

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, Baldwin County

No. 6805

6805

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Goodwyn & Murphree, Inc., a Corporation

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.....Goodwyn &
.....Murphree, Inc., a Corporation....., Defendant.....

by MORRIS SHERRILL, a minor who sues by and through his father and next friend,
.....O.D. Sherrill....., Plaintiff.....

Witness my hand this.....3rd.....day of.....January.....19 66.....

EX-1-10-66

Alice J. Luck, Clerk

No. 6805

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

MORRIS SHERRILL, a minor who sues
by and through his father and

next friend, O.D. SHERRILL,
Plaintiffs

vs.

GOODWYN & MURPHREE, INC., A Corporation

Defendants

SUMMONS AND COMPLAINT

Filed January 3, 1966

Alice J. Duck
Clerk

Frank W. Riggs, III
Godbold, Hobbs & Copeland P.O. Box 347
Montgomery, Alabama Plaintiff's Attorney

Defendant's Attorney

Pike Co

Defendant lives at

Tr **RECEIVED**
Received In Office

JAN 3 1966 19.....

TAYLOR WILKINS
SHERIFF Sheriff

I have executed this summons

this January 10 1966
by leaving a copy with

Sam Murphree
of Goodwyn &
Murphree Corp

Deputy Sheriff

Deputy Sheriff

MORRIS SHERRILL, a minor, who sues by and through his father and next friend, O. D. Sherrill	)	IN THE CIRCUIT COURT OF
	)	BALDWIN COUNTY, ALABAMA
)	
Plaintiff)	
)	
vs)	
)	
GOODWYN & MURPHREE, INC., a corporation)	
)	
Defendant	)	CASE NO <u>6805</u>

TO THE HONORABLE JUDGES OF THE CIRCUIT COURT
OF MONTGOMERY COUNTY, ALABAMA

Your petitioner, Morris Sherrill, alleges unto this Honorable Court that he is an employee as defined by the Workmen's Compensation laws of the State of Alabama, that his employer is Goodwyn & Murphree, Inc., a corporation, that he has suffered an injury while acting within the line and scope of his employment, that he has been unable to reach a settlement with his employer, and he prays for permission to secure the services of an attorney to represent him in said matter. He requests permission to secure the services of Frank W. Riggs, III, an attorney at law of Montgomery, Alabama, of the firm of Godbold, Hobbs & Copeland.

Morris Sherrill
by Frank W. Riggs III

Morris Sherrill by Frank W. Riggs, III,
as Attorney-in-fact.

O R D E R

The foregoing having been submitted, and the Court being of the opinion that said permission should be granted, the said Morris Sherrill is hereby permitted and authorized to employ Frank W. Riggs, III, an attorney at law of Montgomery, Alabama, of the firm of Godbold, Hobbs & Copeland, to represent him in his claim for injuries arising out of an accident sustained in the line and scope of his employment while employed by Goodwyn & Murphree, Inc., a corporation.

DATED this 3rd day of January, 1966.

J. J. J. J. J.

Circuit Judge

FILED

JAN 10 1966

ALL 1 1966

MORRIS SHERRILL, a minor,	)	IN THE CIRCUIT COURT OF
who sues by and through)	
his father and next friend,	)	BALDWIN COUNTY, ALABAMA
O. D. Sherrill)	
)	
Plaintiff)	
)	
vs)	
)	
GOODWYN & MURPHREE, INC.,)	
a corporation)	
)	
Defendant	)	CASE NO <u>6805</u>

Your petitioner, Morris Sherrill, respectfully shows unto this Honorable Court as follows:

1. That on, to wit, the 25th day of September, 1964, petitioner was employed by the defendant, Goodwyn & Murphree, Inc., a corporation, said defendant being engaged in the contracting business. On said date petitioner was a citizen and resident of Montgomery County, Alabama.

2. That on said date, while acting in the line and scope of his employment by said defendant petitioner suffered personal injuries from an accident, and as a consequence thereof petitioner has been permanently and totally disabled. Controversy has arisen as to the benefits to be paid under the Workmen's Compensation laws of Alabama, defendant having declined and refused to make any further payment to plaintiff.

3. The defendant was subject to the Workmen's Compensation laws of the State of Alabama at the time of said accident.

4. Petitioner's average earnings at the time of said accident and for a substantial period prior thereto were not less than \$86.00 per week.

