

STATE OF ALABAMA ex rel
 KENNETH COOPER, SOLICITOR OF
 BALDWIN COUNTY, ALABAMA,
 COMPLAINANT, vs.
 144 PINTS OLD TAYLOR WHISKEY,
 et al, RESPONDENTS

IN THE CIRCUIT COURT OF
 BALDWIN COUNTY, ALABAMA

IN EQUITY

No. 3562

This cause coming on to be heard was submitted for final decree upon the bill of complaint, answer and claim of Howard C. Ward, and testimony taken orally in open court, neither the respondent, Howard C. Ward, nor his attorney being present after being duly notified that the case was set for hearing this date, and the same being considered and understood the Court is of the opinion that the Petitioner is entitled to the relief prayed subject to the claims hereinafter fixed and allowed.

It is ordered, adjudged and decreed by the Court that the property in this case be turned over to the Alabama Alcoholic Beverage Control Board, at Montgomery, Alabama, for disposition thereof in strict accordance with the statutes governing the disposition thereof.

It is further ordered, adjudged and decreed by the Court that after first deducting all costs herein accrued the proceeds paid by the Alabama Alcoholic Beverage Control Board be distributed by the Clerk of this Court in strict accordance with the statutes in such cases made and provided.

Done and ordered this 10th day of August, 1955.

Hubert M. Hall

Circuit Judge, In Equity Sitting

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

VS.

144 PINTS OLD TAYLOR WHISKEY, et als,
RESPONDENTS.

IN THE CIRCUIT
COURT OF BALDWIN
COUNTY, ALABAMA

IN EQUITY

NO. 3562

ANSWER AND CLAIM OF HOWARD C. WARD

Now comes the Howard C. Ward, and for answer to the Petition or Bill of Complaint filed in this cause, and separately and severally to each and every paragraph thereof, says as follows, to-wit:

1. Claimant admits the allegations of Paragraphs No. 1 and 2.
2. Claimant denies the averments of Paragraphs 3 and 4.

Now having answered said Petition or Bill of Complaint, Howard C. Ward avers that at the time mentioned therein said whiskey was travelling in inter-state commerce, to-wit, from Mississippi, to Georgia, and said whiskey was then and there in course of inter-state transportation through the State of Alabama from Mississippi, to Georgia; Claimant avers that he is a resident of the State of Georgia; that on or about the 27th day of May, 1955, he purchased fifty (50) cases of Federal Tax Paid Liquors from a dealer in Mississippi, and had said liquors loaded into his automobile for the purpose of transporting said liquors to Georgia; Claimant avers that at the time of seizure of said liquors said liquors were enroute to the State of Georgia, from the State of Mississippi, in inter-state commerce; Claimant avers that none of said liquors were disposed of in violation of the laws of Alabama, nor was it intended that any of said liquors be disposed of in the State of Alabama; and Claimant avers that such liquors and the vehicle transporting them are entitled to the immunity afforded to lawful inter-state commerce while passing through the State of Alabama and that such liquors are not subject to seizure and condemnation under the laws of Alabama; Claimant avers that such liquors are not contraband and were not contraband when seized, and that said liquors and vehicle was not used in violation of any laws of the State of Alabama at the time of seizure or at any time; Claimant Howard C. Ward avers that he is the owner of said liquor and vehicle and that there are no outstanding claims against said liquor and vehicle and that he will suffer a great loss financially and otherwise if this Court orders said liquors condemned and forfeited as prayed for in said Petition of the Circuit Solicitor of said Baldwin County, Alabama.

Howard C. Ward
Howard C. Ward

State of Alabama
County of Tuscaloosa

Before me the undersigned authority personally appeared Howard C. Ward who being first duly sworn deposes and says that the above stated facts are true and that this his verified claim be filed in the above cause.

Sworn to and subscribed
before me this 26 day
of July, 1955.

James H. McGuire
Notary Public

STATE OF ALABAMA, exrel
KENNETH COOPER, Solicitor
of Baldwin County, Alabama,
Complainant, Vs.

144 Pints Old Taylor Whiskey,
72 Pints Bourbon DeLux Whiskey,
72 Pints Early Times Whiskey,
72 Pints Lord Calvert Whiskey,
72 Pints Calvert Reserve Whiskey,
72 Pints Seagrams 7 Crown Whiskey,
72 Pints Cabin Still Whiskey, 48
Pints Gilbeys Gin, and 192
Half-pints Calvert Reserve Whiskey,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

In this cause it is ordered that J.T. Burton, Chief of
Enforcement Division, Alabama Alcoholic Beverage Control Board,
is appointed custodian, without bond and without compensation,
for the storage of the following described property, to-wit:

144 Pints Old Taylor Whiskey,
72 Pints Bourbon DeLux Whiskey,
72 Pints Early Times Whiskey,
72 Pints Lord Calvert Whiskey,
72 Pints Calvert Reserve Whiskey,
72 Pints Seagrams 7 Crown Whiskey,
72 Pints Cabin Still Whiskey,
48 Pints Gilbeys Gin, and
192 Half-pints Calvert Reserve Whiskey;

and said custodian is hereby authorized, empowered and
directed to take possession and control of said property
during the pendency of this cause or until further orders of
this Court.

