

MABEL BERNICE SHOOTS,)
 Plaintiff,)
VS.)
SOUTH BALDWIN MILLS, A)
CORPORATION, AND MONROE)
MILLS, A CORPORATION,)
 Defendants.) CASE NO. 9204

ORDER, DETERMINATION AND JUDGMENT

This cause, having been duly set for trial on March 10, 1971, issue having been joined between the parties, the Court having accepted the stipulation by and between the parties and having considered all of the medical evidence, the Court thereafter having taken the cause under submission, hereby states its conclusion of facts and law and judgment to be as follows:

STATEMENT OF FACTS AND LAW

That this is a proceeding under the Workmen's Compensation Act of Alabama, brought by Mabel Bernice Shoots, Plaintiff, against South Baldwin Mills, a corporation, and Monroe Mills, a corporation, Defendants, wherein the plaintiff claims compensation for an alleged permanent-total disability resulting from a personal injury received on May 1, 1969; that on said date the relationship of employer and employee existed between the plaintiff and defendant and that on said date the plaintiff and defendants were subject to the Workmen's Compensation Laws of the state of Alabama; that while so employed or so engaged on, to-wit, May 1, 1969, and while working within the line and scope of her employment as an employee of the defendants the plaintiff, working as a seamstress, was hurt when a washing machine dryer exploded, severely burning and inflicting second and third degree burns on the right and left arms of the plaintiff-employee and burning the left side of her face up to the hair line, pursuant to the performance of her duties as an employee of the defendants; that as a proximate result of said accident the plaintiff received burns as aforesaid; that the defendants duly received notice of said accident and injury and caused or directed the plaintiff to be treated by Drs. M. H. Taylor and Emmett B. Frazier, which treatment required

the plaintiff to submit to skin grafts on the burned area of her right arm which burns were proximately caused by said accident which arose out of and in the course of her employment by these defendants as aforesaid; that the burns did not exist prior to the accident for which compensation is claimed; that the defendant had prompt and actual notice of said accident as required by the Workmen's Compensation Laws of the State of Alabama; and that the plaintiff, as a result of said accident and injury, has suffered a compensable injury.

CONCLUSIONS OF LAW AND FACT

The Court states its conclusions to be as follows:

That it has been proven to the satisfaction of the Court that the plaintiff has suffered little, if any, functional disability as a result of the accident and injuries sustained in said accident of May 1, 1969; that, as reflected by the medical reports submitted by Dr. Emmett B. Frazier dated August 15, 1969, September 15, 1969, and December 19, 1969, (which are attached hereto and made a part hereof as Exhibits A, B and C) and Dr. Taylor's certificate of March 9, 1971, (which is attached hereto and made a part hereof as Exhibit D), state conclusively that the plaintiff has suffered little or no functional disability as a result of said accident and injury; that said defendants have paid 16 weeks temporary total compensation for the period May 2, 1969, through August 21, 1969, for a total of \$580.80, and paid medical expenses of \$447.80; and the Court has concluded that the payment of an additional \$600.00 by the defendants to the plaintiff in a lump sum represents the full amount that the plaintiff is entitled to under the Workmen's Compensation Act on account of the accident and injuries of May 1, 1969; the Court further finds that the plaintiff suffered no disfigurement as a result of said accident and injury which materially affects the plaintiff's employability in the employment in which she was injured or in other employment for which the plaintiff is qualified.

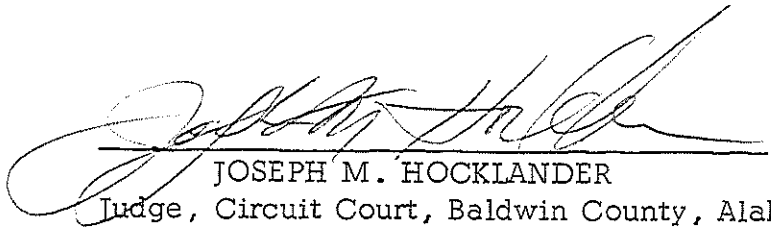
JUDGMENT

It is, therefore, ORDERED, ADJUDGED and DECREED that the plaintiff

have and recover of the defendants the sum of SIX HUNDRED (\$600.00) DOLLARS; the Court further fixes the fee of the plaintiff's attorney at NINETY (\$90.00) DOLLARS, which sum is an amount equal to fifteen (15%) per cent of the total amount of compensation due the plaintiff, and orders the same to be paid directly to the plaintiff's attorney of record and the defendants are hereby authorized to deduct such sum from the lump sum payment, said sum to be paid directly to the plaintiff's attorney of record.

The costs of this cause are to be taxed against the defendants, for all of which let execution issue.

DONE this 10th day of March, 1971.


JOSEPH M. HOCKLANDER
Judge, Circuit Court, Baldwin County, Alabama

FILED

MAR 23 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

EMMETT B. FRAZER, M. D.

106 NORTH CONCEPTION STREET

MOBILE, ALABAMA 36602

August 15, 1969

Exhibit A

Mr. Carl D. Gates, Jr.
Personnel Manager
South Baldwin Mills, Inc.
Robertsdale, Alabama

Re: Bernice Shoats
Claim # G584/21299

Dear Mr. Gates:

The above named employee was first examined in our office August 8, 1969 and again August 15, 1969.

