

STATE OF ALABAMA, ON THE RELATION
OF WILLIAM R. LAUTEN, SOLICITOR OF
THE TWENTY-EIGHTH JUDICIAL CIRCUIT
OF ALABAMA,

Complainant

VERSUS

THE PREMISES KNOWN AS BAY SPORT SHOP,
MORE PARTICULARLY DESCRIBED BELOW, AND
JAMEAL KAHALLEY, W. C. SANDERFORD,
GEORGE D. ARGIRO, MANUEL CLIKAS, THE
FIRST NATIONAL BANK OF MOBILE, A COR-
PORATION, MARY LAKOS, AND ANY AND ALL
PERSONS, FIRMS, OR CORPORATIONS CLAIMING
AN INTEREST IN OR TO THE SAID PREMISES
KNOWN AS BAY SPORT SHOP, MORE PARTI-
CULARLY DESCRIBED BELOW,

Respondents.

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

BILL OF COMPLAINT

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

Comes the complainant in the above styled cause and
respectfully represents and shows unto your Honor as follows:

1. That the relator, William R. Lauten, is the duly
acting Solicitor of the Twenty-eighth Judicial Circuit of Ala-
bama, and is charged with the duty of prosecuting criminal
cases in Baldwin County, Alabama.

2. That the Respondent, Bay Sport Shop, is a build-
ing located on the South side of Mobile Bay Causeway, that is
to say, on the South side of U. S. Highway 90, in Section 20,
Township 4 South, Range 1 East, in Baldwin County, Alabama, on
land more particularly described as follows:

Commencing at a point on the southern
boundary of the Bay Bridge Causeway right-
of way 30 feet eastwardly from the North-
east corner of Argiro's Beverage Store,
thence running southwardly and perpen-
dicular with said right of way boundary
to the wooden bulkhead in the rear of said
property, thence running eastwardly along
said wooden bulkhead a distance of 20
feet to a point, thence running northwardly
and perpendicular with said right of way
boundary to the said southern boundary of
said right of way, thence running westward-
ly along said southern boundary of said
right of way a distance of 20 feet to the
point of beginning, being in Section 20,
township 4 South, Range 1 East, Baldwin

County, Alabama.

3. That Complainant is informed and believes, and upon such information and belief alleges that the Respondents, Jameal Kahalley and W. C. Sanderford, claim or are reputed to claim an interest in and to said premises.

4. That the title to the land above described, on which the said building known as the Bay Sport Shop is situated, stands in the records of the Judge of Probate of Baldwin County, Alabama, office, in the name of the Respondents, George D. Argiro and Manuel Clikas.

5. That the respondent, The First National Bank of Mobile, a Corporation, as mortgagee, holds a mortgage on the above described land on which the said building is situated according to the records of the office of the Judge of Probate of Baldwin County, Alabama, which mortgage has not been cancelled of record.

6. That the Respondent, Mary Lakos, as mortgagee, holds a mortgage on the above described land on which the said building is situated according to the records in the office of the Judge of Probate of Baldwin County, Alabama, which mortgage has not been cancelled of record.

7. That the Complainant is informed and believes, and upon such information and belief alleges that the said building is maintained or resorted to for the purpose of gaming, or the said building is a place where a gaming table or other gaming devices, to-wit: playing cards, is or are kept for the purpose of permitting persons to game thereon or therewith, all in violation of the laws of the State of Alabama.

8. That a verified complaint alleging that the said Bay Sport Shop is maintained or resorted to for the purpose of gaming, or is a place where a gaming table or other gaming device is kept for the purpose of permitting persons to game thereon or therewith has been filed in the office of the Judge of Probate of Baldwin County, Alabama, together with a

notice of the pendency of this action, containing the name of the Court, the names of the parties, the object of the action and a brief description of the property affected thereby.

9. That the Complainant is informed and believes, and upon such information and belief alleges the Respondent Jameal Kahalley, resides in Bay Minette, Baldwin County, Alabama; that the Respondents, George D. Argiro, Manuel Clikas, and Mary Lakos, all reside in Mobile County, Alabama; that the respondent, The First National Bank of Mobile, a Corporation, has its offices in the City of Mobile, Mobile County, Alabama; that the place of residence of the Respondent, W. C. Sanderford, is unknown to the complainant and cannot be ascertained after reasonable efforts.

PRAYER FOR PROCESS:

WHEREFORE, the PREMISES CONSIDERED, the Complainant prays that appropriate process issue out of this Court requiring the Respondents to plead, answer, or demur to this bill within the time required by law, and, failing therein, that a decree pro confesso be taken against them as to all things confessed; that notice of the pendency of the bill of complaint be published once a week for four consecutive weeks in a newspaper of general circulation published in Baldwin County, Alabama.

PRAYER FOR RELIEF:

FOR TEMPORARY RESTRAINING ORDER: Your Complainant further prays that your Honor will issue a temporary restraining order restraining the respondents and all other persons, firms, or corporations from moving or in any manner interfering with the personal property and contents of the said building or premises until the decision of the Court granting or refusing the temporary injunction hereinafter applied for;

FOR WRIT OF SEIZURE: That your Honor issue a writ of seizure and as many other writs of seizure as may be

necessary authorizing the Sheriff or his Deputy or Deputies to seize all gaming tables and other gaming devices on the premises and all other movable property used in keeping and maintaining the place as a nuisance.

FOR TEMPORARY INJUNCTION: That your Honor issue a temporary restraining order or temporary injunction, enjoining the Respondents and any and all persons, firms or corporations from maintaining said premises for the purpose of gaming and enjoining and restraining the Respondents and any and all persons, firms and corporations from resorting to said premises for the purpose of gaming, and enjoining the respondents and any and all other persons, firms, and corporations from keeping or exhibiting or being concerned in the keeping or exhibiting of a gaming table or gaming tables or other gaming device for the purpose of permitting persons to game thereon or therewith.

TO SET DAY FOR HEARING: That your Honor will set a day for the hearing of said application for a temporary injunction and cause notice of said hearing to be served on the Respondents named herein.

FOR ORDER CLOSING PLACE AS A NUISANCE: That upon the hearing of the temporary injunction herein applied for your Honor will declare the said premises to be a common nuisance, and will issue an order closing the said Bay Sport Shop and premises herein described against its use for any purpose whatsoever until final decision has been rendered on the application of the complainant for a permanent injunction hereinafter applied for.

FOR PERPETUAL INJUNCTION: That upon a final hearing hereof, the complainant prays that the respondents and any and all other persons, firms, or corporations be perpetually enjoined from maintaining said premises for the purpose of gaming, and perpetually enjoining the respondents and any and all other persons, firms or corporations from keeping gaming tables or a gaming table or other gaming device in or on said

premises for the purpose of permitting persons to game thereon or therewith; and that the Court issue an order directing the destruction of all gaming tables or other gaming devices as may be found upon the premises, together with all other movable property used in keeping and maintaining the nuisance, and such movable property as may have been seized under authority of the Court pending the hearing of this cause.

And if the complainant be mistaken in the relief for which it has prayed, then it prays for such other, further, different or general relief as to this Honorable Court may, in equity and good conscience seem meet, just and proper, the premises considered.

Respectfully submitted,

William P. Linton
Circuit Solicitor

STATE OF ALABAMA

BALDWIN COUNTY.

Before me, the undersigned authority, personally appeared William R. Lauten, who being by me first duly sworn, deposes and says that he is the acting Solicitor for the Twenty-Eighth Judicial Circuit of Alabama, and is the person whose signature is affixed to the foregoing bill of complaint; that he has read the above and foregoing bill of complaint and that the matters and things therein alleged are true as therein averred, except the matters and things averred on information and belief, which matters and things he verily believes to be true as therein alleged.

William R. Lauten

Sworn to and subscribed before

me on this the 28th day of January, 1953.

W. J. [unclear]
Clerk Circuit Court

[Handwritten notes and signatures in the bottom right corner, including a date stamp 'JAN 29 1953']

[Faint vertical stamp or text on the left margin]

COPY FOR *W.A. Dandford*
1208 Cottrell St
Mobile Ala
Phone 3-5973

Sampson

W.A. Dandford
1208 Cottrell St
Mobile Ala

STATED READING ROOM HAS NO RECORDS

W.A. Dandford

RECORDS DEPARTMENT HAS NO RECORDS

RECORDS DEPARTMENT HAS NO RECORDS OF THE NAME OF THE PERSON WHO WAS ARRESTED AT THE TIME OF THE ARREST. THE RECORDS DEPARTMENT HAS NO RECORDS OF THE NAME OF THE PERSON WHO WAS ARRESTED AT THE TIME OF THE ARREST. THE RECORDS DEPARTMENT HAS NO RECORDS OF THE NAME OF THE PERSON WHO WAS ARRESTED AT THE TIME OF THE ARREST.

RECORDS DEPARTMENT HAS NO RECORDS OF THE NAME OF THE PERSON WHO WAS ARRESTED AT THE TIME OF THE ARREST.

FILED
JAN 13 1953

MISS L. BUCK, CLERK

452

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

W. C. Sanderson
1208 Cottrell St

to 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

against JAMEAL KHALLEY, ET AL

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

Witness this 31st day of January, 1953

Russ J. ..., Register.

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

The State of Alabama

BALDWIN

COUNTY.

