

ROY DIFFLEY,	X	
Plaintiff,	X	
vs.	X	IN THE CIRCUIT COURT OF
TOWN OF GULF SHORES, ALA-	X	BALDWIN COUNTY, ALABAMA
BAMA, a Municipal Corpor-		
ation, LA VERNE L. RATCLIFF,	X	AT LAW
individually and d/b/a		
RATCLIFF'S RESTAURANT,	X	CASE NO. 8845
RATCLIFF'S RESTAURANT, a		
Corporation, and CHARLES	X	
REEN,		
Defendants,	X	
	X	

Comes now the Defendant, Charles Reed, and for answer to the Plaintiff's Bill of Complaint, and to each count thereof seperately and severally, says:

1.

Not guilty.

2.

Not guilty of the matters alleged therein.

WILTERS & BRANTLEY

BY: *Ray J. Wilton*
Attorney for Defendant, Charles Reed

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 16 day of September 1969 served a copy of the foregoing pleading on counsel for all parties to this proceeding by mailing the same by United States Mail, properly addressed, and first class postage prepaid.

WILTERS & BRANTLEY

By: *Ray J. Wilton*

FILED

SEP 15 1969

ALICE J. DUCK CLERK
REGISTER

ROY DIFFLEY, X

Plaintiff, X

vs. X

TOWN OF GULF SHORES, ALA- X

BAMA, a Municipal Corpor- X

ation, LA VERNE L. RATCLIFF, X

individually and d/b/a X

RATCLIFF'S RESTAURANT, X

RATCLIFF'S RESTAURANT, a X

Corporation, and CHARLES X

REED, X

Defendants. X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 8845

Comes now the Defendant, La Verne L. Ratcliff, individually and d/b/a Ratcliff's Restaurant, and Ratcliff's Restaurant, a Corporation, and for answer to the Plaintiff's Bill of Complaint, and to each count thereof seperately and severally, says:

1.

Not guilty.

2.

Not guilty of the matters alleged therein.

WILTERS & BRANTLEY

BY:

[Signature]
Attorneys for the Defendant, L. L.
Ratcliff

FILED

SEP 12 1969

ALICE J. DUCK

CLERK
REGISTER

ROY DIFFLEY,)	
)	
PLAINTIFF,)	IN THE CIRCUIT COURT OF
)	
VS.)	BALDWIN COUNTY, ALABAMA
)	
TOWN OF GULF SHORES, ALABAMA, a))	AT LAW
Municipal Corporation, LA VERNE))	
L. RATCLIFF, Individually and))	
d/b/a RATCLIFF'S RESTAURANT,))	CASE NO: 8845
RATCLIFF's RESTAURANT, a cor-))	
poration, and CHARLES REED,))	
)	
DEFENDANTS)	

PLEA

Comes the Town of Gulf Shores, a Municipal Corporation, one of the Defendants in the above-styled cause appearing especially and only for the purpose of filing this Plea and says that the Plaintiff in this cause ought not to have and maintain this action, and said Town of Gulf Shores shows as its reason therefor separately and severally the following:

1. That notification of the pendency of a claim has not been presented as provided by law.
2. That service of Summons and Complaint has not been properly effected.
3. That under the provisions of Section 502 of Title 37 of the Recompiled Code of Alabama of 1958, the Town of Gulf Shores could not be held liable for the alleged actions of an agent or officer.

WHEREFORE the Defendant, the Town of Gulf Shores, a Municipal Corporation, says that the said action should be abated or barred and should not be allowed to proceed.



 Attorney for Town of Gulf Shores

STATE OF ALABAMA
BALDWIN COUNTY

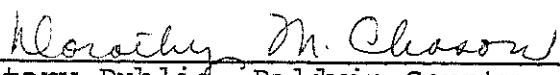
Before me, Wesley M. Chason, a Notary Public in and for Said County in said State personally appeared C. G. Chason, who being known to me and too being by me first duly

C. G. C.

sworn, deposes and says on oath as follows: That he is attorney for the Town of Gulf Shores, a Municipal Corporation, who is one of the Defendants in the above-styled cause, and that the matters and facts set forth in the foregoing Plea are true and correct.


C. G. Chason

Sworn to and subscribed to before me on this the 19th day of September, 1969.


Notary Public, Baldwin County
State of Alabama

(Affix Seal)

My Commission expires:

June 7, 1970

I, C. G. Chason, Attorney at Law, hereby certify that I have sent a copy of the foregoing Plea by United States Mail, postage prepaid, to Hon. Ernest M. Bailey, attorney for the Plaintiff, Fairhope, Alabama on this 19th day of September, 1969.


C. G. Chason

FILED

SEP 22 1969

ALICE J. DUCK CLERK
REGISTER

THE PLAINTIFF CLAIMS OF THE DEFENDANTS THE SUM OF TEN
THOUSAND DOLLARS (\$10,000.00) FOR THAT THE DEFENDANTS, OR THEIR

DULY AUTHORIZED AGENTS, ACTING WITHIN THE LINE AND SCOPE OF THEIR AUTHORITY, FALSELY IMPRISONED PLAINTIFF AND DETAINED HIM IN PERSON AND CUSTODY, WITHOUT REASONABLE AND PROBABLE CAUSE THEREFOR, CONTRARY TO LAW AND AGAINST HIS WILL.