5. The defendant had prompt and immediate notice of said accident.

WHEREFORE, petitioner prays that this Honorable Court will take jurisdiction of this cause and will set the same for hearing, giving due notice and proper notice thereof to the defendant, and upon a hearing thereof will ascertain and determine the benefits to which plaintiff is entitled under the Workmen's Compensation laws of the State of Alabama.

Morris Sherrill by Frank W. Riggs, III

Morris Sherrill by Frank W. Riggs, III, as
Attorney-in-fact

STATE OF ALABAMA
MONTGOMERY COUNTY

Personally appeared before me, the undersigned authority, Frank W. Riggs, III, who is known to me and who being by me first duly sworn, deposes and says on oath that he has read the foregoing petition and that he is informed and believes and upon such information and belief states that the facts stated therein are true and correct.

Frank W. Riggs

Frank W. Riggs, III

Sworn to and subscribed before me
on this the 31st day of December, 1965.

Jacqueline Price
NOTARY PUBLIC

FILED
JAN 1 1966
ALICE A. DICK, CLERK
REGISTER

~~XXXX~~Montgomery County ~~EX~~ BALDWIN COUNTY

The Plaintiff having given bond and made affidavit as required by law, you are hereby required to take the property mentioned in the complaint into your possession, unless the defendant give bond, payable to the Plaintiff, with security in double value of the property, conditioned that if the Defendant is cast in the suit he will, within thirty days thereafter, deliver the property to the Plaintiff, and pay all costs and damages which may accrue from the detention thereof.

Clerk, Circuit Court, ~~Montgomery County~~ vx
BALDWIN COUNTY

GODBOLD, HOBBS & COPELAND
ATTORNEYS AT LAW
244 SOUTH PERRY STREET P. O. BOX 347
MONTGOMERY, ALABAMA

Received in office	day of
19	19
Executed by serving	cop
of the within. Summons and Complaint on	day of
Defendant this the	19
	Sheriff

MORRIS SHERRILL, a minor,	)	IN THE CIRCUIT COURT OF
who sues by and through his	(
father and next friend,	*	BALDWIN COUNTY, ALABAMA
O. D. SHERRILL,)	
	(
Plaintiff,	*	
)	
VS.	(
	*	
GOODWYN & MURPHREE, INC.,	)	CASE NO. 6805
a corporation,	(
	*	
Defendant.)	
	(

SETTLEMENT AND PETITION

The undersigned, being the only parties in the above styled matter, hereby petition the Court for approval of the following agreement and settlement under Title 26, Section 278 (Code of Alabama 1940, Recompiled 1958), and the Workmen's Compensation Laws of the State of Alabama, and agree and represent unto the Court as follows:

That the said MORRIS SHERRILL, Employee, and GOODWYN & MURPHREE, INC., a corporation, Employer, were, on the 25th day of September, 1964, and at all times material hereto, subject to the provisions of the Workmen's Compensation Laws of the State of Alabama. That the said Employee, who was, on the day of the accident giving rise to this action, sixteen (16) years of age, and a resident of Montgomery, Montgomery County, Alabama, and who can read the English language and understand the same, did, on or about the 25th day of September, 1964, sustain a personal injury by an accident arising out of and in the course of his employment while employed by the said GOODWYN & MURPHREE, INC., which injury occurred at or near Foley, Baldwin County, Alabama.

Said personal injury resulted in a permanent partial disability of the said Employee of thirty-three per cent (33%) of the body as a

whole and consisted of an injury in the nature of a rupture of the right kidney accompanied by pain. The said Employee was receiving, at the time of the injury, an average wage of \$56.52 per week.

It is further agreed and shown unto the Court that said Employee is single; said Employee was entitled to and did receive temporary total disability compensation for said injury from said Employer, beginning the 13th day of October, 1964 and continuing for fourteen (14) weeks, at the rate of fifty-five per cent (55%) of his average weekly wage during such disability, said temporary total disability payment being \$435.26. That under the Workmen's Compensation Laws of the State of Alabama, said Employee is entitled to and shall receive, under the terms hereof, permanent partial disability compensation for said injury from said Employer in a lump sum payment of \$3,000.00, being 55% of the difference between the average weekly earnings of said Employee at the time of said injury and the average weekly earnings he is able to earn in his partially disabled condition. It is hereby agreed and understood that the sum of \$3,000.00 is the amount now due and payable to said Employee for permanent partial disability, and the Employee agrees to give proper receipts for the payment made hereunder and for the said temporary total disability payments.

