

STATE OF ALABAMA

BALDWIN COUNTY

To the Honorable H. M. Hall, Judge of the Circuit Court
of Baldwin County:

Now comes Allen Baldwin, and shows unto your Honors
that he is an employee as defined by the Workman's Compensation
Laws of the State of Alabama; that his employer was the
Foley Tractor and Implement Co. a corporation; that he has
suffered an injury while acting in the line and scope of
his activity as such employee; 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 re-
present him in said matter; that he requests permission
to secure the services of J. Connor Owens, Jr., an attorney
at law at Bay Minette, Alabama.

Allen Baldwin
Allen Baldwin

STATE OF ALABAMA

BALDWIN COUNTY

IN THE CIRCUIT COURT

The foregoing having been submitted and the court being
of the opinion that said permission should be granted, the
said Allen Baldwin is hereby permitted and authorized to
employ J. Connor Owens, 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 the Foley Tractor and Implement Company, a corporation.

Dated at Bay Minette, Alabama, this the 18 day of
February, 1956.

Hubert M. Hall
Judge

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN LAW. NO. 2868

ALLEN BALDWIN,

PLAINTIFF

VS.

FOLEY TRACTOR AND IMPLEMENT
COMPANY, a corporation,

DEFENDANT

PETITION TO EMPLOY ATTORNEY

FILED

FEB 28 1956

ALICE J. DUCK, Clerk

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: Mary Elizabeth Berg,
Suite 906, VanAntwerp Building,
Mobile, Alabama

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, as such time and place as you may appoint, to call before you and examine Dr. Victor T. Hudson,
Suite 906, Van Antwerp Building, Mobile, Alabama

a witnesses in behalf of Plaintiff in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein

Allen Baldwin

and Foley Tractor And Implement Co., A Corporation, Complainant

on oath, to be by you administered, upon him Respondent
to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 22nd day of May, 1956

Alice J. Duck
Register.

Commissioner's Fee, \$

Witness' Fees, \$

ALLEN BALDWIN,

Plaintiff

vs.

JOHN TRACTOR AND
EQUIPMENT CO., a
corporation,

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN LAW,

NO. _____

Comes your plaintiff, Allen Baldwin, in the above styled cause, and desiring the testimony of Dr. Victor T. Hudson, Suite 906, Van Antwerp Building, Mobile, Mobile County, Alabama, propounds the following depositions to Dr. Victor T. Hudson, under the provisions of Section 457, Title 7, of the Code of Alabama, 1940, the answers to which will be material evidence for the plaintiff upon the trial of this cause.

1. What is your full name?
2. What is your business address?
3. What is your residence address?
4. What is your trade or profession?
5. If your answer to the above question is that you belong to the medical profession, please state your experience and education in said profession.
6. If you do belong to the medical profession, please state whether or not you specialize in any particular branch of said profession, and if so, what is your speciality?
7. If you do belong to the medical profession, are you licensed to practice in the State of Alabama?
8. If your answer to Question 6 is that you do specialize, please state how long you have so specialized.
9. Were you in the active practice of your profession in the year of 1955 and in 1956 to date?
10. Did you, in the course of your profession, have occasion to treat Allen Baldwin?
11. If your answer to Question 10 is in the affirmative, please state the first date that you so attended Allen Baldwin.

12. If your answer to Question 10 is in the affirmative, please state on what other dates, if any, you attended Allen Baldwin.

13. What was your diagnosis of Allen Baldwin?

14. Did you give Allen Baldwin a physical examination?

15. Did you treat Allen Baldwin in any fashion?

16. If your answer to the preceding question is in the affirmative, please state the nature of such treatments?

17. Was this treatment given at your office or was it given at some hospital or clinic?

18. In your professional opinion has Allen Baldwin, during the period he has been treated by you, been totally disabled to perform the job of a day laborer?

19. Please state whether or not, in your opinion, that Allen Baldwin, during the time he has been treated by you, has been capable of performing any labor which would require him to stand?

20. In your professional opinion, does Allen Baldwin have a permanent physical disability or disfigurement?

21. If so, to what extent?

J. Connor Owens, Jr.
J. Connor Owens, Jr., as attorney
of record for Allen Baldwin

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority in and for said State and County, personally appeared J. Connor Owens, Jr., who, being by me first duly sworn, deposes and says as follows: That he is the attorney of record for Allen Baldwin in the above styled cause, and as such is qualified to make this affidavit; that Dr. Victor T. Hudson is a practicing physician; that the answers to the above and foregoing depositions by Dr. Victor T. Hudson will be material

evidence in the above styled cause.

