

STATE OF ALABAMA,)
COUNTY OF BALDWIN.)

CASS ALIAS K. HINOTE,)
Plaintiff,)
VS
W. D. STAPLETON,)
Defendant.)

CIRCUIT COURT

NO. _____
SUMMONS

To any Sheriff of the State of Alabama:

You are hereby commanded to summon W. D. STAPLETON 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 the same, then and there to answer the complaint of CASS ALIAS K. HINOTE.

Witness my hand, this 9th day of June, 1931.
M. H. Hinson
Clerk

STATE OF ALABAMA,)
COUNTY OF BALDWIN.)

CASS ALIAS K. HINOTE,)
Plaintiff,)
VS
W. D. STAPLETON,)
Defendant.)

CIRCUIT COURT OF BALDWIN
COUNTY

COMPLAINT

COUNT ONE

Plaintiff claims of the defendant one thousand dollars (\$1,000.00) damages for unlawfully causing the plaintiff to be imprisoned in jail at Bay Minette, Alabama, on complaint charging that "Cass alias K. Hinote, knowingly entered upon the land of W. D. Stapleton and cut down wood or timber growing thereon, with intent to remove and appropriate the same to his own use," and arrested on a warrant on a charge of "cutting and removing timber from land of another;" that said arrest occurred on the 13th day of July, 1931, and said plaintiff was detained for a period of five days in jail.

COUNT TWO

Plaintiff claims of the defendant the sum of one thousand dollars (\$1,000.00) damages for unlawfully causing the plaintiff to be arrested on a charge of "cutting and removing timber from land of another," and imprisoned in jail at Bay Minette, Alabama, on complaint charging that "Cass alias K. Hinote, knowingly entered upon the land of W. D. Stapleton and cut down wood or timber growing thereon, with intent to remove and appropriate the same to his own use," and that on the 13th day of July, 1931, the said defendant herein obtained a warrant for the arrest of this plaintiff, charging him as aforesaid, and caused this plaintiff to be imprisoned in the jail at Bay Minette, Alabama, for five days, greatly to his humiliation and shame, and the damages as aforesaid.

COUNT THREE

Plaintiff claims of the defendant one thousand dollars (\$1,000.00) damages for unlawfully causing the plaintiff to be arrested on a charge of "cutting and removing timber from land of another," which said timber was claimed to be the property of the defendant, and imprisoned on complaint that "Cass alias K. Hinote, knowingly entered upon the land of W. D. Stapleton and cut down wood or timber growing thereon, with intent to remove and appropriate the same to his own use." Plaintiff states the true facts to be that said timber was the property of the plaintiff and that the defendant swore out a warrant and caused him to be arrested and incarcerated in the county jail at Bay Minette, Alabama, for a period of five days. Said arrest was made on the 13th day of July, 1931, to the damage of the plaintiff as aforesaid.

F. J. Hinson
Attorney for Plaintiff

Original

STATE OF ALABAMA, }
COUNTY OF BALDWIN. }

CASS ALIAS K. HINOTE,
Plaintiff, }

VS

W. D. STAPLETON,
Defendant. }

SUMMONS AND COMPLAINT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY

NO. _____

Filed June 7th 1932
J. W. Riceman
clerk

F. F. Nelson
Attorney for Plaintiff

RECORDED

Executed this the
11th of June 1932
By serving a
copy of this
within Summons
and Complaint on
MR Stapleton the
Def.

MR Stuart
Shff
By J. B. Wilson
JS

STATE OF ALABAMA,)
COUNTY OF BALDWIN.)

CASS ALIAS K. HINOTE,
Plaintiff,

VS

W. D. STAPLETON,

Defendant.

IN THE CIRCUIT COURT
OF BALDWIN COUNTY, ALA.

In the Summons and Complaint filed on or about the
8th day of June, 1932, in the case wherein Cass alias K. Hinote
is plaintiff and W. D. Stapleton is defendant, notice is hereby
given that the plaintiff in said above entitled cause demands trial
by jury.

F. F. Nelson
Attorney for Plaintiff

RECORDED

RECORDED

APPROVED FOR DEPOSIT

Handwritten signature/initials

PA 1000

Given that the District in said space entitled cases demands that
is District and A. D. District is defendant, notice is hereby
sent that of June, 1932, in the case wherein case since K. Hino

is the District and defendant, notice is hereby given

Filed June 14, 1932
J. Richardson
Clerk

M. D. STEINER

AS

OF BUREAU COMMUN. AFF.

CASE WITH K. HINO

COMMUN. OF BUREAU

STATE OF NEW YORK

IN THE CIRCUIT COURT

STATE OF ALABAMA,)
COUNTY OF BALDWIN.)

CASS ALIAS K. HINOTE,)
Plaintiff,)

vs

W. D. STAPLETON,)
Defendant.)

IN THE CIRCUIT COURT
OF BALDWIN COUNTY, ALA.

In the Summons and Complaint filed on or about the
8th day of June, 1932, in the case wherein Cass alias K. Hinote
is plaintiff and W. D. Stapleton is defendant, notice is hereby
given that the plaintiff in said above entitled cause demands trial
by jury.

J. F. Keenan
Attorney for Plaintiff

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

FIRST:

SECOND:

THIRD:

FOURTH:

FIFTH

SIXTH:

SEVENTH:

EIGHTH:

Myron H. H. H. H.
Attorneys for Defendant.

My late friend Chas.
Attorneys for Defendant.

CASS HINOTE'

Plaintiff'

-vs-

W. D. STAPLETON'

Defendant.

IN THE CIRCUIT COURT-LAW SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

Now comes the Defendant and files this his Demurrer to the Complaint in this cause, and assigns separately and severally the following grounds of demurrer as to each count thereof:-

(A) It is not alleged that the Defendant did not have probable cause for having Plaintiff arrested.

(B) It is not alleged that Plaintiff was not arrested by a proper officer under a warrant legal on its face and issued by proper authority.

(C) It is not alleged that a valid warrant was not issued by a competent court, based upon a sufficient Affidavit of a probable cause.

(D) It is not alleged that Defendant was not legally arrested or legally restrained.

W. H. Hart, Wm. H. Johnson
Attorneys for Defendant.