IN CIRCUIT COURT, IN EQUITY

STATE OF ALABAMA

vs.

JAMEAL KAHALLEY, ET ALS

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.

3-11-68

ANSWER TO INTERROGATORIES

STATE OF ALABAMA, ON THE RELATION OF
WILLIAM R. LAUTEN, SOLICITOR OF THE
TWENTY-EIGHTH JUDICIAL CIRCUIT OF
ALABAMA,

Complainant,

VS.

THE BAY SPORT SHOP, ET AL.,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. _____.

Comes now Respondent, Jameal Kahalley, and for answer to the in-
terrogatories propounded to him, says:

1.

Jameal A. Kahalley, thirty (30), Bay Minette, Alabama, Bookkeeper.

(a)

No.

(b)

See 1. (a)

(c)

See 1. (a)

(d)

No.

(e)

No.

(f)

See 1. (e)

(g)

No.

(h)

None

(i)

No.

(j)

See 1. (d)

(k)

2. (a)

Yes.

(b)

Yes.

(c)

A lease from month to month.

(d)

Entire ownership.

(e)

December 23, 1952.

(f)

No.

(g)

See 2. (f)

(h)

I own it all.

(i)

No.

(j)

See 2. (i).

(k)

No.

(l)

None.

(m)

All of it.

3. (a)

Gunsit hut, steel structure - size approximately 20' by 40'.

(b)

All.

(c)

Private office and store room.

(d)

Definitely not.

(e)

Absolutely none.

(f)

Yes.

(g)

I have already answered this question.

(h)

None.

(i)

No.

(j)

Not since I owned it.

(k)

No.

(l)

See 3. (k)

(m)

No.

4. (a)

Yes.

(b)

No.

(c)

The pool table was placed in the building I rent on or about January 14, 1953. It was purchased for resale and the pockets have not yet been installed.

(d)

I do not know.

(e)

I have never used this table for any purpose.

(f)

See 4. (e).

(g)

See 4. (f).

5. (a)

Not to my knowledge.

(b)

See 5. (a)

- 4 -

(c)

None has ever been played to my knowledge.

(d)

No.

(e)

See 4. (d).

(f)

See 4. (d).

6. (a)

Pat Presley is in charge of the building.

(b)

See 6. (a).

(c)

No.

(d)

See 6. (c).

(e)

No.

(f)

See 6. (e).

(g)

No, definitely not.

(h)

See 6. (g).

7. (a)

See 3. (a) four room; general fishing equipment in front; two rest rooms, private office and storage room.

(b)

Yes.

(c)

Yes.

(d)

No.

(e)

20' by 20'.

(f)

See 3. (a).

(g)

8:00 or 9:00 P. M.

(h)

Sometime.

(i)

Business, checking stock.

(j)

No.

(k)

No.

(l)

See 7. (k).

(m)

Yes.

(n)

Not always.

(o)

This question has been answered.

(p)

No.

(q)

See 7. (p).

(r)

No.

8. (a)

This question has already been answered.

(b)

See 8. (a).

(c)

None.

(d)

None.

(e)

No, I was in Miami, Florida.

(f)

I do not know.

(g)

See 8. (e).

(h)

No.

(i)

No.

(j)

See 8. (h).

(k)

No.

(l)

No.

(m)

See 8. (l).

9. (a)

No.

(b)

See 9. (a).

(c)

No gambling is carried on there.

(d)

See 9. (c).

(e)

See 9. (c).

(f)

Yes.

(g)

W. C. Sanderford, Biloxi, Mississippi.

(h)

No.

(i)

See 9. (h).

(j)

See 9. (h).

10. (a)

Yes.

(b)

Store licenses.

(c)

J. A. Kahalley; from Probate Judge of Baldwin County, Alabama.

11. (a)

No.

(b)

No.

(c)

See 11. (a).

(d)

Yes.

(e)

Pat Presley, Mobile, Alabama, manager.

(f)

See 11. (e)

(g)

See 11. (e)

(h)

No.

(i)

See 11. (h).

(j)

No.

(k)

See 11. (j).

(l)

No.

11. (a)

Three.

(b)

Front door is wood and glass, side door metal; rear metal.

(c)

No, no one has gambled in here.

(d)

See 11. (c).

(e)

No.

(f)

No.

(g)

No.

(h)

No.

(i)

No.

(j)

I do not gamble.

(k)

See 11. (j)

(l)

See 11. (k).

(m)

See 11 (l).

(n)

No.

(o)

See 11. (n).

(p)

See 11. (o)

(q)

See 11 (p).

(r)

This question is already answered.

12. (a)

No.

(b)

See 12. (a).

(c)

No.

(d)

See 12 (c).

(e)

This question is already answered.

(f)

No.

(g)

See 12. (f).

(h)

No.

(i)

No.

(j)

There are none.

(k)

As I have stated many times before I do not gamble or run a gambling place.

Jameal Kahalley

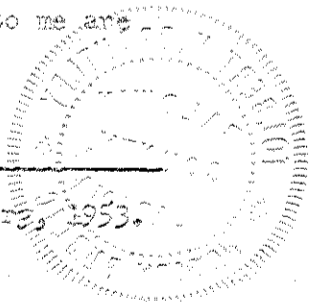
STATE OF ALABAMA)
BALDWIN COUNTY)

Before me, the undersigned authority, in and for said State and County, personally appeared Jameal Kahalley, who being by me first duly sworn, deposes and says: That the answers herein made to the interrogatories propounded to me are true and correct.

Jameal Kahalley

Sworn to and subscribed before me this 14th day of February, 1953.

Albert M. Brantley
NOTARY PUBLIC



RECORDED

ANSWERS TO INTERROGATORIES

RECORDED

STATE OF ALABAMA, ON RELATION OF
WILLIAM R. LAUTEN, SOLICITOR OF THE
TWENTY-EIGHTH JUDICIAL CIRCUIT OF
ALABAMA,

Complainant,

VS.

THE BAY SPORT SHOP, ET AL.,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. _____

FILED

3-4-53 -

ALICE J. DUCK, Register



STATE OF ALABAMA,)	
)	
Complainant,	)	IN THE CIRCUIT COURT OF
)	
vs.	)	BALDWIN COUNTY, ALABAMA
)	
THE PREMISES KNOWN AS BAY SPORT	)	IN EQUITY
SHOP, et al,)	
)	
Respondents.)	

ANSWER OF GEORGE D. ARGIRO TO INTERROGATORIES PROPOUNDED
BY THE COMPLAINANT

Comes now George D. Argiro, and, for answer to the interrogatories heretofore propounded to him, states as follows:

1. Yes.
2. Yes.
3. See copy attached
4. No.
5. See 4 above.
6. In land, but not in building (except right of reversion at end of five years).
7. No.
8. No.
9. No.
10. Mortgage to The First National Bank of Mobile has been paid off. Mary Lakos has no claim to the land whatsoever. Manuel Clikas and George D. Argiro own land only as stated above. W. C. Sanderford is the only lessee, and said party, to the best of my knowledge, is the only one that has any interest in the land or building, under the lease.
11. See 10.
12. No.
13. See 12.
14. No.
15. See 14.
16. Yes.

17. No.
18. No.
19. \$100.00 per month.
20. The tenant.
21. No.
22. None paid
23. There are no restrictions as to type of building. Restrictions as to use prohibit the sale of prepared food and beer.
24. See above.
25. No, except to show contractor (name not known) location of drain.
26. See 25.
27. No.
28. See 27.

George D. Argiro
George D. Argiro

State of Alabama)
County of Mobile)

Before me, the undersigned notary public in and for said state and county, personally appeared George D. Argiro, who is known to me and who being by me first duly sworn, upon oath deposes and says that the above and foregoing answers to interrogatories are true and correct.

George D. Argiro
George D. Argiro

Subscribed and sworn to before me
this the 27th day of February, 1953.

Gwendolyn D. Spafford
Notary Public, Mobile County, Alabama

Tonsmeire & Hodnette,

By George D. Tonsmeire
Solicitor for Respondent
George D. Argiro

The State of Alabama, _____ County

IN CIRCUIT COURT, IN EQUITY

To any Sheriff of the State of Alabama—Greeting:

You are hereby commanded to summon James H. Hahalley, George B. Argiro, and Manuel Cliras

to 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.

to an appeal to The Supreme Court

against James Hahalley et als

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

Witness this 2nd day of March, 19 53

Archie Messick, Register.

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

James L. Haly

The State of Alabama

Baldwin COUNTY.

IN CIRCUIT COURT, IN EQUITY

STATE OF ALABAMA on Rel;

WILLIAM R. LAUTEN

vs.

THE PREMISES KNOWN AS

BAY SPORT SHOP et als

SUMMONS

Returned by the Sheriff and filed in office, this the..... day of....., 19.....

....., Register.

Received in office, this the 4 day of

March, 1953
Raybe Williams, 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, ON THE RELATION
OF WILLIAM R. LAUTEN, SOLICITOR OF
THE TWENTY-EIGHTH JUDICIAL CIRCUIT
OF ALABAMA,

Complainant,

VERSUS

THE BAY SPORT SHOP, ET AL.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY.

INTERROGATORIES PROPOUNDED BY THE COMPLAINANT TO THE RESPONDENT, GEORGE D. ARGIRO.

