

IN THE MATTER OF COMPENSATION X
FOR DEATH BY MARY A. RICHBURG, X
MOTHER OF DECEASED EMPLOYEE, X
ZEMRI THOMAS RICHBURG, INSURER, X
THE TRAVELERS INSURANCE COMPANY X
AND W. S. NEWELL, INC., a X
Corporation X

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 7282

SETTLEMENT AND PETITION

TO THE HONORABLE TELFAIR J. MASHBURN, JUDGE OF THE CIRCUIT COURT
OF BALDWIN COUNTY, ALABAMA:

Your Petitioners, Mary A. Richburg, mother of Zemri Thomas Richburg, Employee, decedant and the Travelers Insurance Company, Insurer, and W. S. Newell, Inc., a Corporation, Employer, respectfully represent and show unto Your Honor, and hereby petition this Honorable Court for approval and satisfaction of the following agreement and settlement relative to the above entitled matter, they being the only parties interested therein: that they are subject to the provisions of the Workmen's Compensation Law of the State of Alabama; that Zemri Thomas Richburg, the said employee, years of age, who resided at Loxley, Alabama, did on the 15th day of April, 1965, at approximately 3:00 p. m., sustain injuries while employed by W. S. Newell, Inc., a Corporation, the said employer, which injuries occurred on the right-of-way of Interstate Highway 65, approximately 2 miles Northeast of Loxley, Alabama, in Baldwin County, and resulted in the death of the said Zemri Thomas Richburg on the same date; that the said Zemri Thomas Richburg was receiving at the time of his death, wages at the rate of \$ 87.76 per week; that your Petitioner, Mary A. Richburg, was the mother of Zemri Thomas Richburg, and partially depended upon him for her support and maintenance, and no other persons

were his dependants at the time of his death; that she can read and understand the English Language; and that she is over the age of twenty-one years and a resident of the Town of Loxley, Alabama; that she is entitled to, and would receive compensation for the death of Zemri Thomas Richburg, from the said employer, commencing on the 1st day of May, 1966, at the rate of \$ 25.00 per week; for a period not to exceed 200 weeks, all subject to the limitations of the Workmen's Compensation Act.

PREMISES CONSIDERED, it is hereby agreed that the said dependant is entitled to receive compensation for the death of Zemri Thomas Richburg, from W. S. Newell, Inc., a Corporation, as hereinabove stated, during the period of dependancy as provided by law; that it is to the best and paramount interest of the said dependant, Mary A. Richburg, that the compensation to which she is entitled be paid in one lump sum settlement; that she has agreed to accept the sum of \$ 3,478.07 in full and final settlement of the compensation to which she is entitled under the provision of the Workmen's Compensation Act; that this settlement is substantially in accordance with the terms of the said Workmen's Compensation Act, and is to the best interest of the dependant, and Petitioners are desirous of effecting this lump sum settlement; that upon payment of the said \$ 3,478.07 by the said employer herein agreed upon, with the approval of the Court, the employer, W. S. Newell, Inc., a Corporation, is hereby released from all claims on account of said death under the provisions of the Workmen's Compensation Act or otherwise, and this settlement contains the entire agreement between the parties hereto.

This 30th day of December, 1966.

Mary A. Richburg
Mary A. Richburg, Dependant of
Decedant Employee

J. B. Blackburn
The Travelers Insurance Company,
By, Its Attorney

J. B. Blackburn
W. S. Newell, Inc., a Corporation,
By, Its Attorney

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, in and for said County and State, personally appeared Mary A. Richburg, to me known to be the identical person described in the foregoing instrument as dependant, and who executed the said instrument, as such and acknowledged the same is true, and after reading the same instrument with full understanding of the terms in effect thereof, she executed it freely and voluntarily as her act and deed for the uses and purposes therein expressed.

20th December, 1966

Ray J. Wilton, Jr.
Notary Public, State of Alabama at Large

FILED
DEC 21 1966
ALICE J. DICK, CLERK
REGISTER

STATE OF ALABAMA

BALDWIN COUNTY

RELEASE

Received of W. S. Newell, Inc., a Corporation, the sum of \$ 3,478.07, the receipt of which is hereby acknowledged, the undersigned Mary A. Richburg, on behalf of herself under the Workmen's Compensation Law of the State of Alabama, as last amended, and pursuant with an order of the Circuit Court, Baldwin County, Alabama, does hereby release, acquit, and forever discharge W. S. Newell, Inc., a Corporation, its officers, agents, servants, employees, successors and assigns, and The Travelers Insurance Company, its insurer, from any and all liability, past, present or future, under the Workmen's Compensation Act or otherwise, by reason of an accident occurring on or about the 15th day of April, 1965, approximately 2 miles, Northeast of Loxley, Alabama on the right-of-way of Interstate Highway 65 in Baldwin County, Alabama, in which Zemri Thomas Richburg was killed.

