


F. N. COOPER, ET AL.,	*	IN THE CIRCUIT COURT OF
Petitioners	*	BALDWIN COUNTY, ALABAMA
VS	*	AT LAW.
JAMES LONNIE JEMISON, ET AL.,	*	NO. 9661
Defendants	*	

Comes C. LeNoir Thompson as guardian ad litem for James Lonnie Jemison and moves this Honorable Court to quash the notice for taking deposition on May 3rd at 11:00 A.M., and to authorize the setting of a new date for the taking of said oral deposition and as grounds for said motion shows unto your Honorable Court as follows:

1. That the Honorable J. Connor Owens Jr., failed to give said movant any notice of the proposed date prior to the said notice dated April 26th.
2. That said notice fails to provide ten (10) days notice to your said movant.
3. That said guardian ad litem is a witness in a court of record in a case involving strong personal interest and therefore will be unable to be present on the date and time set.
4. That the said movant has orally requested a change of date and was abruptly and arbitrarily denied his request.

WHEREFORE this motion.

  
Guardian ad litem for Lonnie Jemison

**FILED**

APR 29 1971

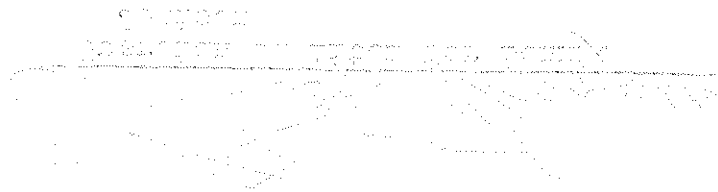
EUNICE B. BLACKMON CIRCUIT CLERK

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INTERVIEW WITH MORTON

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F. N. COOPER AND JOHN	X	
DOZIER BURKE, SR., a		
partnership d/b/a BURKE	X	
& COMPANY CONSTRUCTION		
COMPANY, and ST. PAUL	X	IN THE CIRCUIT COURT OF
FIRE AND MARINE INSURANCE		
COMPANY, a Corporation,	X	BALDWIN COUNTY, ALABAMA
Plaintiff,	X	AT LAW
vs.	X	CASE NO. 9661
JAMES LONNIE JEMMISON	X	
Defendant.	X	

Comes now Harry J. Wilters, Jr., who has heretofore been appointed guardian ad litem for Mary Jane Jemmison, Andrew Jemmison, Brénda Lee Jemmison and Willie Jemmison, and for answer to the Petition filed in the above styled cause, says that by a Decree of the Circuit Court of Baldwin County, Alabama, setting in Equity, Case #8896, dated August 29, 1966, styled Ruby Jemmison vs James Lonnie Jemmison, the Court decreed that the said James Lonnie Jemmison pay to Ruby Jemmison, for the support and maintenance of the said children ~~and~~ That they are dependant upon this income at this time.

  
 Harry J. Wilters, Jr., Guardian ad litem

Filed: June 18, 1971  
 J. J. Mason  
 Judge

F. N. COOPER and JOHN DOZIER ) ) IN THE CIRCUIT COURT OF  
BURKE, SR., a partnership, d/b/a )  
BURKE & COOPER CONSTRUCTION COMPANY, )  
and ST. PAUL FIRE & MARINE INSURANCE )  
COMPANY, a corporation, )

Petitioners, ) BALDWIN COUNTY, ALABAMA

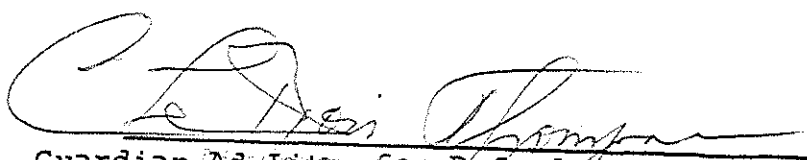
-vs-

JAMES LONNIE JEMISON, RUBY JEMISON, )  
MARY JANE JEMISON, ANDREW JEMISON,  
BRENDA LEE JEMISON and WILLE JEMISON, ) AT LAW NO. 9661


Defendants. )

Comes James Lonnie Jemison by C. LeNoir Thompson, his guardian ad litem, and for answer to the petition filed in said cause shows as follows:

1. He admits the allegations of paragraph one.
2. He admits the allegations of paragraph two.
3. He admits the allegations set forth in paragraph three, and further shows that the said children are dependant upon the said James Lonnie Jemison.
4. He admits the allegations of paragraph four.
5. He admits the allegations of paragraph five and demands strict proof thereof.
6. The following four named children are dependants upon the said James Lonnie Jemison by order of the Circuit Court in Equity, Case #8896, and have been so dependant under such order since the 29th day of August, 1966. Said children are: Mary Jane Jemison, Andrew Jemison, Brenda Lee Jemison, and Willie Jemison.
7. Said respondent does by his guardian ad litem show that he is presently confined in Searcy Hospital, Mt. Vernon, Alabama, for proper treatment for his condition, which has not been determined to be permanent. Said defendant admits the allegations of paragraph seven as to the age and proper address of said minors, his children.

