

\$76,700 Claim Blames Store For Arrest

Billy Joe Day—a man who claimed he spent "sixteen long weeks" in the county jail before a criminal charge against him was dismissed—filed a \$76,700 suit against the Great Atlantic & Pacific Tea Company in Forty-fourth District Court Tuesday.

Day said in his petition that an employee of the A&P store at 5515 West Lovers Lane started his trouble's last year. She turned over a \$50 worthless check then to city police, he said.

The check—dated Oct. 10, 1952, and drawn on the National City Bank of Dallas—was signed "John P. Day."

Last December, Day said, he was arrested in El Paso on the worthless check charge.

Day claimed that he entered the Dallas County jail on Dec. 2 and stayed there until March 27.

Asst. Dist. Atty. Clarence Bentley said Tuesday that the case against Day subsequently was dismissed "because of insufficient evidence."

In his petition, Day asked for \$50,000 for "illegal imprisonment and malicious prosecution" and \$25,000 in damages for "health and reputation injuries, humiliation, shame, disgrace and embarrassment."

The petition—filed for Day by the law firm of Hardeman, Allen & Bamford—also asked \$500 for attorney fees and \$1,200 for loss of salary while Day was in jail.