The Employee acknowledges that he has received, to date, all medical, hospital and surgical benefits to which he is entitled by said Act, and that the same have been paid for by Employer in the total amount of \$1,227.65, and Employer does hereby certify that all medical, hospital and surgical expenses incurred by Employer in connection with Employee's said injury have been paid by Employer.

This settlement constitutes and contains the whole agreement between the parties hereto and is in full settlement of all claims on account

of said injury between the parties hereto; and the Employer, GOODWYN & MURPHREE, INC., is hereby released from all claims on account of said injury, under the provisions of the Workmen's Compensation Act, or otherwise.

DATED this the 5th day of July, 1966.

Morris Sherrill (SEAL)
MORRIS SHERRILL
PLAINTIFF-EMPLOYEE

STATE OF ALABAMA I
COUNTY OF MONTGOMERY I

Before me, the undersigned authority in and for said County in said State, personally appeared MORRIS SHERRILL, who is known to me and who executed the said Settlement and Petition as such Employee and acknowledged the same as true and, after reading the said instrument, he executed it freely and voluntarily as his own act and deed.

GIVEN under my hand and Notarial Seal this the 5th day of July, 1966.

(NOTARIAL SEAL)

Jaqueline Price
Notary Public, Montgomery County, Alabama

This Settlement and Petition has been read by me and is approved by me.

O. D. Sherrill
O. D. SHERRILL, Father and next friend of
MORRIS SHERRILL, a Minor

Frank W. Riggs, III
FRANK W. RIGGS, III, Attorney for
PLAINTIFF-EMPLOYEE

ACCEPTED AND APPROVED:

Brook G. Holmes
BROOK G. HOLMES, Attorney for
GOODWYN & MURPHREE, INC.,
DEFENDANT-EMPLOYER.

479

FILED

JUL 26 1966

ALF L. DICK, CLERK
REGISTER

GODBOLD, HOBBS & COPELAND

ATTORNEYS AT LAW

444 SOUTH PERRY STREET

MONTGOMERY, ALABAMA

JOHN C. GODBOLD
TRUMAN M. HOBBS
ALBERT W. COPELAND
FRANK W. RIGGS, III
EUEL A. SCREWS, JR.

P. O. BOX 347
TELEPHONE 269-2344

August 13, 1966

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

Sherrill v Goodwyn & Murphree
Case No. 6805

Dear Mrs. Duck:

The judgment in favor of the plaintiff in the above case has been satisfied in full. Accordingly, we request that you make such entries as are necessary to show that the judgment has been cancelled.

About a week ago you sent me the cost bill in this case. I have forwarded it to Mr. Broox G. Holmes, attorney for the defendant. If you have ^{not} already received payment from him, I am sure you will receive it shortly.

Thank you for your help.

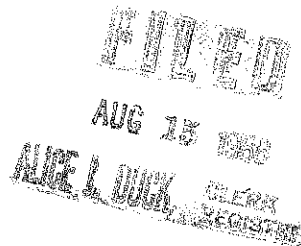
Very truly yours,

GODBOLD, HOBBS & COPELAND

Frank W. Riggs, III
Frank W. Riggs, III

FWR:jp

cc: Mr. Broox G. Holmes



ARMBRECHT, JACKSON & DEMOUY
LAWYERS

MERCHANTS NATIONAL BANK BUILDING

P. O. BOX 290

MOBILE, ALABAMA

36601

AREA CODE 205
PHONE 433-1891

CABLE ADDRESS
SEALAW

WM. H. ARMBRECHT
THEODORE K. JACKSON
MARSHALL J. DEMOUY
WM. H. ARMBRECHT, III
RAE M. CROWE
BROOX G. HOLMES
W. BOYD REEVES
JOHN GROW
LOUIS H. ANDERS, JR.
FRANK B. MCRIGHT

January 24, 1966

Mrs. Alice J. Duck, Clerk
Circuit Court of Baldwin County
Baldwin County Courthouse
Bay Minette, Alabama 36507

Re: Morris Sherrill, a Minor, etc.
v. Goodwyn & Murphree, Inc.
Case No. 6805

Dear Mrs. Duck:

Enclosed please find Demurrer which we wish to file on
behalf of the Defendant in the above captioned case. We have mailed a
copy to Frank W. Riggs, III, Esq., Attorney for the Plaintiff.

