

IN THE MATTER OF COMPENSATION
FOR INJURY.

TO: CARL R. FORTNER, EMPLOYEE
AGAINST: E. B. SPARKMAN, LESSEE, EMPLOYER
AND FIDELITY & CASUALTY COMPANY
OF NEW YORK, INSURER OF EMPLOYER

) IN THE CIRCUIT COURT OF
)
) BALDWIN COUNTY, ALABAMA

) AT LAW
)

4306

PETITION AND SETTLEMENT

The undersigned, being the only parties interested in the above entitled matter, hereby petition the court for approval of the following agreement, and agree and represent unto you Honor as follows:

1. That they are subject to the Workmen's Compensation Law of Alabama; that said employee, a literate adult, resident at Foley, Baldwin County, Alabama, sustained back and other internal injury while employed by said employer, which injury occurred at employer's place of business on South McKenzie Street, Foley, Baldwin County, Alabama, on March 1, 1960, as a result of lifting or handling a heavy block of ice; that said employee was receiving at the time of his injury wages at the rate of \$55.00 per week.

That as a result of said injury employee suffered temporary total disability from May 24, 1960 through July 4, 1960, but no partial disability, and has incurred medical and hospital expenses of \$913.68, \$150.08 of which he has paid, and \$763.60 of which is unpaid.

Therefore, it is hereby agreed that said employee is entitled to and shall receive compensation for said injury for the six-week period beginning May 24, 1960 and ending July 4, 1960 at the rate of \$31.00 per week; that \$150.08 shall be paid to the employee for actual medical and hospital expenses he has paid; and that the employer or his insurer shall pay \$763.60 to various chiropractors, physicians, anesthetists and hospitals for the benefit of said employee. This settlement is substantially in accordance with the terms of said Act. When all payments herewith have been made the employer and his insurer shall be and hereby are, released from all claims on account of said injury under said Act or otherwise. This settlement contains

the whole agreement between the parties hereto.

Have this 5th day of July, 1960.

Carl R. Fortner
Carl R. Fortner, Employee

E. B. Sparkman
E. B. Sparkman, Lessee, Employer
Fidelity & Casualty Company
of New York
(Claims Manager)

By J. D. Wilkinson
Insurer of Employer

THE STATE OF ALABAMA)

COUNTY OF BALDWIN)

I, the undersigned, a notary public in and for said county and state, hereby certify that Carl R. Fortner and E. B. Sparkman, whose names are signed to the foregoing conveyance and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

I further certify that J. D. Wilkinson whose name as Claims Manager of the Fidelity & Casualty Company of New York, a corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this the 5th day of July, 1960.

FILED

JUL 5, 1960

ALICE A. DUCK, CLERK
REGISTER

James A. B.
Notary Public

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ORDER APPROVING PETITION AND SETTLEMENT

Upon consideration of the joint petition, agreement and settlement of the parties as heretofore filed in this cause, and being fully advised in the premises, and it appearing that the allegations of the petition are true and that said settlement is substantially in accordance with the provisions of the Workmen's Compensation Law of Alabama; It is,

Ordered that said petition, settlement and release be, and the same hereby are, approved, and that the parties in all things conform thereto.

Dated at Bay Minette, Alabama, July 5, 1960.

Hubert M. S. Hall

Judge

28th Judicial Circuit of Alabama