The primary injury was evidently a third degree fire burn of the mid volar surface right forearm and a smaller burn volar surface left arm just above the wrist joint.

Skin graft has been done on the right arm. Healing is normal and at present time there is no scar contracture. A slight degree of residual edematous swelling is present and she complains of hyper sensitivity in all of the burned area.

Evidently the surgical care of this case has been excellent and no additional surgical intervention is indicated. There is marked local areal depigmentation of the skin which will probably be permanent.

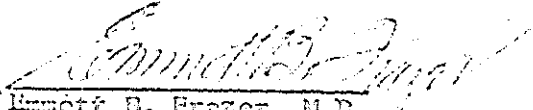
Gentle daily massage with appropriate emollients and encouragement to use the right hand seems at present to be the best appropriate treatment.

There will be some permanent scarring and areas of depigmentation. I believe there will be very little or no permanent functional damage.

She was advised to report for observation in one week. Part time employment would assist in rehabilitation.

Will advise later regarding her status.

Yours truly,


Emmett B. Frazer, M.D.

EBF/mg

cc: Dr. M. Taylor
Foley, Alabama

Rec'd at Mobile Ala. 9/17/69

Exhibit B

EMMETT B. FRAZER, M. D.

109 NORTH CONCEPTION STREET

MOBILE, ALABAMA 36602

15 September 1969

For: Bernice Shoats
Claim # G 584/21900

The above named employee was first examined in our office August 8, 1969 and again August 15, 1969.

The primary injury was evidently a third degree fire burn of the mid-volar surface right forearm and a smaller area volar surface left arm just above the wrist joint.

Skin graft was done on the right arm. Healing is normal and at present time there is no scar contracture. A slight degree of residual edema. Scelline is present and she complains of hyper sensitivity in all of the burned area.

Evidently the surgical care of this case has been excellent and no additional surgical intervention is indicated. There is marked local areal depigmentation of the skin which will probably be permanent.

There will be some permanent scarring and areas of depigmentation. I believe there will be no permanent functional damage.

Gentle daily massage with appropriate emollient and encouragement to use the right hand seems at present to be the best appropriate treatment.

Rehabilitation is most essential for recovery in cases of this type and it is advisable that she be offered work commensurate with her abilities and progress as indicated. Long disuse will reverse degree of malfunction and have a disastrous effect upon her morale.

Emmett B. Frazer
Emmett B. Frazer, M.D.

EMMETT B. FRAZER, M. D.

109 NORTH CONCEPTION STREET

MOBILE, ALABAMA 36602

Exhibit C

December 19, 1969

E. M. Ford, Jr.
Attorney At Law
P. O. Box 2349
Tuscaloosa, Alabama 35401

Re: Bernice Shoots
Foley, Alabama

Dear Mr. Ford:

The aboved named reported at our office on December 7, 1969, for check-up examination as you requested in your letter to her of December First.

At the present time her chief complaint is a feeling of weakness in the right forearm and hand, and changes in normal sensation characterized by a feeling of numbness and tingling.

Physical examination revealed a well healed, rather extensive burn of right mid forearm, measuring about 7 X 5 Cm. in extent. In the center of this area is a well healed skin graft. Two small areas, one above and one below this graft are indurated and somewhat tender and apparently represent localized areas of venous thrombosis of superficial branches of median vein. There is no contracture of the scar, but there is depigmentation of the normal dark brown skin in small areas above and below the graft. These whitened areas will remain as they now appear. It is my opinion that surgical removal of these areas with skin grafting would not be indicated or advisable.

A similar, but much less extensive depigmented scar is present on the volar surface of the left arm, just above the wrist and measures about 3 X 4 Cm.

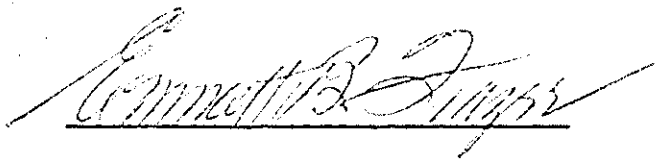
There is no appreciable limitation of motion in any directions passive or voluntary in either arm, forearm or hand.

*only
mobile*

It is my impression that the present weakness of which she complains is largely the result of enforced disuse and will improve with more exercise. The paresthetic feelings are, no doubt, caused by superficial local sensory nerve destruction and this condition, too, will improve with time.

It would seem that she is now physically able to return to work. The presence of permanent non-disabling depigmented scars in a dark skinned individual constitute the only apparent claim for permanent disability and lies in the realm of the cosmetic rather than the physical.

Very Truly Yours,



Emmett B. Frazer, M. D.

EBF/mg

orig
7/21/68

Exhibit 1

DISABILITY CERTIFICATE

Date 3/9/71

To whom it may concern:

This is to certify that
Bernice Shoots

has been under my professional care, and was totally
incapacitated

from 5/1/69 to 7/18/69

Remarks:

Diag: 3rd° burns of arms

Surgery: Skin grafts

No functional disability

Dr. M. J. [Signature] M.D.

