

C. W. MAY AND ETHEL MAY  
PLAINTIFFS

VS

L. T. RHODES  
DEFENDANT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

The Plaintiffs claim of the Defendant compensation under the compensation laws of Alabama due and owing to the Plaintiffs under the following statement of facts, to-wit:

On or about the 4th day of June, 1943, the relation of employer and employee, or master and servant existed between the Defendant and Earl May, and the Defendant and the said Earl May were subject to the compensation act of Alabama, then in force and effect, and while so employed and engaged the said Earl May suffered injury and damage which resulted in his death on to-wit: June 4, 1943 which was the proximate result of an accident which arose out of and during the course of his employment by the Defendant as aforesaid;

The said C. W. May and Ethel May are the mother and father of the said Earl May and were wholly dependent on him at the time of said accident and at the time of his death. *That he left no children* That the said Earl May was a minor at the time of his death, that the said C. W. May and Ethel May, the said L. T. Rhodes are and the said Earl May was a resident of Baldwin County, Alabama at the time of said accident, that the said accident occurred in Baldwin County, Alabama.

That at the time of the said accident on to-wit: June 4, 1943, the said Earl May was working for the said L. T. Rhodes in and about the business of the said L. T. Rhodes and chiefly as a truck driver and was being paid the sum of \$17.50 per week for such services and had been employed for approximately ten weeks next preceeding such accident, that such accident was the proximate result of the negligence of the agent and employee of the said L. T. Rhodes; that the said L. T. Rhodes had immediate notice of such injury and actual knowledge

of such injury and of the death of the said Earl May resulting therefrom; that a controversy has arisen between Plaintiffs and the said Defendant as to the Defendant's liability to them and as to the amount thereof due the Plaintiffs from him by virtue of the said injuries to and the resulting death therefrom of the said Earl May. And the Plaintiffs further alleges that under the statutes made and provided they as the parents of the said Earl May are entitled to 45% of the weekly wage of the said Earl May for the full three year period provided by the said statutes.

Plaintiffs further allege that the said L. T. Rhodes has failed and refused to pay to these Plaintiffs such compensation and any and all compensation to which they are entitled under the statutes made and provided, hence this suit.

BEEBE & HALL

*W.C. Beebe*  
Attorneys for Plaintiffs.

STATE OF ALABAMA

BALDWIN COUNTY

Before me the undersigned Notary Public, in and for  
said County, in said State, personally appeared C. W. May and  
Ethel May, first having been duly sworn by me depose and say  
that they have read the foregoing petition and know the facts  
herein alleged and that the facts alleged in the aforesaid  
petition are true.

C W May  
Ethel May

Sworn to and subscribed before me on this the 2  
day of November, 1943.

W C Beebe  
Notary Public, Baldwin County, Ala.

I hereby accept service of a copy  
of within summons & Complaint this NOV 3/1943  
L. T. Rhodes

C. W. MAY AND ETHEL MAY  
PLAINTIFFS

VS

L. T. RHODES  
DEFENDANT

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

In open court this day come the Plaintiffs by their attorneys of record, Beebe & Hall and the Defendant by his attorneys of record, Hybart & Chason, and as appears by an agreement entered into by and between the parties to this cause the Defendant, L. T. RHODES admits that he is indebted to the Plaintiffs, C. W. MAY and ETHEL MAY, in the sum of \$300.00 as compensation claimed in their complaint by virtue of the death of Earl May, a minor son of Plaintiffs, whose death was the result of an accident which occurred while he was employed in and about the business of L. T. RHODES, who was subject to the Workmen's Compensation Law and the said L. T. Rhodes consents that judgment be rendered against him in the sum of \$300.00.

Whereupon it is considered by the court that the Plaintiffs, C. W. May and Ethel May, recover of the said L. T. Rhodes the sum of \$300.00, so confessed as aforesaid, and the further sum of \$2.00, costs for which let execution issue.

Done in open court at Bay Minette, Alabama, this the 3rd day of November, 1943.

J. W. Hare  
Judge.

C. W. MAY AND ETHEL  
MAY PLAINTIFFS

VS

L. T. RHODES  
DEFENDANT

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

Parties to this cause have agreed to a settlement thereof on the following basis:

First: That the Plaintiffs have and recover judgment against the Defendant in the sum of \$300.00 for any and all claims and demands in this suit.

Second: That the costs in this cause be taxed against the Defendant.

Witness our hands this the 2nd day of November, 1943.

C W May  
Ethel May  
L T Rhodes

C. W. MAY AND ETHEL MAY,

Plaintiffs,

VS.

L. T. RHODES,

Defendant.

IN THE

CIRCUIT COURT OF BALDWIN

COUNTY, ALABAMA.

AT LAW.

Now comes L. T. Rhodes, the defendant in the aforesaid cause and for answer and plea to the complaint says:

That he admits that on or about the 4th day of June, 1943, that Earl May was in his employ and that as such he was subject to the Compensation Act of Alabama then in force, and that while so employed and engaged in said employment the said Earl May suffered injury which resulted in his death, on to-wit: June 4, 1943, which was the proximate result of an accident that arose out of and during the course of his employment by the defendant. That he admits that C. W. May and Ethel May are the mother and father of said Earl May, but denies that they were dependent on the said Earl May at the time of his death or any time prior thereto. That he admits that the said Earl May was a minor at the time of his death and admits that the said C. W. May and Ethel May, the Plaintiffs, and himself are residents of Baldwin County, Alabama, and have been such for some several years last passed. That Earl May was a resident of Baldwin County, Alabama, at the time of said accident and death, and that the accident occurred in Baldwin County, Alabama. THAT he admits that on June 4, 1943, the said Earl May was working for him in and about his business chiefly as a truck driver, and that he was being paid the sum of SEVENTEEN AND 50/100 (\$17.50) DOLLARS per week for such services, and had been employed for .

approximately ten weeks next preceeding said accident.

That he denies that the accident was the proximate result of the negligence of his agent or employee; that he admits that he had notice of such injury and actual knowledge of such injury and death of the said Earl May resulting therefrom. That he admits that a controversy has arisen between he and the Plaintiffs as to his liability to them and as to the amount thereof due the plaintiffs by him by virtue of said injury to, and the resulting death therefrom of the said Earl May. That he denies that under the Statute made and provided that the Plaintiffs are entitled, as the parents of said Earl May to Forty-five per cent (45%) of the weekly wages of the said Earl May for the full three year period provided by Statute, but states the facts to be that the said Plaintiffs are not the dependents and were not the dependents of the said Earl May at the time of his said injury or his said death.

That the defendant waives any further notice as to the proceeding filed by the plaintiffs in this cause against him and agrees that the Court proceed to hear the matters here involved.

L. T. Rhodes

STATE OF ALABAMA

BALDWIN COUNTY.

Before me, John H. Hason, a Notary  
Public, in and for said County, in said State,  
personally appeared L. T. Rhodes, who being duly sworn, deposes and says that the allegations contained in the foregoing answer or plea are true and correct.

L. T. Rhodes

Sworn to and subscribed before me

this 2 day of November, 1943.

John H. Hason

STATE OF ALABAMA  
BALDWIN COUNTY

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

YOU ARE HEREBY COMMANDED to summon L. T. RHODES  
to be and appear within thirty days within the date of this  
summons in this Circuit Court of Baldwin County, Alabama,  
at the place of holding the same, then and there to answer  
the Complaint of C. W. May and Ethel May.

Witness my hand this the \_\_\_\_ day of November, 1943.

\_\_\_\_\_  
Clerk.