Now comes the State of Alabama, the Complainant in the above-styled cause, and propounds the following interrogatories to the Respondent, George D. Argiro, under Equity Rule 39 of the Rules of Practice in Alabama, to be answered by said George D. Argiro under oath within the time required by law, unless otherwise ordered by the Honorable Circuit Court of Baldwin County, Alabama, sitting in Equity.

1. Do you, together with Manuel Clikas, hold the title and claim the land on which the Bay Sport Shop, more particularly described in the Bill of Complaint, is situated?
2. Have you leased the land to W. C. Sanderford?
3. Attach a copy of said lease to your answers hereto.
4. Are you leasing the said land to any person other than the said W. C. Sanderford?
5. If so, attach a copy of said lease to your answers hereto.
6. Do you have any claim, interest in the said land or in the building known as Bay Sport Shop?
7. Do you receive any share of the profits realized from the operation of any business at the Bay Sport Shop?
8. Do you receive any share of profits realized from the operation of the said Bay Sport Shop as a gambling place?
9. Did you ever receive any share of profits realized from any gambling operations carried on at the said Bay Sport Shop?
10. Does anyone other than you, Manuel Clikas, The First National Bank of Mobile, a corporation, Mary Lakos and/or W. C. Sanderford have any interest whatsoever in either the said land or the building known as Bay Sport Shop?
11. If so, gives the names and addresses of such other persons, firms or corporations, and, if such interest is evidenced in writing, attach

a copy of such writing to your answers hereto.

12. Is the rent for the said land ever paid by anyone other than W. C. Sanderford?

13. If so, state who has paid the rent since November 4, 1952?

14. Have you revoked any lease to said property since November 4, 1952?

15. If so, was the lease revoked for the reason that gaming was permitted in said place?

16. Are you the owner and operator of the building immediately west of Bay Sport Shop?

17. Since the Bay Sport Shop building has been open for business or completed, have you ever observed people going in and out of said place at night?

18. Have you ever observed automobiles parked in front of said place (as distinguished from being in front of the Sea Ranch and your place of business) in the nighttime?

19. How much rent is paid for the use of the land on which the said building is situated, and which land is described in the bill of complaint?

20. Who owns the building known as Bay Sport Shop?

21. Is any rent paid to you for the use of the said building?

22. If not, to whom is such rent paid?

23. When you rented the said land, were there any building restrictions placed on it?

24. If so, what were those restrictions?

25. Did you have any discussion with anyone regarding the construction of the Bay Sport Shop?

26. If so, with whom did you have such discussion, and what were the contents of it?

27. Have you ever dealt with any one other than W. C. Sanderford regarding either the said land on which said building is situated or regarding the said building (Bay Sport Shop) itself?

28. If so, with whom, and what was the substance of such deal or trade?

William R. Sanderford
 Sanderford

ORIGINAL

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14/2

Received in Sheriff's Office
this 14th day of February, 1953
TAYLOR WILKINS, Sheriff

RECORDED

Received 13th Day of February, 1953
and on 14th Day of February, 1953
I served a copy of the within letter
on George W. Lewis
by service on _____

W. H. HOLCOMBE, Sheriff

By W. H. Ferguson D.S.

FILED
FEB 10 1953
MISS. T. BROWN, Register

STATE OF ALABAMA,
BALDWIN COUNTY.

IN THE CIRCUIT COURT.

TO: GEORGE D. ARGIRO, MANUEL OLIVAS, JAMES KHALLEY, AND W. C.

SANDERFORD:

Whereas the State of Alabama has exhibited its bill of complaint in the circuit court of Baldwin County, Alabama, and after hearing has obtained from the Honorable Circuit Court of Baldwin County, Alabama, an order for the issuance of an injunction to enjoin you and each of you as hereinafter set forth,

NOW, THEREFORE, until further order of the said Court, you, the said GEORGE D. ARGIRO, MANUEL OLIVAS, JAMES KHALLEY, AND W. C. SANDERFORD, and each of you separately and hereby strictly enjoined from the following:

(1) From maintaining the building or property known as the Bay Sport Shop, known by that name or by any other name, and located on the South side of Mobile Bay Causeway, that is to say, on the South side of U. S. Highway 90, in Section 20, Township 4 South, Range 1 East, in Baldwin County, Alabama, on land more particularly described as follows:

Commencing at a point on the southern boundary of the Bay Bridge Causeway right-of-way 30 feet eastwardly from the Northeast corner of Argiro's Beverage Store, thence running southwardly and perpendicular with said right of way boundary to the wooden bulkhead in the rear of said property, thence running eastwardly along said wooden bulkhead a distance of 20 feet to a point, thence running northwardly and perpendicular with said right of way boundary to the said southern boundary of said right of way, thence running westwardly along said southern boundary of said right of way a distance of 20 feet to the point of beginning, being in Section 20, township 4 South, Range 1 East, Baldwin County, Alabama

as a gambling place.

- (2) From permitting gaming to be carried on in said building.
- (3) From resorting to said building at any time for the purposes of gaming.
- (4) From permitting persons to come in said building for the purposes of gaming.
- (5) From betting or hawarding any money at any game played with cards or dice in said building or on said property.
- (6) From gambling in any form on said property or in said building.

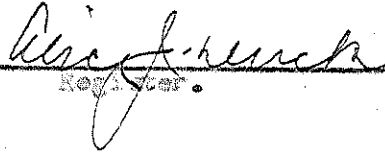
2.

(7) From permitting or allowing any person to gamble or game in any form on said property or in said building.

And this injunction you and each of you separately are required to obey under the penalties of law, until the further order of this Court.

Witness my hand and seal of the Court this the 20th day of February,

1933.



Register.

The State of Alabama
Baldwin County

TO ANY SHERIFF OF THE STATE OF ALABAMA,—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON George D. Argiro

at the instance of the Complainant, If he should be found in your County, personally to be and appear before the Circuit Court of Baldwin County at the present term thereof, to be holden at the Court House in Bay Minette, to wit: on 20th, the day of February, 1953 at 10:00, and to bring with him and produce at the time and place aforesaid, to be used as evi-

dence (here describe it),
duplicate original of lease of property described in the Bill of Complaint on which Bay Sport Shop is situated, dated November 4, 1952 to W. C. Sanderford

and then and there testify and the truth to speak concerning all and singular those things of which he may have knowledge, or the said instrument of writing doth import of, and concerning a certain suit now pending and undetermined in said Court, wherein State of Alabama

Plaintiff, and The Premises Known as Bay Sport Shop Defendant.

And this he shall in nowise omit, under penalties of what the law directs, and shall have you, then and there this writ with your endorsement thereon in what manner you have executed same.

Witness my hand, this 14th day of February, 1953.

Alice J. [Signature]
Clerk.

454

No. 2953

THE STATE OF ALABAMA
Baldwin County

STATE OF ALABAMA Plaintiff

VS. SUBPOENA DECUS TECUM

BAY SPORT SHOP Defendant

Circuit Court

WITNESSES:

Geo Argiro
16 McPhallies St

SET FOR TRIAL

20th day of February 19 53

STATE OF ALABAMA, ON THE RELATION)	
OF WILLIAM R. LAUTEN, SOLICITOR OF)	
THE TWENTY-EIGHTH JUDICIAL CIRCUIT)	
OF ALABAMA,)	
)	
Complainant,	)	IN THE CIRCUIT COURT OF
)	
vs.	)	BALDWIN COUNTY, ALABAMA
)	
THE PREMISES KNOWN AS BAY SPORT SHOP,	)	IN EQUITY
MORE PARTICULARLY DESCRIBED BELOW,)	
AND JAMEAL KAHALLEY, ET AL)	
)	
Respondents.)	

ANSWER OF RESPONDENT MARY LAKOS

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

Comes the respondent Mary Lakos and for answer to the bill of complaint, shows unto the Court as follows:

1. The allegations of paragraph one of the bill are admitted.
2. The allegations of paragraph two of the bill are admitted.
3. The respondent has no knowledge whatsoever of the matters alleged in paragraph three of the bill.
4. and 5. The respondent admits the allegations of paragraphs 4 and 5 of the bill.
6. The respondent denies the allegations of paragraph six of the bill, and states that she does not hold a mortgage on the property described in the bill of complaint, and respondent further alleges that she owns no interest of any kind whatever in the property which is the subject of this suit.
7. and 8. The respondent has no knowledge of the truth or falsity of the allegations of paragraphs 7 and 8 of the bill.
9. The allegations of paragraph 9 of the bill are admitted.

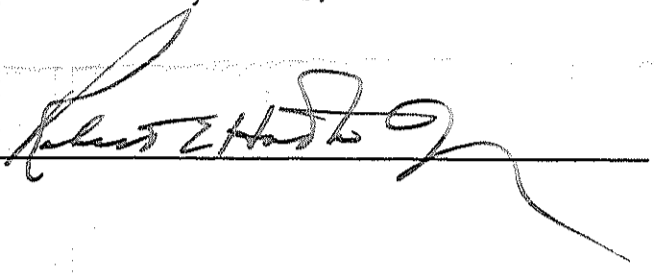
WHEREFORE, THE PREMISES CONSIDERED, the respondent Mary Lakos prays the Court that the said bill of complaint be dismissed as far as she is concerned, and that she be dismissed as a party respondent

100-100000

and respondent prays for such other, further and different relief,
to which, in equity, she might be entitled, the premises considered.