  
Guardian Ad Litem for Defendant, James  
Lonnie Jemison and Children

I hereby certify that I have this the 17th day of  
March, 1971, mailed a copy of the foregoing answer to  
the Honorable J. Connor Owens, Attorney for Plaintiffs,  
U. S. postage prepaid to his office at Bay Minette, Alabama.

  
Guardian Ad Litem for Defendant  
James Lonnie Jemison *and children*

**FILED**

MAR 17 1971

EUNICE B. BLACKMON CIRCUIT  
CLERK

F. N. COOPER and JOHN DOZIER BURKE, )	
SR., a partnership, d/b/a BURKE & )	IN THE CIRCUIT COURT OF
COOPER CONSTRUCTION COMPANY, and )	BALDWIN COUNTY, ALABAMA
ST. PAUL FIRE & MARINE INSURANCE )	
COMPANY, a corporation, )	
Petitioners, )	LAW SIDE. NO. 9661.
vs. )	
JAMES LONNIE JEMISON, ET AL., )	
Defendants. )	

ORDER:

This cause coming on to be heard by the Court upon the motion of Petitioners and it appearing to the Court that Mary Jane Jemison, Andrew Jemison, Brenda Lee Jemison and Willie Jemison, Defendants, in the foregoing cause, are minors and should be represented in these proceedings by a guardian ad litem, it is, therefore,

ORDERED, ADJUDGED AND DECREED by the Court that Harry Wilton, a practicing Attorney in Baldwin County, Alabama, be, and he is hereby appointed as guardian ad litem for the said Mary Jane Jemison, Andrew Jemison, Brenda Lee Jemison and Willie Jemison, minors, in this cause.

DATED at Bay Minette, Alabama, this 5th day of April, 1971.

Joyce M. Madala  
Circuit Judge.

**FILED**

APR 5 1971

EUNICE B. BLACKMON CIRCUIT CLERK

F.N. COOPER and JOHN DOZIER BURKE, )	
SR., a partnership, d/b/a BURKE & )	
COOPER CONSTRUCTION COMPANY, and )	
ST. PAUL FIRE & MARINE INSURANCE )	
COMPANY, a corporation, )	
Petitioners )	IN THE CIRCUIT COURT OF
vs )	
JAMES LONNIE JEMISON, RUBY JEMISON, )	BALDWIN COUNTY, ALABAMA
MARY JAN JEMISON, ANDREW JEMISON, )	
BRENDA LEE JEMISON and WILLIE )	LAW SIDE. NO 9661
JEMISON, )	
Defendants )	

Comes Alma Jemison, guardian of the estate of James Lonnie Jemison, a non compos mentis, by appointment of the Probate Court of Baldwin County, Alabama on the 30th day of November, 1971 and moves this Honorable Court for an order releasing the funds on deposit with the Clerk of the Circuit Court of Baldwin County which were paid over to said Clerk under the above styled cause being case number 9661.

  
 ALMA JEMISON

FILED

FEB 8 1972

EUNICE B. BLACKMON CIRCUIT  
CLERK

THE STATE OF ALABAMA }  
BALDWIN COUNTY }

## PROBATE COURT

LETTERS OF GUARDIANSHIP OVER THE ESTATE OF  
JAMES LONNIE JEMISON, a non compos mentis,

are hereby granted to Alma Jemison, who has duly  
qualified and given bond as required by law, and is authorized to discharge all the functions attached to  
said guardianship.

Dated this 30th day of November, A.D. 19 71

Code 1940—Tit. 21, Sec. 1. /s/ Harry D'Olive, Judge of Probate



THE STATE OF ALABAMA  
BALDWIN COUNTY

I, Harry D'Olive, Judge of Probate in and for said  
County and State, hereby certify that the within and foregoing is a true, correct and complete copy of the

Letters of Guardianship issued to Alma Jemison

as Guardian of the estate of James Lonnie Jemison  
as same appears of record in my office and same are in full force and effect.

