

328

No. 130 In The  
Baltimore City Court

54

*PP*

673

Depts for  
custo  
11/17/23

Edward Chalk, an infant,  
by Mary Chalk, his  
mother and next friend  
Vs.

William G. Kralicek

**BOX NO III9**

"Declaration."

Mr. Clerk:-

Please file, etc.

*J. Stewart Davis*  
*Lewis S. Flagg, Jr.*  
Attorneys for Plaintiff

Lewis S. Flagg, Jr.  
Attorney-At-Law  
14 E. Pleasant St.

FEB 20 1924

3/32/4/17

EDWARD CHALK,  
an infant,  
by

MARY CHALK his  
mother and next  
friend

VS

WILLIAM G. KRALICEK

IN THE


BALTIMORE CITY COURT.

Edward Chalk, an infant, by Mary Chalk, his mother  
and next friend, by his attorneys J. STEWARD DAVIS and LEWIS S.  
FLAGG, Jr., sues William G. Kralicek

FOR THAT on or about December 5th, 1922, the defendant,  
his agent or servant, did negligently and carelessly drive an  
automobile upon a public street of Baltimore City, State of  
Maryland, to wit, Jefferson Street, so that the aforesaid  
automobile driven by said defendant or his agent or servant, did  
run into and knock down said plaintiff, thus causing great  
damage, pain and physical injury to the said plaintiff; that the  
said damage and injury to the plaintiff were directly caused by  
the negligence and want of care on the part of the defendant or his  
agent or servant, and without negligence or want of care on the  
part of the aforesaid plaintiff.

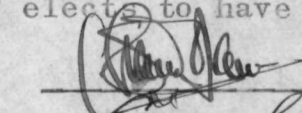
AND the plaintiff, by his mother and next friend,  
claims \$5,000.

Edward Chalk, an infant,  
by Mary Chalk, his  
mother and next friend  
VS.  
William G. Kralicek.

  
Lewis S. Flagg, Jr.  
Attorneys for Plaintiff.

In The Baltimore City Court.

The Plaintiff elects to have this case tried  
before a Jury.

  
Lewis S. Flagg, Jr.  
Attorneys for Plaintiff.

328

54

No. 130 Mar.

R. D. 1923

# Baltimore City Court.

Edw. Elvick  
Infant  
et al.

vs.

W. G. Kralicek

(2136 - Mc Elderry St.)

## WRIT OF SUMMONS

Copy of ~~Writ~~ and ~~Notice to plead~~  
within to be served on defendant.

J. Stewart Davis et al  
Attorney for Plaintiff

Filed \_\_\_\_\_ day of \_\_\_\_\_ 1923

MAR 16 1923

Summoned and a copy of Writ left with  
the defendant

(Mckinley) or  
Sheriff No. 80

Thomas J. McElvick  
Sheriff

3/3/23

WRIT OF SUMMONS

STATE OF MARYLAND

BALTIMORE CITY, To wit.

To the Sheriff of Baltimore City, Greeting:

You are commanded to summon William G. Kralick

of Baltimore City, to appear before the Baltimore City Court, to be held at the Court House in the same city, on the second Monday of Mar. next, to answer an action at the suit of Edward Chalk, an infant, by Mary Chalk his mother and next friend.

and have you then and there this writ.

Witness the Honorable JAMES P. GORTER, Chief Judge of the Supreme Bench of Baltimore

City, the 8 day of Jan. 1923

Issued the 28 day of Feb in the year 1923

Geo. Carey Lindsay Clerk.

130 Mar

328

(107 / 12-10) IN THE

54

BALTIMORE CITY COURT.

\*\*\*\*\*

EDWARD CHALK,  
an infant,

by MARY CHALK, his mother  
and next friend.

VS

WILLIAM G. KRALICEK.

\*\*\*\*\*

P L E A .

\*\*\*\*\*

Mr. Clerk,

Please file.

*Edward A. Miller*

Attorney for defendant

Copy of within plea sent to  
attorney for plaintiff.

✓ FILED APR 5 1923

EDWARD CHALK,  
an infant,  
by MARY CHALK, his mother  
and next friend.

VS

WILLIAM G. KRALICEK.

