

STATE OF ALABAMA, EX REL)

KENNETH COOPER, SOLICITOR OF)

BALDWIN COUNTY, ALABAMA)

VS.)

JOSEPH LEE AND ONE-5¢ MILLS)

ELECTRIC SLOT MACHINE)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY

TO THE HONORABLE JUDGE TELFAIR J. MASHBURN., JR., OF THE CIRCUIT COURT
OF BALDWIN COUNTY, IN EQUITY SITTING.

Comes your petitioner, KENNETH COOPER, AS Solicitor of the 28th
Judicial Circuit of Alabama, and respectfully shows and informs the
Court of the following facts:

(1) That your complainant, KENNETH COOPER, is the Circuit Solicitor
of Baldwin County, Alabama, and is authorized by law to bring this bill.

(2) That JOSEPH LEE is a resident of Baldwin County, Alabama, and
is over the age of twenty-one years.

(3) That on, to wit, December 16, 1948, TAYLOR WILKINS, Sheriff of
Baldwin County, Alabama, did find and seize in Baldwin County the gamb-
ling devices hereinafter described, and has reported such seizure and
detention to your complainant.

(4) That the said report of seizure and detention of said personal
property shows that said Sheriff has seized the following described
gambling devices, to wit:

One-5¢ Mills Electric Slot Machine, console type,
manufactured by Mills Novelty Company.

(5) That said above described machines when seized and removed
were in the possession of JOSEPH LEE, and your orator is informed
and on such information believes and states that the said machines are
the property of said JOSEPH LEE.

(6) Your complainant charges and avers that the above described
machines are gambling devices within the meaning of Code of Alabama,
1940, Title 14, Section 283.

STATE OF ALABAMA, EX REL)
KENNETH COOPER, SOLICITOR)
OF BALDWIN COUNTY, ALABAMA,)
COMPLAINANT,)
Vs.)
JOSEPH LEE AND ONE-5¢ MILLS)
ELECTRIC SLOT MACHINE.)

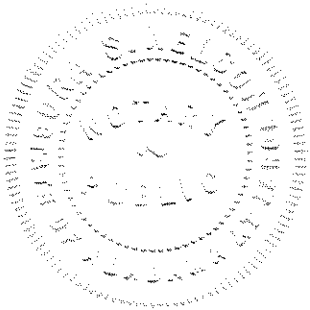
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY

Personally appeared before me, KENNETH COOPER, Circuit Solicitor,
28th Judicial Circuit, Baldwin County, Alabama, solicitor of record
for complainant in the above entitled cause, who being duly sworn,
deposes and says that he is informed and verily believes that JOSEPH
LEE, the respondent in the above styled cause, is a nonresident of
Alabama, and whose residence and post office address is unknown and
that said respondent is in the belief of affiant over twenty-one
years of age.

Kenneth Cooper
Affiant.

Sworn to and subscribed before me, this the 17th day of
February, 1950.

Ora S. Nelson
Ora S. Nelson
Notary Public



FILED
FEB 17 1950
ALICE J. DUCK, Register

THE STATE OF ALABAMA, }

Baldwin County }

CIRCUIT COURT, IN EQUITY

No. 2327 Special Session, Term, 19 50State of Alabama, Ex Rel Kenneth Cooper Complainant

Vs.

Joseph Lee And One 54 Mills Electric Slot Machine Defendant 5

Motion is hereby made for a Decree Pro Confesso against

Joseph Lee and One 54 Mills Electric Slot Machine Defendant 5

in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 27th day of May 19 50

746 Code

Kenneth Cooper Solicitor.

RECORDED

No. 2327

Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

State of Alabama
Ex Rel Kenneth Cooper
Complainant _____

Vs.

Joseph Lee and One 5¢
Mills Electric Slot Machine
Defendant E

Motion for Decree Pro Confesso
On Publication

Filed _____, 19____

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

The Baldwin Times, Bay Minette, Ala.

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. 2327 _____, Term, 19____

STATE OF ALABAMA, EX REL, KENNETH COOPER _____ Complainant

Vs.

JOSEPH LEE AND ONE 5¢ MILLS ELECTRIC SLOT MACHINE _____ Defendant

In this cause it appears to the Register ALICE J. DUCK that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 22nd day of Feb, 1950 in the Foley Onlooker a newspaper published in Foley, Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the 22nd day of Feb 1950 and _____

And it now further appearing to the Register Alice J. Duck that the said JOSEPH LEE AND ONE 5¢ Mills Electric Slot Machine _____

having, to the date hereof, failed to demur, plead to, or answer the Bill of Complaint in this cause, it is now, therefore, on motion of Complainant _____, ordered and decreed by the Register Alice J. Duck _____ that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said JOSEPH LEE AND ONE 5¢ Mills Electric Slot Machine _____

This 29th day of May 1950

Alice J. Duck Register.

RECORDED

No. _____ Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

State of Ala

Vs.

Joseph Lee

Decree Pro Confesso of Publication

Issued *5-29* 19*30*

W. L. Smith
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

NOTICE TO NON-RESIDENT

The Baldwin Times, Bay Minette, Alabama

STATE OF ALABAMA, EX REL

KENNETH COOPER, SOLICITOR OF BALDWIN COUNTY, ALABAMA

No. 2327

The State of Alabama,

County.

vs.