Given under my hand and seal of office, this the 30th day of November, 19 71

Harry D'Olive  
Judge of Probate

No. _____
THE STATE OF ALABAMA
_____ COUNTY
PROBATE COURT
ESTATE OF
LETTERS OF GUARDIANSHIP TO

F. N. COOPER and JOHN DOZIER BURKE,) IN THE CIRCUIT COURT OF  
SR., a partnership, d/b/a BURKE &  
COOPER CONSTRUCTION COMPANY, and  
ST. PAUL FIRE & MARINE INSURANCE ) BALDWIN COUNTY, ALABAMA  
COMPANY, a corporation,

Petitioners ) LAW SIDE.

vs

JAMES LONNIE JEMISON, RUBY JEMISON, ) NO. 9661  
MARY JANE JEMISON, ANDREW JEMISON,  
BRENDA LEE JEMISON and WILLIE )  
JEMISON,

Defendants )

D E C R E E

This cause coming on to be heard was submitted upon a motion for the release of the funds paid into court for the benefit of James Lonnie Jemison in this said case and upon examination of the Letters of Guardianship attached to the motion filed in this cause the court is of the opinion that said motion should be granted and it is therefore,

ORDERED, ADJUDGED and DECREED by the court that the funds on deposit with the Clerk of this court shall be paid over to Alma Jemison as guardian of the estate of James Lonnie Jemison, a non compos mentis.

It is further ordered that any costs herein shall be taxed against the said guardian, for which execution may issue.

James A. Blackmon  
CIRCUIT JUDGE

**FILED**

FEB 8 1972

Book 12  
Page 543

See 80

F. N. COOPER and JOHN DOZIER BURKE, SR., a partnership, d/b/a BURKE & COOPER CONSTRUCTION COMPANY, and ST. PAUL FIRE & MARINE INSURANCE COMPANY, a corporation,	)	
	)	IN THE CIRCUIT COURT OF
Petitioners,	)	BALDWIN COUNTY, ALABAMA
vs.	)	
	)	LAW SIDE. NO. 9661
JAMES LONNIE JEMISON, RUBY JEMISON, MARY JANE JEMISON, ANDREW JEMISON, BRENDA LEE JEMISON and WILLIE JEMISON,	)	
	)	
Defendants.	)	

FINDING OF FACTS:

From the pleadings and testimony in this case, the Court finds the facts as follows:

That on the 8th day of March, 1965, James Lonnie Jemison was in the employment of F. N. Cooper and John Dozier Burke, Sr., a partnership, d/b/a Burke & Cooper Construction Company, and while so employed, the said James Lonnie Jemison was injured as a result of an accident which occurred while the said James Lonnie Jemison was riding on the back of an open truck and that the said James Lonnie Jemison fell from said truck and that the said transportation was being furnished by his employers, who were at the time, subject to the Workmen's Compensation Act of the State of Alabama; that as a result of said accident, the said James Lonnie Jemison received a skull fracture, which necessitated the removal of a portion of his brain and he was rendered totally and permanently disabled from doing any work; and the Court further finds that St. Paul Fire & Marine Insurance Company, a corporation, was the insurance carrier for the employers.

And the Court further finds that at the time of the accident, the rate of pay for the said James Lonnie Jemison was \$1.78 per hour, and his annual pay averaged \$47.26 per week and that at the time of the injury the entitlement of James Lonnie Jemison was the sum of \$30.62 per week for a total of 550 weeks, which sum is

in excess of the statutory maximum and the Court determines that the entitlement of the said James Lonnie Jemison is \$15,200.00;

And the Court further finds that of this sum, payments have been made aggregating \$9,321.12; that payments are due from December 24, 1970, through June 18, 1971, in the total sum of \$768.00; that the further and additional sum of \$5,110.88 is due the said James Lonnie Jemison, which sum, commuted as provided by law, amounts to \$4,792.39;

And the Court further finds that the said James Lonnie Jemison was married to Ruby Jemison and that they had four children, viz: Mary Jane Jemison, Andrew Jemison, Brenda Lee Jemison and Willie Jemison, all being minors, and all being dependents at law; the Court further finds that on August 29, 1966, the said Ruby Jemison was divorced from the said James Lonnie Jemison and her present address is unknown;

And the Court further finds that James Lonnie Jemison has been committed to a public institution and that such commitment is not of a permanent nature, but that the said James Lonnie Jemison has been released from time to time but that recommittal has been necessary on occasions;

And the Court further finds that in Baldwin County, Alabama, there is no bank having trust powers nor a bank which would be willing to accept the responsibilities of the administration of sums due the said James Lonnie Jemison as a result of these proceedings.

