

HARVEY J. PASHAN,

Plaintiff

VS.

W. N. STUCKEY, doing

business as W. N. STUCKEY

SAW MILL CO,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

NO. 1917

TO THE HONORABLE HUBERT M. HALL, JUDGE THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

Comes the Plaintiff in the above styled cause and shows unto your Honor and this Honorable Court that he filed a claim under the Workmen's Compensation Laws of Alabama against the Defendant, W. N. STUCKEY, doing business as W. N. STUCKEY SAW MILL CO., in this Honorable Court on, to-wit, February 9, 1953; that the defendant was served with notice of said claim on, to-wit, February 13, 1953; and that thirty days will have elapsed on, to-wit, February 15, 1953.

WHEREFORE, THE PREMISES CONSIDERED, Plaintiff prays that this Honorable Court will, in accordance with the provisions of Title 26, Paragraph 304, of the Code of Alabama of 1940, make and enter, and have served on the defendant, an order setting this cause down for hearing on some date convenient to the Court after February 15, 1953; Plaintiff further prays that this Court will order the Defendant to file his verified answer at least five days before the date set for the hearing of this cause as provided by the same section of the code.

Julian A. Madaleno, Jr.
Attorney for Plaintiff.

O R D E R.

This cause is set down for hearing on the 20 day of March, 1953. It is further Ordered that the defendant file his verified answer to the Plaintiffs Complaint on, or before, the 15 day of March, 1953. It is further ordered that the Sheriff of Baldwin County, Alabama, serve a copy of this order on the Defendant.

Done and Ordered this the 6 day of March, 1953.

Hubert M. Hall
JUDGE.

1917 ORIGINAL
HARVEY J. PARHAM,

Plaintiff,

VS.

W. N. STUCKEY, doing business

as W. N. STUCKEY SAW MILL CO.,

Defendant.

ORDER SETTING DATE FOR HEARING.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

NO. _____

FILED
3-6-53
ALICE J. DUCK, Clerk

Received in Sheriff's Office
this 7 day of March 1953
TAYLOR WILKINS, Sheriff

Received _____ day of _____ 19____
and on 7 day of March 1953
I served a copy of the within
on _____

By service on W. N. Stuckey
TAYLOR WILKINS, Sheriff
By _____

STATE OF ALABAMA, 0
 0
COUNTY OF BALDWIN. 0

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon W. N. STUCKEY, doing business as W. N. STUCKEY SAW MILL CO., to appear within thirty (30) 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 HARVEY J. PARRAM.

Witness my hand, this ____ day of February, 1953.

C L E R K

STATE OF ALABAMA, 0
 0
COUNTY OF BALDWIN. 0

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA:

Now comes Harvey J. Parham and shows unto your Honor that he is an employee as defined by the Workmen's Compensation Laws of Alabama; that his employer is W. N. Stuckey, doing business as W. N. Stuckey Saw Mill Co.; that he has suffered an injury while acting within 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 Telfair J. Mashburn, Jr., an Attorney at Law, at Bay Minette, Alabama.

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 Harvey J. Parham is hereby permitted and authorized to employ Telfair J. Mashburn, Jr., 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 W. N. Stuckey, doing business as W. N. Stuckey Saw Mill Co.

Done and Ordered this the ____ day of _____, 1953.

Circuit Judge.

HARVEY J. PARHAM,
Plaintiff,
VS.
W. N. STUCKEY, doing
business as W. N.
STUCKEY SAW MILL CO.,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
AT LAW.
NO.

Plaintiff claims of the defendant benefits under the Workmen's Compensation Laws of Alabama due and owing under the following statement of facts:

On, to-wit, September 5, 1952, the relationship of employer and employee, or master and servant, existed between the defendant, W. N. Stuckey, d/b/a W. N. Stuckey Saw Mill Co., and plaintiff; and defendant, W. N. Stuckey, d/b/a W. N. Stuckey Saw Mill Co., and plaintiff were subject to the Workmen's Compensation Laws of Alabama; and while so employed and engaged in the business of the defendant, and while acting within the line and scope of his employment with said defendant, plaintiff suffered an accident, which arose out of and in the course of said employment. As a proximate result of said accident, plaintiff has been permanently partially disabled. A controversy has arisen as to the benefits to be paid Plaintiff under the Workmen's Compensation Laws of Alabama.

Plaintiff's name is Harvey J. Parham and he resides, presently at Stockton, Alabama. The defendant's name is W. N. Stuckey and he resides at Bay Minette, Alabama.

At the time of the said accident, on, to-wit, September 5, 1952, plaintiff was employed at defendant's saw mill, located between Tensaw and Blacksher in Baldwin County, Alabama; and plaintiff was assisting in the unloading of a truck load of logs, in the line and scope of his employment, and while so engaged, at about 6:00 O'clock A. M. on said date, the load shifted and caught the fingers of plaintiff's right hand ^{between a stanchion and a tire} ~~in a chain~~ and mashed them severely, and as a proximate result, plaintiff was severely injured and lost the first joint of his first, or index, finger, and the first two joints of his second, or middle, finger.