Tonsmeire & Hodnette, Solicitors for
respondent Mary Lakos,

By

A handwritten signature in cursive script, appearing to read "Robert E. Hodnette", is written over a horizontal line. The signature is written in dark ink and extends to the right of the line.

RECORDED

3-5-53

RECEIVED
COMMUNICATIONS SECTION
MARCH 5 1953

RECEIVED

3-5-53

COMM. DIVISION, BOSTON

STATE OF ALABAMA, ON THE RELATION
OF WILLIAM R. LAUTEN, SOLICITOR OF
THE TWENTY-EIGHTH JUDICIAL CIRCUIT
OF ALABAMA,

Complainant,

vs.

THE PREMISES KNOWN AS BAY SPORT SHOP,
MORE PARTICULARLY DESCRIBED IN THE
ORIGINAL BILL OF COMPLAINT, AND
JAMEAL KAHALLEY, W. C. SANDERFORD,
GEORGE D. ARGIRO, MANUEL CLIKAS, THE
FIRST NATIONAL BANK OF MOBILE, A
CORPORATION, MARY LAKOS, AND ANY AND
ALL PERSONS, FIRMS, OR CORPORATIONS
CLAIMING AN INTEREST IN OR TO THE
SAID PREMISES KNOWN AS BAY SPORT SHOP,
MORE PARTICULARLY DESCRIBED IN THE
ORIGINAL BILL OF COMPLAINT,

Respondents.

IN THE CIRCUIT COURT OF

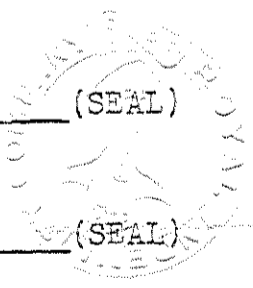
BALDWIN COUNTY, ALABAMA.

IN EQUITY. No. _____.

We, the undersigned, hereby acknowledge ourselves
as sureties for all the costs of the appeal taken by
W. C. Sanderford from the decree rendered by the Circuit
Court of Baldwin County, Alabama, sitting in Equity, in the
above entitled cause at the February term, 1953, thereof,
on, to-wit: the 20th. day of February, 1953, which appeal
is made returnable to the Supreme Court of Alabama on the
first Monday of March, 1953.

WITNESS our hands and seals on this, the 2nd. day
of March, 1953.

ROYAL INDEMNITY COMPANY
Milton Falk
By *W.C. Sanderford*



Power of Attorney

No. 30050

KNOW ALL MEN BY THESE PRESENTS: That the ROYAL INDEMNITY COMPANY, a corporation of the State of New York, pursuant to the following By-Law, which was adopted by the Directors of the said Company on January 28, 1931, to wit:

Article V, Section I, Provides "The President, any Vice-President, or any other Officer designated by the Board shall have power and authority to appoint Resident Vice-Presidents, Resident Secretaries, Resident Assistant Secretaries, and Attorneys in fact, and to give such appointees full power and authority to sign, and to seal with the Company's seal, where required, all policies, bonds, recognizances, stipulations and all underwriting undertakings, and he may at any time in his judgment remove any such appointees and revoke any authority given to them."

hath made, constituted and appointed and by these presents does make, constitute and appoint J. P. O'LOUGHLIN
LAND OF GILBERT R. LAND, JR.

its true and lawful ATTORNEY(S)-IN-FACT, at MOBILE, in the State of ALABAMA, to make, execute and deliver on its behalf as Surety, bonds and undertakings, the penal sum of no one of which is in any event, to exceed FIVE HUNDRED THOUSAND (\$ 500,000) Dollars and to be given for the following purposes only, to wit:—

GUARANTEEING THE FIDELITY OF PERSONS HOLDING PLACES OF PUBLIC OR PRIVATE TRUST. GUARANTEEING THE PERFORMANCE OF CONTRACTS OTHER THAN INSURANCE POLICIES: GUARANTEEING THE PERFORMANCE OF INSURANCE CONTRACTS WHERE SURETY BONDS ARE ACCEPTED BY STATES AND MUNICIPALITIES IN LIEU OF ACTUAL DEPOSITS; AND EXECUTING OR GUARANTEEING BONDS AND UNDERTAKINGS REQUIRED OR PERMITTED IN ALL ACTIONS OR PROCEEDINGS OR BY LAW REQUIRED.

Such bonds and undertakings for said purposes, when duly executed by one of the aforesaid Attorney(s)-in-Fact shall be binding upon the said Company as fully and to the same extent as if such bonds and undertakings were signed by the President and Secretary of the Company and sealed with its corporate seal.

IN WITNESS WHEREOF, the ROYAL INDEMNITY COMPANY has caused these presents to be signed by its Vice-President, and its corporate seal to be hereunto affixed duly attested by its Assistant Secretary, this 21st day of July, 1950, at the City of New York, New York.

ROYAL INDEMNITY COMPANY

Attest:

MADRYN WEAVER
Assistant Secretary

By

J. P. O'LOUGHLIN
Vice-President

STATE OF NEW YORK }
COUNTY OF NEW YORK } ss.:

On this 21st day of July, 1950, before me personally appeared

J. P. O'LOUGHLIN, Vice-President of the ROYAL INDEMNITY COMPANY, with whom I am personally acquainted, who, being by me duly sworn, said: that he resides in the State of New York; that he is Vice-President of the ROYAL INDEMNITY COMPANY, the corporation described in and which executed the foregoing instrument; that he knows the corporate seal of the said Company; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Company; and that he signed his name thereto as Vice-President of said Company by like authority.

(SEAL)

ROBERT F. KIRCHERT
Notary Public, State of New York
No. 24-727375
Qualified in Kings County
Certificate filed with
Kings County Register's Office
Brooklyn, New York, County of Kings
and Westchester County Clerks
Term Expires March 30, 1952

STATE OF NEW YORK }
COUNTY OF NEW YORK } ss.:

I, MADRYN WEAVER, Assistant Secretary of the ROYAL INDEMNITY COMPANY, a corporation of the State of New York, do hereby certify that the above and foregoing is a full, true and correct copy of Power of Attorney issued by said Royal Indemnity Company, and that I have compared same with the original and that it is a correct transcript therefrom and of the whole of the original. Said Power of Attorney is still in full force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company, at the City of New York, this 2nd day of March, 1950

MADRYN WEAVER
Assistant Secretary

STATE OF ALABAMA, BY HON. WILLIAM
R. LANTEN, SOLICITOR OF THE TWENTY-
EIGHTH JUDICIAL CIRCUIT OF ALABAMA,

Complainant

VS.

THE BAY SPORT SHOP, ET AL.

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

ORDER

This being the day appointed for the hearing of the bill of complaint on application for a temporary injunction or restraining order, and the State of Alabama, by its Solicitor, and the Respondents, George D. Argiro, Manuel Clikas and Jameal Khaballey being present in Court, the cause coming on to be heard, the Court is of the opinion that a temporary injunction or restraining order should be granted as hereinafter stated, it is, therefore,

ORDERED, ADJUDGED, AND DECREED that the Register in Chancery of The Circuit Court of Baldwin County, Alabama, in Equity, shall forthwith issue a temporary injunction restraining until further order of this Court and pending a final hearing of this cause unless otherwise ordered, the Respondents, George D. Argiro, Manuel Clikas, Jameal Khaballey and W. V. Sanderford as follows:

- (1) From maintaining said building or property more particularly described in the Bill of Complaint, known as said Bay Sport Shop, under that name or under any other name, as a gaming place or a gambling place.
- (2) From permitting gaming to be carried on in said building.
- (3) From resorting to said building at any time for the purposes of gaming.
- (4) From permitting persons to come in said building for the purposes of gaming.
- (5) From betting or hazarding any money at any game played with cards or dice in said building or on said property.
- (6) From gambling in any form on said property or in said building.
- (7) From permitting or allowing any person to gamble or game in any form on said property or in said building.

Done and ordered this the 20th day of February, 1955.

HUBERT M. HALL

Circuit Judge.

STATE OF ALABAMA,

BALDWIN COUNTY.

IN THE CIRCUIT COURT.

TO: GEORGE D. ARGIRO, MANUEL CLIKAS, JAMEAL KAHALLEY, AND W. C.

SANDERFORD:

Whereas the State of Alabama has exhibited its bill of complaint in the Circuit Court of Baldwin County, Alabama, and after hearing has obtained from the Honorable Circuit Court of Baldwin County, Alabama, an order for the issuance of an injunction to enjoin you and each of you as hereinafter set forth,

NOW, THEREFORE, until further order of the said Court, you, the said GEORGE D. ARGIRO, MANUEL CLIKAS, JAMEAL KAHALLEY, AND W. C. SANDERFORD, and each of you separately and hereby strictly enjoined from the following :

(1) From maintaining the building or property known as the Bay Sport Shop, known by that name or by any other name, and located on the South side of Mobile Bay Causeway, that is to say, on the South side of U. S. Highway 90, in Section 20, Township 4 South, Range 1 East, in Baldwin County, Alabama, on land more particularly described as follows:

Commencing at a point on the southern boundary of the Bay Bridge Causeway right-of-way 30 feet eastwardly from the Northeast corner of Argiro's Beverage Store, thence running southwardly and perpendicular with said right of way boundary to the wooden bulkhead in the rear of said property, thence running eastwardly along said wooden bulkhead a distance of 20 feet to a point, thence running northwardly and perpendicular with said right of way boundary to the said southern boundary of said right of way, thence running westwardly along said southern boundary of said right of way a distance of 20 feet to the point of beginning, being in Section 20, township 4 South, Range 1 East, Baldwin County, Alabama

as a gambling place.