FORM NO. 137

PROFESSIONAL PRINTING CO., INC., MELVILLE, L. I., N. Y.

LAW OFFICE OF
E. M. Ford, Jr.
ATTORNEY AND COUNSELOR AT LAW

OFFICE PHONE
759-1515
HOME PHONE
758-7409
AREA CODE
205

P. O. BOX 2349
2604 7TH STREET,
TUSCALOOSA, ALA. 35401

May 5, 1971.

Mrs. Eunice B. Blackmon, Clerk
Circuit Court, Baldwin County,
Bay Minette, Alabama 36535.

Dear Mrs. Blackmon:

Re: Shoots vs. South Baldwin Mills et al
Case No. 9204, Circuit Court.

I am enclosing herewith speed memo from Hon.
William B. Langford of Liberty Mutual Insurance
Company which is self-explanatory in connection with
the above workmen's compensation settlement previously
filed with your court.

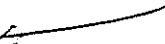
Please consider this as your authority to make
this judgment paid and satisfied in full when you send
me your check for the amount of \$600.00 in settlement
of this suit. I would appreciate your advising Liberty
Mutual in Mobile or Hon. Sydney R. Prince, III, attorney
for the defendant, when you have forwarded me this
check and so marked the sheet as well as advising me.

Thank you for your cooperation.

Sincerely yours,


E. M. FORD, JR.

EMF:mm
Encl.

cc: Hon. Thomas G. Linder,
Resident Claims Manager,
Liberty Mutual Insurance Company,
P. O. Box 9269,
Mobile, Alabama 36609
Hon. Sydney R. Prince, III, 
Attorney at Law,
P. O. Box 1109,
Mobile, Alabama 36601.

*Note: above Judgment paid to
E. M. Ford, Jr. as Atty. This 18th day
of May, 1971 - check #5770*

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LAW OFFICE OF
E. M. Ford, Jr.
ATTORNEY AND COUNSELOR AT LAW

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P. O. BOX 2349
2604 7TH STREET.
TUSCALOOSA, ALA. 35401

May 7, 1971.

Hon. Thomas G. Linder,
Resident Claims Manager,
Liberty Mutual Insurance Company,
P. O. Box 9289,
Mobile, Alabama 36609.

Dear Mr. Linder:

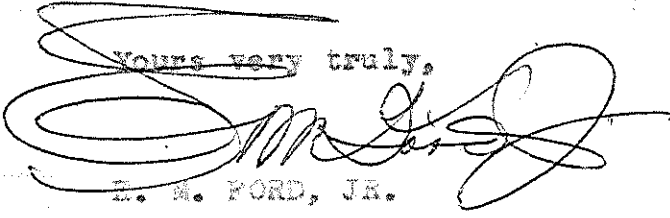
Re: Shoots vs. South Baldwin Mills et al
Case No. 9204, Circuit Court,
Baldwin County, Alabama.
Your File No. C584-21299

I am enclosing herewith copy of letter received
this date from Hon. Eunice B. Blackmon, Clerk of
the Circuit Court of Baldwin County, Alabama, which
is self-explanatory.

I thought these cost had been paid. But I
would appreciate your forwarding the clerk a check
in the amount set forth in her letter for court cost
wherein she will be able to forward me her check for
\$600.00 on May 17, 1971, and so advising me.

Thank you.

Yours very truly,


E. M. FORD, JR.

EMF:jmm
Encl.

cc: Hon. Sydney R. Prince III,
Attorney at Law,
P. O. Box 1109,
Mobile, Alabama 36601
Hon. Eunice B. Blackmon, Clerk
Circuit Court, Baldwin County,
Bay Minette, Alabama 36507

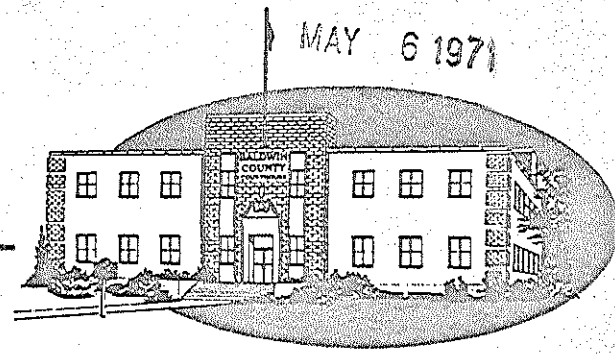
MAY 6 1971

CIRCUIT CLERK

BALDWIN COUNTY

BAY MINETTE, ALABAMA

36507



EUNICE B. BLACKMON
Clerk—Circuit Court

May 5, 1971

Hon. E. M. Ford, Jr.
P. O. Box 2349
Tuscaloosa, Alabama 35401

Dear Mr. Ford:

Re: Mable Bernice Shoots
vs: South Baldwin Mills & Monroe Mills
Case No. 9204

I have this day received a check from Liberty Mutual in the sum of \$600.00. This Judgment will be payable to you as Plaintiff's Attorney May 17, provided the costs of \$81.60 have been paid.