Very truly yours,

ARMBRECHT, JACKSON & DeMOUY

By: 

BROOX G. HOLMES

BGH:ba
Encl.

GODBOLD, HOBBS & COPELAND

ATTORNEYS AT LAW

444 SOUTH PERRY STREET

MONTGOMERY, ALABAMA

JOHN C. GODBOLD
TRUMAN M. HOBBS
ALBERT W. COPELAND
FRANK W. RIGGS, III
EUEL A. SCREWS, JR.

P. O. BOX 347
TELEPHONE 269-2344

January 6, 1966

Mrs. Alice J. Duck, Clerk
Circuit Court
Courthouse
Bay Minette, Alabama

Morris Sherrill, a minor who
sues by and through his father
and next friend, O. D. Sherrill
vs Goodwyn & Murphree, Inc.,
a corporation

Dear Mrs. Duck:

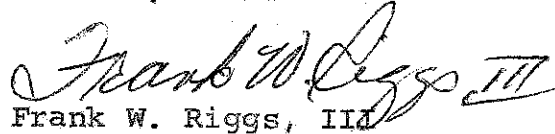
We enclose for filing an original and two copies of
interrogatories to defendant in the above styled cause. De-
fendant should be served by the Sheriff, and of course
is located in Troy, Alabama.

We request that you notify us of the date of service
of these interrogatories.

Many thanks for your consideration.

Very truly yours,

GODBOLD, HOBBS & COPELAND


Frank W. Riggs, III

FWR:jp
enc.

MORRIS SHERRILL, a minor,	(	IN THE CIRCUIT COURT OF
who sues by and through his)	
father and next friend,	*	BALDWIN COUNTY, ALABAMA
O. D. SHERRILL,	(
)	
Plaintiff,	*	
	(
vs.)	
	*	
GOODWYN & MURPHREE, INC.,	(	CASE NO. 6805
a corporation,)	
	*	
Defendant.	(
)	

D E M U R R E R ---

Comes now the Defendant in the above styled cause and demurs to the Plaintiff's Petition as a whole, and to each and every count thereof, separately and severally, and to each and every paragraph thereof, separately and severally, on the following separate and several grounds:

1. The Petition fails to state a cause of action against the Defendant.
2. For that said Petition wholly fails to state a cause of action.
3. The allegations of the Petition are so vague, indefinite and uncertain that the Defendant is not apprised of what it will be called upon to defend against.
4. The Petition fails to allege sufficient facts upon which relief can be granted.
5. For that the Petition fails to allege a wrongful act or omission on the part of the Defendant.

6. The Petition fails to sufficiently set forth the circumstances relating to the employment of the Plaintiff at the time of the injury.

7. The Petition fails to set forth a full description of the injury, its nature and extent, as required by Title 26, Section 304 (Code of Alabama 1940, Recompiled 1958).

8. Because said Petition does not set forth sufficient facts to enable the Court to determine what, if any, compensation the Plaintiff is entitled to receive under the Workmen's Compensation Laws of the State of Alabama.

9. For aught that appears, the said injuries did not arise out of the Plaintiff's said employment nor while he was engaged in the scope of his said employment.

10. For that said Petition does not allege knowledge of the employer of the injury or the notice to him thereof.

11. For aught that appears, the Defendant was not given actual or written notice of the alleged accident, as required by Title 26, Section 294 and 295 (Code of Alabama 1940, Recompiled 1958).

12. Because said Petition does not conform to or comply with Title 26, Section 304 (Code of Alabama 1940, Recompiled 1958).

13. For that said Petition does not sufficiently aver the amount of the average earnings received by the Plaintiff which would affect his compensation, if any.

14. For that there is an insufficient description of the alleged injury.

15. For that there is an insufficient description of the alleged accident.

ARMBRECHT, JACKSON & DeMOUY

By: *Broox G. Holmes*
BROOX G. HOLMES

Attorneys for Defendant, GOODWYN
& MURPHREE, INC.