H. James Owens Jr.

Subscribed and sworn to before me, this the 21 day of
May, 1956.

H. James R. Owen
Notary Public

The name of Mary Elizabeth Berg, Suite 906, Van Antwerp
Building, Mobile, Mobile County, Alabama, is suggested
as a suitable person to be commissioner for the taking
of these depositions.

James Owens Jr.
Attorney for plaintiff

FILED
MAY 22 1956
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J. CONNOR OWENS, JR.

ATTORNEY AT LAW

101 Court House Square
BAY MINETTE, ALABAMA

June 6, 1956

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

Dear Mrs. Duck:

Subject: Allen Baldwin vs. Foley Tractor & Implement Co.
Civil No. 2868

Enclosed herewith is a copy of a notice sent this day to John Chason and Harold Hansen, notifying the defendant that the testimony of Mr. Hansen would be taken at the Courthouse on June 20th, 1956, at 9 a.m.

Would you please issue a subpoena for Mr. Harold Hansen, Foley, Alabama, to testify at the time and place mentioned in the notice.

Thank you for your aid in this matter.

Sincerely yours,

J. Connor Owens, Jr.
J. Connor Owens, Jr.

Done
6-7-56
JY

ALLEN BALDWIN,
Plaintiff

vs.

FOLEY TRACTOR & IMPLEMENT
CO., a corporation,

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN LAW. No. 2868

NOTICE OF TAKING OF DEPOSITIONS UPON
ORAL EXAMINATION PURSUANT TO GENERAL
ACTS OF ALABAMA, No. 375 (Approved
September 8, 1955.)

To: Harold Hansen
Foley, Alabama

Hon. John Chason
Attorney at Law
Bay Minette, Alabama

Please take notice that the Plaintiff will take the testimony of Harold Hansen, on oral examination, whose address is Foley, Alabama, before Mrs. Louise Dusenberry, Court Reporter in and for the Circuit Court of Baldwin County, Alabama, on June 20, 1956, at 9 a.m., and thereafter, from day to day as the taking of the depositions may be adjourned in the Conference Room of the Circuit Court of Baldwin County, Alabama, at which time and place you are notified to appear and to take part in the examination of said witness as you may be advised and as shall be fit and proper.

Forrest Owens, Jr.
Attorney for Plaintiff

CERTIFICATE

I, the undersigned, being the attorney of record for the plaintiff, do hereby certify that the original of the above was served upon Harold Hansen, vice-president of the defendant in said cause, by mailing said notice, registered mail, return receipt requested, postpaid, to the said Harold Hansen, at Foley, Alabama, on the 6 day of June, 1956; I further certify that a copy of said notice above was served upon John Chason, Attorney of Record for the defendant, by mailing said notice, registered mail, return receipt requested, postpaid, to the said John Chason at his office in Bay Minette, Alabama, on the 6 day of June, 1956.

Forrest Owens, Jr.

ALLEN BALDWIN,

Plaintiff,

vs.

FOLEY TRACTOR & IMPLEMENT
COMPANY, a corporation,

Defendant.

IN THE CIRCUIT COURT OF

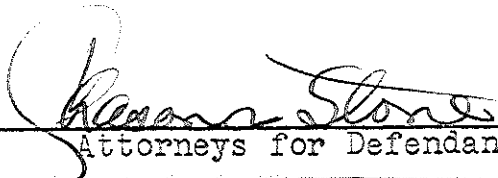
BALDWIN COUNTY, ALABAMA

AT LAW. NO. 2868

DEMURRER:

Comes the Defendant in the above styled cause and demurs to the Complaint filed by the Plaintiff in said cause and assigns the following separate and several grounds, viz:

1. That said Complaint does not state a cause of action.
2. That the allegation in the Complaint that the Plaintiff was injured in an accident which arose out of and in the course of his employment by the Defendant is but a conclusion of the pleader.
3. That it is not alleged in said Complaint that the Defendant was the owner of the farm where the Plaintiff was injured.
4. The allegation in the Complaint that the Plaintiff was burning brush upon a farm under the direction of the manager of the Defendant is not sufficient to show that such employment of the Plaintiff was in the line and scope of his employment with the Defendant.
5. That said Complaint fails to sufficiently set out the injuries the Plaintiff received.


Attorneys for Defendant

RECORDED

DEMURRER

ALLEN BALDWIN,

Plaintiff,

vs.

FOLEY TRACTOR & IMPLEMENT
COMPANY, a corporation,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW. NO. 2868

FILED

MAR 29 1956

ALICE J. DUCK, Register

LAW OFFICES

CHASON & STONE

BAY MINETTE, ALABAMA