

2021

re: G. H. Jackson
vs
W. P. Brown & Sons, et al.

[Handwritten signature]

Sincerely,

C. L. Ber Thompson

CLF/24

STATE OF ALABAMA
BALDWIN COUNTY

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

Now comes G. H. Jackson 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. P. Brown & Sons Inc., d/b/a Ray E. Loper Lumber Company, Inc., a corporation, that he has suffered an injury while acting in the line and scope of his employment, that he has been unable to reach settlement with his employer and that he prays for permission to secure the services of an attorney to represent him in said matter. He requests permission to secure the services of C. LeNoir Thompson an attorney at law at Bay Minette, Alabama.

Witnesses to mark:

Leis Wilson

Corrine Jackson

G. H. (X) Jackson
his
mark Plaintiff.

The foregoing having been submitted and the court being of the opinion that said permission should be granted, the said G. H. Jackson is hereby permitted and authorized to employ C. LeNoir Thompson, an attorney at law, to represent him in a claim for injuries arising out of an accident sustained in the line and course of his employment while employed by W. P. Brown & Sons Inc., d/b/a Ray E. Loper Lumber Company, Inc., a corporation.

Done this the 6th day of December, 1957.

Hubert M. Hall
JUDGE.

FILED

9 1957

ALICE J. DUCK, Clerk

G. H. JACKSON,)
Plaintiff,) IN THE CIRCUIT COURT OF
VS.) BALDWIN COUNTY, ALABAMA
W. P. BROWN & SONS, INC.,) AT LAW NO. 3421
d/b/a RAY E. LOPER LUMBER)
COMPANY, INC., a corporation,)
Defendant.)

PLEA

Now comes the defendant and for answer to the petition
filed in this cause says:

1. This cause of action is barred by the statute of
limitations of one year.

Filed
Jan. 10, 1958
Miss J. Luck
clerk

J. B. Blackburn
Attorney for defendant.

DEFENDANT

CASE NO. 3421

2. That the said Defendants willfully failed or refused to comply with the agreements made in open court to answer said interrogatories, hence this motion.

Attorney for Plaintiff.

I hereby certify that I have this 17th day of June, 1958, served a copy of the foregoing motion on the HOnorable J. B. Blackburn, Attorney for Defendants.

Filed
6-17-58

Attorney for Plaintiff.

G. H. JACKSON

PLAINTIFF

VS

W. P. BROWN & SONS, INC.,
d/b/a RAY E. LOPER LUMBER
COMPANY, INC., a corporation

DEFENDANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

NO. 3421

Comes the Plaintiff in the above styled cause and moves to
strike the plea filed in said cause and as a basis for said motion
shows unto this Honorable Court as follows:

1. That said plea is not sworn to as required by law.

FILED

JAN 29 1958:

ALICE J. DUCK, Clerk


Attorney for Plaintiff.

G. H. JACKSON

PLAINTIFF

VS

W. P. BROWN & SONS, Inc.,
d/b/a RAY E. LOPER LUMBER
COMPANY, Inc., a corporation,

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

CASE NO. _____

Plaintiff, G. H. Jackson, brings this proceeding against the Defendant, W. P. Brown & Sons, Inc., d/b/a Ray E. Loper Lumber Company, Inc., a corporation, pursuant to the provisions of the Workmen's Compensation Act of the State of Alabama, Title 26, Section 279 D et seq., Code of Alabama, 1940, as amended to recover compensation as provided for in said Act on account of injuries to his left shoulder causing the shoulder to become disabled and stiffen and said shoulder being in continued pain so that the said petitioner is unable to obtain gainful employment, said injury being sustained by the said G. H. Jackson and arising out of and in the course of his employment by the Defendant in the manner as hereinafter shown and Plaintiff avers as follows:

1. That Plaintiff resides in the Dyas Community in the County of Baldwin, State of Alabama and was at the time of the injury complained of by him, and is now, a resident citizen of the United States of America, and was also at both of said times married to and residing with Corinne Jackson who with one son under the age of 18 years, are dependent upon him for their support and maintenance.