Plaintiff avers that defendant had prompt and immediate

notice of said accident and that said defendant paid the hospital bill of plaintiff, and paid him one-half of his salary for a period of three weeks, at which time payments were stopped.

Plaintiff alleges that at the time of the injuries he was receiving a salary in the sum of Seventy-five (\$75.00) Dollars per week. Plaintiff further alleges that he is permanently partially disabled, as a proximate result of the accident as aforesaid.

WHEREFORE, your plaintiff prays that your Honor will take jurisdiction of this, his petition for Workmen's Compensation and will set the same for a hearing, giving due and proper notice thereof to W. N. Stuckey d/b/a W. N. Stuckey Saw Mill Co., and upon a hearing your Honor will determine what benefits he is entitled to receive under the Workmen's Compensation Laws of Alabama, in addition to the benefits already received, all in accordance with laws and rules of this Honorable Court, and your Plaintiff will ever pray.

STATE OF ALABAMA, 0 - - - - - -

COUNTY OF BALDWIN. 0 - - - - - -

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

Sworn to and subscribed before me this the _____ day of _____, 1953.

Notary Public, Baldwin County, Ala.

 2025 RELEASE UNDER E.O. 14176

[illegible]

COLLEGE OF DISTANCE EDUCATION
STATE OF TEXAS

110

VS. W. M. STUCKEY, doing business as W. H. STUCKEY & SONS MILL CO. Defendant.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA.

AT LAW

NO. 1967

FILED:

HARVEY J. PARHAM,
Plaintiff,
VS.
W. M. STUCKEY, doing
business as W. M.
STUCKEY LUMBER MILL CO.
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

NO. 1917

DECEMBER

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STATE OF ALABAMA, 0
COUNTY OF BALDWIN. 0

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon W. N. STUCKEY, doing business as W. N. STUCKEY SAW MILL CO., to appear within thirty (30) 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 HARVEY J. PARHAM.

Witness my hand, this 9th day of February, 1953.

W. N. Stuckey
C L E R K

STATE OF ALABAMA, 0
 0
COUNTY OF BALDWIN. 0

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA:

Now comes Harvey J. Parham and shows unto your Honor that
he is an employee as defined by the Workmen's Compensation Laws
of Alabama; that his employer is W. N. Stuckey, doing business
as W. N. Stuckey Saw Mill Co.; that he has suffered an injury
while acting within 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 at-
torney to represent him in said matter. He requests permission
to secure the services of Telfair J. Mashburn, Jr., an Attorney
at Law, at Bay Minette, Alabama.

Harvey J. Parham

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
Harvey J. Parham is hereby permitted and authorized to employ
Telfair J. Mashburn, Jr., 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 W.
N. Stuckey, doing business as W. N. Stuckey Saw Mill Co.

Done and Ordered this the 5th day of January, 1953.

Hubert M. Hall
Circuit Judge.

HARVEY J. PARHAM,
Plaintiff,
VS.
W. N. STUCKEY, doing
business as W. N.
STUCKEY SAW MILL CO.,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
AT LAW.
NO. _____

Plaintiff claims of the defendant benefits under the Workmen's Compensation Laws of Alabama due and owing under the following statement of facts:

On, to-wit, September 5, 1952, the relationship of employer and employee, or master and servant, existed between the defendant, W. N. Stuckey, d/b/a W. N. Stuckey Saw Mill Co., and plaintiff; and defendant, W. N. Stuckey, d/b/a W. N. Stuckey Saw Mill Co., and plaintiff were subject to the Workmen's Compensation Laws of Alabama; and while so employed and engaged in the business of the defendant, and while acting within the line and scope of his employment with said defendant, plaintiff suffered an accident, which arose out of and in the course of said employment. As a proximate result of said accident, plaintiff has been permanently partially disabled. A controversy has arisen as to the benefits to be paid Plaintiff under the Workmen's Compensation Laws of Alabama.

Plaintiff's name is Harvey J. Parham and he resides, presently at Stockton, Alabama. The defendant's name is W. N. Stuckey and he resides at Bay Minette, Alabama.

At the time of the said accident, on, to-wit, September 5, 1952, plaintiff was employed at defendant's saw mill, located between Tensaw and Blacksher in Baldwin County, Alabama; and plaintiff was assisting in the unloading of a truck load of logs, in the line and scope of his employment, and while so engaged, at about 6:00 O'clock A. M. on said date, the load shifted and caught the fingers of plaintiff's right hand ~~between a stanchion and a tire~~ ~~between a stanchion and a tire~~ and mashed them severely, and as a proximate result, plaintiff was severely injured and lost the first joint of his first, or index, finger, and the first two joints of his second, or middle, finger.