JUDGMENT:

THE PREMISES CONSIDERED, it is therefore, ORDERED, ADJUDGED AND DECREED by the Court that the said James Lonnie Jemison is entitled to recover from F. N. Cooper and John Dozier Burke, Sr., a partnership, d/b/a Burke & Cooper Construction Company, and the St. Paul Fire & Marine Insurance Company, a corporation, the sum of \$5,004.36, said sum to be paid to the Clerk of this Court and to be held by said Clerk until a guardian of the said James Lonnie Jemison has been duly qualified by the Probate Court of Baldwin County, Alabama;

It is further ORDERED, ADJUDGED AND DECREED by the Court that the minor dependent children of the samd James Lonnie Jemison, to-wit: Mary Jane Jemison, Andrew Jemison, Brenda Lee Jemison and Willie Jemison, are entitled to recover of F. N. Cooper and John Dozier Burke, Sr., a partnership d/b/a Burke & Cooper Construction Company, and St. Paul Fire & Marine Insurance Company, the total sum of \$556.03, which said sum shall be paid by the Clerk of this Court into the fiduciary fund of the Probate Court of Baldwin County, Alabama;

It is further determined by the Court that it was necessary to appoint a guardian ad litem to represent the said James Lonnie Jemison in connection with these proceedings and that C. LeNoir Thompson, a duly qualified attorney, practicing in Baldwin County, Alabama, was so appointed and served as such guardian ad litem and is entitled to compensation for his services as such, it is, therefore,

ORDERED, ADJUDGED AND DECREED by the Court that the sum of \$ 75<sup>00</sup>/<sub>xx</sub> be, and the same is hereby fixed as a reasonable fee in said premises, which fee shall be taxed as a part of the costs of these proceedings;

And it further being determined by the Court that it was necessary to appoint a guardian ad litem to represent the minor children of James Lonnie Jemison in connection with these proceedings and that Harry Wilters, a duly qualified attorney, practicing in Baldwin County, Alabama, was so appointed and served as such guardian ad litem and is entitled to compensation for his services as such, it is, therefore,

ORDERED, ADJUDGED AND DECREED by the Court that the sum of \$ 75<sup>00</sup>/<sub>xx</sub> be, and the same is hereby fixed as a reasonable fee in said premises, which fee shall be taxed as a part of the costs of these proceedings;

It is further ORDERED, ADJUDGED AND DECREED by the Court that upon the payment of the foregoing amounts and the costs of these proceedings, that the said F. N. Cooper and John Dozier

Burke, Sr., a partnership, d/b/a Burke & Cooper Construction Company, and the said St. Paul Fire & Marine Insurance Company, a corporation, shall be, and are hereby discharged from any further liabilities in these matters, except for such medical coverage as may be due under the Laws of the State of Alabama.

DATED at Bay Minette, Alabama, this 18th day of June, 1971.

Jeffrey J. Masleburn  
Circuit Judge.

**FILED**

JUL 2 1971

EUNICE B. BLACKMON CIRCUIT  
CLERK

F. N. COOPER and JOHN DOZIER BURKE, )  
SR., a partnership, d/b/a BURKE & ) IN THE CIRCUIT COURT OF  
COOPER CONSTRUCTION COMPANY, and )  
ST. PAUL FIRE & MARINE INSURANCE )  
COMPANY, a corporation, )

Petitioners, ) BALDWIN COUNTY, ALABAMA

vs. )

JAMES LONNIE JEMISON, RUBY JEMISON, ) LAW SIDE.  
MARY JANE JEMISON, ANDREW JEMISON )  
BRENDA LEE JEMISON and WILLIE )  
JEMISON. )

Defendants. )

TO THE HONORABLE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AND  
TO THE HONORABLE TELFAIR J. MASHBURN, JUDGE THEREOF:

Come now the Petitioners, by and through their Attorney,  
and file this petition under the Workmen's Compensation Law of the  
State of Alabama, and respectfully represent and show unto this  
Court and unto your Honor as follows:

1. Petitioners allege that on the 8th day of March, 1965,  
James Lonnie Jemison was in the employment of F. N. Cooper and  
John Dozier Burke, Sr., a partnership d/b/a Burke & Cooper Con-  
struction Company, and while so employed by said partnership, the  
said James Lonnie Jemison was injured as the direct and proximate  
result of an accident; that said accident occurred while the said  
James Lonnie Jemison was riding on the back of an open truck, fell  
off the truck and that said transportation was furnished by his  
employer, who was at such time subject to Workmen's Compensation  
Law of the State of Alabama. As a result of the said accident,  
James Lonnie Jemison received a skull fracture which necessitated  
the removal of a portion of his brain and he was rendered totally  
and permanently disabled from performing any work. Petitioners  
further allege that all the injuries were the direct and proximate  
result of an accident which arose out of and in the course of his  
said employment. That the St. Paul Fire & Marine Insurance Company  
is the insurance carrier for said employer.