JOSEPH LEE AND ONE 5¢ MILLS ELECTRIC

SLOT MACHINE

Circuit Court, in Equity

This the 17th day of

February, 1950

In this cause it being made to appear to the Clerk of this Court by the affidavit of

Kenneth Cooper, Solicitor

that the Defendant JOSEPH LEE

is a non-resident of the State of Alabama

and further, that, in the belief of said Affiant the Defendant is over the age of 21

years; it is, therefore, ordered that publication be made in the ~~Baldwin Times~~ ^{Onlooker}, a newspaper pub-

lished in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring

Joseph Lee

the said ~~Respondent~~ ^{Foley} Respondent

to answer or demur to the Bill of Complaint in this cause by the 22nd day of

March

1950

, or after thirty days therefrom a decree Pro Confesso may be taken against him

Register.

Copy mailed
measured 2-17-50

STATE OF ALABAMA, EX REL
KENNETH COOPER, SOLICITOR,
COMPLAINANT,

VS. JOSEPH LEE AND ONE 5¢
Mills Electric Slot Machine,
RESPONDENT.

Case No. 2327

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

DECREE

This cause coming on to be heard, was submitted for final decree on the bill of complaint and decree pro confesso on ^{publication} ~~personal service~~ against the respondent Joseph Lee, and the Court having considered the same is of the opinion that the complainant is entitled to the relief prayed for, and that said machines namely: One 5¢ Mills Electric Slot Machine

was
which machines ~~were~~ seized from the possession of the respondent, Joseph Lee, on the 16th day of Dec., 1948 ~~1950~~, by Taylor Wilkins, Sheriff of Baldwin County, which machine is the subject of this suit, was and is a gambling device as defined by the laws of the State of Alabama and as such is contraband property and forfeited to the State of Alabama, and is subject to be condemned and destroyed as such.

It is therefore ordered, adjudged and decreed by the Court that the device hereinabove described be and the same is hereby declared to be a gambling device and is hereby adjudged and declared to be contraband property and is condemned and forfeited to the State of Alabama, along with its contents as a gambling device prohibited by law.

It is further ordered, directed and decreed by the Court that one half of the money seized in said device be paid over by the Register of this court to the officers making the seizure of said device as above set out, and that remaining one half of said money or monies be paid into the General Fund of Baldwin County, Alabama as provided by law.

It is further ordered and decreed by the Court that the Sheriff of Baldwin County, Alabama, in the presence of the Register of this Court destroy the gambling device hereinabove described, within twenty days of the date of this decree unless an appeal is taken from this decree as provided by law.

It is further ordered and decreed by the Court that the cost of this suit be taxed against the respondent, for which let execution issue. If, however, such costs are not collected by such execution, then the Register shall tax and collect the cost from Baldwin County, to be paid as in criminal cases where the State fails.

Done, ordered and decreed, this 2 day of June ~~May~~, 1950.

Telfair J. Maslowski, Jr.
Judge, Circuit Court of Baldwin
County, Alabama

RECORDED

THE STATE OF ALABAMA, EX-REL:
KENNETH COOPER, SOLICITOR,
Complainant,
VS.
JOSEPH LEE AND ONE 5¢ Mills
Slot Machine Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. NO. 2327

TO HON. TAYLOR WILKINS, SHERIFF OF BALDWIN COUNTY, ALABAMA :

You are hereby commanded in accordance with that certain decree of this Court made and rendered on the 2nd day of June, 1950, by Hon. Telfair J. Mashburn, Jr., Judge of said Court, to destroy in the presence of the Register of said Court, the following named articles: One 5¢ MILLS ELECTRIC SLOT Machine

The above named property is to be destroyed within twenty(20) days from the date of said decree.

You are further directed to report to this court your compliance with said decree of Condemnation.

WITNESS my hand this 6th day of June, 1950.

Walter J. Luck
Register of Circuit Court,
In Equity.

Executed by destroying the above
Machine. 6-20-50

Taylor A. Wilkins
Sheriff

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 2327-----

-----TERM, 1949---

TO ANY SHERIFF OF THE STATE OF ALABAMA :

You Are Hereby Commanded to Summon JOSEPH LEE AND ONE 5¢ MILLS ELECTRIC SLOT MACHINE

to appear and plead, answer or demur, within thirty days from the service hereof, to the Complaint filed in
the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against JOSEPH LEE AND ONE

5¢ MILLS ELECTRIC SLOT MACHINE _____, Defendant----

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

_____, Plaintiff-----
Witness my hand this 11th day of August 1949--

Alfred L. Smith _____, Clerk.

No. _____ Page _____

THE STATE of ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT

vs. _____ Plaintiffs

Defendants

SUMMONS and COMPLAINT

Filed _____, 194____

Clerk

Plaintiff's Attorney

Defendant's Attorney

Moore Printing Co.

Defendant lives at _____

RECEIVED IN OFFICE

_____, 194____

_____, Sheriff

I have executed this summons

this _____, 194____
by leaving a copy with _____

Sheriff

Deputy Sheriff

STATE OF ALABAMA, EX REL)	IN THE CIRCUIT COURT OF
KENNETH COOPER, SOLICITOR OF)	BALDWIN COUNTY, ALABAMA,
BALDWIN COUNTY, ALABAMA)	IN EQUITY
VS.)	
JOSEPH LEE AND ONE-5¢ MILLS)	
ELECTRIC SLOT MACHINE)	

TO THE HONORABLE JUDGE TELFAIR J. MASHBURN., JR., OF THE CIRCUIT COURT
OF BALDWIN COUNTY, IN EQUITY SITTING.

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Judicial Circuit of Alabama, and respectfully shows and informs the
Court of the following facts:

(1) That your complainant, KENNETH COOPER, is the Circuit Solicitor
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(5) That said above described machines when seized and removed
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