\*  
\*  
\*  
\*  
\*  
\*

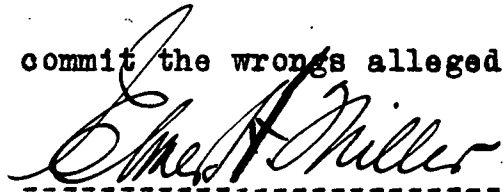
IN THE

BALTIMORE CITY COURT.

-----\*

William G. Kralicek, defendant, by Elmer H. Miller, his  
attorney, for a plea to the declaration filed in the above  
entitled case, says:

That he did not commit the wrongs alleged.



-----  
Attorney for the defendant.

Defts  
Jury List  
Chalk  
vs  
Stralick

PART 4

4th—3 Weeks September Term, 1923  
(Beginning Monday, November 12, 1923)

Docket.....

Page.....

Page..... No. Trial Calendar

~~Superior Court of Baltimore City~~

Edward Chalk an Infant by Mary  
Chalk his mother + next friend

vs.

William G. Kralick

Jury Sworn Nov 15 " 1923

John K. E. Diffenderffer Foreman

FREDK. H. A. NILY 1807 N. Castle St.  
Clerk, Philip Crist Transfer Co.

J. FORD SHAW 120 W. Lanvale St.  
Clerk, National Bank of Baltimore

HERBERT E. HAMPTON 3111 Walbrook Ave.  
Sales Manager, Roy E. Roberts

HENRY WINDUS 5218 Melvin Ave.  
Plumber's Helper, W. H. Yewell

JOHN F. DWYER 606 Melvale Ave.  
Agent, Eureka Life Ins. Co.

JOS. I. JENKINS 214 N. Rose St.  
Clerk, Metal Package Corp.

ROBT. E. HUTCHINSON 24 E. Montgomery St.  
Carpenter, John H. Dockman & Son

ELMER C. PERKINS 3925 Cloverhill Road  
Real Estate, Chas. H. Steffey, Inc.

JOHN W. MEHLING 3304 Piedmont Ave.  
General Mgr. Retail Merchants Bureau

HENRY C. GEIGER 4302 Groveland Ave.  
Asst. Buyer, Armstrong, Cator & Co.

GORDEN A. COSTER 5302 Garrison Ave.  
Accountant, Henry Heil & Co.

JOS. S. LEAKE 1926 Walbrook Ave.  
Printer, Norman T. A. Munder & Co., Inc.

HARRY C. AIDT 1537 W. Lanvale St.  
Engraver, Md. Lithograph Co.

LOUIS L. BOYD, 104 E. Montgomery St. Machine Shop

ROBERT H. POSEY, 9 N. Monroe St. None

RICHARD McCUBBIN 1114 McDonogh St.  
Clerk, Jas. Robertson Mfg. Co.

THEO. FANGMANN, 1446 Ligt St. Cigar Manufacturer

WM. POULSEN, 2439 Francis St. Plumber

EDWARD TAFT, 2056 Linden Ave. Merchant

WM. L. BROWN, 703 Harlem Ave. Clerk

GEO. J. SCHWINDEL, 1103 N. Wolfe St. Huckster

GEO. T. CRUM, Cambridge Apts. Sup't. Cambridge Apts.

EDWARD J. MONAGHAN 1729 N. Fulton Ave.  
Door Man, Daniel Miller Co.

RICHARD H. DAWS 1728 N. Fulton Ave.  
Carpenter, Morrow Bros.

JOHN K. E. DIFFENDERFFER 3603 Gwynns Falls Parkway  
Mechanical Engineer



Pliffs  
Jury List  
Chalk  
vs.  
Kralick

*P* Baltimore City Court

PART 4

4th—3 Weeks September Term, 1923  
(Beginning Monday, November 12, 1923)

Docket.....

Page.....

Page..... No.

Trial Calendar

~~Superior Court of Baltimore City~~

*Edward Chalk an Infant by  
Mary Chalk his Mother & next friend*

vs.

*William G. Kralicek*

Jury Sworn *Nov 15* 1923

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~~RICHARD H. DAWS~~ 1728 N. Fulton Ave.  
Carpenter, Morrow Bros.