CERTIFICATE OF SERVICE

I, BROOX G. HOLMES, do hereby certify that I have served a copy of the foregoing Demurrer on Frank W. Riggs, III, Esq., Attorney for Plaintiff, by mailing the same by United States mail, first class postage prepaid and properly addressed to his office in Montgomery, Alabama, on this 24th day of January, 1966.

Broox G. Holmes
BROOX G. HOLMES

FILED

JAN 25 1966

ALICE L. DICK, CLERK
REGISTER

MORRIS SHERRILL, a minor,	)	IN THE CIRCUIT COURT OF
who sues by and through	)	BALDWIN COUNTY,
his father and next friend,)	
O. D. Sherrill	)	ALABAMA
Plaintiff)	
vs)	
GOODWYN & MURPHREE, INC.,)	
a corporation)	
Defendant	)	CASE NO <u>6805</u>

INTERROGATORIES TO DEFENDANT

Comes now the plaintiff, Morris Sherrill, a minor, who sues by and through his father and next friend, O. D. Sherrill, in the above entitled cause and desiring the testimony of the defendant, Goodwyn & Murphree, Inc., a corporation, propounds to said defendant the following interrogatories as provided under Section 477, et seq., of Title 7 of the Code of Alabama, to wit:

1. State your name.
2. Are you correctly named in the complaint filed in this cause? If not, please state your correct name.
3. On or about September 25, 1964, was Morris Sherrill employed by you?
4. Please state the date on which Morris Sherrill first became employed by you.
5. Please state each place where Morris Sherrill was employed by you between the date of his initial employment and September 25, 1964.
6. Please name each job held by Morris Sherrill as your employee between the date of his initial employment and September 25, 1964. Also name the periods of time during which each job was held.
7. What hourly wage was Morris Sherrill earning on September 25, 1964?
8. If prior to September 25, 1964 Morris Sherrill had earned hourly wages different from that which he was earning on September 25, 1964, please state each hourly wage earned by Morris Sherrill as your employee and the periods of time during which each such hourly wage was earned by him.

9. Please attach to your answers to these interrogatories copies of all wage records pertaining to Morris Sherrill while he was your employee.

10. Where was Morris Sherrill employed on September 25, 1964?

11. For whom were you performing the work on which Morris Sherrill was engaged on September 25, 1964? If such work was being performed pursuant to a written contract, please attach to your answers to these interrogatories a complete copy of such contract, including any rules or regulations incorporated therein by reference.

12. Was Morris Sherrill injured on September 25, 1964?

13. Please describe in detail the nature of the work which Morris Sherrill was doing at the time of such injury.

14. Please state the name and present address of the person by whom Morris Sherrill was instructed to do such work.

15. Was Morris Sherrill acting within the line and scope of his employment by you in doing the work in which he was engaged at the time of his injury?

16. Did the injury to Morris Sherrill arise out of and in the course of his employment by you?

17. Please give the name and address of each person employed by you on the job where Morris Sherrill was injured who had the same job title as Morris Sherrill. Also state the hourly wage of each such person, the period of his employment, the total number of hours worked by him, and the total gross wages paid to him.

18. Have you received notice of injury to Morris Sherrill on September 25, 1964? If so, when did you first receive such notice? Attach to your answers to these interrogatories a copy of such notice.

19. Please attach to your answers to these interrogatories copies of all reports of injury to Morris Sherrill submitted by you to the Department of Industrial Relations of the State of Alabama.

20. Please attach to your answers to these interrogatories copies of all reports submitted to you by physicians or other persons relating to injuries received by Morris Sherrill on September 25, 1964 and treatment thereof.

21. Please list each payment made by you to or for Morris Sherrill on account of injuries sustained by him on September 25, 1964, giving the date, amount, and recipient of each such payment.

22. Was any person, firm or corporation other than Goodwyn & Murphree, Inc. engaged in the performance of the work in which Morris Sherrill was engaged when he was injured on September 25, 1964? If so, state the name and address of each such person, firm or corporation and describe the nature of the work being done by said person, firm or corporation.

23. Did any act of any person not directly employed by you contribute in any way to the accident in which Morris Sherrill was injured? If so, describe how such act contributed to such injury and give the name and address of such person and of his employer.