COUNT FOUR:

THE PLAINTIFF CLAIMS OF THE DEFENDANTS TEN THOUSAND DOLLARS (\$10,000.00), DAMAGES FOR CONSPIRING TO CHEAT OR DEFRAUD PLAINTIFF OF THE SUM OF TEN AND 30/100 (\$10.30), IN THAT THE DEFENDANTS ARRESTED OR CAUSED THE ARREST OF THE PLAINTIFF TO COERCE THE PLAINTIFF OR HIS AGENTS TO PAY AN ALLEGED DEBT IN THE AMOUNT OF TEN AND 30/100 (\$10.30) IN CONSIDERATION OF THE RELEASE OF THE PLAINTIFF FROM THE CITY JAIL OF THE TOWN OF GULF SHORES, ALABAMA. AS A RESULT OF THIS CONSPIRACY AND ITS EXECUTION BY THE DEFENDANTS, THE PLAINTIFF WAS ARRESTED, CONFINED IN JAIL, AND THE SUM OF TEN AND 30/100 (\$10.30) WAS EXTORTED FROM HIM CAUSING THE PLAINTIFF TO BE HUMILIATED, EMBARRASSED AND SUFFER SEVERE MENTAL ANGUISH.

COUNT FIVE:

THE PLAINTIFF CLAIMS OF THE DEFENDANTS THE SUM OF TEN THOUSAND DOLLARS (\$10,000.00) FOR THAT, TO-WIT: ON JULY 27, 1969, DEFENDANT, LAVERNE L. RATCLIFF, ACTING INDIVIDUALLY OR AS A DULY AUTHORIZED AGENT ACTING WITHIN THE LINE AND SCOPE OF THIS AUTHORITY FOR RATCLIFF'S RESTAURANT, INC., DEFENDANT, DID CAUSE THE PLAINTIFF TO BE FALSELY ARRESTED AND IMPRISONED; AND DEFENDANT, CHARLES REED, ACTING INDIVIDUALLY AND AS A DULY AUTHORIZED AGENT

ACTING WITHIN THE LINE AND SCOPE OF HIS AUTHORITY FOR THE TOWN OF GULF SHORES, DEFENDANT, DID FALSELY ARREST AND IMPRISON THE PLAINTIFF WITHIN THE JAIL OWNED BY DEFENDANT, TOWN OF GULF SHORES, ALABAMA, ALL WITHOUT REASONABLE AND PROBABLE CAUSE THEREFOR, CONTRARY TO LAW AND AGAINST THE PLAINTIFF'S WILL.

BAILEY & TAYLOR

By: Samuel M. Bailey
ATTORNEYS FOR THE PLAINTIFF

PLAINTIFF DEMANDS A TRIAL BY

JURY.

Samuel M. Bailey

FILED

AUG 15 1969

ALICE J. DUCK CLERK
REGISTER

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO: 8845

ROY DIFFLEY,

PLAINTIFF

VS

TOWN OF GULF SHORES, ALABAMA, A
MUNICIPAL CORPORATION, LA VERNE
L. RATCLIFF, INDIVIDUALLY AND D/B/A
RATCLIFF'S RESTAURANT, RATCLIFF'S
RESTAURANT, A CORPORATION, AND
CHARLES REED,

Gulf Shores
DEFENDANTS

FILED

AUG 15 1969

ALICE J. DICK CLERK
REGISTER

Bailey & Taylor

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. 8845

TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon TOWN OF GULF SHORES, ALABAMA, A Municipal Corporation,
LA VERNE L. RATCLIFF, Ind. & d/b/a RATCLIFF'S RESTAURANT, RATCLIFF'S RESTAURANT, a
Corporation, and CHARLES REED,

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 TOWN OF GULF SHORES,
ALABAMA, A Municipal Corporation, LA VERNE L. RATCLIFF, Ind. & d/b/a RATCLIFF'S
RESTAURANT, RATCLIFF'S RESTAURANT, a Corp. & CHARLES REED, Defendant.....

by ROY DIFLEY

Plaintiff.....

Witness my hand this 15th day of August 19 69

Alice J. Duck Clerk

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

ROY DIFLEY

Plaintiffs

vs.
TOWN OF GULF SHORES, ALABAMA, A Municipal
Corp., LA VERNE L. RATCLIFF, Ind. & d/b/a
RATCLIFF'S RESTAURANT, RATCLIFF'S
RESTAURANT, a corp. &

Defendants

CHARLES REED

SUMMONS AND COMPLAINT

Filed August 15th 1969

Alice J. Duck Clerk

BAILEY & TAYLOR

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED
Received in Office

AUG 15 1969 19.....

TAYLOR WILKINS Sheriff

I have executed this summons

this Aug 23 1969

by leaving a copy with

*James Gulf Shores By
Deputy Sheriff Jack Jackson-Councilman
La. Verne L. Ratcliff
Ratcliff's Restaurant
Prof. W. Leverage, Jr.
Charles Reed
L. Ratcliff-councilman
Charles Reed*

Sheriff claims 400 miles at

Ten Cents per mile Total \$ 40.00

TAYLOR WILKINS, Sheriff

BY Childress
DEPUTY SHERIFF

Taylor Wilkins Sheriff

Childress Deputy Sheriff

*Gulf Shores
400 mi*