Yours very truly,

Eunice B. Blackmon
Circuit Clerk, Baldwin County

EBB/asg

cc: Hon. Sydney R. Prince, III

SENDER

RECEIVER

1. USE MESSAGE SPACE ONLY
2. REMOVE SENDER'S COPY FOR YOUR FILE
3. MAIL OTHER COPIES IN WINDOW ENVELOPE WITH STUB AND CARBONS INTACT.

1. USE REPLY SPACE ONLY
2. KEEP ORIGINAL FOR YOUR FILE
3. MAIL COPY TO SENDER

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MUTUAL

the company that stands by you
LIBERTY MUTUAL INSURANCE COMPANY • LIBERTY MUTUAL FIRE INSURANCE COMPANY • BOSTON

PLEASE DIRECT REPLY TO SENDER AT:
LIBERTY MUTUAL INSURANCE CO.
ATTN. CLAIMS DEPARTMENT

MAY 6 1971

TO

Att. E. M. Ford

P.O.B. 2349

Tuscaloosa, Ala. 35401

P.O.B. 9269

(STREET)

Mobile, Ala.

(CITY)

(STATE)

(ZIP CODE)

RE:

Mabel Shorts - Smith Baldwin Mobile C-584-21299

(FILE#)

MESSAGE

The stop payment on our previous check has just been confirmed by our bank. The check has never been cashed. Apparently Mrs. Shorts is holding it.

We have this date issued a 2nd check, this time made payable to, and mailed to Hon. Eunice Blackburn, Clerk, Circuit Court, Baldwin County, Ala.

Please advise us when you pick the check up hereby notifying the judgment.

DATE

5/4/71

SIGNED

William B. Lippell

REPLY

DATE

SIGNED

LAW OFFICE OF
E. M. Ford, Jr.
ATTORNEY AND COUNSELOR AT LAW

May 3, 1971.

OFFICE PHONE
759-1515
HOME PHONE
758-7409
AREA CODE
205

P. O. BOX 2349
2604 7TH STREET,
TUSCALOOSA, ALA. 35401

Hon. Thomas G. Linder,
Resident Claims Manager,
Liberty Mutual Insurance Company,
P. O. Box 9269,
Mobile, Alabama 36609.

Dear Mr. Linder:

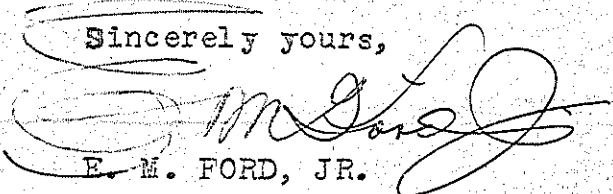
Re: Mabel Bernice Shoots vs. South Baldwin Mills,
Case No. 9204, Circuit Court, Baldwin County.
Your Claim No. C584-21299

Thank you for your note of April 22, 1971, wherein
you advised that you were requesting a stop-payment on
check D584-44981 and would handle this judgment as I
suggested in my letter of April 19, 1971.

I would like to get this matter behind me as I
know you and Mr. Prince would like to do. Have you heard
whether or not the stop payment has been honored and
when we will be able to complete the matter through the
Circuit Clerk. If the check has been cashed, then my
name was forged to same.

I would appreciate hearing from you within the
week. Thank you.

Sincerely yours,


E. M. FORD, JR.

EMF:mm

cc: Hon. Sydney R. Prince, III,
Hon. Eunice B. Blackmon,
Mabel Bernice Shoots.

INGE, TWITTY, DUFFY & PRINCE

LAWYERS

FRANCIS H. INGE (1902-1959)
THOS. E. TWITTY
RICHARD H. INGE
THOS. E. TWITTY, JR.
JAMES J. DUFFY, JR.
SYDNEY R. PRINCE, III
JOHN N. LEACH, JR.

MERCHANTS NATIONAL BANK BUILDING

MOBILE, ALABAMA

36602

MAILING ADDRESS:

P. O. BOX 1109
MOBILE, ALA.
36601

CABLE ADDRESS:

TWINING
TELEPHONE
433-5441

May 10, 1971

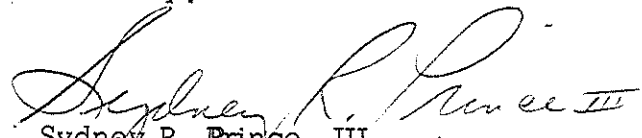
Mrs. Eunice B. Blackmon
Circuit Clerk, Baldwin County
Bay Minette, Alabama

Re: Bernice Shoots vs.
South Baldwin Mills
Case No. 9204

Dear Mrs. Blackmon:

Enclosed is our check in the amount of \$81.60 in payment of court costs in the above referenced matter.

Cordially,


Sydney R. Prince, III
For the Firm

SRP, III:tt

Enclosure

cc: Mr. E. M. Ford, Jr.

Mr. Linder

May 5, 1971

Hon. E. M. Ford, Jr.
P. O. Box 2349
Tuscaloosa, Alabama 35401

Dear Mr. Ford:

Re: Mable Bernice Shoots
vs: South Baldwin Mills & Monroe Mills
Case No. 9204

I have this day received a check from Liberty Mutual in the sum of \$600.00. This Judgment will be payable to you as Plaintiff's Attorney May 17, provided the costs of \$81.60 have been paid.

