

CECIL G. CHASON

ATTORNEY-AT-LAW
FOLEY, ALABAMA

June 18, 1965

Mrs. Alice J. Duck
Clerk of Court
Bay Minette, Alabama

Dear Mrs. Duck:

Re: Herbert Nelson vs
Gaines Mashburn and
Mrs. Gaines Mashburn
No. 6325

I am enclosing herewith demurrer in the case
of Nelson vs Mashburn.

Yours very truly,



C. G. Chason

CGC:dc

Encls. 2

CECIL G. CHASON
ATTORNEY-AT-LAW
FOLEY, ALABAMA

December 23, 1964

Mrs. Alice J. Duck
Clerk of Court
Bay Minette, Alabama

Dear Mrs. Duck:

I am enclosing herewith Demurrer in the case of
Nelson vs. Mashburn, a copy of which is being sent to
the attorney for the Plaintiff.

Yours very truly,



C. G. Chason

CGC:jc

Encl.

cc: Mr. James A. Brice
Attorney at Law
P. O. Box 202
Atmore, Alabama

HERBERT NELSON
Plaintiff

VS

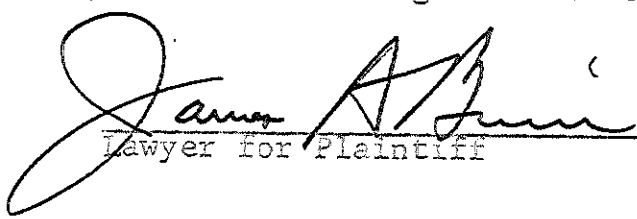
GAINES MASHBURN and
Mrs. GAINES MASHBURN
Defendants

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW, NO. 6325

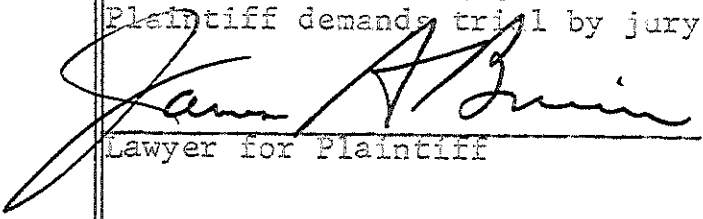
AMENDED COMPLAINT

Comes the Plaintiff and amends his complaint heretofore filed in this cause so that same shall read as follows:

The Plaintiff claims of the Defendants Two Hundred Ten Thousand, Five Hundred Sixty-eight Dollars and Seventy-nine Cents (\$210,568.79), damages for that heretofore, on to wit: Defendants, engaged in a joint venture of operating a motel at Gulf Shores, Alabama, did maliciously, wrongfully and unlawfully have Plaintiff arrested and imprisoned for nonpayment of a lodging bill not then due; that same was done by Defendants with intent to oppress Plaintiff; that said arrest and imprisonment became a matter of common notoreity among friends and acquaintances of Plaintiff; that by reason of the premises Plaintiff has suffered great humiliation, physical pain, mental anguish, and loss of reputation, all to his damage as aforesaid, hence this suit.


Lawyer for Plaintiff

DEMAND FOR JURY TRIAL
Plaintiff demands trial by jury


Lawyer for Plaintiff

Filed 5.20.65
Avis J. Linn
Clerk

HERBERT NELSON,

Plaintiff

VS

GAINES MASHBURN and MRS.
GAINES MASHBURN,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

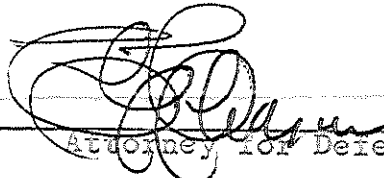
AT LAW

CASE NO. _____

DEMURRER

Come the Defendants in the above styled cause and demur to the Bill of Complaint heretofore filed therein and as grounds for demurrer show separately and severally as follows:-

1. Complaint does not state cause of action.
2. Complaint is vague and indefinite.
3. Complaint contains conclusions of the pleader.
4. That the Complaint is prolix.
5. That there is a misjoinder of causes of action.


Attorney for Defendants

FILED

DEC 20 1964

CLERK
REGISTER

HERBERT NELSON *
PLAINTIFF *
VS *
GAINES MASHBURN AND MRS. *
GAINES MASHBURN *
DEFENDANTS *

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

COMPLAINT

The Plaintiff claims of the Defendants Two Hundred Ten Thousand, Five Hundred Sixty-eight Dollars and Seventy-nine Cents (\$ 210,568.79), damages, for that heretofore, on, to wit: July 4, 1964, Defendants were operating an inn or motel at Gulf Shores, Baldwin County, Alabama, doing business as Holiday Motel, which said motel offers overnight accomadations to the general public; that Plaintiff registered thereat on July 3, 1964 as a paying guest, and so informed the Defendants that he would pay them for his stay when he departed on July 5, 1964; that Defendants agreed to this payment arrangement on July 3, 1964; that on July 4, 1964, the Defendant, Gaines Mashburn, demanded immediate payment for Plaintiff's lodging, and when Plaintiff left the premises in order to obtain cash money with which to pay the Defendants, the said Defendants maliciously, wrongfully, unlawfully and without process or legal authority of any kind whatsoever, and with intent to oppress the Plaintiff, had the Plaintiff arrested and imprisoned, and continued to and did wrongfully and unlawfully and maliciously confine and jail said Plaintiff for approximately two hours on July 4, 1964, in the Foley, Baldwin County, Alabama, City Jail; that by reason of his said period of confinement the Plaintiff was forced to associate and come in contact with prostitutes and persons of immoral and ill repute, and who were degenerate; that said arrest and confinement became a matter of common notoreity among friends and acquaintances of the Plaintiff, and the general public; that by reason of the premises the Plaintiff has suffered great humiliation, great physical pain, and grievous mental anguish, all to his damage as aforesaid, hence this suit

DEMAND FOR TRIAL BY JURY
Plaintiff demands trial by jury.

James A. Brice
Lawyer for Plaintiff

James A. Brice, Box 202, Atmore,
Alabama, Lawyer for Plaintiff

FILED

044

30-64

ALICE L. BICE, CLERK
REGISTER

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, Baldwin County

No.....

.....TERM. 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Gaines Mashburn and Mrs. Gaines Mashburn

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.....
.....Gaines Mashburn and Mrs. Gaines Mashburn..... DefendantS....

by
.....Herbert Nelson..... Plaintiff.....

Witness my hand this.....30.....day of.....Nov..... 1964..

.....Dee J. Duck..... Clerk

67-12-3-64
12-4-64

~~=====~~

045

No. 6325

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Herbert Nelson

Plaintiffs

vs.

Gaines Mashburn

Mrs. Gaines Mashburn

Defendants

SUMMONS AND COMPLAINT

Filed FILED 19.....

FILED

NOV 30-64 Clerk

ALICE J. DICK, CLERK
REGISTER

James A. Brice

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Holiday Motel, Gulf Shores,

Alabama

Received In Office

DEC 2 1964

19.....

TAYLOR WILKINS

Sheriff

I have executed this summons

this 19.....

by leaving a copy with

Gaines Mashburn
Mrs. Gaines Mashburn
12-3-64

Cecil Chason Atty for
Gaines Mashburn 12-4-64

Sheriff claims 172 miles at

Fee 17.20

CC

James A. Brice Sheriff

Vol. Brice Deputy Sheriff

Gulf Shores