

RICHARD EADY,

Plaintiff,

VS.

WALTER PORTER,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 6103

DEMURRER


Now comes the defendant in the above styled cause and demurs to complaint heretofore filed in said cause and to each count thereof, separately and severally, and as grounds for said demurrer assign the following, separately and severally:

1. There is a misjoinder of causes of action.
2. It is not alleged that the said offense occurred in Baldwin County, Alabama.
3. The substance of the alleged publication made by the defendant is not shown.

FILED

JUL 27 1994

ALICE J. DICK, CLERK
REGISTER



Attorney for Defendant

State of Alabama
County of Baldwin

To any Sheriff of the State of Alabama:

You are hereby commanded to summon Walter Porter to appear and plead, answer or demur within thirty days to the Bill of Complaint filed in the Circuit Court of said County, by Richard Eady as Plaintiff and against Walter Porter as Defendant.

Witness my hand this 2 day of July, 1964.

Alice J. Duck
Clerk

Richard Eady
Plaintiff
Vs
Walter Porter
Defendant

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In the Circuit Court of
Baldwin County, Alabama
At Law. No. 6103

1.

The Plaintiff claims of the Defendant (\$10,000) Ten Thousand dollars damages for unlawfully causing the Plaintiff to be arrested and imprisoned on a charge of Grand Larceny, for sixteen days; viz on the 27th day of May, 1964.

2.

The Plaintiff claims of the Defendant (\$10,000) Ten Thousand dollars damages for falsely and maliciously charging the Plaintiff with Grand Larceny, by speaking of and concerning him in the presence of divers persons in substance as follows; Charging the Plaintiff with Grand Larceny of a truck and obtaining a warrant for him for stealing a truck viz on the 27th day of May, 1964.

3.

The Plaintiff claims of the Defendant (\$10,000) Ten Thousand dollars damages for maliciously and without probable cause therefor, causing the Plaintiff to be arrested under a warrant issued by Perry McClelland, a Justice of the Peace, on the 27th day of May, 1964, on a charge of Grand Larceny, which charge, before the commencement of this action has been Judicially investigated and said prosecution ended and the Plaintiff discharged.

Richard F. McClelland
Attorney for the Plaintiff

Plaintiff demands a trial by jury.

Richard F. McClelland
Attorney for the Plaintiff

FILED

JUL 7 1964

ALICE J. DUCK, CLERK
REGISTER

64-7-9-64

6103

Richard Eady

Plaintiff

Vs

Walter Porter

Defendant

Received 8 day of July 1964

and on 9 day of July 1964

I served a copy of the within

on Walter Porter

By service on _____

TAYLOR WILKINS, Sheriff

By W. A. Talbot S.

Summons and Complaint

FILED

JUL 7 1964

ALICE J. DUCK, CLERK
REGISTER