Yours very truly,

Circuit Clerk, Baldwin County

EBB/asg

cc: Hon. Sydney R. Prince, III

LAW OFFICE OF
E. M. Ford, Jr.
ATTORNEY AND COUNSELOR AT LAW

OFFICE PHONE
759-1515
HOME PHONE
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AREA CODE
205

P. O. BOX 2349
2604 7TH STREET,
TUSCALOOSA, ALA. 35401

April 19, 1971.

Hon. Thomas G. Linder,
Resident Claims Manager,
Liberty Mutual Insurance Company,
P. O. Box 9269,
Mobile, Alabama 36609.

Dear Mr. Linder:

Re: Mabel Bernice Shoots vs. South Baldwin Mills
Case No. 9204, Circuit Court, Baldwin County.
Your Claim No. C584-21299

Your note and check for \$600.00 in the above case made payable to Bernice Shoots and myself was received in this office on March 25, 1971, and immediately forwarded to Bernice Shoots for her endorsement. Although this is the first time I have seen payment made direct to client and attorney when a judgment has been entered, as was done in this case, I saw nothing wrong with it. Your draft number was D584-44981.

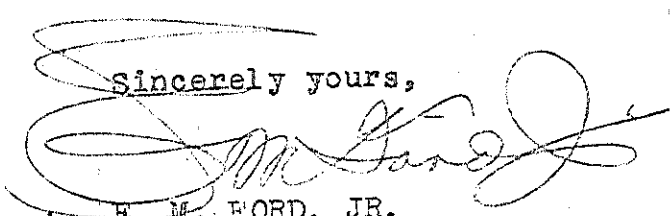
Bernice Shoots has failed and refused to endorse this draft and return to me. I know no reason for her refusal as she and her husband approved the settlement prior to my accepting same from your attorney, Hon. Sydney R. Prince.

Therefore, I request that you have the company stop payment on this draft and issue another draft payable to Hon. Eunice B. Blackmon, Clerk, Circuit Court, Baldwin County, Alabama, wherein I can pick up a check from Mrs. Blackmon in this case, issued by her to me as attorney for this woman and therein satisfy this judgment and close the case.

I would appreciate hearing from you within a week.

Thank you.

Sincerely yours,


E. M. FORD, JR.

EMF:mm

cc: Hon. Sydney R. Prince, III
Hon. Eunice B. Blackmon
Mabel Bernice Shoots.

INGE, TWITTY, DUFFY & PRINCE

LAWYERS

FRANCIS H. INGE (1902-1959)
THOS. E. TWITTY
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MERCHANTS NATIONAL BANK BUILDING

MOBILE, ALABAMA

36602

MAILING ADDRESS:

P. O. BOX 1109
MOBILE, ALA.
36601

CABLE ADDRESS:

TWINING
TELEPHONE
433-5441

March 16, 1971

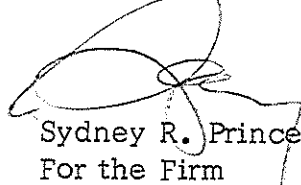
Hon. Joseph M. Hocklander, Judge
Circuit Court of Mobile County
Mobile County Courthouse
Mobile, Alabama 36602

Re: Mabel Bernice Shoots vs.
South Baldwin Mills et al
Case No. 9204, Baldwin County

Dear Judge Hocklander:

I submit herewith an Order, Determination and Judgment in the case referenced above for your signature. If this meets with your approval please forward it on to the Clerk of the Circuit Court of Baldwin County and I will attend to the payment of the judgment and court costs.

Cordially yours,


Sydney R. Prince, III
For the Firm

SRP, III:tt
Enclosures

-3-

#2174

JUDGMENT ENTRY

Mable Bernice Shoots,

Plaintiff,

Vs.

South Baldwin Mills, a Corporation,
and Monroe Mills, a Corporation,

Defendants. | March 27, 1970

March 27, 1970. This cause having been regularly set for trial for this day on the Defendant's Plea in Abatement filed in this cause, came the parties with their attorneys, and an issue having been joined between the parties on the Defendant's Plea in Abatement filed in this cause and no trial by jury having been demanded by either party, this cause is tried by the Court without the intervention of a jury, and the Court, after hearing the evidence, renders a judgment for the defendant on the defendant's plea in abatement filed herein.

And it is further ordered by the Court that this cause be and the same is hereby ordered transferred from this court to the Circuit Court of Baldwin County, Alabama, and the Clerk of this Court is ordered to certify the file and record herein to the Clerk of said Court.