- (2) From permitting gaming to be carried on in said building.
- (3) From resorting to said building at any time for the purposes of gaming.
- (4) From permitting persons to come in said building for the purposes of gaming.
- (5) From betting or hazarding any money at any game played with cards or dice in said building or on said property.

(6) From gambling in any form on said property or in said building.

(7) From permitting or allowing any person to gamble or game in any form on said property or in said building.

And this Injunction you and each of you separately are required to obey under the penalties of law, until the further order of this Court.

Witness my hand and seal of the Court this the 20th day of February, 1953.

W. J. ...
Register.

Received in Sheriff's Office
this 23rd Day of Feb., 1953
TAYLOR WILKINS, Sheriff

453

ORIGINAL
RECORDED

CD
3-18

Received 24th Day of February 1953
and on 26th Day of February 1953
I served a copy of the within enclosure
on George H. Briggs
by service on _____

W. H. HOLCOMBE, Sheriff

By W. H. Ferguson

2-20-53

Received 24th Day of February 1953
and on 25th Day of February 1953
I served a copy of the within enclosure
on Manuel C. Linares
by service on _____

W. H. HOLCOMBE, Sheriff

By R. H. Matthews

STATE OF ALABAMA, EX REL. WILLIAM
R. LAUTEN, SOLICITOR OF THE TWENTY-
EIGHTH JUDICIAL CIRCUIT OF ALABAMA,
Complainant
VS.
THE BAY SPORT SHOP, ET AL.

§
§
§
§
§
§

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

ORDER

This being the day appointed for the hearing of the bill of complaint on application for a temporary injunction or restraining order, and the State of Alabama, by its Solicitor, and the Respondents, George D. Argiro, Manuel Clikas and Jameal Kahalley being present in Court, the cause coming on to be heard, the Court is of the opinion that a temporary injunction or restraining order should be granted as hereinafter stated, it is, therefore,

ORDERED, ADJUDGED, AND DECREED that the Register in Chancery of The Circuit Court of Baldwin County, Alabama, in Equity, shall forthwith issue a temporary injunction restraining until further order of this Court and pending a final hearing of this cause unless otherwise ordered, the Respondents, George D. Argiro, Manuel Clikas, Jameal Kahalley and W. C. Sanderford as follows:

- (1) From maintaining said building or property more particularly described in the Bill of Complaint, known as said Bay Sport Shop, under that name or under any other name, as a gaming place or a gambling place.
- (2) From permitting gaming to be carried on in said building.
- (3) From resorting to said building at any time for the purposes of gaming.
- (4) From permitting persons to come in said building for the purposes of gaming.
- (5) From betting or hazarding any money at any game played with cards or dice in said building or on said property.
- (6) From gambling in any form on said property or in said building.
- (7) From permitting or allowing any person to gamble or game in any form on said property or in said building.

Done and ordered this the 20th day of February, 1953.


Circuit Judge.

ORIGINAL

Received in Sheriff's Office
this 23 day of Feb, 1913
TAYLOR WINANS, Sheriff

455

Received 24th Day of February 1913
and on 26th Day of February 1913
I served a copy of the within order
on George H. Quinn
by service on _____

W. H. HOLCOMBE, Sheriff

By W. H. Ferguson

FILED

2-20-53

ALICE J. DICK, Register

AUG 30 1954

THE STATE OF ALABAMA - - - - - JUDICIAL DEPARTMENT

THE SUPREME COURT OF ALABAMA

SPECIAL TERM 1954

I Div. 545.

W. C. Sanderford, et al.

v.

State of Alabama, ex rel. William R. Lauten.

Appeal from Baldwin Circuit Court,
(in Equity).

SIMPSON, Justice.

This is an appeal from an interlocutory decree granting a temporary injunction restraining appellants from gaming or permitting gaming to be carried on in a certain storehouse in Baldwin County, known as the Bay Sport Shop.

The bill was filed by the State of Alabama on relation of William R. Lauten as solicitor of the Twenty-eighth Judicial Circuit under the provisions of Article 5, Chapter 46, Title 14, sections 293-302, Code of 1940, which authorize gaming, etc., places to be abated as public nuisances.

2.

The pertinent provision of the gaming statute is found in section 263, Title 14, Code, which makes it a crime for any person to "play at any game with cards * * * in any public house".

The question for review is, therefore, was the evidence sufficient prima facie to show that the playing was being carried on at the time and place alleged and, if so, was the place "a public house". On a hearing eno tenus before the trial court both questions were resolved in the affirmative, and we entertain the view that there was sufficient evidence, prima facie, to justify the stated conclusion.

The Bay Sport Shop was a place of business located in a quonset hut where sporting goods, such as fishing tackle, were sold. The building was located about two hundred feet south of Highway 90 on the Mobile Bridge Causeway in Baldwin County. The front room of the building was used as the storeroom for storing and selling the merchandise, and the back room, where the game was taking place, adjoined this storeroom, being separated only by an intervening bathroom with the two doors. This back room was equipped with a desk, some chairs, a sofa and table with felt top resembling a pool table. The building was under the control of appellant Kshalley. It was here the State's witness saw some of the appellants and others playing cards about eleven P. M. The front room of the building was in darkness, but the back room was lighted and only visible from the outside by a small crack in a painted window pane. There was a group of about seven men around the table with bills (U.S. currency) in their hands; cards were on the table in front of them and money was also on the table. The foregoing evidence justified the conclusion of the trial court that the game had actually been entered upon and that the parties were playing, indeed gambling with cards. - Ward v. State, 37 Ala. 158; Henderson v. State, 59 Ala. 59.

3.

The evidence also made out a prima facie case that the back room of the Bay Sport Shop, where the game was taking place, was a part of a "public house" within the prescription of the statute, supra, against "playing at a game with cards". Both rooms were under the control of the same person and were prima facie an entirety, the front room being clearly within the prohibition of the statute, and the back room prima facie within the prohibition. - Huffman v. State, 29 Ala. 40, and cases cited; Arnold v. State, 29 Ala. 46; Loyd v. State, 39 Ala. 678; Poster v. State, 24 Ala. 451.

The pertinent rule is thus stated in the Poster case, supra:

"It has been uniformly held in this State where a house is public, as a store, and a * * * room in the same building is under the control of the proprietor of the building, the room, though used for private purposes, is prima facie within the prohibition of the statute as to playing at a public house, 'unless it affirmatively appears that it is not used as an appendage to the store, nor in the prosecution of its business, nor in connection with the store for the mere convenience or accommodation of the owner, his employees or his customers but is occupied for some justifiable private purpose entirely disconnected from the business of the store, or the convenience of its customers.' - Brown v. State, 27 Ala. 47; Huffman v. State, 29 Ala. 40; Arnold v. State, Ib. 46."

The defendants did not testify. There was no countervailing evidence to overturn the prima facie case made by the State, and hence the decree was proper.

Affirmed.

Livingston, C. J., Goodwyn and Clayton, JJ., concur.

THE STATE OF ALABAMA--JUDICIAL DEPARTMENT

THE SUPREME COURT OF ALABAMA

1st Div., No. 545

W. C. Sanderford, Appellant

vs.

State of Alabama ex rel. William R. Lauten, Appellee,

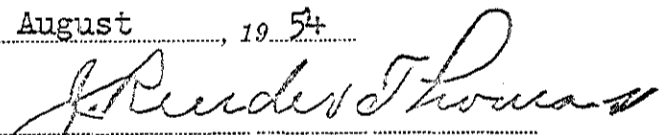
From Baldwin Circuit Court.
In Equity # 2953

The State of Alabama, }
City and County of Montgomery, }

I, J. Render Thomas, Clerk of the Supreme Court of Alabama, do hereby certify that the foregoing pages, numbered from one to three inclusive, contain a full, true and correct copy of the opinion of said Supreme Court in the above stated cause, as the same appears and remains of record and on file in this office.

Witness, J. Render Thomas, Clerk of the Supreme Court of Alabama, this the 30th day of

August, 19 54


Clerk of the Supreme Court of Alabama

THE SUPREME COURT OF ALABAMA

Special
October Term, 19...53-54

1st Div., No. 545

W. C. Sanderford

Appellant,

vs.

State of Alabama ex rel.

William R. Lauten

Appellee.

