

1849

CLAUDE LINDSEY, a minor,
by R. D. LINDSEY, his next
friend,

Plaintiff,

-vs-

MRS. ALICE GEBHART,

Defendant.

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 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. Claude Lindsey suffered injury and bruises to his body in the accident. George Gebhart was operating the vehicle with the permission of his mother, Alice Gebhart, R. D. Lindsey, who filed suit as the next friend of Claude Lindsey, is his father. The said Claude Lindsey has fully recovered from 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.

Claude Lindsey

By

R. D. Lindsey

His next friend, Plaintiff.

J. Conrad Owens, Jr.
Plaintiff's Attorney

MRS. ALICE GEBHART, Defendant,

By

[Signature]

Her Attorney.

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AGREED STATEMENT OF FACTS

CLAUDE LINDSEY, a minor,
by R. D. LINDSEY, his next
friend,

-vs-
MRS. ALICE GEBHART,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

LAW SIDE.

Filed: August 8, 1952.

Clerk

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ACCOUNTS PAYABLE
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WGT. APPROX. 1.5

CLAUDE LINDSEY, a minor,
by R. D. LINDSEY, his next
friend,

O O

O O

Plaintiff,

O O

IN THE CIRCUIT COURT OF

-VS-

O O

BALDWIN COUNTY, ALABAMA

MRS. ALICE GEBHART,

O O

LAW SIDE.

Defendant.

O O

This day came the Plaintiff and his 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, order and adjudged by the
court that the Plaintiff have and recover of the Defendant the sum
of Four Hundred Dollars (\$400.00) together with the costs herein to
be taxed for all of which execution may issue.

Clerk.

By: _____ JRS.

IVM CIDE.

BALDWIN COUNTY, ALABAMA

IN THE CIRCUIT COURT OF

Defendant.

MRS. ALICE GEBHART.

-VS-

Plaintiff.

CLAUDE LINDSEY, a minor.

by R. D. LINDSEY, his next

friend.

Circuit Judge

CLAUDE LINDSEY, a minor,
by R. D. LINDSEY, his next
friend,

Plaintiff,

-VS-

MRS. ALICE GEBHART,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
LAW SIDE.

Filed: August _____, 1952.

Clerk.

DE CLAUDE LINDSEY, A MINOR, BY HIS NEXT FRIEND, R. D. LINDSEY, VS. MRS. ALICE GEBHART, DEFENDANT.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED, THAT THE PLAINTIFF SHALL PAY TO THE DEFENDANT THE SUM OF FIFTY DOLLARS (\$50.00) WITHIN THIRTY DAYS OF THE DATE OF THE ENTRY OF THIS ORDER, AND IF THE PLAINTIFF FAILS TO DO SO, THE DEFENDANT SHALL BE ENTITLED TO RECOVER THE COSTS OF THIS ACTION, INCLUDING ATTORNEY'S FEES, AND THE PLAINTIFF SHALL BE RESPONSIBLE FOR THE DEFENDANT'S ATTORNEY'S FEES.

WITNESSED MY HAND AND SEAL OF OFFICE, THIS 15TH DAY OF AUGUST, 1952.

CLERK OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

R. D. LINDSEY, NEXT FRIEND OF CLAUDE LINDSEY

ALICE GEBHART, DEFENDANT

STATE OF ALABAMA

BALDWIN COUNTY

I, CLAUDE LINDSEY, and I, R. D. LINDSEY, 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 19th day of August, 1952, wherein Claude Lindsey by R. D. Lindsey, his next friend, was the Plaintiff and Alice Gebhart was the defendant; said judgement being in the amount of Four Hundred Dollars (\$400.00).

WITNESS our hands and seals on this the 23rd day of August, 1952.

Claude Lindsey SEAL

R. D. Lindsey SEAL

WITNESSES:

Charles

Frances Saffold

1849 RECORDED

FILED

AUG 27 1952

ALICE J. DUCK, Clerk

CLAUDE LINDSEY, a minor,
by R. D. LINDSEY, his next
friend,

O O

O O

Plaintiff,

O O

IN THE CIRCUIT COURT OF

-vs-

O O

BALDWIN COUNTY, ALABAMA

MRS. ALICE GEBHART,

O O

LAW SIDE.

Defendant.

O O

This day came the Plaintiff and his 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, order and adjudged by the court that the Plaintiff have and recover of the Defendant the sum of Four Hundred Dollars (\$400.00) together with the costs herein to be taxed for all of which execution may issue.

Done this 17th day of August, 1952.

Jelfair J. Madliberry, Jr.
Circuit Judge

Wm. H. Smith
1892

Wm. H. Smith
1892

Wm. H. Smith

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Wm. H. Smith

CLAUDE LINDSEY, a minor,
by R. D. LINDSEY, his next
friend,

Plaintiff,

-vs-

MRS. ALICE GEBHART,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE.

Comes the Defendant, Alice Gebhart, and for answer to the
complaint filed in said cause, saith: She is not guilty of the
matters alleged therein.

Attorney for Defendant.

CLAUDE LINDSEY, a minor,
by R. D. LINDSEY, his next
friend,

Plaintiff,

-vs-

MRS. ALICE GEBHART,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

LAW SIDE.

CLAUDE LINDSEY, a minor,
by R. D. LINDSEY, his next
friend,

Plaintiff,

-vs-

MRS. ALICE GEBHART,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

Law Side.

ANSWER:

CLAUDE LINDSEY, a minor,
by R. D. LINDSEY, his next
friend,

Plaintiff,

-vs-

MRS. ALICE GEBHART,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

LAW SIDE.