FRED W. NICOL, Judge

2

MABLE BERNICE SHOOTS,)	IN THE CIRCUIT COURT OF
	:	TUSCALOOSA COUNTY, ALABAMA,
PLAINTIFF,	:	
VS.	(AT LAW.
SOUTH BALDWIN MILLS, A	:	
CORPORATION, AND MONROE	:	CASE NO. 2174.
MILLS, A CORPORATION,)	
DEFENDANTS.	:	

Now come the Defendants in the above styled cause and appearing specially for the purpose of filing this plea and for no other purpose and limiting their appearance for this purpose only, separately and severally move the Court to abate and dismiss this case, and as grounds therefor show unto the Court as follows:-

That each Defendant is a domestic corporation. That on, to-wit, the 1st day of May, 1969, the date that the Plaintiff alleges that she was injured, the Plaintiff was working for South Baldwin Mills, a corporation, being a domestic corporation incorporated under the laws of the State of Alabama. That on January 1, 1970, South Baldwin Mills, a corporation, changed its name to Monroe Mills, South Baldwin Division, a corporation, which is also a domestic corporation, being incorporated under the laws of the State of Alabama, and that at the time this suit was filed and at the present time and at all intervening times both Defendants were domestic corporations incorporated under the laws of the State of Alabama; that the injury in this case occurred in Baldwin County, Alabama, and that the Plaintiff in this case resides in Baldwin County, Alabama, and that the Defendants do business by agent in the County of Plaintiff's residence, being Baldwin County, Alabama.

The Defendants, separately and severally, show unto the Court that this is a workmen's compensation case and that the Circuit Court of Tuscaloosa County, Alabama, would not have

jurisdiction of a civil case in tort between the parties to this case and that this suit should be dismissed and abated or transferred to the Circuit Court of Baldwin County, Alabama.

JONES, McEACHIN, ORMOND & FULTON

By Bruce M. Eachin
Attorneys for the Defendants appearing specially for the purpose of filing this plea and for no other purpose.

STATE OF ALABAMA)
 :
TUSCALOOSA COUNTY)

Before me, James T. T. [Signature], a Notary Public in and for said County and State, on this date personally appeared Bruce McEachin, known to me, who being by me first duly sworn, doth depose and say that he is one of the attorneys for the Defendants in the above styled cause and, as such, is informed and believes that the facts stated in the above and foregoing plea in abatement in this case are true and correct, and based on said information and belief states that the facts therein contained are true and correct.

Bruce M. Eachin

Sworn to and subscribed before me
this 10th day of March, 1970.

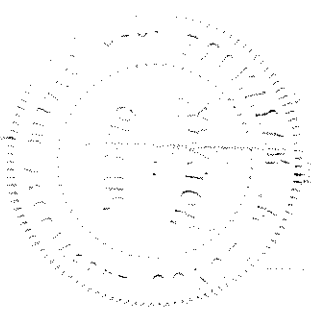
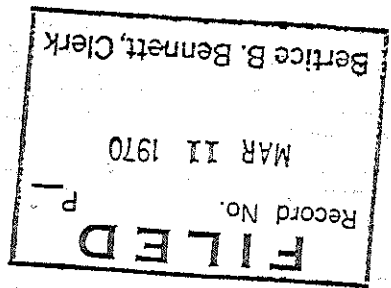
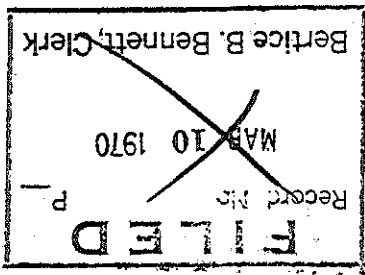
James T. T. [Signature]
Notary Public in and for Tuscaloosa
County, Alabama.

We hereby certify that we have today mailed a copy of the above and foregoing plea in abatement to Mr. E. M. Ford, Jr., attorney of record for the Plaintiff in this case, in an envelope properly addressed, with sufficient postage thereon, placed in the United States mail.

This 10 day of March, 1970.

JONES, McEACHIN, ORMOND & FULTON

By Bruce M. Eachin
Attorneys for the Defendants, appearing specially for the purpose of filing this plea and for no other purpose



LAW OFFICE OF
E. M. Ford, Jr.
ATTORNEY AND COUNSELOR AT LAW

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AREA CODE
205

March 26, 1970.

P. O. BOX 2349
2604 7TH STREET.
TUSCALOOSA, ALA. 35401

Honl Fred Nicol, Judge
Circuit Court,
Tuscaloosa County,
Court House,
Tuscaloosa, Alabama 35401.

Dear Judge Nicol:

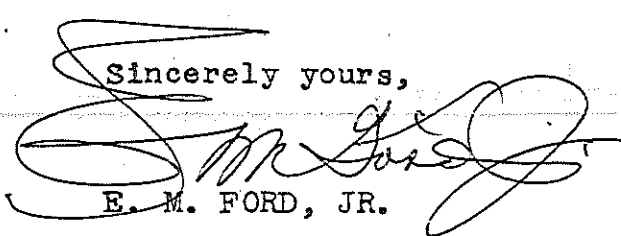
Re: Mable Bernice Shoots, Plaintiff
vs.
South Baldwin Mills and Monroe Mills,
Defendants,
Case No. 2174, Circuit Court,
Tuscaloosa County, Alabama,
Workmen's Compensation Case.