From Baldwin Circuit Court.
In Equity # 2953

COPY OF OPINION

SENNER

2953

THE STATE OF ALABAMA---JUDICIAL DEPARTMENT

THE SUPREME COURT OF ALABAMA

SPECIAL TERM 1953-54

~~OCTOBER TERM, 1953~~

To the Register of the Circuit Court, Baldwin County—Greeting:

Whereas, the Record and Proceedings of the Court of said county, in a certain cause lately pending in said Court between

W. C. Sanderford, Appellant,

and

THE STATE OF ALABAMA ex rel. William R. Lauten, Appellee,

wherein by said Court it was considered adversely to said appellant, were brought before our Supreme Court, by appeal taken, pursuant to law, on behalf of said appellant:

NOW, IT IS HEREBY CERTIFIED, That it was thereupon considered, ordered, adjudged, and decreed by our Supreme Court, on the 30th day of August, 1954, that said

Decree of said Circuit Court be in all things

affirmed, and that it was further considered, ordered, adjudged, and decreed that the appellant,

and W. C. Sanderford, and Royal Indemnity Company, surety on

the appeal bond, pay - - - - -

the costs accruing on said appeal in this Court and in the Court below, for which costs let execution issue.

Witness, J. Render Thomas, Clerk of the Supreme Court of Alabama, at the Judicial Department Building, this the 30th day of

August, 1954

J. Render Thomas

Clerk of the Supreme Court of Alabama.

No. 2953

THE SUPREME COURT OF ALABAMA
SPECIAL TERM 1953-54
~~OCTOBER TERM 19XXX~~

1st Div., No. 545

W. C. Sanderford

Appellant,

vs.

THE STATE OF ALABAMA ex rel.

William R. Lauten,

Appellee.

From Baldwin Circuit Court.
In Equity

CERTIFICATE OF
AFFIRMANCE

The State of Alabama,

Baldwin County.

} Filed

this 3rd day of Sept. 1954

W. J. Duck

Register

ALABAMA TO YOU TO BUY THE BEST

RECORDED IN THE OFFICE OF THE CLERK OF THE SUPREME COURT OF ALABAMA
MONTGOMERY, ALABAMA
SEP 10 1954
J. W. [Signature]

The State of Alabama
Baldwin County

TO ANY SHERIFF OF THE STATE OF ALABAMA,—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON George D. Argiro

at the instance of the Complainant, If he should be found in your County, personally to be and appear before the Circuit Court of Baldwin County at the present term thereof, to be holden at the Court House in Bay Minette, to wit: on 20th, the day of February, 1953 at 10:00, and to bring with him and produce at the time and place aforesaid, to be used as evi-

dence (here describe it),
duplicate original of lease of property described in the Bill of Complaint on which Bay Sport Shop is situated, dated November 4, 1952 to W. C. Sanderford

and then and there testify and the truth to speak concerning all and singular those things of which he may have knowledge, or the said instrument of writing doth import of, and concerning a certain suit now pending and undetermined in said Court, wherein State of Alabama

Plaintiff, and The Premises Known as Bay Sport Shop Defendant.

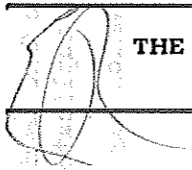
And this he shall in nowise omit, under penalties of what the law directs, and shall have you, then and there this writ with your endorsement thereon in what manner you have executed same.

Witness my hand, this 14th day of February 1953.

Alvin J. Newell
Clerk.

CD
513
RECORDED
454

No. 2953

 THE STATE OF ALABAMA
Baldwin County

STATE OF ALABAMA
Plaintiff

VS. SUBPOENA DECUS TECUM

BAY SPORT SHOP
Defendant

Circuit Court

WITNESSES:

RECEIVED... 2-18-53
RETURNED... 2-20-53
FOR AN ALIAS
BY W. H. HOLCOMBE, Sheriff
BY *W. H. Ferguson* D.S.
Mobile county

2-14-53

SET FOR TRIAL

20th day of February 1953

TIMES, BAY MINETTE

[Faint, mostly illegible text from the reverse side of the document, appearing as bleed-through or ghosting.]

STATE OF ALABAMA, ON THE RELATION)	
OF WILLIAM R. LAUTEN, SOLICITOR OF)	
THE TWENTY-EIGHTH JUDICIAL CIRCUIT)	
OF ALABAMA,)	
)	
Complainant,	)	IN THE CIRCUIT COURT OF
)	
vs.	)	BALDWIN COUNTY, ALABAMA
)	
THE PREMISES KNOWN AS BAY SPORT SHOP,	)	IN EQUITY
MORE PARTICULARLY DESCRIBED BELOW,)	
AND JAMEAL KAHALLEY, ET AL)	
)	
Respondents.)	

ANSWER OF THE FIRST NATIONAL BANK OF MOBILE, A CORPORATION

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

Comes now the respondent The First National Bank of Mobile, a corporation, and for answer to the complaint heretofore filed, and to each and every paragraph thereof, says as follows:

1. Respondent admits the allegations of paragraph one.
2. Respondent admits the allegations of paragraph two.
3. Respondent denies the allegations of paragraph three, and alleges that the said property is owned by the respondents George D. Argiro and Manuel Clikas, and that the respondent The First National Bank of Mobile, a corporation, held a first mortgage on said real property. at the time of filing of this cause.
4. Respondent admits the allegations of paragraph four and says further that it held a first mortgage on said real estate, now paid off.
5. Respondent admits the allegations of paragraph five.
6. Respondent denies that the respondent Mary Lakos, as mortgagee, holds a mortgage on the above referred to property, as described in said bill of complaint.
7. Respondent has no knowledge whatsoever of the truth or falsity of the allegations of paragraph seven, nor has any connection with any operations of any nature which might have been carried on in said premises, and states that its sole interest in said property, is, as above alleged, that it holds a real estate mortgage on said property.

8. Respondent has no knowledge of the matters alleged in paragraph eight.

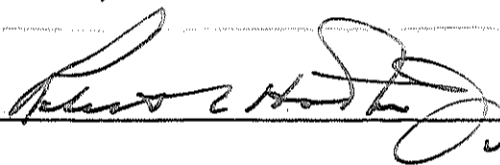
9. The allegations of paragraph nine of the bill of complaint are admitted.

RECORDED

THE PREMISES CONSIDERED, the respondent The First National Bank of Mobile, a corporation, prays this Honorable Court that an order will be made and entered dismissing said bill of complaint, insofar as the said respondent is concerned, and that it be permitted to go hence without cost; respondent prays for such other and further relief to which, in equity, it might be entitled, the premises considered.

Tonsmeire & Hodnette, Solicitors for
respondent The First National Bank
of Mobile,

By



A handwritten signature in cursive script, likely belonging to a solicitor, is written over a horizontal line.

the original of the bill of exchange is

presented to the bank

and the bank is to pay the amount of the bill of exchange

to the holder of the bill

and the bank is to be bound to pay the amount of the bill of exchange

to the holder of the bill of exchange in accordance with the provisions of the bill of exchange

and the bank is to be bound to pay the amount of the bill of exchange

to the holder of the bill of exchange in accordance with the provisions of the bill of exchange

and the bank is to be bound to pay the amount of the bill of exchange

to the holder of the bill of exchange in accordance with the provisions of the bill of exchange

and the bank is to be bound to pay the amount of the bill of exchange

to the holder of the bill of exchange in accordance with the provisions of the bill of exchange

RECORDED

FILED

3-5-53

ALICE J. DUCK, Register

THE BANK OF AMERICA
AND TRUST COMPANY OF NORTH CAROLINA
INCORPORATED IN NORTH CAROLINA
REGISTERED OFFICE: 100 WALL STREET, NEW YORK 5, N.Y.

[Handwritten signature]

STATE OF ALABAMA, ON THE RELATION
OF WILLIAM R. LAUTEN, SOLICITOR OF
THE TWENTY-EIGHTH JUDICIAL CIRCUIT
OF ALABAMA,

Complainant,

VS.

THE PREMISES KNOWN AS BAY SPORT SHOP,
ET AL.,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY.

order of Judge

WHEREAS, the Complainant has filed its Bill of Complaint alleging that the building known as the Bay Sport Shop, more particularly described in the Bill of Complaint, is a place where a gambling table is kept for the purpose of permitting persons to gamble thereon or therewith, or that the said Bay Sport Shop is a place maintained or resorted to for the purpose of gambling, and

WHEREAS, THE Complainant has, among other things, prayed that the Court will issue a temporary restraining order or injunction, enjoining the Respondents and any and all persons, firms or corporations from maintaining said premises for the purpose of gaming and enjoining and restraining the Respondents and any and all persons, firms and corporations from resorting to said premises for the purpose of gaming and enjoining the Respondents and any and all other persons, firms and corporations from keeping or exhibiting or being concerned in the keeping or exhibiting of a gaming table or tables, or other gaming device for the purpose of permitting persons to game thereon or therewith, and

WHEREAS, the complaint has prayed that upon such hearing, that the Court will declare the said premises to be a common nuisance, and issue an order closing the said Bay Sport Shop and premises herein described against its use for any purpose whatsoever until final decision has been rendered on the application of the complainant for a permanent injunction,

NOW, THEREFORE, it is hereby ordered that the 20th day of February, 1953, at the hour of 10:00 AM o'clock, in the Court House, Bay Minette, Alabama, be and the same is hereby set as the day and place for the hearing of the temporary injunction heretofore applied for in the said Bill of Complaint.

Done this 10 day of February, 1953.