2. Petitioners further allege that at the time of the acci-  
dent, the rate of pay received by James Lonnie Jemison was \$1.78



per hour, with his base yearly average being \$47.26 per week. At the time of the injury, the entitlement of James Lonnie Jemison was the sum of \$30.72 per week for a total of 550 weeks, not to exceed the sum of \$15,200.00.

3. At the time of the said injury, James Lonnie Jemison was married to Ruby Jemison, age 24, and they had four children, viz: Mary Jane Jemison, age 5; Andrew Jemison, age 4; Brenda Lee Jemison age 3; and Willie Jemison, age 2 months; that on August 29, 1966, the said Ruby Jemison was divorced from the said James Lonnie Jemison, by decree of the Circuit Court of Baldwin County, Alabama, and moved from the State of Alabama, to Chicago, Illinois, taking with her the minor children of the said James Lonnie Jemison.

4. That your Petitioners learned on or about January 5, 1971, that the said James Lonnie Jemison, who was then living with his parents in Baldwin County, Alabama, had been committed to a public institution; that an investigation of the matter revealed that he was admitted to Searcy Hospital in Mount Vernon, Alabama, on April 6, 1970; further that he was released from said hospital on a trial visit on May 13, 1970, but was returned to said hospital on August 15, 1970, and is presently a patient at said hospital; Petitioners further show that it is uncertain as to whether or not the said James Lonnie Jemison will be a permanent patient in said hospital.

5. Petitioners further allege that the total amount of compensation paid to the said James Lonnie Jemison is the sum of \$9,321.12; further, that compensation has been paid for 302 weeks and that they owe an additional amount for a balance not to exceed 248 weeks and not to exceed the maximum sum due of \$15,200.00. Petitioners further show unto this Honorable Court that Alabama Code, Title 26, Section 279(2) provides that in the event an employee who is permanently and totally disabled becomes an inmate of a public institution, then no compensation shall be payable unless he has wholly dependent upon him for support a person named in

Sections 280 and 281 of this Title, whose dependency shall be determined as if the employee is deceased, in which case compensation provided for shall be paid for the benefit of such person so dependent during dependency in the manner ordered by the Court while the employee is an inmate in such institution.

6. Petitioners further allege that under the circumstances of this case, there are adverse claimants to compensation due and to become due.

7. Petitioners further allege that the said James Lonnie Jemison is over the age of twenty-one years, is of unsound mind and is an inmate of Searcy Hospital, Mount Vernon, Alabama; that prior to such commitment, the said James Lonnie Jemison resided in the home of his father, Andrew Jemison, at Daphne, Alabama; Petitioners further show that no guardian has been appointed by the Probate Court of Baldwin County, Alabama, to represent said James Lonnie Jemison; Petitioners further allege that it will be necessary to appoint a guardian ad litem so that personal service may be had upon the defendant, James Lonnie Jemison; Petitioners further allege that all of the minor children of the said James Lonnie Jemison, are under fourteen years of age and reside with their mother, Ruby Jemison, in Chicago, Illinois; Petitioners further allege that the exact residence address of said minors and their mother are unknown and cannot be ascertained after reasonable efforts as to their exact whereabouts; Petitioners further allege that said minors have no guardian appointed for them in this State.

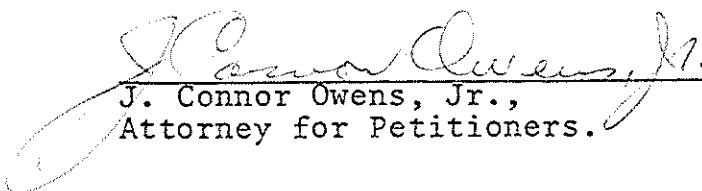
PRAYER FOR PROCESS:

WHEREFORE, Petitioners pray that upon the filing of this Petition that this Honorable Court will cause its usual writ of process to issue and to be served upon the Defendants, requiring them to plead, answer or demur to this petition within the time allowed by law and the rules of this Court.