I would appreciate your transferring the above case, in which I represent the plaintiff for injuries suffered on the job at South Baldwin Mills, Foley, Alabama, to the Circuit Court, Baldwin County, Alabama.

Hon. Bruce McEachin represents the defendants in the above styled cause and has filed a motion to transfer said case.

Thank you.

Sincerely yours,


E. M. FORD, JR.

EMF:mmm

cc: Hon. Bruce McEachin, Attorney
Jones, McEachin, Ormond and Fulton,
First National Bank Building,
Tuscaloosa, Alabama 35401.
Hon. Telfair Mashburn, Judge
Circuit Court,
Bay Minette, Alabama 36507.
Hon. Alice J. Duck, Clerk ✓
Circuit Court,
Bay Minette, Alabama 36507

Mrs. Duck - Please let me know when you have received this case and give me the case number etc. Thanks.

Ford.

INGE, TWITTY, DUFFY & PRINCE

LAWYERS

FRANCIS H. INGE (1902-1959)
THOS. E. TWITTY
RICHARD H. INGE
THOS. E. TWITTY, JR.
JAMES J. DUFFY, JR.
SYDNEY R. PRINCE, III
JOHN N. LEACH, JR.

MERCHANTS NATIONAL BANK BUILDING
MOBILE, ALABAMA
36602

MAILING ADDRESS:
P. O. BOX 1109
MOBILE, ALA.
36601

CABLE ADDRESS:
TWINING
TELEPHONE
433-5441

April 20, 1970

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

Re: Mable Bernice Shoots vs.
South Baldwin Mills and Monroe Mills

Dear Mrs. Duck:

Enclosed herewith are the original and one copy of an answer to be filed in the above referenced case which has been transferred from the Circuit Court of Tuscaloosa County.

Please receipt the copy and return it to us in the enclosed envelope.

Cordially yours,



Sydney R. Prince, III
For the Firm

SRP, III:tt
Enclosures

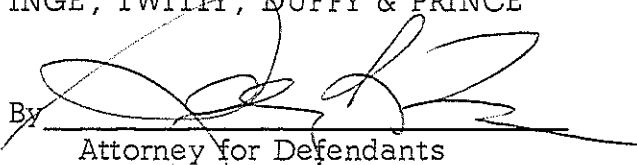
MABEL BERNICE SHOOTS,) IN THE CIRCUIT COURT OF
Plaintiff,) BALDWIN COUNTY, ALABAMA
VS.) AT LAW
SOUTH BALDWIN MILLS, A)
CORPORATION, AND MONROE)
MILLS, A CORPORATION,)
Defendants.) CASE NO. _____

ANSWER

Comes now the defendant in the above styled cause and for answer to the Plaintiff's Workman's Compensation complaint as heretofore filed against it and to each and every paragraph and aspect thereof, separately and severally, files the following answer, separately and severally:

1. This defendant is not guilty of the matters and things complaint of therein.
2. This defendant denies each and every one of the material allegations contained therein.
3. This defendant denies each and every material allegation contained in each paragraph of the Bill of Complaint herein and demands strict proof thereof.

INGE, TWITTY, DUFFY & PRINCE

By 
Attorney for Defendants

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing pleading has been served upon counsel for all parties to this proceeding, by mailing the same to each by First Class United States Mail, properly addressed and postage prepaid on this 17 day of April, 1970.


Attorney for

FILED

APR 21 1970

ALICE J. DUX

CLERK
REGISTER

Bertice B. Bennett

Circuit Clerk of Tuscaloosa County

Tuscaloosa, Alabama 35401

STATE OF ALABAMA

TUSCALOOSA COUNTY

I, Bertice B. Bennett, Clerk of the Circuit Court of Tuscaloosa County, Alabama, do hereby certify that the within papers are true and correct and numbered 1 through 4 and are all the original papers filed in this office in this case.

Bertice B. Bennett

STATE OF ALABAMA)
TUSCALOOSA COUNTY)

J. DICK CLERK
RECORDS

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETINGS:

You are hereby commanded to summon South Baldwin Mills, a corporation, and Monroe Mills, a corporation, to appear within thirty 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 Mable Bernice Shoots.

Witness my hand this 25 day of February, 1970.

Bertie B. Bennett
CLERK.

C-O-M-P-L-A-I-N-T

MABLE BERNICE SHOOTS,)	
	:	
PLAINTIFF)	IN THE CIRCUIT COURT OF
	:	
VS.)	TUSCALOOSA COUNTY, ALABAMA,
	:	
SOUTH BALDWIN MILLS, A)	AT LAW.
CORPORATION, AND MONROE	:	
MILLS, A CORPORATION,)	CASE NO. <u>2174</u>
	:	
DEFENDANTS.)	

WORKMEN'S COMPENSATION

COUNT ONE

Plaintiff, Mable Bernice Shoots, claims of the defendants, South Baldwin Mills, a corporation, and Monroe Mills, a corporation, Workmen's Compensation benefits in the amount of te-wit, \$15,200.00, arising out of the following facts, to-wit:

1. That plaintiff was on to-wit the 1st day of May, 1969, and at all times material hereto, a resident and citizen of the City of Foley, Baldwin County, state of Alabama, and a workman or employee employed by South Baldwin Mills, a corporation, which is a corporation that was doing business on May 1, 1969, in the State of Alabama, and which was merged on December 29, 1969, into Monroe Mills, a corporation.