Robert M. J. Lee
Circuit Judge

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 JACOB KAH ATLEY, W. C. SANDERFORD,

GEORGE D. AHTRO, AND MANUEL CLIKAS

to appear ~~and answer, plead, or demur, within thirty days from the service hereof,~~ on the 20th day of February, 1953, to a Bill of Complaint filed in said Circuit Court, in equity, for said County of said State by State of Alabama, on the Relation of William R. Lauten, Solicitor of the Twenty-Eighth Judicial Circuit of Alabama

against The Premises known as Bay Sport Shop, Et Al.,

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

Witness this 10th day of February, 1953

W. J. [Signature], Register.

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

The State of Alabama

Baldwin COUNTY.

IN CIRCUIT COURT, IN EQUITY

State of Ala. on Pet. of
William R. Lautens
vs.

The Day Sport Shop
et al

SUMMONS

Returned by the Sheriff and filed in office, this
the _____ day of _____, 19____
_____, Register.

FILED
FEB 10 1953
ALICE J. DUCK, Register

Received in office, this the 10 day of
Feb, 1953
Taylor, Sheriff.

I have executed the within by leaving a copy
thereof with.....

Jamaal Kahalley
Mobile county
George H. Argiro &
Manuel C. Likar

defendant named herein, on this the 14th day of
February, 1953
W. H. Hulcomb, Sheriff.
W. H. Bergman
By R. D. Matthews, Deputy.

STATE OF ALABAMA, BY AND FOR WILLIAM
H. CARTER, SOLICITOR OF THE TWENTY-
EIGHTH JUDICIAL CIRCUIT OF ALABAMA,

Complainant

Vs.

THE BAY SPORT SHOP, ET AL.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

ORDER

This being the day appointed for the hearing of the bill of complaint on application for a temporary injunction or restraining order, and the State of Alabama, by its Solicitor, and the Respondents, George D. Argiro, Manuel Olikas and Jamesal Kahalley being present in Court, the cause coming on to be heard, the Court is of the opinion that a temporary injunction or restraining order should be granted as hereinafter stated, it is, therefore,

ORDERED, ADJUDGED, AND DECREED that the Register in Chancery of the Circuit Court of Baldwin County, Alabama, in Equity, shall forthwith issue a temporary injunction restraining until further order of this Court and pending a final hearing of this cause unless otherwise ordered, the Respondents, George D. Argiro, Manuel Olikas, Jamesal Kahalley and W. V. Sanderson as follows:

- (1) From maintaining said building or property more particularly described in the Bill of Complaint, known as said Bay Sport Shop, under that name or under any other name, as a gaming place or a gambling place.
- (2) From permitting gaming to be carried on in said building.
- (3) From resorting to said building at any time for the purposes of gaming.
- (4) From permitting persons to come in said building for the purposes of gaming.
- (5) From betting or hazarding any money at any game played with cards or dice in said building or on said property.
- (6) From gambling in any form on said property or in said building.
- (7) From permitting or allowing any person to gamble or game in any form on said property or in said building.

Done and ordered this the 20th day of February, 1953.

ROBERT M. HALL

Circuit Judge.

STATE OF ALABAMA,
BALDWIN COUNTY.

§
§
§

IN THE CIRCUIT COURT.

TO: GEORGE D. ARGIRO, MANUEL CLIKAS, JAMBAL KAHALLEY, AND W. C.

SANDERFORD:

Whereas the State of Alabama has exhibited its bill of complaint in the circuit court of Baldwin County, Alabama, and after hearing has obtained from the Honorable Circuit Court of Baldwin County, Alabama, an order for the issuance of an injunction to enjoin you and each of you as hereinafter set forth,

NOW, THEREFORE, until further order of the said Court, you, the said GEORGE D. ARGIRO, MANUEL CLIKAS, JAMBAL KAHALLEY, AND W. C. SANDERFORD, and each of you separately and hereby strictly enjoined from the following:

(1) From maintaining the building or property known as the Bay Sport Shop, known by that name or by any other name, and located on the South side of Mobile Bay Causeway, that is to say, on the South side of U. S. Highway 90, in Section 20, Township 4 South, Range 1 East, in Baldwin County, Alabama, on land more particularly described as follows:

Commencing at a point on the southern boundary of the Bay Bridge Causeway right-of-way 30 feet eastwardly from the Northeast corner of Argiro's Beverage Store, thence running southwardly and perpendicular with said right of way boundary to the wooden bulkhead in the rear of said property, thence running eastwardly along said wooden gulkead a distance of 20 feet to a point, thence running northwardly and perpendicular with said right of way boundary to the said southern boundary of said right of way, thence running westwardly along said southern boundary of said right of way a distance of 20 feet to the point of beginning, being in Section 20, township 4 South, Range 1 East, Baldwin County, Alabama

as a gambling place.

(2) From permitting gaming to be carried on in said building.

(3) From resorting to said building at any time for the purposes of gaming.

(4) From permitting persons to come in said building for the purposes of gaming.

(5) From betting or hazarding any money at any game played with cards or dice in said building or on said property.

(6) From gambling in any form on said property or in said building.

(7) From permitting or allowing any person to gamble or game in any form on said property or in said building.

And this Injunction you and each of you separately are required to obey under the penalties of law, until the further order of this Court.

Witness my hand and seal of the Court this the 20th day of February, 1953.



Registrar.

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

Jameal Kahalley et al

to 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

against JAMEAL KAHALLEY, ET ALS

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

Witness this 31st day of January, 1953

Archie J. Veneta, Register.

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

The State of Alabama

BALDWIN COUNTY.

IN CIRCUIT COURT, IN EQUITY

STATE OF ALABAMA

vs.

JAMEAL KAHALLEY, ET ALS

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, ON THE RELATION
OF WILLIAM R. LAUTEN, SOLICITOR OF
THE TWENTY-EIGHTH JUDICIAL CIRCUIT
OF ALABAMA,

Complainant

VERSUS

THE PREMISES KNOWN AS BAY SPORT SHOP,
MORE PARTICULARLY DESCRIBED BELOW, AND
JAMEAL KAHALLEY, W. C. SANDERFORD,
GEORGE D. ARGIRO, MANUEL CLIKAS, THE
FIRST NATIONAL BANK OF MOBILE, A COR-
PORATION, MARY LAKOS, AND ANY AND ALL
PERSONS, FIRMS, OR CORPORATIONS CLAIMING
AN INTEREST IN OR TO THE SAID PREMISES
KNOWN AS BAY SPORT SHOP, MORE PARTI-
CULARLY DESCRIBED BELOW,

Respondents.

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

BILL OF COMPLAINT

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

Comes the complainant in the above styled cause and respectfully represents and shows unto your Honor as follows:

1. That the relator, William R. Lauten, is the duly acting Solicitor of the Twenty-eighth Judicial Circuit of Alabama, and is charged with the duty of prosecuting criminal cases in Baldwin County, Alabama.

2. That the Respondent, Bay Sport Shop, is a building located on the South side of Mobile Bay Causeway, that is to say, on the South side of U. S. Highway 90, in Section 20, Township 4 South, Range 1 East, in Baldwin County, Alabama, on land more particularly described as follows:

Commencing at a point on the southern boundary of the Bay Bridge Causeway right-of way 30 feet eastwardly from the Northeast corner of Argiro's Beverage Store, thence running southwardly and perpendicular with said right of way boundary to the wooden bulkhead in the rear of said property, thence running eastwardly along said wooden bulkhead a distance of 20 feet to a point, thence running northwardly and perpendicular with said right of way boundary to the said southern boundary of said right of way, thence running westwardly along said southern boundary of said right of way a distance of 20 feet to the point of beginning, being in Section 20, township 4 South, Range 1 East, Baldwin

County, Alabama.

3. That Complainant is informed and believes, and upon such information and belief alleges that the Respondents, Jameal Kahalley and W. C. Sanderford, claim or are reputed to claim an interest in and to said premises.

4. That the title to the land above described, on which the said building known as the Bay Sport Shop is situated, stands in the records of the Judge of Probate of Baldwin County, Alabama, office, in the name of the Respondents, George D. Argiro and Manuel Clikas.

5. That the respondent, The First National Bank of Mobile, a Corporation, as mortgagee, holds a mortgage on the above described land on which the said building is situated according to the records of the office of the Judge of Probate of Baldwin County, Alabama, which mortgage has not been cancelled of record.

6. That the Respondent, Mary Lakos, as mortgagee, holds a mortgage on the above described land on which the said building is situated according to the records in the office of the Judge of Probate of Baldwin County, Alabama, which mortgage has not been cancelled of record.

7. That the Complainant is informed and believes, and upon such information and belief alleges that the said building is maintained or resorted to for the purpose of gaming, or the said building is a place where a gaming table or other gaming devices, to-wit: playing cards, is or are kept for the purpose of permitting persons to game thereon or therewith, all in violation of the laws of the State of Alabama.

8. That a verified complaint alleging that the said Bay Sport Shop is maintained or resorted to for the purpose of gaming, or is a place where a gaming table or other gaming device is kept for the purpose of permitting persons to game thereon or therewith has been filed in the office of the Judge of Probate of Baldwin County, Alabama, together with a

notice of the pendency of this action, containing the name of the Court, the names of the parties, the object of the action and a brief description of the property affected thereby.