PRAYER FOR RELIEF:

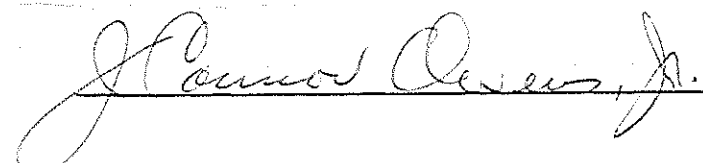
THE PREMISES CONSIDERED, Petitioners pray that upon a final hearing of this cause the Defendants in this cause each be required

to interplead and that this Court shall determine and decree to which claimant or claimants the workmen's compensation is justly due and that the Petitioners herein, upon complying with the order of this Court shall be released from the claims of any other claimants herein.

  
J. Connor Owens, Jr.,  
Attorney for Petitioners.

STATE OF ALABAMA     )  
                              (  
BALDWIN COUNTY        )

Before me the undersigned authority within and for said State and County, personally appeared J. Connor Owens, Jr., who first being duly sworn, deposes and says as follows: that he is the Attorney for the Petitioners named herein; that he has read over the foregoing petition and that the matters and facts alleged therein are true and correct.

  
Sworn to and subscribed before  
me this 29 day of January, 1971.

  
Notary Public, Baldwin County, Alabama.

**FILED**  
FEB 1 1971  
EUNICE B. BLACKMON CIRCUIT CLERK

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA  
BALDWIN COUNTY

Circuit Court, Baldwin County

} No.....

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon JAMES LONNIE JEMISON, et al.

to appear and plead, answer or demur, within thirty days from the service hereof, to the <sup>petition</sup>~~complaint~~  
filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette against.....

JAMES LONNIE JEMISON, et al.,  
..... Defendant.....

by F. N. Cooper & John Dozier Burke, Sr., a partnership, d/b/a Cooper  
Construction Company, and St. Paul Fire & Marine Insurance  
Company, a corporation, ..... Petitioners  
~~Plaintiffs~~

Witness my hand this 1st day of January 1971.

Ernie D. Blackmon, Clerk

DAPHNE

No. 9661...

Page.....

THE STATE OF ALABAMA  
BALDWIN COUNTY

CIRCUIT COURT

L. N. Cooper et al

Plaintiffs

VS.

James Leroy Lemison  
et al

Defendants

SUMMONS AND COMPLAINT

FILED

Filed ..... 19.....

FEB 1 1971

Clerk

EUNICE B. BLACKMON  
CIRCUIT CLERK

Defendant lives at

Recieved In Office

Feb 2 1971

Taylor Wilkins Sheriff

I have executed this summons

this 9 FEB 1971

by leaving a copy with

2-9-71 Creek  
Andrew Lemison CR

C. Le Nau Thompson T  
was served - 2-16-71 as

Sheriff claims 54 miles at

Ten Cents per mile Total \$ 5.40

TAYLOR WILKINS, Sheriff

BY W. C. Cooper  
DEPUTY SHERIFF

Guardian ad L  
O. M. Byrd, Deputy

J. Connor Owens Jr.

Plaintiff's Attorney

Taylor Wilkins Sheriff

Defendant's Attorney

Deputy Sheriff

VOL 68 PAGE 1509

Moore Printing Co. - Bay Minette, Ala.

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F. N. COOPER, ET AL.,	)	IN THE CIRCUIT COURT OF
Petitioners,	)	
vs.	)	BALDWIN COUNTY, ALABAMA
JAMES LONNIE JEMISON, ET AL.,	)	AT LAW. NO. 9661.
Defendants.	)	

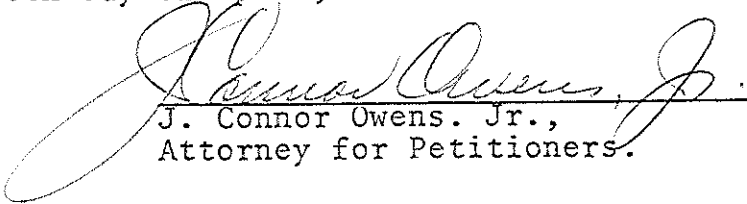
NOTICE OF DEPOSITION:

TO: C. LE NOIR THOMPSON  
ATTORNEY AT LAW  
BAY MINETTE, ALABAMA 36507

HARRY J. WILTERS, JR.,  
ATTORNEY AT LAW  
BAY MINETTE, ALABAMA 36507

You are hereby notified that the Plaintiff will take the deposition of DR. JAIME E. CONDOM at Searcy Hospital, Mt. Vernon, Alabama, on Monday, May 3, 1971, at the hour of 11:00 o'clock A. M. before an officer authorized by law to take depositions. The deposition is to be taken in accordance with and pursuant to Act No. 375 of the Alabama Legislature of 1955, as amended, and will continue from day to day until the completion of the same, and you are invited to attend and examine the deponent.