2. That on to-wit, the 1st day of May, 1969, while an employee of the defendants and while working at the South Baldwin Mills in Baldwin County, Alabama, as a seamstress for the defendants, your petitioner was hurt when a washing machine dryer exploded, severely burning and inflicting second and third degree burns on the right and left arms of the plaintiff and burning the left side of her face up to the hair line, and suffering other bodily injuries; and petitioner avers that her said injuries arose out of and on account of her employment by the defendants, which was subject to the Workmen's Compensation Law of Alabama, at the time and place of said accident as aforesaid.

3. That your petitioner has a husband and six minor children, the children being partially dependent upon her, and that her average weekly wage was, at the time of the accident, to-wit, \$100.00 per week.

4. Plaintiff avers that her employer, South Baldwin Mills, a corporation, had prompt and immediate notice of said accident.

5. Plaintiff avers that as a proximate result of said accident and injuries sustained by her, she has been permanently totally disabled and entirely disabled from working since the date of said injuries to the present date.

x Mable Bernice Shoots
MABLE BERNICE SHOOTS
Plaintiff.

Sworn to and subscribed to before me this the 20 day of February, 1970.

Norm. M. Pelgrim
NOTARY PUBLIC

STATE OF ALABAMA)
 :
TUSCALOOSA COUNTY)

APPLICATION FOR EMPLOYMENT OF ATTORNEY

TO THE HONORABLE JUDGES OF THE CIRCUIT COURT OF TUSCALOOSA COUNTY,
ALABAMA:

Now comes Mable Bernice Shoots and shows unto your Honors that she is an employee as defined in the Workmen's Compensation Laws of Alabama, her employer, as defined under the Workmen's Compensation Laws of Alabama, is South Baldwin Mills, a corporation, and Monroe Mills, a corporation, and that she has suffered an injury while acting in the line and scope of her employment and that she prays for permission to secure the service of any attorney to represent her in said matter. She request permission to secure the services of E. M. Ford, Jr., Attorney at Law, 2604 - 7th Street, Tuscaloosa, Alabama 35401, as her counsel.

x Mable Bernice Shoots
MABLE BERNICE SHOOTS

ORDER OF THE COURT

The foregoing having been submitted and the court being of the opinion that said permission should be granted, the said Mable Bernice Shoots is hereby permitted and authorized to employ E. M. Ford, Jr., Attorney at Law, 2604 - 7th Street, Tuscaloosa, Alabama 35401, to represent her in a claim for injuries arising out of any accident allegedly sustained in the line and scope of her employment while employed by South Baldwin Mills, a corporation, and Monroe Mills, a corporation.

Fred W. Nicol
CIRCUIT JUDGE.

Dated this the 25th day of Feb, 1970.

APR 2 1970

FILED

Received 27 day of February 1970
and on 27 day of Feb. 1970
I served a copy of the within on South Baldwin Mills

By service on W. M. Lucas, Atty. Gen. - Monroe Mills
South Baldwin Mills - R. Dale
50 miles R 7
R-Dale

CASE NO. 2174

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

MABLE BERNICE SHOOTS,
PLAINTIFF

VS.

SOUTH BALDWIN MILLS, A
CORPORATION, AND MONROE
MILLS, A CORPORATION,
DEFENDANTS.

Defendant south Baldwin Mills,
a corporation, can be served
at: *R-Dale*
Foley, Alabama.
Defendant Monroe Mills, a
corporation, can be served
at:
Monroeville, Alabama.

E. M. FORD, JR.
ATTORNEY AT LAW
2608 1/2 7TH STREET
TUSCALOOSA, ALABAMA
Attorney for Plaintiff.

Baldwin Co. Monroe

RECEIVED
004431 FEB 26 '70
SHERIFF
TUSCALOOSA COUNTY, ALA.

3-6-70
Executed this date
by serving
Mr. Jack Gaery,
Monroe Mills,

E. C. Watson,
Sheriff

FILED
Record No. P-
FEB 25 1970
Bertice B. Bennett, Clerk

CONFIDENTIAL

FILED

APR 2 1970

ALICE J. DUCK
CLERK
REGISTER

Tuscaloosa County Circuit Court
Tuscaloosa, Alabama

CIVIL CASE No. 2174

Mable Bernice Shoats

VS:

South Baldwin Mills etc.

Judgement		
Interest		
Clerk's Fees	10	00
Sheriff's Fees (<u>Baldwin Co.</u>)	6	50
Trial Tax - State & County	3	00
Library Tax	2	00
Court Reporter's Fees		
Justic's Fees		
Advertising Cost		
Answer of Garnishee		
Witness' Fees ()		
Penalty		
Druid City Hospital		
Deposition		
Sec. of State Fee		
<u>Sheriff of Monroe Co.</u>	1	50
Total	23	00

March 27, 1980

Bertie B. Bennett Clerk

Make Check Payable to Circuit Clerk