Filed: August 19th, 1952.

Alice A. Duck
Clerk

CLAUDE LINDSEY, a minor,
by R. D. LINDSEY, his next
friend,

Plaintiff,

-vs-

MRS. ALICE GEBHART,

Defendant.

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 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. Claude Lindsey suffered injury and bruises to his body in the accident. George Gebhart was operating the vehicle with the permission of his mother, Alice Gebhart, R. D. Lindsey, who filed suit as the next friend of Claude Lindsey, is his father. The said Claude Lindsey has fully recovered from 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.

Claude Lindsey

By

R. D. Lindsey
His next friend, Plaintiff.

J. Connor Owens, Jr.
Plaintiff's Attorney

MRS. ALICE GEBHART, Defendant,

By

[Signature]
Her Attorney.

RECORDED

AGREED STATEMENT OF FACTS

0. ANDREW LEINDBERG, a Minnesota
resident, by and through his attorney,
JOHN J. LEINDBERG, JR., has
presented:

1. That

2. That

3. That

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5. That

6. That

7. That

8. That

9. That

CLAUDE LINDSEY, a minor,
by R. D. LINDSEY, his next
friend,

Plaintiff,

-vs-

MRS. ALICE GEBHART,

Defendant.

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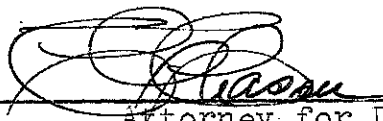
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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE.

Comes the Defendant, Alice Gebhart, and for answer to the
complaint filed in said cause, saith: She is not guilty of the
matters alleged therein.



Attorney for Defendant.

RECORDED

#1849

ANSWER:

CLAUDE LINDSEY, a minor,
by R. D. LINDSEY, his next
friend,

Plaintiff,

-VS-

MRS. ALICE GEBHART,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

LAW SIDE.

Filed: August 19th, 1952.


Clerk

CECIL G. CHASON
ATTORNEY AT LAW
FOLEY, ALABAMA

. . . IN THE CIRCUIT COURT . . . LAW SIDE . . .

You are hereby commanded to summons Mrs. Alice Gebhart to appear within thirty (30) days from the service of this writ in the Circuit Court to be held for said county at the place of holding same, then and there to answer the complaint of Claude Lindsey, a minor, by R. D. Lindsey, his next friend.

Acrid-Black

CLAUDE LINDSEY, a minor,
by R. D. LINDSEY, his next
friend.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

MRS. ALICE GEBHART,

LAW SIDE.

- 1 -

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 veer 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 and bruises to his body to the damage of the Plaintiff in the said sum of Four Hundred Dollars (\$400.00) as aforesaid.

Whereupon the Plaintiff sues.

J. Connor Owens, Jr.
Attorney for Plaintiff.

Claude Lindsey
By R. D. Lindsey
his next friend.

RECORDED
INDEXED

SUMMONS AND COMPLAINT

CHARLES H. HARRIS, et al.,
vs. J. B. HARRIS, et al.,
Defendants.

FILED

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WAS

WAS

THE STATE OF MISSISSIPPI

SHALLOO COUNTY

FILED

WAS

W. J. Davis
Clerk

STATE OF ALABAMA }
BALDWIN COUNTY }

... IN THE CIRCUIT COURT ... LAW SIDE ...

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons Mrs. Alice Gebhart to appear within thirty (30) days from the service of this writ in the Circuit Court to be held for said county at the place of holding same, then and there to answer the complaint of Claude Lindsey, a minor, by R. D. Lindsey, his next friend.

WITNESS my hand this _____ day of August, 1952.

((((((()))))))

CLAUDE LINDSEY, a minor,
by R. D. LINDSEY, his next
friend,

Plaintiff,

-vs-

MRS. ALICE GEBHART,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
LAW SIDE.

The Plaintiff claims of the Defendant, the sum of Four Hundred Dollars (\$400.00) damages, for that hereto fore on to-wit:-
March 18, 1952 at approximately 10:00 p.m., the said Defendant did own and possess an automobile which she did then and there loan to her minor son, George Gebhart, and did then negligently permit and allow the said George Gebhart to take and drive the same for his own personal pleasure and entertainment and for the pleasure and entertainment of such other persons as he might invite and take into said automobile with him, unaccompanied by the Defendant or by any other adult person, although the Plaintiff averses the said George Gebhart, a minor, was wholly incompetent and unfit to drive said automobile as was then well known to the Defendant; that on said day and on said occasion, the said George Gebhart, being so possessed of said automobile and the sole control of its operation, did invite and take into said automobile, among other persons, all minors under the age of twenty-one years, the said Claude Lindsey, a minor son of the plaintiff, under the age of twenty-one years, for a pleasure ride and thereupon did drive said automobile over certain

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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 69, approximately one (1) mile East of the Community of Alberta, that it was caused to veer 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 and bruises to his body to the damage of the Plaintiff in the said sum of four hundred dollars (\$400.00) as aforesaid.

Perenson the Plaintiff auct.

David D. Lindsey

By: R. D. Lindsey
his next friend.

ATTORNEY FOR PLAINTIFF.

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SUMMONS AND COMPLAINT

CLAUDE LINDSEY, a minor,
by R. D. LINDSEY, his next
friend,

Plaintiff,

-vs-

MRS. ALICE GEBHART,

Defendant.

IN THE CIRCUIT COURT OF
B ALDWIN COUNTY, ALABAMA.

LAW SIDE.

Filed: August 19th, 1952.

Alice J. Duck
Clerk

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