

MARTIN MILLS,

Plaintiff,

VS.

ANNIE S. COOK and E. S.  
COOK,

Defendants.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

AT LAW.

NO. 357.

DEMURRER.

Now come the Defendants in the above entitled cause and demur to the Complaint filed herein and for ground of demurrer set down and assign separately and severally the following:

1. It does not state facts sufficient to constitute a cause of action against these Defendants.

2. It does not appear with sufficient certainty wherein Defendants violated any duty which they may have owed to the Plaintiff.

3. The averments set up, if true, do not show any liability on the part of the Defendants herein.

4. There does not appear sufficient casual connection between Defendants' said breach of duty and Plaintiff's injury and damages.

5. It does not allege that said arrest was caused maliciously and without probable cause.

6. It does not allege that the Plaintiff was arrested under a warrant issued by any proper authority.

7. It does not allege on what charge Plaintiff was arrested.

8. It does not allege on what charge Plaintiff was arrested at the instance of the Defendants, nor that said charge was judiciously investigated, the prosecution ended and Plaintiff discharged.

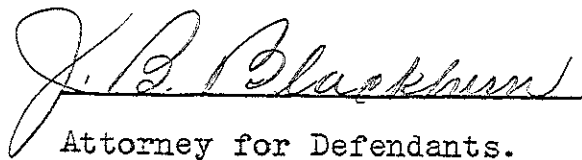
9. It does not allege the length of time that Plaintiff was imprisoned.

10. It does not allege that Defendants unlawfully

arrested and imprisoned the Plaintiff.

11. It does not allege who or what person arrested and imprisoned the Plaintiff.

12. It does not allege on what charge Plaintiff was arrested and imprisoned.

  
Attorney for Defendants.

RECORDED

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*8-87*

DEMURRER.

MARTIN MILLS,  
Plaintiff,

VS.

ANNIE S. COOK and E. S. COOK,  
Defendants.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
AT LAW. NO. *357*

*Filed July 1<sup>st</sup>, 1908*  
*T. J. Duck, Clerk*

J. B. BLACKBURN  
ATTORNEY AT LAW  
BAY MINETTE, ALABAMA

STATE OF ALABAMA,  
BALDWIN COUNTY.

IN THE CIRCUIT COURT--LAW SIDE.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Annie S. Cook and E. L. Cook to appear within thirty days from the service of this Writ in the Circuit Court to be held for said County at the place of holding same, then and there to answer the Complaint of Martin Mills.

Witness my hand this 15 day of May, 1937.

Robert S. Gason  
Clerk.

COMPLAINT.

MARTIN MILLS,

Plaintiff,

-vs-

ANNIE S. COOK and E. L.  
COOK,

Defendants.

IN THE CIRCUIT COURT--LAW SIDE  
STATE OF ALABAMA  
BALDWIN COUNTY.

The Plaintiff claims of the Defendants the sum of Five Thousand Dollars (\$5,000.00) damages for unlawfully causing the Plaintiff to be arrested and imprisoned on, to-wit, the 21st day of January, 1937, and as a proximate consequence of said unlawful arrest and imprisonment the Plaintiff was greatly humiliated, shamed, caused to lose time, suffered great mental and physical pain and anguish, all to his damage as aforesaid.

Robert S. Gason  
Attorneys for Plaintiff.

Plaintiff demands a trial of  
this cause by Jury.

Robert S. Gason  
Attorneys for Plaintiff.

RECORDED  
SUMMONS & COMPLAINT.

MARTIN MILLS,

Plaintiff,

-VS-

ANNIE S. COOK and E. L.  
COOK,

Defendants.

IN THE CIRCUIT COURT--AT LAW  
STATE OF ALABAMA  
BALDWIN COUNTY.

Filed May 15, 1937

As Duces

Clerk.

LAW OFFICES  
HYBART & CHASON  
BAY MINETTE, ALABAMA

by handing a copy to E. L. Cook  
and a copy to Annie S. Cook  
this 21st day of May 1937  
M. H. Wilkins Sheriff  
By John R. Davis  
D.S.