JOHN K. E. DIFFENDERFFER 3603 Gwynns Falls Parkway  
Mechanical Engineer

67<sup>3</sup>/<sub>4</sub> Chalk

us

Krahcher

Page 121

Baltimore City Court.

ROOM 226-301

192

The Sheriff will please summon the following witnesses:

Returnable on Thursday the 15<sup>th</sup> day of Nov.  
1923, at 10 o'clock A. M.

Edward Chalk, infant  
by Mary Chalk, mother &  
next friend.

vs.

William Kraticek

*Judge Gorsen*  
Baltimore City Court.

Term 192

No. \_\_\_\_\_ Trials

MR. LINDSAY, Clerk,

Please issue Summons for the following witnesses: \_\_\_\_\_

- 9 Robert Myers <sup>Sd</sup> - 200 N. Paca St.
- 6 Leroy Jay <sup>Sd</sup> - 1912 Mc Eldeny St.
- 3 John Brummel <sup>Sd</sup> - 5387. Bond St.

to testify for the plaintiff  
Returnable ~~Thursday~~ Thursday the 15<sup>th</sup> day of November  
1923 at 10 o'clock A. M.

*Lewis S. Hagg*  
Attorney for Plaintiff

67<sup>32</sup>/<sub>9</sub>

Chalk

us

Krahcher

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Page 121

*Judge Gorter*  
BEFORE THE JUDGE AT LARGE No.

SUMMONS FOR WITNESS

ROOM ~~133~~ *310*<sup>301</sup> No. *673-*

In Baltimore City Court.

*September* Term, 192*3*.

The Sheriff will please summon the following witnesses:

Returnable on *Thursday* the *15<sup>th</sup>* day of *November*  
192*3*, at 10 o'clock A. M.

*E. Chalk re*

vs.

*John S. Kralick*

Baltimore City Court.

Term 192

No. *673* Trials

MR. LINDSAY, Clerk,

Please issue Summons for the following witnesses:

- 6 Roy Joy, 1912 McElderry St*
- 3 John Brummell, 538 N. Bond St.*
- 20 Robert S. Myers, 2746 Fenwick Ave.*
- 19 John S. Kralick, 430 E. 28<sup>th</sup> St.*

to testify for the *defendant*

Returnable *Thursday* the *15<sup>th</sup>* day of *November*  
192*3* at 10 o'clock A. M.

*Ernest H. Miller*

Attorney for *defendant*

Defendant's 2<sup>nd</sup> prayer.

The defendant prays the court to instruct the jury that the evidence in the case discloses that the plaintiff directly contributed to the accident through his own negligence and is therefore not entitled to recover and their verdict must therefore be for the defendant.

Refused

Defendant's 1<sup>st</sup> prayer.

The defendant prays the Court to instruct the jury that under the pleadings & evidence in the case there is no evidence legally sufficient to entitle the plaintiff to recover, and their verdict must therefore be for the defendant.

Refused.



Plaintiff's 2nd Prayer.

THE COURT instructs the jury, that even if they find a want of ordinary care and prudence on the part of the plaintiff, yet if they further find that if the defendant had used ordinary care and prudence in the management, control and operation of the automobile the accident could not have occurred, then the infant plaintiff is entitled to recover, provided they find the other facts set out in plaintiff's first prayer.

*Requid.*

Plaintiff's 1st Prayer.

THE COURT instructs the jury, that if they find from the evidence adduced in this case, that on or about the 5th day of December 1923, the infant plaintiff was injured by the automobile in the possession and control of the defendant, and operated by said defendant, ~~his agent or servant~~, on Jefferson St., a public thoroughfare of Baltimore City, and that the injury resulted from a want of ordinary care and prudence on the part of the said defendant ~~his agent or servant~~, and not from a want of ordinary care and prudence on the part of the infant plaintiff, then their verdict must be for the infant plaintiff against the defendant.

*Granted*

Edw. Chack (Infant)  
by Mary Chack  
Mother & best friend

vs

Mrs Kralicek

Nov 15<sup>th</sup>

Plaintiffs Witnesses

11/15

Edw. Chack

(sworn)

Robert G Myers

(sworn)

John Brummel bold.

(sworn)

Mrs H. Joy

(sworn)

Defts Witnesses

Mrs Kralicek

(sworn)

Verdict for Defendant