Plaintiff avers that defendant had prompt and immediate

notice of said accident and that said defendant paid the hospital bill of plaintiff, and paid him one-half of his salary for a period of three weeks, at which time payments were stopped.

Plaintiff alleges that at the time of the injuries he was receiving a salary in the sum of Seventy-five (\$75.00) Dollars per week. Plaintiff further alleges that he is permanently partially disabled, as a proximate result of the accident as aforesaid.

WHEREFORE, your plaintiff prays that your Honor will take jurisdiction of this, his petition for Workmen's Compensation and will set the same for a hearing, giving due and proper notice thereof to W. N. Stuckey d/b/a W. N. Stuckey Saw Mill Co., and upon a hearing your Honor will determine what benefits he is entitled to receive under the Workmen's Compensation Laws of Alabama, in addition to the benefits already received, all in accordance with laws and rules of this Honorable Court, and your Plaintiff will ever pray.

Harvey J. Parham

STATE OF ALABAMA, 0
 0
COUNTY OF BALDWIN. 0

Before me, James R. Owen, a Notary Public in and for said County and State, personally appeared Harvey J. Parham, who is known to me, and who, being first duly sworn, deposes on oath and says: That he has read, or had read to him, the foregoing petition and the statements made therein are true and correct and that he knows of his own personal knowledge that they are correct.

Harvey J. Parham

Sworn to and subscribed before me this the 7th day of February, 1953.

James R. Owen
Notary Public, Baldwin County, Ala.

RECORDED

HARVEY J. PARHAM,

Plaintiff,

VS.

W. N. STUCKEY, doing business as W. N. STUCKEY SAW MILL CO.,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

NO. 1917

FILED

FEB 9 1953

ALICE J. DUCK, Clerk

TELFAIR J. MASHBURN, Jr.

LAWYER

Bay Minette, Alabama

Received in Sheriff's Office
this 7 day of Feb, 1953
TAYLOR WILKINS, Sheriff

Received day of Feb 1953
and on 13 day of Feb 1953
I served a copy of the within
on
By service on W. N. Stuckey
TAYLOR WILKINS, Sheriff
By P. C. Sullivan

HARVEY J. PARHAM,

Plaintiff,

VS.

W. N. STUCKEY, doing business
as W. N. STUCKEY SAW MILL CO.,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

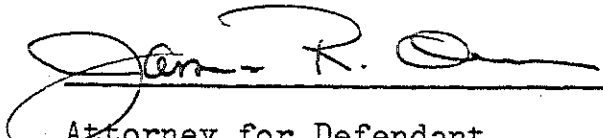
AT LAW

NO. 1917

DEMURRER

Comes the Defendant in the above styled cause and demurs to the Plaintiff's Petition for Compensation heretofore filed and assigns as grounds therefor, separately and severally the following:

1. It does not state a cause of action.
2. Sufficient facts are not alleged to show that the defendant, W. N. Stuckey, doing business as W. N. Stuckey Saw Mill Company, is subject to the provisions of the Workmen's Compensation Laws of Alabama.
3. Sufficient facts are not alleged to show that the Plaintiff, Harvey J. Parham, is subject to the provisions of the Workmen's Compensation Laws of Alabama.
4. Sufficient facts are not alleged to show that the Plaintiff, Harvey J. Parham, is permanently partially disabled as a proximate result of the said accident.
5. Sufficient facts are not alleged for the Court to determine what benefits the Plaintiff is entitled to receive under the Workmen's Compensation Laws of Alabama.


Attorney for Defendant.

RECORDED

DEMURRER

HARVEY J. PARHAM,

Plaintiff,

VS.

W. N. STUCKEY, doing business
as W. N. STUCKEY SAW MILL CO.,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 1917

FILED

3-16-53

ALICE J. DICK, Clerk

JAMES R. OWEN

ATTORNEY-AT-LAW

BAY MINETTE, ALABAMA

HARVEY J. PARHAM,

Plaintiff,

VS.

W. N. STUCKEY, doing business
as W. N. STUCKEY SAW MILL CO.,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 1917

ANSWER

Comes the Defendant in the above styled cause and for
answer to the complaint therein says:

1. He admits that on September 5, 1952, that the relation
of employer and employee existed between the Defendant and the
Plaintiff, and that they were subject to the Workmen's Compensation
Laws of the State of Alabama.

2. He admits that on, to-wit, the 5th day of September,
1952, that the Plaintiff was injured as the result of an accident.

3. Defendant denies all of the other allegations of the
said Complaint and demands strict proof thereof.



Attorney for Defendant

RECORDED

ANSWER

HARVEY J. PARHAM,

Plaintiff,

VS.

W. N. STUCKEY, doing business
as W. N. STUCKEY SAW MILL CO.,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 1917

FILED

4-13-52

ALICE J. DUCK, Clerk