

said automobile over certain public roads between the Town of Foley in the State of Alabama and the City of Pensacola in the State of Florida, and did so negligently, carelessly and improperly operate said automobile in the State of Alabama and County of Baldwin on Highway 89, approximately one (1) mile East of the Community of Elberta, that it was caused to vere off the highway into a ditch and strike a concrete culvert and as the proximate result of said Defendant's negligence and the concurring negligence and incompetency of the said George Gebhart, who was fatally injured, the Plaintiff at this time) and place suffered injuries to her head and bruises to her body to the damage of the Plaintiff in the said sum of Three Hundred Dollars (\$300.00) as aforesiad.

Whereupon the Plaintiff sues.

Betty Evans, a minor

By

Rita Evans
her next friend

Ray G. Smith
Attorney for Plaintiff

7/18/52
RECORDED

SUMMONS AND COMPLAINT

BETTY EVANS, a minor,
by OTIS EVANS, her next
friend.

Plaintiff,

-vs-

MRS. ALICE GEBHART,

Defendant.

Filed: This the 6th day of
August, 1952.

Alice J. French
Clerk

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[illegible]

Has an

Attorney for Defendant

701844

RECORDED

ANSWER:

BETTY EVANS, a minor,
by OTIS EVANS, her next
friend,

Plaintiff,

-VS-

MRS. ALICE GEBHART,

Defendant.

Filed 8-6-52
Alice French
Clerk

BETTY EVANS, a minor,
by OTIS EVANS, her next
friend,

Plaintiff,

-vs-

MRS. ALICE GEBHART,

Defendant.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE.

AGREED STATEMENT OF FACTS

Now comes the Plaintiff and the Defendant in the above styled cause and agree that the following is a true and correct statement of facts in said case:

On March 18, 1952, at approximately 10:00 p.m. George Gebhart, the minor son of Alice Gebhart of Foley, Baldwin County, Alabama, was driving a 1951 Chevrolet Automobile which was the property of the said Alice Gebhart, along Highway 89 enroute from Pensacola, Florida to Foley, Alabama and when approximately one (1) mile East of Elberta, Alabama on said public highway, while traveling approximately fifty (50) miles per hour and while passing a vehicle which was also going West on said highway, he veered to the left off the highway, into a ditch, striking a concrete culvert. There was also an automobile approaching along the highway, meeting the car driven by George Gebhart, which was apparently traveling at a high rate of speed. There were five occupants of the car, all of whom were minors, namely, George Gebhart, Jane Jones, Claude Lindsey, Betty Evans and Douglas Stuart. Betty Evans suffered injury to her head and bruises to her body in the accident. George Gebhart was operating the vehicle with the permission of his mother, Alice Gebhart. Otis Evans, who filed suit as the next friend of Betty Evans, is her father. The said Betty Evans has fully recovered from her injuries.

The above being the true and correct statement of the facts in this case, it is hereby agreed upon as such by the parties hereto.

Betty Evans, a minor

By

Otis Evans

Her next friend, Plaintiff.

Sam Vaneet
Plaintiff's Attorney

MRS. ALICE GEBHART, Defendant,

By

[Signature]

Her Attorney

701844

RECORDED

Filed 8-6-52
A. J. Albrecht
Clerk

STATE OF ALABAMA

BALDWIN COUNTY

I, BETTY EVANS, and I, OTIS EVANS, jointly and severly,
hereby acknowledge payment in full accord and satisfaction of the
judgement rendered by the Circuit Court of Baldwin County, Alabama
on the 6th day of August, 1952 wherein Betty Evans by Otis Evans,
her next friend was the plaintiff and Alice Gebhart was the defen-
dant; said judgement being in the amount of Three Hundred Dollars
(\$300.00).

WITNESS our hands and seals on this the 9th day of August,
1952.

Betty Jean Evans SEAL

Otis Evans SEAL

WITNESSES:

[Signature]

Frances Saffold

RECORDED

Filed 8-9-52
Avery French
center

BETTY EVANS, a minor,
by OTIS EVANS, her next
friend,

Plaintiff,

-vs-

MRS. ALICE GEBHART,

Defendant.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE.

This day came the Plaintiff and her Attorney and the Defendant by her Attorney and issue being joined between the parties, and an agreed statement of facts having been executed and made a part of the proceedings in this cause and the court having duly considered the same,

It is therefore, considered, ordered, and adjudged by the court that the Plaintiff have and recover of the Defendant the sum of Three Hundred Dollars (\$300.00) together with the costs herein to be taxed for all of which execution may issue.

Done this August 6th, 1952

A. H. Elliott
Circuit Judge

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701844

JUDGMENT

1881
BETTY EVANS, a minor,
by OTIS EVANS, her next
friend,

Plaintiff,

-vs-

MRS. ALICE GEBHART,

Defendent.

Filed 86-52
Aug 1952
Clark

CECIL G. CHASON

ATTORNEY AT LAW
FOLEY, ALABAMA

12, August, 1952

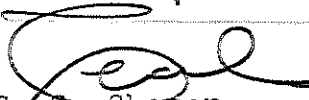
Mrs. Alice J. Duck
Clerk of Court
Bay Minette, Alabama

Dear Mrs. Duck:

There is enclosed herewith a Bill of Complaint by Betty Evans through Otis Evans, her next friend, as plaintiff and Alice Gebhart as Defendant, defendant's answer, an agreed statement of facts and a judgement in the amount of Three Hundred Dollars (\$300.00). These papers are sent in accordance with our telephone conversation and all should be marked filed as of August 6, 1952. Please prepare a docket sheet and send to Hon. A. E. Elliott, Circuit Judge, Brewton, along with a copy of this letter so that he will know the case in question. There is also enclosed an accord and satisfaction of judgement executed by Betty Evans and by Otis Evans, her father and next friend. Please place this in the file and show satisfaction and payment on the docket sheet.

Costs will be paid immediately upon receipt of the costs bill.

Yours very truly,


C. G. Chason

CGC:fs

Enclos.

CECIL G. CHASON

ATTORNEY AT LAW
FOLEY, ALABAMA

12, August, 1952

Mrs. Alice J. Duck
Clerk of Court
Day Minette, Alabama

Dear Mrs. Duck:

There is enclosed herewith a Bill of Complaint by Betty Evans through Otis Evans, her next friend, as plaintiff and Alice Gebhart as Defendant, defendant's answer, an agreed statement of facts and a judgement in the amount of Three Hundred Dollars (\$300.00). These papers are sent in accordance with our telephone conversation and all should be marked filed as of August 6, 1952. Please prepare a docket sheet and send to Hon. A. H. Elliott, Circuit Judge, Brewton, along with a copy of this letter so that he will know the case in question. There is also enclosed an accord and satisfaction of judgement executed by Betty Evans and by Otis Evans, her father and next friend. Please place this in the file and show satisfaction and payment on the docket sheet.

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C. G. Chason

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Enclos.