

CECIL GEBHARDT AND ALICE GEBHARDT

PLAINTIFFS

VS

SAM EDWARD SCOTT AND MATTIE LEE SCOTT

DEFENDANTS

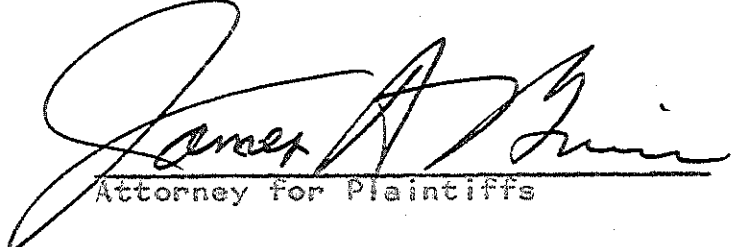
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

COMPLAINT

5303

The Plaintiffs claim of the Defendants the sum of Three Thousand Five Hundred (\$3,500.00) Dollars as damages for that heretofore on, to-wit: the 16th day of December 1961, the Plaintiff, Cecil Gebhardt, was operating his motor vehicle eastwardly on a public highway, viz: U. S. Highway 98 at a point in Baldwin County, Alabama 2.3 miles east of intersection of said highway with the Perdido Beach road, where he and said vehicle had a lawful right to be, and the Defendant, Sam Edward Scott, as agent, servant or employee of the Defendant, Mattie Lee Scott, while operating in the line and scope of his employment as such so negligently operated the motor vehicle then and there as to cause said motor vehicle he was operating to run into, upon and against the automobile Plaintiff was operating; and Plaintiff avers that as a proximate consequence thereof, the Plaintiffs automobile and all parts thereof were crushed, bent, broken and rendered useless; that the Plaintiff, Alice Gebhardt, suffered the destruction of certain merchandise owned by her in her business of selling household utensils; that the Plaintiff, Cecil Gebhardt, suffered injuries to his person and health, and incurred medical and hospital bills, suffered the loss of his automobile which he used in and about his business, and was disabled and prevented from following his gainful occupation; all to his damage, hence this suit.


Attorney for Plaintiffs

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama,

Baldwin County.

Circuit Court, Baldwin County

No.

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

TO ANY SHERIFF OF THE STATE OF ALABAMA

You Are Commanded to Summon Sam Edward Scott and Mattie Lee Scott

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
Sam Edward Scott and Mattie Lee Scott, Defendant S.

by Cecil Gebhardt and Alice Gebhardt

....., Plaintiff S.

Witness my hand this 27 day of Sept 1962

Alice J. Duck, Clerk

COPY

No. _____

Page _____

STATE of ALABAMA

Baldwin County

CIRCUIT COURT

Cecil Gebhardt and Alice

Gebhardt

Plaintiffs

vs.

Sam Edward Scott and Mattie

Lee Scott

Defendants

Summons and Complaint

Filed _____ 19____

FILED

SEP 27 1962

Clerk

**ALICE J. DUCK, CLERK
REGISTER**

James A. Brice

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Lillian, Alabama

Received In Office

_____, 19____

Sheriff.

I have executed this summons

this _____ 19____

by leaving a copy with

Sheriff.

Deputy Sheriff.

The State of Alabama,

Baldwin County.

Circuit Court of Baldwin County, Alabama

(In Equity)

Cecil Gebhart and Alice Gebhart

plaintiffs

Complainant

VS.

Sam Edward Scott and Mattie Lee Scott

defendants

Respondent X

Virgie E. Johnson

I,

as Register and Commissioner

have called and caused to come before me Cecil Gebhartwitness named in the Requirement for Oral Examination, on the 8th day of February1963, at the office of James A. Bricein Foley, Alabama, and having first sworn said Witness to speak the truth, the whole truth, and nothing but the truth, and said. Cecil Gebhart

doth depose and say as follows:

My name is Cecil Gebhart; my wife, Alice Gebhart, is the owner of that certain motor vehicle which I was operating in an eastwardly direction on public highway #98 on the 16th day of December 1961, when I was struck in my lane of traffic by a car owned by the defendant Mattie Lee Scott, mother of Sam Edward Scott, who was acting as her agent; both were occupants of the car. I suffered \$1257.97 damages to my car and \$1000.00 additional damages were suffered by my wife through loss of the use of the car in her Stanley business plus the destruction of some of her products; I was disabled and prevented from following my gainful occupation for a period of time and I am asking total damages of \$3500.00 as a result of the foregoing accident.

Further deponent saith not.


Cecil Gebhart

ORAL EXAMINATION

I, Virgie E. Johnson, as Register and Commissioner hereby certify that the foregoing depoiton on Oral Examination was taken down by me in writing in the words of the witness and read over to him and he signed the same in the presence of myself

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proom made before me of the identity of said witness; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof.

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 8th day of Febr, 1963

Virgie E. Johnson (L. S.)

Oral Deposition

No. 54012 Page 1

The State of Alabama

Baldwin County

In Circuit Court, In Equity

VS. Complainant

Respondent

Filed 6-14, 1963

Alfred J. Welch Register

Recorded in

Record

Page

Vol.