It is further ordered that the 10 th day of August, 1955,
be and hereby is the day set for all parties claiming any right,
title or interest in said property, sought to be condemned to
appear and propound their claims, if any they have, and the
Register of this Court is ordered to give notice as required
by statute.

Done and ordered this 8th day of July, 1955.

Hubert M. Hall

Circuit Judge, in Equity Sitting.

The State of Alabama, BALDWIN County

IN CIRCUIT COURT, IN EQUITY

To any Sheriff of the State of Alabama—Greeting:

You are hereby commanded to summon HOWARD^C WARDto appear and answer, plead, or demur, within thirty days from the service hereof, to a Bill of Complaint filed in said Circuit Court, in equity, for said County of said State OF ALABAMA, exrel KENNETH COOPER, Solicitor For Baldwin County, Alabamaagainst HOWARD^C WARD

Herein fail not. Due return make of this writ as the law directs.

Witness this 8th. day of July, 19 55.Wesley French, Register.

(Defendant is entitled to a copy of the bill on application to the Register.)

Code 1923-6523-6529

No. 2562 Page

The State of Alabama

BALDWIN COUNTY.

IN CIRCUIT COURT, IN EQUITY

STATE OF ALABAMA, ex rel

KENNETH COOPER, Solicitor For Baldwin
County, Alabama, vs.

~~Attorney General~~ Howard O. Ward

SUMMONS

Returned by the Sheriff and filed in office, this

the day of , 19

 , Register.

Received in office, this the day of

 , 19

 , Sheriff.

I have executed the within by leaving a copy

thereof with

defendant named herein, on this the

day of , 19

 , Sheriff.

By , Deputy.

STATE OF ALABAMA, ex rel
KENNETH COOPER, Solicitor For
BALDWIN COUNTY, ALABAMA, Com-
plainant, Vs.

144 Pints Old Taylor Whiskey,
72 Pints Bourbon DeLux Whiskey,
72 Pints Early Times Whiskey,
72 Pints Lord Calvert Whiskey,
72 Pints Calvert Reserve Whiskey,
72 Pints Seagrams 7 Crown Whiskey,
72 Pints Cabin Still Whiskey, 48
Pints Gilbeys Gin, and 192
Half-pints Calvert Reserve Whiskey,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

In Equity.

BOOK 019 PAGE 90

TO THE HONORABLE HUBERT M. HALL, JUDGE OF SAID COURT, IN
EQUITY SITTING:

Comes the Complainant, the State of Alabama, on the relation
of Kenneth Cooper, as Circuit Solicitor of the 28th Judicial
Circuit, Baldwin County, Alabama, who relates and gives the
Court to understand and be informed of the following facts:

(1) That Kenneth Cooper, as Circuit Solicitor of the 28th
Judicial Circuit, Baldwin County, Alabama, is authorized to
bring this bill of complaint for condemnation proceedings of the
property hereinafter described;

(2) That Howard C. Ward, in whose possession the following
property hereinafter described was found and who is over the age
of twenty-one years, is a resident of Tallapoosa, Georgia;

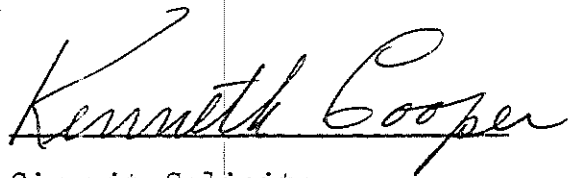
(3) That Howard D. Ward, on, to-wit, 27 May, 1955, did have
in his possession and under his control, and did transport
alcoholic beverages into, through, or across the State of Alabama,
contrary to the laws of the State of Alabama and contrary to the
rules and regulations promulgated by the Alabama Alcoholic
Beverage Control Board;

(4) That Howard C. Ward, on, to-wit, 27 May, 1955, did have
in his possession or under his control the following alcoholic
beverages, the same not having affixed thereto the revenue stamps,
crowns, lids or insignia as required by the laws of the State

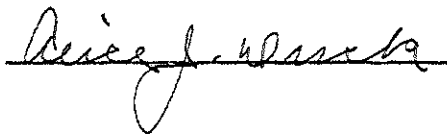
of Alabama and contrary to the rules and regulations promulgated by the Alabama Alcoholic Beverage Control Board:

144 Pints Old Taylor Whiskey,
72 Pints Bourbon DeLux Whiskey,
72 Pints Early Times Whiskey,
72 Pints Lord Calvert Whiskey,
72 Pints Calvert Reserve Whiskey,
72 Pints Seagrams 7 Crown Whiskey,
72 Pints Cabin Still Whiskey,
48 Pints Gilbeys Gin, and
192 Half-pints Calvert Reserve Whiskey.

