

of the highway when he was struck by the automobile.

7. That said Complaint does not allege any duty owing by this Defendant to the Plaintiff's intestate.

David Storer Chason
Attorneys for John Cecil Davidson

I, John Chason, as one of the Attorneys of record for John Cecil Davidson, do hereby certify that I have this day mailed a copy of the foregoing Demurrer to Cunningham, Bounds & Byrd, as Attorneys for the Plaintiff, by U. S. Mail, postage prepaid, addressed to their office at 1350 Dauphin Street in Mobile, Alabama, on this the 10th day of November, 1965.

John Chason
Attorney for John Cecil Davidson

FILED

NOV 10 1965

ALICE J. DUCK, CLERK
REGISTER

6747

ANNA BARTELS WEAVER

vs.

JOHN CECIL DAVIDSON,
et al,

DEMURRER

ANNA BARTELS WEAVER, as
Administratrix of the Estate of
ANTOINE BARTELS, deceased,

Plaintiff.

-vs-

JOHN CECIL DAVIDSON and X, Y
and Z, the owner or operator of
the vehicle involved in the acci-
dent made the basis of this suit,
whose name or names is otherwise
unknown to Plaintiff at this time
but will be added by amendment
when ascertained, individually and
jointly,

Defendants.

IN THE CIRCUIT COURT

OF BALDWIN COUNTY,

ALABAMA.

AT LAW.

CASE NO. 6247

COUNT ONE

Plaintiff claims of the Defendants the sum of ONE HUNDRED THOUSAND (\$100,000.00) DOLLARS, damages, for that heretofore and on, to-wit, July 2, 1965, the Defendants so negligently operated a motor vehicle on U. S. Highway 98 at a point, to-wit, 2.5 miles West of the West end of the Lillian Bridge, said U. S. Highway 98 being a public road in Baldwin County, Alabama, as to cause said motor vehicle to collide with Plaintiff's intestate who was then and there a pedestrian on said U. S. Highway 98, and as a direct and proximate result and consequence of the negligence of the Defendants as aforesaid, Plaintiff's intestate suffered injuries which proximately caused his death.

CUNNINGHAM, BOUNDS & BYRD
ATTORNEYS FOR PLAINTIFF

BY:

Richard Bounds
RICHARD BOUNDS

Plaintiff demands a trial by jury.

Richard Bounds
RICHARD BOUNDS

TRIAL ATTORNEYS: Richard Bounds
Robert T. Cunningham

Address of Defendant:

John Cecil Davidson
P. O. Box 517
Robertsdale, Alabama

FILED

201 E 1965

ALICE A. DICK, CLERK
REGISTER

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

6747

TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon John Cecil Davidson et- al

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.....

John Cecil Davidson, et al

Defendant.....

by Anna Bartels Weaver, as Adm. of the Estate of Antoine Bartels, deceased

Plaintiff.....

Witness my hand this..... 1st day of November 19 65

EX-11-3-65

Alice J. Luck Clerk

No. 6747

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

ANNA BARTELS WEAVER, as Adm. of the

Estate of ANTOINE BARTELS, deceased
Plaintiffs

vs.

JOHN CECIL DAVIDSON et al

Defendants

SUMMONS AND COMPLAINT

FiledNovember 1,..... 19.65....

..... Alice J. Duck Clerk

Cunningham, Bounds & Byrd- P.O. Box 4486
Mobile, Ala. Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

P.O. Box 517- Robertsdale, Ala.

RECEIVED
Received In Office

..... NOV 1 1965 19.....

..... TAYLOR WILKINS Sheriff

I have executed this summons

this 3rd day of 1965

by leaving a copy with

John Cecil Davidson

Sheriff claims \$50.00 miles at

Ten Cents per mile Total \$5.00

TAYLOR WILKINS Sheriff

by *Charles L. Childers*

Taylor Wilkins Sheriff

Charles L. Childers Deputy Sheriff

R. D. Childers