

1542

STATE OF ALABAMA
BALDWIN COUNTY

You are hereby commanded to summon Ben Sutton, to appear and plead, answer or demur, within thirty days from the services hereof to the bill of complaint filed in the Circuit Court of Baldwin County, Alabama, at Law, by Ernest Henry, as Plaintiff, and against Ben Sutton, as Defendant.

Witness my hand this 4th day of August, 1950.

Reed L. Henry
Register Clerk

ERNEST HENRY

Plaintiff

vs

BEN SUTTON

Defendant

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

Plaintiff claims of the Defendant benefits under the Workmen's Compensation Laws of Alabama due and owing the following statement of facts; on July 18, 1950, the relation of employer and employee, or master and servant, existed between Defendant, Ben Sutton, and Plaintiff, were subject to the Workmen's Compensation Laws of Alabama, and while so employed and engaged in the business of the Defendant, Ben Sutton, and while acting in line and scope of his employment with said company, Plaintiff suffered an accident, which arose out of and in the course of said employment. As the proximate result of said accident, Plaintiff has been totally disabled. A controversy has arisen as to the benefits to be paid under the Workmen's Compensation Laws of Alabama.

Plaintiff's name is Ernest Henry, and he resides at Bay Minette, Alabama. The Defendant's name is Ben Sutton.

At the time of the said accident, on, to-wit, July 18th, 1950, at about 10:30 A.M., Plaintiff in the line and scope of his employment and while so engaged at a point about six miles south of Foley, Alabama at about 10:30 A.M. while assisting the tractor operator in bunching and loading logs for the truck which Plaintiff operated, as Defendant's employee, Plaintiff suffered an accident by having a log snatched on to or against his foot and as the proximate result Plaintiff was severely injured, having several bones in his foot broken and having received numerous other injuries.

Plaintiff avers that Defendant, Ben Sutton, had prompt and immediate notice of said accident and that the said Ben Sutton has failed to pay Doctor's bill for emergency attention or further treatment; nor has Plaintiff received any Workmen's Compensation benefits or monies of any kind from said Defendant.

Plaintiff alleges that at the time of the injuries he was employed in hauling poles and piling, items going in interstate commerce and that Plaintiff was receiving as wages only Five (\$5.00) Dollars a day. Plaintiff further alleges that he is totally disabled and that he has been continuously totally and entirely disabled from working since the date of said injuries to the present date.

Wherefore, Plaintiff claims of the Defendant, Ben Sutton, such benefits as he is entitled to receive under the Workmen's Compensation Laws of Alabama. He prays that notice may be given the Defendant and that hearing may be had, all in accordance with the laws and rules of this Honorable Court.

Ernest Henry

STATE OF ALABAMA)

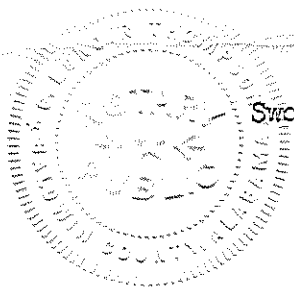
BALDWIN COUNTY)

Before me, Chas. J. Thompson a Notary Public in and for said State and County personally appeared Ernest Henry, who is known to me, and who being first duly sworn, deposes on oath and says: That he has read the foregoing petition and the statements made therein are true and correct and that he knows of his own knowledge that they are correct.

Ernest Henry

Sworn to and subscribed before me this the 4 day of August, 1950.

Chas. J. Thompson
Notary Public, Baldwin County, Alabama.



Received in Sheriff's Office
this 5 day of Aug, 1950
TAYLOR WILKINS, Sheriff

*Executed the 5 day of
August 1950 by serving a
copy of the within to
Ben Sutton*

*Taylor Wilkins, Sheriff
Walker H. Taylor
Deputy Sheriff*

2151



No. 1542 RECORDED

ERNEST HENRY

Plaintiff

Vs

BEN SUTTON

Defendant

SUMMONS AND VERIFIED COMPLAINT

FILED

AUG 4 1950

AUDICE J. COCK, Clerk

STATE OF ALABAMA)

BALDWIN COUNTY)

TO THE HONORABLE JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

Now comes Ernest Henry and shows unto your Honor that he is an employee as defined by the Workmen's Compensation Laws of Alabama, that his employer is Ben Sutton, that he has suffered an injury while acting in the line and scope of his employment, that he has been unable to reach settlement with his employer and that 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 C. LeNoir Thompson, an attorney at law at Bay Minette, Alabama.

Ernest Henry

The foregoing having been submitted and the court being of the opinion that said permission should be granted, the said Ernest Henry is hereby permitted and authorized to employ C. LeNoir Thompson, an attorney at law, to represent him in a claim for injuries arising out of an accident sustained in the line and course of his employment while employed by Ben Sutton.

Jeffrey J. Mashburn
Judge

5th day of August, 1950.

1542 RECORDED

ERNEST HENRY

Plaintiff

vs

BEN SUTTON

Defendant

PETITION AND DECREE FOR
EMPLOYMENT OF AN ATTORNEY

FILED

AUG 4 1950

ALICE J. DUCK, Clerk