The undersigned understands that the above described release releases retain their right to subjugate under the Workmen's Compensation Act of Alabama, as last amended, and agrees to reimburse said releasees as provided by said act from any recovery she may make against a third party which may also be liable.

IN WITNESS WHEREOF, the said Mary A. Richburg, has hereunto set her hand and seal, pursuant to the above described authority this the 31st day of December, 1966.

Mary A. Richburg
Mary A. Richburg, ✓

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, personally appeared Mary A. Richburg, and who after first being duly sworn, deposes and says: that she has read the foregoing instrument and that the statements contained therein are true and correct to the best of her knowledge and belief.

Mary A. Richburg
Mary A. Richburg

Sworn to and subscribed before me this the 21st day
of December, 1966.

Mary A. Richburg
Notary Public, State of Alabama
A. L. L. L.

IN THE MATTER OF THE ESTATE X IN THE CIRCUIT COURT OF
 OF ZEMRI THOMAS RICHBURG, X BALDWIN COUNTY, ALABAMA
 DECEASED X AT LAW
 X CASE NO. 7282

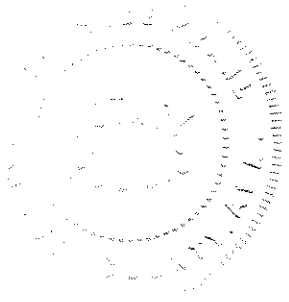
TO THE HONORABLE TELFAIR J. MASHBURN, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

Now comes, Mary A. Richburg, and shows unto your Honor that she was the mother of Zemri Thomas Richburg, deceased, who departed this life on the 15th day of April 1965, at Loxley, Alabama, as a results of an accident while he was in the employment of W. S. Newell, Inc., a Corporation, and while he was performing his duties pertaining to this employment. That said W. S. Newell, Inc., a Corporation, was covered by the Workmen's Compensation Laws of Alabama. That she partially depended upon the income from her son, Zemri Thomas Richburg. Further that she had been unable to reach a settlement with the said Corporation, and that she prays for permission to secure the services of an Attorney to represent her in said matter. She request the permission to secure the services of Harry J. Wilters, Jr., an Attorney at Law at Bay Minette, Alabama.

Mary A. Richburg
 Mary A. Richburg

Sworn to and subscribed before me this the 22nd day of November, 1966.

Florence Prohl
 Notary Public,



FILED

Nov 23 1966

W. L. DICK, CLERK REGISTER

IN THE MATTER OF THE ESTATE X IN THE CIRCUIT COURT OF
OF ZEMRI THOMAS RICHBURG, X BALDWIN COUNTY, ALABAMA
DECEASED X AT LAW
X CASE NO. 7284

The foregoing having been submitted, and the Court being of the opinion that said permission should be granted, the said Mary A. Richburg, is hereby permitted and authorized to employ Harry J. Wilters, Jr., an Attorney, to represent her in the claim for injuries arising out of an accident sustained by Zemri Thomas Richburg, her son, whom she depended upon for part of her income, and which accident occurred within the line and scope of his employment.

Done this 23rd day of November, 1966,

J. Blair A. Mashburn
Telfair J. Mashburn, Circuit Judge

NOV 23 1966
Telfair J. Mashburn, Circuit Judge

IN THE MATTER OF COMPENSATION X
FOR DEATH BY MARY A. RICHBURG, X
MOTHER OF DECEASED EMPLOYEE, X
ZEMRI THOMAS RICHBURG, INSURER, X
THE TRAVELERS INSURANCE COMPANY X
AND W. S. NEWELL, INC., a X
Corporation X

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

CASE NO. 7282

ORDER APPROVING SETTLEMENT AND PETITION

Upon reading and signing the foregoing petition and settlement, and being fully advised in the premises, and it appearing that the said allegations are true and that said settlement is substantially in accordance with the provision of the Workmen's Compensation Act of Alabama, as last ammended, and that it is for the best interest of the deceased employee's mother, Mary A. Richburg;

It is ORDERED that said Petition and Settlement be, and the same is hereby, approved, and that the parties and all concerned conform thereto.

It is further ORDERED that upon the payment of the sum of \$ 3,478.07, W. S. Newell, Inc., a Corporation, and The Travelers Insurance Company, its insurer, they and each of them are hereby discharged from any further liability for the death of Zemri Thomas Richburg, described in said petition, under the Workmen's Compensation Law of Alabama, or otherwise.

It is further ORDERED, ADJUDGED and DECREED that the said Mary A. Richburg, pay to the firm of Wilters & Brantley, Attorneys at Law, whose employment by the Defendant has heretofore been approved by the Court, the sum of \$ 500⁰⁰.

Done this 21st day of December, 1966.

FILED

DEC 21 1966

CLERK OF COURT

Telfair J. Mashburn
Telfair J. Mashburn, Circuit Judge