2. That on to-wit the 25th day of June, 1957, Plaintiff was an employee of the said Defendant, W. P. Brown & Sons, Inc., d/b/a Ray E. Loper Lumber Company, Inc., a corporation, and both were subject to the aforesaid Workmen's Compensation Act; that on said date, the Plaintiff, while employed by the Defendant in its pole mill business and while engaged in the course of his said employment at Bay Minette, Alabama while removing trash from under the pole peeler, that the said injury occurred to his left shoulder and the injury was a proximate result of the work and was caused by the work in which he was engaged.

3. That the Defendant, W. P. Brown & Sons, Inc., d/b/a Ray E. Loper Lumber Company, Inc., a corporation, had prompt and immediate notice of said accident and has failed or refused to pay the plaintiff any compensation to which he is entitled under said Workmen's Compensation Act.

4. That the said plaintiff, G. H. Jackson, at the time of his said injury,

was receiving wages from the defendant at the rate of approximately \$40.00 per week.

WHEREFORE, Plaintiff claims of the defendant such compensation benefits as he may be entitled to receive under the Workmen's Compensation Act of the State of Alabama, the same being Title 26, Section 279 D, et seq., Code of Alabama, 1940, as amended, after first giving notice to the defendant of the filing of this suit as now prescribed by law and hearing evidence in support thereof.

AND FURTHER:

Plaintiff, G. H. Jackson, shows unto this Honorable Court against the Defendant, W. P. Brown & Sons, Inc., d/b/a Ray E. Loper Lumber Company, Inc., a corporation, pursuant to the provisions of the Workmen's Compensation Act of the State of Alabama, Title 26, Section 279 D, et seq., Code of Alabama, 1940, as amended to recover compensation as provided for in said Act on account of injuries to his right shoulder causing the shoulder to become disabled and stiffen and said shoulder being in continued pain so that the said petitioner is unable to obtain gainful employment, said injury being sustained by the said G. H. Jackson and arising out of and in the course of his employment by the Defendant in the manner as hereinafter shown and Plaintiff avers as follows:

1. That Plaintiff resides in the Dyas Community in the County of Baldwin, State of Alabama and was at the time of the injury complained of by him, and is now, a resident citizen of the United States of America, and was also at both of said times married to and residing with Corinne Jackson who with one son under the age of 18 years, are dependent upon him for their support and maintenance.

2. That on to-wit August 17, 1955 Plaintiff was an employee of the said Defendant, W. P. Brown & Sons, Inc., d/b/a Ray E. Loper Lumber Company, Inc., a corporation, and both were subject to the aforesaid Workmen's Compensation Act; that on said date, the Plaintiff, while employed by the Defendant in its pole mill business and while engaged in the course of his said employment at Bay Minette, Alabama while using a peavy turning poles the pole slipped and snatched the peavy stock against his right shoulder injuring the shoulder so that an operation was necessary, and said injury occurred to his right shoulder and the said injury was a proximate result of the work and was caused by the work in which he was engaged.

3. That the Defendant, W. P. Brown & Sons, Inc., d/b/a Ray E. Loper Lumber Company, Inc., a corporation, had prompt and immediate notice of said accident and authorized medical and hospital expense for the Plaintiff and paid

temporary compensation to said plaintiff for to-wit approximate 8 or 9 months and returned said plaintiff to the said Defendant's employment.

4. That the said Defendant was injured on to-wit June 25th, ¹⁹⁵⁷ being injured in the right shoulder at the same time and occasion that his left shoulder was injured as set forth above, and that he is entitled under said Workmen's Compensation Act.

5. That the said Plaintiff, G. H. Jackson, at the time of his said injury, was receiving wages from the Defendant at the rate of approximately \$40.00 per week.

WHEREFORE, Plaintiff claims of the defendant such compensation benefits as he may be entitled to receive under the Workmen's Compensation Act of the State of Alabama, the same being Title 26, Section 279 B, et seq., Code of Alabama, 1940, as amended, after first giving notice to the defendant of the filing of this suit as now prescribed by law and hearing evidence in support thereof.