Register

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Virgie E. Johnson

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 Cecil Gebhart

a witness in behalf of Cecil Gebhart
Circuit Court in Baldwin County, of said State, wherein

in a cause pending in our

Cecil Gebhart and Alice Gebhart
and

Plaintiffs, ~~Complainant~~

Sam Edward Scott and Mattie Lee Scott Defendants ~~Respondent~~
on oath, to be by you administered, upon Cecil Gebhart
to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 1st day of February, 19 63


Register

Commissioner's Fee, \$

Witness' Fees, \$

CECIL GEBHARDT AND ALICE GEBHARDT

PLAINTIFFS

VS

SAM EDWARD SCOTT AND MATTIE LEE SCOTT

DEFENDANTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

5303

COMPLAINT

The Plaintiffs claim of the Defendants the sum of Three Thousand Five Hundred (\$3,500.00) Dollars as damages for that heretofore on, to-wit: the 16th day of December 1961, the Plaintiff, Cecil Gebhardt, was operating his motor vehicle eastwardly on a public highway, viz: U. S. Highway 98 at a point in Baldwin County, Alabama 2.3 miles east of intersection of said highway with the Perdido Beach road, where he and said vehicle had a lawful right to be, and the Defendant, Sam Edward Scott, as agent, servant or employee of the Defendant, Mattie Lee Scott, while operating in the line and scope of his employment as such so negligently operated the motor vehicle then and there as to cause said motor vehicle he was operating to run into, upon and against the automobile Plaintiff was operating; and Plaintiff avers that as a proximate consequence thereof, the Plaintiffs automobile and all parts thereof were crushed, bent, broken and rendered useless; that the Plaintiff, Alice Gebhardt, suffered the destruction of certain merchandise owned by her in her business of selling household utensils; that the Plaintiff, Cecil Gebhardt, suffered injuries to his person and health, and incurred medical and hospital bills, suffered the loss of his automobile which he used in and about his business, and was disabled and prevented from following his gainful occupation; all to his damage, hence this suit.

Sheriff claims 100 miles at

Ten Cents per mile Total \$ 10.00
TAYLOR WILKINS, Sheriff

BY C. Williams
DEPUTY SHERIFF

Returned 1 day of Nov 1962
Not found in my county after diligent search and inquiry, as to Sam Edward Scott

Taylor Wilkins, Sheriff

C. Williams
Deputy Sheriff

300

James A. Quinn
Attorney for Plaintiffs

Received 27 day of Sept 1962

and on 1 day of Nov 1962

Received a copy of the within J+C

on Sam Edward Scott

Mattie Lee Scott 11-1-62

By service on _____

TAYLOR WILKINS, Sheriff

Lillian
By Paul R. S.

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama,

Baldwin County.

Circuit Court, Baldwin County

No. _____

_____ TERM, 19____

TO ANY SHERIFF OF THE STATE OF ALABAMA

You Are Commanded to Summon Sam Edward Scott and Mattie Lee Scott

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 _____

Sam Edward Scott and Mattie Lee Scott _____, Defendant. S.

by Cecil Gebhardt and Alice Gebhardt _____

_____, Plaintiff. S.

Witness my hand this 27 day of Sept 1962

Alice J. Luck _____, Clerk

No. 5303

Page _____

STATE of ALABAMA

Baldwin County

CIRCUIT COURT

Cecil Gebhardt and Alice

Gebhardt

Plaintiffs

vs.

Sam Edward Scott and Mattie

Lee Scott

Defendants

Summons and Complaint

Filed

FILED

19

SEP 27 1962

Clerk

**ALICE J. DUCK, CLERK
REGISTER**

James A. Brice

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Lillian, Alabama

Received In Office

, 19

Sheriff.

I have executed this summons

this

19

by leaving a copy with

Mattie Lee Scott

Sheriff.

Deputy Sheriff.

JAMES A. BRICE

ATTORNEY AT LAW

FOLEY, ALABAMA

P.O. Box 298

June 5, 1963

WHITEHALL 3-3601

Mrs. Alice J. Duck
Circuit Clerk
Bay Minette, Alabama

5303-

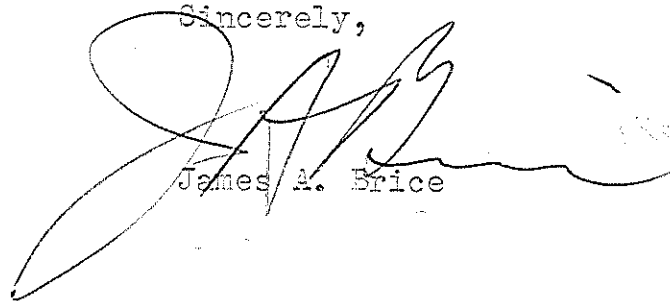
Re: Cecil Gebhardt et al
Vs: Sam Edward Scott and Mattie Lee Scott

Dear Mrs. Duck:

Kindly send certificate of judgment against Mattie Lee Scott.

Thank you.

Sincerely,



James A. Brice

JAB:lgw

no judgment has been entered!
6/18/63

Dear Mrs. Duck -

On 6/4/63 I gave you
a draft commission and
a deposition so the judgment
could be taken. Please advise.

