pain and anguish, she was caused to incur and did incur great ex-  
pense in and about the treatment and care of her wounds, and she  
was permanently and partially disabled, all to her damages as afore-  
said, wherefore she brings this suit and asks judgment in the above  
sum.

COUNT TWO

The Plaintiff claims of the Defendant the sum of Twenty  
Thousand Dollars (\$20,000.00) as damages for that on heretofore, to-  
wits August 3, 1956, at about 11:15 o'clock A. M. at a point approxi-  
mately two (2) miles East of the Milbiss Plantation on U. S. Highway  
90, a public highway in Baldwin County, Alabama, the Defendant wan-  
tonly injured the Plaintiff by then and there wantonly driving a  
motor vehicle into, upon and against a motor vehicle which was then  
and there being operated by the Plaintiff and as a proximate conse-  
quence and result of the wantonness of the Defendant, aforesaid, the  
Plaintiff was seriously and permanently injured in that she suffer-  
ed shock, she suffered severe lacerations of both knees, she suffer-  
ed severe contusions and lacerations on her right arm, she suffered  
multiple contusions and bruises over and about the entire body, she  
was scorched and lacerated on both her legs. She was caused to be  
hospitalized for a period of sixteen (16) days, she was caused to be  
bedridden for a great length of time, she was caused to suffer and  
did suffer great pain and anguish, she was caused to incur and did  
incur great expense in and about the treatment and care of her wounds,  
and she was permanently and partially disabled, all to her damages as  
aforesaid, wherefore she brings this suit and asks judgment in the  
above sum.

CHAS. A. STONE

By: \_\_\_\_\_

Attorneys for Plaintiff

Plaintiff respectfully demands  
a trial of this cause by jury.

By: \_\_\_\_\_

Attorneys for Plaintiff

3152

EDITH BAGGETT HOWELL,  
Plaintiff,

vs.

WILLIAM G. RICHARDSON,  
Defendant.

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IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

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AFFIDAVIT

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FILED

FEB 21 1957

ALICE A. DUCK, Clerk

LAW OFFICE  
CHASON & STONE  
Bay Minette, Alabama

STATE OF ALABAMA

IN THE CIRCUIT COURT - LAW SIDE

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon William G. Richardson to appear within thirty days from the service of this Writ in the Circuit Court to be held for said County at the place of holding the same, then and there to answer the complaint of Edith Baggett Howell.

Witness my hand this 21 day of February, 1957.

*David J. Smith*  
Clerk.

EDITH BAGGETT HOWELL,

Plaintiff,

vs.

WILLIAM G. RICHARDSON,

Defendant.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

COUNT ONE

The Plaintiff claims of the Defendant Twenty Thousand Dollars (\$20,000.00) as damages for that on, heretofore, to-wit: August 3, 1956, at about 12:15 o'clock A. M. at a point approximately two miles East of the Malbis Plantation on U. S. Highway #90, a public highway in Baldwin County, Alabama, the Defendant so negligently operated a motor vehicle as to cause or allow the same to run into and collide with a motor vehicle then and there being operated by the Plaintiff and as a proximate consequence and result of the negligence of the Defendant, aforesaid, the Plaintiff, Edith Baggett Howell, was seriously and permanently injured in this: She suffered shock, she suffered severe lacerations of both knees, she suffered severe contusions and lacerations on her right arm, she suffered multiple contusions and bruises over and about her entire body, she was scarred and disfigured on both her legs. She was caused to be hospitalized for a period of sixteen (16) days, she was caused to be bedridden for a great length of time, she was caused to suffer and did suffer great

pain and anguish, she was caused to incur and did incur great expense in and about the treatment and care of her wounds, and she was permanently and partially disabled, all to her damages as aforesaid, wherefore she brings this suit and asks judgment in the above amount.

COUNT TWO

The Plaintiff claims of the Defendant the sum of Twenty Thousand Dollars (\$20,000.00) as damages for that on heretofore, to-wit: August 3, 1956, at about 12:15 o'clock A. M. at a point approximately two (2) miles East of the Malbis Plantation on U. S. Highway #90, a public highway in Baldwin County, Alabama, the Defendant wantonly injured the Plaintiff by then and there wantonly driving a motor vehicle into, upon and against a motor vehicle which was then and there being operated by the Plaintiff and as a proximate consequence and result of the wantonness of the Defendant, aforesaid, the Plaintiff was seriously and permanently injured in this: She suffered shock, she suffered severe lacerations of both knees, she suffered severe contusions and lacerations on her right arm, she suffered multiple contusions and bruises over and about the entire body, she was scarred and disfigured on both her legs. She was caused to be hospitalized for a period of sixteen (16) days, she was caused to be bedridden for a great length of time, she was caused to suffer and did suffer great pain and anguish, she was caused to incur and did incur great expense in and about the treatment and care of her wounds, and she was permanently and partially disabled, all to her damages as aforesaid, wherefore she brings this suit and asks judgment in the above amount.

CHASON & STONE

By: 

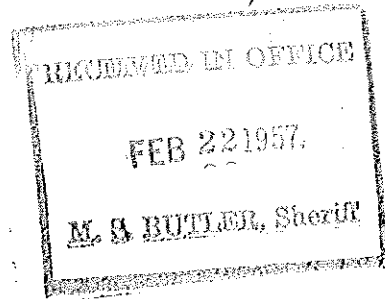
Attorneys for Plaintiff

Plaintiff respectfully demands a trial of this cause by jury.

CHASON & STONE

By: 

Attorneys for Plaintiff



Executed by serving.....copies of  
the within on Mary Texas Hurt,  
Secretary of State of The State of  
Alabama.

[This the 25 day of Feb 1957]

Sheriff of Montgomery County

M. S. Butler,

By

Goodwyn D. S.

The Sheriff claims.....2.....

miles at 10c per mile for a total

\$ 2.00

M. S. Butler Sheriff

Montgomery County Ala.

3152

EDITH BAGGETT HOWELL,  
Plaintiff,

vs.

WILLIAM G. RICHARDSON,  
Defendant.

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IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

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SUMMONS AND COMPLAINT

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FILED

FEB 21 1957

Alice L. Duck, Clerk

LAW OFFICES

CHASON & STONE

BAY MINETTE, ALABAMA