Witnesses to mort:

Lois Wilson

Corrine Jackson

G. H. (X) Jackson
his
Plaintiff.

C. J. Thompson
Attorney for the Plaintiff.

STATE OF ALABAMA
BALDWIN COUNTY

Before me, the undersigned, a Notary Public in and for said county in said State, personally appeared G. H. JACKSON, who, upon being first duly sworn by me, on oath, deposes and says that he has had the above and foregoing petition read to him and understands the statements made therein, and that said statements contained in said petition are true and correct.

G. H. (X) Jackson
his
Plaintiff.

Subscribed and sworn to before me this 6th day of December, 1957.

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

G. H. JACKSON

PLAINTIFF

W. P. BROWN & SONS, Inc.,
d/b/a RAY E. LOPER LUMBER
COMPANY, Inc., a corporation,

DEFENDANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW.

CASE NO. _____

Comes the Plaintiff in the above styled cause and propounds the following interrogatories to Defendant, W. P. Brown & Sons, Inc., d/b/a Ray E. Loper Lumber Company, Inc., a corporation;

1. Does W. P. Brown & Sons operate in the State of Alabama and in Baldwin County, if so state the types of operation and names under which the business is conducted.
2. If your answer includes Ray E. Loper Lumber Company as property of W. P. Brown & Sons, Inc., state what name the pole peeling plant is operated.
3. State whether or not G. H. Jackson was employed to work at the pole peeling plant and the name of his immediate supervisor.
4. State the name of the individual in local charge of the pole plant.
5. Examine the records either of the pole plant or Ray E. Loper Lumber Company and state whether or not in these records show the employment of G. H. Jackson, if so state the type of employment and whether Mr. Jackson has been employed by any branch of W. P. Brown and Son, Inc., during the past two years.
6. State whether or not the records show that Mr. Jackson was injured on to-wit June 25, 1957 and the type of work he was doing when the injury was sustained.
7. State whether Mr. Jackson was employed on August 17, 1955 and state the type of employment Mr. Jackson was doing at the time he sustained this injury.
8. Attach a copy of the report of the injury of August 17, 1955 to your answer.
9. State the length of time Mr. G. H. Jackson was paid Workmen's Compensation as the result of August 17, 1955.
10. State what hospital and doctor expense was incurred by W. P. Brown & Sons, Inc., or a subsidiary thereof for the said G. H. Jackson.
11. State what medical and doctor expense was incurred by the said W. P. Brown & Sons, Inc., or a subsidiary in behalf of said G. H. Jackson.
12. State what wages the said G. H. Jackson was paid for the year immediately preceding the 25th day of June 1957, and for the year immediately preceding August 17, 1955.

Plaintiff further shows that the answers to said interrogatories are material to this cause and accordingly insist upon said answers being made.

Thompson & White
By C. LeMoire Thompson
Attorney for Plaintiff.

STATE OF ALABAMA
BALDWIN COUNTY

Before me, _____, a Notary Public, in and for said State and County, personally appeared one C. LeMoire Thompson, who being by me first duly sworn did depose and say as follows: My name is C. LeMoire Thompson and I am the Attorney of Record for the Plaintiff in the above entitled cause and as such authority to make this affidavit. I further state that the answer of the Defendant to the foregoing interrogatories will, if truthfully made, be material evidence for the Plaintiff on the trial of said cause.

C. LeMoire Thompson

Sworn to and subscribed before me by the said C. LeMoire Thompson on this the _____ day of December, 1957.

Notary Public,

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,

BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 3421

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon W.P. BROWN & SONS, INC. d/b/a RAY E. LOPER

LUMBER COMPANY, Inc. a corporation

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in
the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against W.P. BROWN & SONS, INC.
d/b/a/ RAY E. LOPER LUMBER COMPANY, Inc. a corporation, Defendant

by G.H. JACKSON

Plaintiff.....

Witness my hand this 9th day of Dec. 1957

Executed Dec. 19, 1957

Alvin J. Hume, Clerk