

ETHEL BURKEL, as Administratrix X  
of the Estate of Charlie Burkel, X

Plaintiff, X

v. X

GEORGE FEULNER, X

Defendant. X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 4940

DEMURRER

Comes now the Defendant in the above styled cause and demurs to the Complaint filed in said cause and as grounds of demurrer assigns the following, separately and severally:

1. That said Complaint does not state a cause of action.
2. For aught that appears the Defendant owed no duty to the Plaintiff at the time and place complained of.
3. For aught that appears the Plaintiff was at a place where he had no right to be at the time complained of.
4. That said Complaint does not state whether the Plaintiff was a pedestrian or the operator of another vehicle at the time and place complained of.
5. That said Complaint does not show whether the alleged negligence complained of occurred during the day time or night.

Respectfully submitted,

CHASON & STONE

FILED

DEC 6 1961

ALICE J. DUCK, CLERK  
REGISTER

By:

*John Earle Chason*  
Attorneys for Defendant

ETHEL BURKEL, as Administratrix  
of the Estate of Charlie Burkel,

Plaintiff,

v.

GEORGE FEULNER,

Defendant.

\* \* \* \* \*

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 4940

\* \* \* \* \*

DEMURRER

\* \* \* \* \*

FILED

DEC 6 1961

ALICE J. DUCK, CLERK  
REGISTER

ETHEL BURKEL, AS ADMINISTRATRIX  
OF THE ESTATE OF CHARLIE BURKEL,  
DECEASED

PLAINTIFF

VS

GEORGE FEULNER

DEFENDANT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW, NO. 1940

The Plaintiff, as the Administratrix of the Estate of Charlie Burkel, deceased, claims of the Defendant the sum of Ten Thousand (\$10,000.00) Dollars as damages for that, heretofore and on, to-wit: the 3rd day of November 1959, the Plaintiff's intestate, Charlie Burkel, was on a public street known as Hoyle Avenue, at a point in front of Beasley's Store in Bay Minette, Baldwin County, Alabama and then and there the said Defendant, George Feulner, negligently operated an automobile and by reason of and as the proximate result and consequence of the negligence of said Defendant the said automobile ran over, or against Charlie Burkel, and thereby and as a proximate result thereof said Charlie Burkel received personal injuries from which and as a proximate result of which he died on, to-wit: the 11th day of November 1959 to the Plaintiff's damage as aforesaid, hence this suit.

*James A. Brin*  
Attorney for Plaintiff

Plaintiff demands trial by jury.

*James A. Brin*  
Atty for pty.

FILED  
NOV 10 1959  
ALICE I. DICK, CLERK  
REGISTER

*was official 7 ad ref simj pnyg alt ad  
00.001, 1/2 to separate cases*

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW, NO. 1000

ETHEL BURKEL, AS ADMINISTRATRIX  
OF THE ESTATE OF CHARLIE BURKEL,  
DECEASED

PLAINTIFF

VS

GEORGE FEINER

DEFENDANT

The Plaintiff, as the Administratrix of the Estate of Charlie Burkel, deceased, claims of the Defendant the sum of Ten Thousand (\$10,000.00) Dollars as damages for that, heretofore and on, to-wit: the 3rd day of November 1939, the Plaintiff's intestate, Charlie Burkel, was on a public street known as Boyle Avenue, at a point in front of Beasley's Store in Bay Minette, Baldwin County, Alabama and there the said Defendant, George Feiner, negligently operated an automobile and by reason of and as the proximate result and consequence of the negligence of said Defendant and the said automobile ran over, or against Charlie Burkel, and thereby and as a proximate result thereof said Charlie Burkel received personal injuries from which and as a proximate result of which he died on, to-wit: the 11th day of November 1939 to the Plaintiff's damage as aforesaid, hence this suit.

Attorney for Plaintiff

Plaintiff demands trial by jury

FILED  
NOV 10 1939

CLERK  
BALDWIN COUNTY, ALA.

We the jury find for the Plaintiff and  
assess damages at \$11,100.00

J. P. Klein  
Foreman

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 George Feulner

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 .....

George Feulner ....., Defendant.....

by Ethel Burkel, as Administratrix of the Estate of Charlie.....

Burkel, deceased ....., Plaintiff.....

Witness my hand this 10 day of Nov 1961

Ex-11-20-61

Blief-Whack ....., Clerk

copy old Remond Rd

No. 4940 Page

**STATE of ALABAMA**

Baldwin County

**CIRCUIT COURT**

Ethel Burkel, as Administratrix  
of the Estate of Charlie Burkel,  
deceased

Plaintiffs

vs.

George Feulner

Defendants

**Summons and Complaint**

**FILED**

Filed NOV 10 1964

ALICE J. DUCK

CLERK  
REGISTER

Clerk

James A. Brice

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

11/20, 1964

Sheriff.

I have executed this summons

this Nov. 20, 1964

by leaving a copy with

George Feulner

Raymond W. Williams

Sheriff.

W. A. Zilbert

Deputy Sheriff.

ETHEL BURKEL, As Administratrix  
of the Estate of Charlie Burkel,  
Deceased,

Plaintiff,

vs.

GEORGE FEULNER,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE

NO. 4940

PLEAS

Comes the Defendant in the above styled cause and for  
plea to the complaint filed in said cause, separately and several-  
ly, says:

1. That the allegations of the complaint are untrue.

2. Not Guilty.

3. That the Plaintiff's intestate, Charlie Burkel, at  
the time and place complained of in the complaint, was himself  
guilty of negligence which was the proximate cause of his injuries,  
therefore, he cannot recover of the Defendant.

*Jason Stone*  
Attorneys for Defendant

ETHEL BURKEL, As Administrat-  
rix of the Estate of Charlie  
Burkel, Deceased,

Plaintiff,

vs.

GEORGE FEULNER,

Defendant.

\* \* \* \* \*

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
LAW SIDE NO. 4940

\* \* \* \* \*

PLEAS

\* \* \* \* \*

FILED

MAY 15 1962

ALICE J. DUCK, CLERK  
REGISTER