

2674

STATE OF ALABAMA, EX REL  
WILLIAM R. LAUTEN, AS  
SOLICITOR OF THE TWENTY-  
EIGHTH JUDICIAL CIRCUIT  
OF ALABAMA,

Petitioner,

VS.

E. H. SKIPPER AND ONE FIVE  
CENT SLOT MACHINE

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

DECREE

This cause is submitted for final decree on the petition of William R. Lauten, as Solicitor of the Twenty-eighth Judicial Circuit of Alabama, and the answer and waiver of the respondent, E. H. Skipper, and the same being considered by the Court, the Court is of the opinion that the prayer of the Petitioner should be granted;

~~IT IS THEREFORE ORDERED, ADJUDGED AND DECREED~~ that the following described personal property is a gambling device under the laws of the State of Alabama, to-wit:

One five cent Rol-A-Top slot machine, Serial Number 72917.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that E. H. Skipper, the respondent in this cause, is the owner of said gambling device; that Honorable Taylor Wilkins, Sheriff of Baldwin County, Alabama, open the said gambling device in any manner as he shall see fit in the presence of the Register of the Circuit Court of Baldwin County, Alabama, in Equity; that said Sheriff take from said gambling device any money or property found therein and turn over and deliver to the said Register said money or said property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Register of the Circuit Court of Baldwin County, Alabama, in Equity, shall safely keep the said money and other property found in said gambling device;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said gambling device be and it is hereby condemned and forfeited as being in violation of the terms of Article 4, Title 14 of the Code of Alabama for 1940 as amended; that one-half of the money or moneys taken from said gambling device be paid to the Honorable Taylor Wilkins, Sheriff of said county, and that the remaining one-half of said money or moneys shall be paid into the general fund of Baldwin County; that any other personal property found in said gambling device shall be disposed of as this Court may direct upon a report thereof by the Solicitor for the Twenty-eighth Judicial Circuit of Alabama.

Done and ordered this 22<sup>nd</sup> day of June, 1951.

Julian J. Madhury Jr.  
Judge

STATE OF ALABAMA, EX REL  
WILLIAM R. LAUTEN, AS  
SOLICITOR OF THE TWENTY-  
EIGHTH JUDICIAL CIRCUIT  
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DECREE

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IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the following described personal property is a gambling device under the laws of the State of Alabama, to-wit:

One five cent Rol-A-Top slot machine, Serial Number 72917.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that E. H. Skipper, the respondent in this cause, is the owner of said gambling device; that Honorable Taylor Wilkins, Sheriff of Baldwin County, Alabama, open the said gambling device in any manner as he shall see fit in the presence of the Register of the Circuit Court of Baldwin County, Alabama, in Equity; that said Sheriff take from said gambling device any money or property found therein and turn over and deliver to the said Register said money or said property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Register of the Circuit Court of Baldwin County, Alabama, in Equity, shall safely keep the said money and other property found in said gambling device;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said gambling device be and it is hereby condemned and forfeited as being in violation of the terms of Article 4, Title 14 of the Code of Alabama for 1940 as amended; that one-half of the money or moneys taken from said gambling device be paid to the Honorable TaylorWilkins, Sheriff of said county, and that the remaining one-half of said money or moneys shall be paid into the general fund of Baldwin County; that any other personal property found in said gambling device shall be disposed of as this Court may direct upon a report thereof by the Solicitor for the Twenty-eighth Judicial Circuit of Alabama.

Done and ordered this \_\_\_\_\_ day of June, 1951.

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Judge

STATE OF ALABAMA, EX REL  
WILLIAM R. LAUTEN, AS  
SOLICITOR OF THE TWENTY-  
EIGHTH JUDICIAL CIRCUIT  
OF ALABAMA,

Petitioner,

VS.

E. H. SKIPPER AND ONE FIVE  
CENT SLOT MACHINE

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

TO THE HONORABLE TELFAIR J. MASHBURN, JR., JUDGE OF SAID COURT:

Comes your Petitioner, William R. Lauten, as Solicitor of the Twenty-eighth Judicial Circuit of Alabama, and respectfully shows unto this Honorable Court the following facts:

1. That your Petitioner, William R. Lauten, is the temporary acting solicitor for the Twenty-eighth Judicial Circuit, which circuit includes Baldwin County, Alabama, and is authorized by law to bring this bill.

2. That E. H. Skipper is a resident of Baldwin County, Alabama, and is over the age of twenty-one years.

3. That on to-wit, April 29, 1951, Honorable Taylor Wilkins, Sheriff of said County, did find and seize in said county, the gambling device hereinafter described and has reported such seizure and detention to your Petitioner.

4. That the said report of seizure and detention of said personal property shows that said Sheriff has seized the following described gambling device, to-wit:

One five cent Rol-A-Top slot machine, Serial Number 72917, Manufacturer unknown to your Petitioner.

5. That said above described machine, when seized and removed, was in the possession of E. H. Skipper, and your Petitioner is informed and believes, and upon such information and belief alleges that the said machine is the property of said E. H. Skipper.

6. Your Petitioner charges and avers that the above described machine is a gambling device within the meaning of

Section 283, Title 14 of the Code of Alabama, 1940, as amended.

7. Your Petitioner attaches hereto and makes a part of this bill, a waiver signed by said E. H. Skipper, marked Exhibit "A", which authorizes this Honorable Court to take final action in this matter forthwith.

The Premises considered, your Petitioner prays that this Honorable Court will take jurisdiction of this matter forthwith and enter a final decree in this cause declaring that the above named gambling device, to-wit:

One five cent Rol-A-Top slot machine, Serial Number 72917,

be forfeited with all its contents, to the State of Alabama, and be destroyed.

And Petitioner prays for such other, further, additional and general relief and such other decrees and orders that may be necessary to accompany such condemnation and destruction of said gambling device as an illegal gambling device under the laws of the State of Alabama.

William R. Foster  
Petitioner

"EXHIBIT A"

STATE OF ALABAMA, EX REL  
KENNETH COOPER, SOLICITOR  
OF BALDWIN COUNTY, ALABAMA

VS.

E. H. SKIPPER AND ONE FIVE  
CENT ROL-A-TOP SLOT MACHINE

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

TO THE HONORABLE TELFAIR J. MASHBURN, JR., JUDGE OF SAID COURT:

I, E. H. Skipper, owner of one Five Cent Rol-A-Top Slot Machine, Serial Number 72 917, hereby waive service of any notice in connection with condemnation of said machine. The Court is hereby authorized to proceed immediately with action to destroy said machine as provided by Section 287, Title 14, Code of Alabama of 1940.

E. H. Skipper  
E. H. SKIPPER

Subscribed and sworn to before me

this 15 day of May, 1951.

Margherita Lewis Johnson  
Notary Public Baldwin Co.

2674

RECORDED

FILED

JUN 22 1951

ALICE I. RUCK, Register