DATED this 26th day of April, 1971.

  
J. Connor Owens, Jr.,  
Attorney for Petitioners.

I, the undersigned, the Attorney of Record for the Petitioners in the foregoing cause, do hereby certify that I have caused a copy of the foregoing notice to be served on C. LeNoir Thompson and Harry J. Wilters, Jr., Guardians ad litem in said cause, by depositing the same in the United States Mail, properly addressed, with postage prepaid, this 26th day of April, 1971.

  
**FILED**

APR 27 1971

FVOL

68

PAGE 515

EUNICE B. BLACKMON CIRCUIT CLERK

9661

# The Baldwin Times

"Baldwin's Only All County Newspaper"

BAY MINETTE, ALABAMA

**FILED**

MAR 8 1971

J. H. FAULKNER, Publisher

EUNICE B. BLACKMON CIRCUIT CLERK

## AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,  
BALDWIN COUNTY.

J. H. Faulkner, Jr., being duly sworn, deposes and says that he is the EDITOR of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Notice to Non-Resident  
F. N. Cooper & John Dozier  
Burke & Cooper Construction Company, & St.  
Paul Fire & Marine Insurance Company, a Corp.,  
Petitioners  
VS.  
No. 9661  
JAMES LONNIE JEMISON, RUBY  
JEMISON, MARY JANE  
JEMISON, ANDREW JEMISON,  
BRENDA LEE JEMISON, &  
WILLIE JEMISON,  
Defendants  
THE STATE OF ALABAMA,  
BALDWIN COUNTY,  
CIRCUIT COURT,  
AT LAW

### COST STATEMENT

237 WORDS @ 09 cents = \$ 21.33  
I hereby certify this is correct, due and unpaid (paid).  
[Signature]  
Editor.

was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication February 4, 1971 Vol. 82 No. 6  
Date of 2nd publication February 11, 1971 Vol. 82 No. 7  
Date of 3rd publication February 18, 1971 Vol. 82 No. 8  
Date of 4th publication February 25, 1971 Vol. 82 No. 9

Subscribed and sworn before the undersigned this 3 day of March, 1971.

[Signature]  
Notary Public, Baldwin County.

[Signature]  
Editor.



F. N. COOPER and JOHN DOZIER BURKE, SR., a partnership, d/b/a BURKE & COOPER CONSTRUCTION COMPANY, and ST. PAUL FIRE & MARINE INSURANCE COMPANY, a corporation,	)	IN THE CIRCUIT COURT OF
	)	
Petitioners,	)	BALDWIN COUNTY, ALABAMA
	)	
vs.	)	LAW SIDE. NO. 9661
	)	
JAMES LONNIE JEMISON, ET AL.,	)	
Defendants.	)	

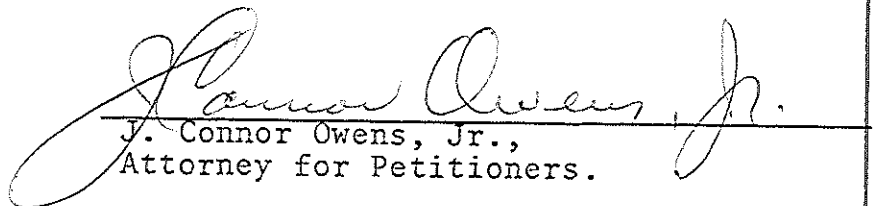
MOTION:

Now comes the Petitioners in the above styled matter, by and through their attorney, and shows unto this Court as follows:

1. That notice was given to Ruby Jemison, Mary Jane Jemison, Andrew Jemison, Brenda Lee Jemison and Willie Jemison, by publication, said notice requiring the said parties to answer or demur to the Petition in this cause by the 1st day of March, 1971, or within thirty days thereafter and Petitioners allege that no such answer has been filed;

2. Petitioners further show that of the parties served by publication, that Mary Jane Jemison, Andrew Jemison, Brenda Lee Jemison and Willie Jemison, are minors and should be represented in these proceedings by a guardian ad litem.