Wherefore, the premises considered, your orator prays that a summons issue or appropriate notice by publication or other lawful means of notice be made to the said Howard C. Ward, requiring him to plead, answer or demur to this bill of complaint under the rules of this Honorable Court, within the time allowed by law, and that on the final hearing of this cause Your Honor will make and enter a decree condemning the above described property as contraband, forfeiting the same to the State of Alabama, and directing the sale of same as provided by law, to-wit Section 51, Title 29, Code of Alabama, 1940, as amended, and your complainant prays for such other, further and/or different relief as he may in equity and good conscience be entitled to.


Kenneth Cooper
Circuit Solicitor,
28th Judicial Circuit

Subscribed and sworn to before
me this 8th day of July, 1955


David J. Wasko

STATE OF ALABAMA, Ex rel
 KENNETH COOPER, Solicitor
 For Baldwin County, Alabama,
 Complainnat, Vs.
 ONE FORD AUTOMOBILE, MOTOR
 No. BOAT-143250, Respondent

IN THE CIRCUIT COURT OF
 BALDWIN COUNTY, ALABAMA.

IN EQUITY.

In this cause it is ordered that J.T. Burton, Chief of Enforcement Division, Alabama Alcoholic Beverage Control Board, is appointed custodian, without bond and without compensation, for the storage, of the following described property, to-wit:

One Ford Automobile, Motor No. BOAT-143250;
 and said custodian is hereby authorized, empowered and directed to take possession and control of said property during the pendency of this cause or until further orders of this Court.

It is further ordered that the 10th day of August, 1955, be and hereby is the day set for all parties claiming any right, title or interest in the said property, vehicle or conveyance sought to be condemned to appear and propound their claims, if any they have, and the Register is ordered to give notice as required by statute.

Done and ordered this 8th day July, 1955.

Hubert M. Free

Circuit Judge, in Equity Sitting.

FILED
 JUL 8 1955
 ALICE I. DEUX, Register

DELIVERING
EMPLOYEE

- ☐ Deliver ONLY to addressee
☐ Show address where delivered

Received from the Postmaster the Registered or Insured Article, the number of which appears on the face of this return receipt.

1

(Signature or name of addressee)

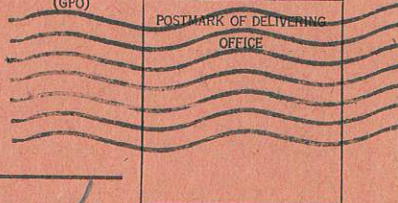
2

(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery AUG 17 1955, 19

Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300
(GPO)



Return to Alice Smith

(NAME OF SENDER)

Street and Number,
or Post Office Box,

REGISTERED ARTICLE

No.

INSURED PARCEL

Post Office

State

3562

DELIVERING
EMPLOYEE

- ☐ Deliver ONLY to addressee
☐ Show address where delivered

Received from the Postmaster the Registered or Insured Article, the number of which appears on the face of this return receipt.

1

Howard C. Ward

(Signature or name of addressee)

2

Deliver to Addressee Only

(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery

JUL 12 1955

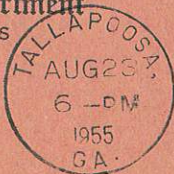
, 19

Form 3811
Rev. 4-54

U. S. GOVERNMENT PRINTING OFFICE 16-12421-3

FILED
JUL 13 1955
ALBANY, N.Y.
MAIL

Post Office Department
OFFICIAL BUSINESS



PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300
(GPO)

POSTMARK OF DELIVERING
OFFICE

Return to

Alice Idem

(NAME OF SENDER)

Street and Number,
or Post Office Box,

REGISTERED ARTICLE

No. *77*
INSURED PARCEL

Post Office

Bay Mills

State

Ala

No.

16-12421

RECEIPT FOR
REGISTERED ARTICLE NO. 56

Date 8-15-55

Value \$ 7.00 Special delivery fee _____¢

Fee \$ _____ Return receipt fee 7¢

Surcharge \$ _____ Restricted delivery fee 20¢

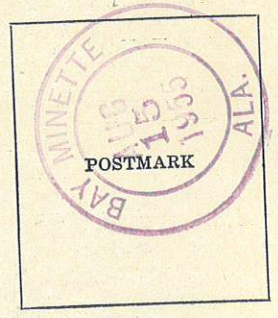
Postage \$ 3 ☐ Airmail

From Miss J. Bush

(Address) 13 m al

Addressed to Hon. J. B. McQuinn

(Address) Two Chocoma Ave (Accepting employee) m. h.



RECEIPT FOR
REGISTERED ARTICLE NO. *12*

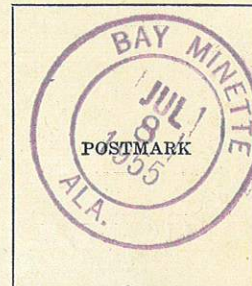
Date *7-8-55*

Value \$ *5.20* Special delivery fee _____¢
Fee \$ *40* Return receipt fee *07* _____¢
Surcharge \$ *06* Restricted delivery fee *20* _____¢
Postage \$ _____
☐ Airmail

From *Chas J Duck elk*

Addressed to *Harold C Ward*

100 Robinson Ave Tallapoosa



(Accepting employee) *Ha*

GPO

09-16-12000-8