

of Baldwin County, Alabama, and is over the age of twenty-one years.

2330

(3) That on, to wit

STATE OF ALABAMA, EX REL)
KENNETH COOPER, SOLICITOR OF)
BALDWIN COUNTY, ALABAMA,)
VS.)
JOE SPEARS 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 JOE SPEARS 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 WELKINS, 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 said JOE SPEARS, AND YOUR ORATOR is informed
and on such information believes and states that the said machines are
the property of said JOE SPEARS.

(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.

The premises considered, your orator prays that the said JOE SPEARS be made a party respondent to this bill of complainant, that summons issue requiring him to plead, answer or demur to this bill of complainant under the rules of this Honorable Court, and within the time prescribed by law; and that on the final hearing of this cause that the court will make and enter a decree declaring that the above named article is a gambling device, that same be forfeited with their contents to the State of Alabama, and be destroyed.

And the Complainant prays for such other, further and additional relief, decrees and orders as may be necessary to accomplish such condemnation and destruction of said gambling devices as an illegal gambling device under the laws of Alabama.

A handwritten signature in cursive script, reading "Kenneth Cooper". The signature is written in dark ink and is positioned above the printed name and title.

Solicitor

28th Judicial Circuit of Alabama

NOTICE TO NON-RESIDENT

The Baldwin Times, Bay Minette, Alabama

State of Ala., vs. Rel. Kenneth Copper } The State of Alabama,

No. 233D } _____ County.

Forrest Ayres vs. } Circuit Court, in Equity

This the _____ day of _____, 194____

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

Kenneth Copper
that the Defendant Forrest Ayres

is a non-resident of the State of Alabama _____

and further, that, in the belief of said Affiant _____ the Defendant _____ over the age of 21 years; it is, therefore, ordered that publication be made in the onlooker ~~Baldwin Times~~, a newspaper published in Foley ~~Bay Minette~~, Baldwin County, Alabama, once a week for four consecutive weeks, requiring _____ the said _____

to answer or demur to the Bill of Complaint in this cause by the 22nd day of March 1940, or after thirty days therefrom a decree Pro Confesso may be taken against him

Alice J. Couch
Register.

copy mailed the onlooker

STATE OF ALABAMA, EX REL)
KENNETH COOPER, SOLICITOR,)
COMPLAINANT,)
VS. FORREST AYRES, AND ONE)
5¢ MILLS ELECTRIC SLOT MACHINE)
RESPONDENT.)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Case No 2330

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 Forrest Ayres, 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

which machines ^{was} ~~were~~ seized from the possession of the respondent, FORREST AYRES on the 9th day of June, 1949 ~~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 2nd day of June, 1950.

Telfair H. Maddox Jr.
Judge, Circuit Court of Baldwin
County, Alabama

SUMMONS AND COMPLAINT

RECORDED
1270907
THE STATE OF ALABAMA }
Baldwin County

CIRCUIT COURT, BALDWIN COUNTY

No. 2330

-----TERM, 1949-----

TO ANY SHERIFF OF THE STATE OF ALABAMA :

You are hereby commanded to summon FORREST AYRES 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 FORREST AYRES 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

Wesley J. Wrench, Clerk

RECORDED

No. _____ Page _____

THE STATE of ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT

Plaintiffs

vs.

Defendants

SUMMONS and COMPLAINT

Filed _____, 194_____

Clerk

Plaintiff's Attorney

Defendant's Attorney

Moore Printing Co., Bay Minette, Ala.

Defendant lives at

RECEIVED IN OFFICE

_____, 194_____

Sheriff

I have executed this summons

this _____ 194_____
by leaving a copy with

Sheriff

Deputy Sheriff

THE STATE OF ALABAMA, }
BALDWIN COUNTY

No. 2330 Term, 19

STATE OF ALABAMA, EX REL, KENNETH COOPER
Complainant

FORREST AYRES AND ONE 5¢ MILLS 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 March 19 50, in the 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 March 19 50

and

And it now further appearing to the Register ALICE J. DUCK, that the said
Forrest Ayres and one 5¢ MILLS 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 Forrest Ayres and One 5¢ MILLS Slot Machine

This 29th day of May 19 50

Alice J. Duck
Register

No. _____ Page _____

RECORDED

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

State of Ala.

Vs.

Forrest Ayres

Decree Pro Confesso of Publication

Issued *5-29-1930*

Wright H. H. H. H.
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

THE STATE OF ALABAMA,
Baldwin County

CIRCUIT COURT, IN EQUITY

No. 2330 Special Session, Term, 1950

State of Alabama, Et Rel Kenneth Cooper Complainant
Vs.

Forrest Ayres, and One 5¢ Mills Electric Slot Machine Defendant

Motion is hereby made for a Decree Pro Confesso against Forrest Ayres and
One 5¢ Mills Electric Slot Machine Defendant

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, 1950

746 Code

Kenneth Cooper Solicitor.

RECORDED

No. 2330

Page _____

**THE STATE OF ALABAMA
BALDWIN COUNTY**

CIRCUIT COURT, IN EQUITY

State of Alabama
Ex Rel Kenneth Cooper
Complainant _____

Vs.

Forrest Ayres and One
54 Mills Electric Hot Machine
Defendant S

**Motion for Decree Pro Confesso
On Publication**

Filed _____, 19____

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

RECORDED

THE STATE OF ALABAMA, EX-REL:
KENNETH COOPER, SOLICITOR,
Complainant,
VS.
FORREST AYRES, AND ONE 5¢ MILLS
ELECTRIC SLOT MACHINE,
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. NO. 2330

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.

Amos J. Wilkins
Register of Circuit Court,
In Equity.

Executed by ~~Amos J. Wilkins~~ destroying the
above Machine as described by the above
order. 6-20-50

Taylor Wilkins
Sheriff

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA, {

BALDWIN COUNTY

No. 2330

CIRCUIT COURT BALDWIN COUNTY

TERM, 1949

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon

~~FORREST AYRES AND ONE 5/8 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

FORREST AYRES AND
ONE 5/8 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

Wesley J. Smith

Clerk.

No. _____ Page _____

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

vs. _____
Plaintiffs

Defendants

SUMMONS AND COMPLAINT

Filed _____ 194

Clerk

2330

Plaintiff's Attorney

Defendant's Attorney

Moore Printing Co., Bay Minette, Ala.

Defendant lives at

RECEIVED IN OFFICE

194

Sheriff

I have executed this summons

this _____ 194
by leaving a copy with

Sheriff

Deputy Sheriff