24. Were you the prime contractor or a subcontractor on the job on which Morris Sherrill was injured? If you were the prime contractor, give the names of all subcontractors on such job. If you were a subcontractor, give the name of the prime contractor and the names of all other subcontractors on said job.

GODBOLD, HOBBS & COPELAND

By Frank W. Byrd
Attorney for Plaintiff

STATE OF ALABAMA
MONTGOMERY COUNTY

Before me, the undersigned authority, a Notary

Public in and for said State at Large, personally appeared Frank W. Riggs, III, who is known to me and being by me first duly sworn on oath deposes and says that he is one of the attorneys for the plaintiff in the above styled cause, and as such is authorized to make this affidavit; that the answers of the defendant to the foregoing interrogatories when well and truly made and filed will be material testimony for the plaintiff on the trial of this cause.

Frank W. Riggs III
Frank W. Riggs, III

Sworn to and subscribed before me on this the 6th day of January, 1966.

Jacqueline Price
NOTARY PUBLIC

GODBOLD, HOBBS & COPELAND

ATTORNEYS AT LAW

444 SOUTH PERRY STREET

MONTGOMERY, ALABAMA

JOHN C. GODBOLD
TRUMAN M. HOBBS
ALBERT W. COPELAND
FRANK W. RIGGS, III
EUEL A. SCREWS, JR.

P. O. BOX 347
TELEPHONE 269-2344

December 31, 1965

Mrs. Alice J. Duck, Clerk
Circuit Court
Courthouse
Bay Minette, Alabama

Morris Sherrill, a minor who
sues by and through his father
and next friend, O. D. Sherrill
vs Goodwyn & Murphree, Inc.,
a corporation

Dear Mrs. Duck:

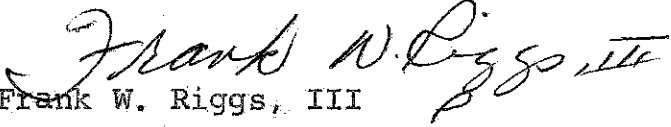
We enclose for filing an original and two copies
of a complaint and a petition (with an order) for the appoint-
ment of an attorney in the above styled cause.

If it is convenient for you to do so, we would
appreciate your advising us when service has been perfected
on the defendant. We would also like to know whether
Workmen's Compensation cases are set on any particular docket
in your county or whether they are generally disposed of on
special settings.

Thank you for your cooperation.

Very truly yours,

GODBOLD, HOBBS & COPELAND


Frank W. Riggs, III

FWR:jp

enc.

MORRIS SHERRILL, a minor, who sues by and through his father and next friend, O. D. Sherrill	)	IN THE CIRCUIT COURT OF
	)	BALDWIN COUNTY, ALABAMA
Plaintiff)	
VS)	
GOODWYN & MURPHREE, INC., a corporation)	
Defendant	)	CASE NO <u>6885</u>

Your petitioner, Morris Sherrill, respectfully shows unto this Honorable Court as follows:

1. That on, to wit, the 25th day of September, 1964, petitioner was employed by the defendant, Goodwyn & Murphree, Inc., a corporation, said defendant being engaged in the contracting business. On said date petitioner was a citizen and resident of Montgomery County, Alabama.

2. That on said date, while acting in the line and scope of his employment by said defendant petitioner suffered personal injuries from an accident, and as a consequence thereof petitioner has been permanently and totally disabled. Controversy has arisen as to the benefits to be paid under the Workmen's Compensation laws of Alabama, defendant having declined and refused to make any further payment to plaintiff.

3. The defendant was subject to the Workmen's Compensation laws of the State of Alabama at the time of said accident.

4. Petitioner's average earnings at the time of said accident and for a substantial period prior thereto were not less than \$86.00 per week.

5. The defendant had prompt and immediate notice of said accident.

WHEREFORE, petitioner prays that this Honorable Court will take jurisdiction of this cause and will set the same for hearing, giving due notice and proper notice thereof to the defendant, and upon a hearing thereof will ascertain and determine the benefits to which plaintiff is entitled under the Workmen's Compensation laws of the State of Alabama.

Morris Sherrill by Frank W. Riggs, III
Morris Sherrill by Frank W. Riggs, III, as
Attorney-in-fact

RECEIVED

JAN 7 1966

TAYLOR WILKINS
SHERIFF

EXECUTED THIS 10th. DAY
JANUARY 1966 BY HANDING
SAM MURPHREE OFFICER OF
GOODWYN & MURPHREE CORP.
A COPY OF THE WITH IN.