WHEREFORE, Petitioners move that this Honorable Court appoint a guardian ad litem to represent them in these proceedings.

  
 J. Connor Owens, Jr.,  
 Attorney for Petitioners.

**FILED**

APR 5 1971

EUNICE B. BLACKMON CIRCUIT CLERK

F. N. COOPER and JOHN DOZIER BURKE, )  
SR., a partnership, d/b/a BURKE & ) IN THE CIRCUIT COURT OF  
COOPER CONSTRUCTION COMPANY, and )  
ST. PAUL FIRE & MARINE INSURANCE )  
COMPANY, a corporation, )

Petitioners, ) BALDWIN COUNTY, ALABAMA

vs. )

JAMES LONNIE JEMISON, RUBY JEMISON, ) LAW SIDE.  
MARY JANE JEMISON, ANDREW JEMISON, ) 9661  
BRENDA LEE JEMISON and WILLIE )  
JEMISON, )

Defendants. )

ORDER:

This cause coming on to be heard by this Court upon the verified petition of Petitioners pursuant to the Workmen's Compensation Act of this State and it appearing to the Court that James Lonnie Jemison is an inmate of Searcy Hospital, Mount Vernon, Alabama; that the said James Lonnie Jemison has no legal guardian appointed in this State; that the said James Lonnie Jemison resided with his father, Andrew Jemison, at Daphne, Alabama, prior to being committed but that he should be represented by guardian ad litem in this cause, it is, therefore,

ORDERED, ADJUDGED AND DECREED by the Court that C. J. Harrison, a practicing Attorney in Baldwin County, Alabama, be, and he is hereby appointed as guardian ad litem for the purpose of receiving service in behalf of James Lonnie Jemison and further, that a copy of said petition in this cause be served upon Andrew Jemison, Daphne, Alabama.

DATED at Bay Minette, Alabama, this 1st day of February, 1971.

Jeffery J. Maschbauer  
Circuit Judge.

**FILED**

FEB 1 1971

EUNICE B. BLACKMON CIRCUIT CLERK

**NOTICE TO NON - RESIDENT**

Moore Printing Co. - Bay Minette, Alabama

F. N. COOPER and JOHN DOZIER BURKE, SR.  
a partnership, d/b/a BURKE & COOPER  
CONSTRUCTION COMPANY, & ST. PAUL FIRE &  
MARINE No. INSURANCE COMPANY, A CORP.,  
Petitioners

The State of Alabama,

Baldwin County.

No. 9661 vs.  
JAMES LONNIE JEMISON, RUBY JEMISON, MARY  
JANE JEMISON, ANDREW JEMISON, BRENDA LEE  
JEMISON, & WILLIE JEMISON,  
Defendants

At Law  
Circuit Court, in Equity

This the 1st day of  
February, 1971

In this cause it being made to appear to the Clerk of this Court by the affidavit of  
J. Connor Owens, Jr., Attorneys for Petitioners

that the Defendant S, Ruby Jemison, Mary Jane Jemison, Andrew Jemison,  
Brenda Lee Jemison and Willie Jemison

are  
~~xxx~~ non-resident of the State of Alabama their place of residence are unknown and  
cannot be ascertained after reasonable search and inquiry,

and further, that, in the belief of said Affiant the DefendantS are not all over the age of 21  
years; it is, therefore, ordered that publication be made in the Baldwin Times, a newspaper published  
in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring  
the Defendants the said Ruby Jemison, Mary Jane Jemison  
Andrew Jemison, Brenda Lee Jemison and Willie Jemison,

to answer or demur to the Bill of Complaint in this cause by the 1st day of  
March 1971, or after thirty days therefrom a decree Pro Confesso may be  
taken against them.

J. Connor Owens,  
Attorney for Petitioners

*Ernie B. Blackmon*  
Register

HARRY D'OLIVE

PROBATE JUDGE

Nº 2652

Bay Minette, Ala., 7-27, 1971

Received of Eunice B. Blackmon, Circuit Clerk  
Estate of Jernison Minors

FROM	TO	Deed Tax		Mortgage Tax		Mineral Documentary Tax		Recording Fees		Total	
		\$	Cts.	\$	Cts.	\$	Cts.	\$	Cts.	\$	Cts.
Mary Jane Andrew, Brenda Lee & Willie								5	56	03	
Fiduciary Acct.											

FOR RECORD

Thanks'

TOTAL \$ 556.03  
Harry D'Olive  
JUDGE OF PROBATE.