PRESTLEY DAVIS
Presley Davis
SHERIFF POKE COUNTY

M. 6805

Morris Sherrill, a minor
who sees by and through
his father and next friend,
D.D. Sherrill

VS.

Goodwyn & Murphree, Inc
- Corp.

(Troy, Ala)

Interrogatories
filed 1-7-66
Huefaua-ack

STATE OF ALABAMA

MONTGOMERY COUNTY

Personally appeared before me, the undersigned authority, Frank W. Riggs, III, who is known to me and who being by me first duly sworn, deposes and says on oath that he has read the foregoing petition and that he is informed and believes and upon such information and belief states that the facts stated therein are true and correct.

Frank W. Riggs, III

Frank W. Riggs, III

Sworn to and subscribed before me

on this the 31st day of December, 1965.

Jacqueline Price
NOTARY PUBLIC

THE STATE OF ALABAMA

~~Montgomery County~~ BALDWIN COUNTY

To the Sheriff of Said County—GREETINGS:

The Plaintiff having given bond and made affidavit as required by law, you are hereby required to take the property mentioned in the complaint into your possession, unless the defendant give bond, payable to the Plaintiff, with security in double value of the property, conditioned that if the Defendant is cast in the suit he will, within thirty days thereafter, deliver the property to the Plaintiff, and pay all costs and damages which may accrue from the detention thereof.

WITNESS my hand this

day of

A. D., 19

Clerk, Circuit Court, ~~Montgomery County~~ BALDWIN COUNTY

MORRIS SHERRILL, a minor,
who sues by and through
his father and next friend,
O. D. Sherrill

vs.

GOODWYN & MURPHREE, INC.,
a corporation
Troy, Alabama

CIRCUIT COURT
BALDWIN
OF ~~MONTGOMERY~~ COUNTY

Term, 19

SUMMONS AND COMPLAINT

Filed in office this day of

A. D. 19

Clerk.

Plaintiff's Attorney
Frank W. Riggs, III

WALKER PRINTING CO.
GODDARD, HOBBS & COPELAND
ATTORNEYS AT LAW
444 SOUTH PERRY STREET P. O. BOX 347
MONTGOMERY, ALABAMA

Received in office

day of

19

Sheriff

Executed by serving
of the within. Summons and Complaint on
Defendant this the day of

19

Sheriff

MORRIS SHERRILL, a minor,	)	IN THE CIRCUIT COURT OF
who sues by and through his	(
father and next friend,	*	BALDWIN COUNTY, ALABAMA
O. D. SHERRILL,)	
	(
Plaintiff,	*	
)	
VS.	(
	*	
GOODWYN & MURPHREE, INC.,	)	CASE NO. 6805
a corporation,	(
	*	
Defendant.)	
	(

O R D E R ---

Upon reading and considering the foregoing Joint Petition Agreement and Settlement of the parties, and being fully advised in the premises, and it appearing that the allegations of said Petition and Settlement are true and that such settlement is in accordance with the provisions of the Workmen's Compensation Laws of the State of Alabama, and that it is for the best interests of the said Employee;

And it appearing and being shown to the Court that Frank W. Riggs, III, Attorney at Law, was employed by the Plaintiff-Employee, MORRIS SHERRILL, to represent him in this cause, and that the Plaintiff has requested that this Court approve of the employment of said Attorney and fix the compensation to be allowed him.

It is, therefore, ORDERED, ADJUDGED and DECREED by the Court that the said Petition and Settlement be, and the same hereby is, approved by the Court, and that the employment of said attorney and an attorney's fee of fifteen per cent (15%) of said Employee's award is approved.

It is further ORDERED, ADJUDGED, DECREED and CONSIDERED by the Court that the Plaintiff, MORRIS SHERRILL, have and

recover of the Defendant, GOODWYN & MURPHREE, INC., Three Thousand and 00/100 Dollars (\$3,000.00), for which execution may issue.

DONE this the 26th day of July, 1966.

Jeffrey J. MacLennan
CIRCUIT JUDGE

Filed 7-26-66
Revised J. Duck
Clerk