9. That the Complainant is informed and believes, and upon such information and belief alleges the Respondent Jameal Kahalley, resides in Bay Minette, Baldwin County, Alabama; that the Respondents, George D. Argiro, Manuel Clikas, and Mary Lakos, all reside in Mobile County, Alabama; that the respondent, The First National Bank of Mobile, a Corporation, has its offices in the City of Mobile, Mobile County, Alabama; that the place of residence of the Respondent, W. C. Sanderford, is unknown to the complainant and cannot be ascertained after reasonable efforts.

PRAYER FOR PROCESS:

WHEREFORE, the PREMISES CONSIDERED, the Complainant prays that appropriate process issue out of this Court requiring the Respondents to plead, answer, or demur to this bill within the time required by law, and, failing therein, that a decree pro confesso be taken against them as to all things confessed; that notice of the pendency of the bill of complaint be published once a week for four consecutive weeks in a newspaper of general circulation published in Baldwin County, Alabama.

PRAYER FOR RELIEF:

FOR TEMPORARY RESTRAINING ORDER: Your Complainant further prays that your Honor will issue a temporary restraining order restraining the respondents and all other persons, firms, or corporations from moving or in any manner interfering with the personal property and contents of the said building or premises until the decision of the Court granting or refusing the temporary injunction hereinafter applied for;

FOR WRIT OF SEIZURE: That your Honor issue a writ of seizure and as many other writs of seizure as may be

necessary authorizing the Sheriff or his Deputy or Deputies to seize all gaming tables and other gaming devices on the premises and all other movable property used in keeping and maintaining the place as a nuisance.

FOR TEMPORARY INJUNCTION: That your Honor issue a temporary restraining order or temporary injunction, enjoining the Respondents and any and all persons, firms or corporations from maintaining said premises for the purpose of gaming and enjoining and restraining the Respondents and any and all persons, firms and corporations from resorting to said premises for the purpose of gaming, and enjoining the respondents and any and all other persons, firms, and corporations from keeping or exhibiting or being concerned in the keeping or exhibiting of a gaming table or gaming tables or other gaming device for the purpose of permitting persons to game thereon or therewith.

TO SET DAY FOR HEARING: That your Honor will set a day for the hearing of said application for a temporary injunction and cause notice of said hearing to be served on the Respondents named herein.

FOR ORDER CLOSING PLACE AS A NUISANCE: That upon the hearing of the temporary injunction herein applied for your Honor will declare the said premises to be a common nuisance, and will issue an order closing the said Bay Sport Shop and premises herein described against its use for any purpose whatsoever until final decision has been rendered on the application of the complainant for a permanent injunction hereinafter applied for.

FOR PERPETUAL INJUNCTION: That upon a final hearing hereof, the complainant prays that the respondents and any and all other persons, firms, or corporations be perpetually enjoined from maintaining said premises for the purpose of gaming, and perpetually enjoining the respondents and any and all other persons, firms or corporations from keeping gaming tables or a gaming table or other gaming device in or on said

premises for the purpose of permitting persons to game thereon or therewith; and that the Court issue an order directing the destruction of all gaming tables or other gaming devices as may be found upon the premises, together with all other movable property used in keeping and maintaining the nuisance, and such movable property as may have been seized under authority of the Court pending the hearing of this cause.

And if the complainant be mistaken in the relief for which it has prayed, then it prays for such other, further, different or general relief as to this Honorable Court may, in equity and good conscience seem meet, just and proper, the premises considered.

Respectfully submitted,

William R. Farrell
Circuit Solicitor

STATE OF ALABAMA

BALDWIN COUNTY.

Before me, the undersigned authority, personally appeared William R. Lauten, who being by me first duly sworn, deposes and says that he is the acting Solicitor for the Twenty-Eighth Judicial Circuit of Alabama, and is the person whose signature is affixed to the foregoing bill of complaint; that he has read the above and foregoing bill of complaint and that the matters and things therein alleged are true as therein averred, except the matters and things averred on information and belief, which matters and things he verily believes to be true as therein alleged.

William R. Lauten

Sworn to and subscribed before

me on this the 26th day of January, 1953.

W. R. Lauten
clerk of circuit court.

SHERIFF'S RETURN MOBILE COUNTY

Received on the 4th day of February, 1953 and on the 4th day of February, 1953 I executed the within Writ by serving a copy on George D. Argiro. On the 5th day of February, 1953 by serving a copy on First National Bank of Mobile by service on E. S. Sledge, cashier. On the 6th day of February, 1953 by serving a copy on Manuel Clikas. W. E. Sanderford not being found this county copy is herein returned.

W. E. HOLCOMBE, SHERIFF
BY: *W. H. Morgan*
More Bennett D.S.
R. H. Matthews

TAYLOR WILKINS, Sheriff
W. H. Morgan
D.S.

Served _____ day of _____ 1953
and on 2 day of Feb 1953
I served a copy of the within
on Manuel Clikas
By service on _____

FILED
JAN 30 1953
CLERK OF COURT
MOBILE, ALA.

RECORDED

ORIGINAL

295-3

45-2

Received in Sheriff's Office
this 31 day of Feb 1953
TAYLOR WILKINS, Sheriff

No. 2953

STATE OF ALABAMA on rel WILLIAM R. LAUTEN
Complainant.

vs.

THE PREMISES KNOWN AS BAY SPORT SHOP et als
Respondent.

I, Alice J. Duck Register of the Circuit Court In Equity,
Baldwin County, Alabama, hereby certify that in the cause of
STATE OF ALABAMA on rel. WILLIAM R. LAUTEN Complainant,

vs.

THE PREMISES KNOWN AS BAY SPORT SHOP et als Respondent,

which was tried and determined in this Court on the 20th day of
February 19 53, in which there was a decree in favor of the
Complainant

On the 2nd day of March 19 53, the
Respondent, W. C. Sanderford took an appeal to the
Supreme Court of Alabama, to be holden of and for said State.

I further certify that ~~xxxxxx~~ and W. C. Sanderford
filed security for cost of appeal, to the Supreme Court,
on the 2nd day of March 19 53, and that Royal Indemnity Company and
W. C. Sanderford

are sureties on the appeal bond.

I further certify that notice of said appeal was on the 4th
day of March 19 53, served on William R. Lauten
as attorney of record for said appellee.

Witness my hand and the seal of this Court, this the 4th day
of March 19 53

Register of the Circuit Court In Equity of
Baldwin County, Alabama.

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h
T

The State of Alabama, DADE County

IN CIRCUIT COURT, IN EQUITY

To any Sheriff of the State of Alabama—Greeting:

You are hereby commanded to summon JARVIS EAR ALLEN, W. C. SANDERSON,
GEORGE P. LASERO, AND WALTER CLINAS

on the 20th day of February, 1953
to appear ~~and answer, plead, or demur, within thirty days from the service hereof,~~ to a Bill of Com-
plaint filed in said Circuit Court, in equity, for said County of said State by State of Alabama,
on the Relation of William E. Lauten, Solicitor of the Twenty-Eighth Judicial Circuit
of Alabama

against The Promises Known as Ray Sport Shop, Et Al.,

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

Witness this 10th day of February, 1953

W. J. W. W. W., Register.

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

STATE OF ALABAMA, ON THE RELATION
OF WILLIAM R. LAUTEN, SOLICITOR OF
THE TWENTY-EIGHTH JUDICIAL CIRCUIT
OF ALABAMA,

Complainant,

VS.

THE PREMISES KNOWN AS BAY SPORT
SHOP, ET AL.,

Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

WHEREAS, the Complainant has filed its Bill of Complaint alleging that the building known as the Bay Sport Shop, more particularly described in the Bill of Complaint, is a place where a gambling table is kept for the purpose of permitting persons to gamble thereon or therewith, or that the said Bay Sport Shop is a place maintained or resorted to for the purpose of gambling, and

WHEREAS, THE Complainant has, among other things, prayed that the Court will issue a temporary restraining order or injunction, enjoining the Respondents and any and all persons, firms or corporations from maintaining said premises for the purpose of gaming and enjoining and restraining the Respondents and any and all persons, firms and corporations from resorting to said premises for the purpose of gaming and enjoining the Respondents and any and all other persons, firms and corporations from keeping or exhibiting or being concerned in the keeping or exhibiting of a gaming table or tables, or other gaming device for the purpose of permitting persons to game thereon or therewith, and

WHEREAS, the complaint has prayed that upon such hearing, that the Court will declare the said premises to be a common nuisance, and issue an order closing the said Bay Sport Shop and premises herein described against its use for any purpose whatsoever until final decision has been rendered on the application of the complainant for a permanent injunction,

NOW, THEREFORE, it is hereby ordered that the 20th day of February, 1953, at the hour of 10:00 AM o'clock, in the Court House, Bay Minette, Alabama, be and the same is hereby set as the day and place for the hearing of the temporary injunction heretofore applied for in the said Bill of Complaint.

Done this 10 day of February, 1953.

Hubert M. Hall

Circuit Judge

COPY FOR

Date this 10 day of February, 1923.

Personally appeared heretofore admitted for the said Bill of Complaint,

he and the same is hereby set as the day and place for the hearing of the

1923, at the hour of 10:00 AM o'clock in the Court House, Bay Viewette, Wabawa,

HOW, HEREBY, it is hereby ordered that the 20th day of February,

application of the complainant for a permanent injunction,

use for any purpose whatsoever until final decision has been rendered on the

order closing the said Bay Sport Shop and premises herein described against the

Court will declare the said premises to be a common nuisance, and issue an

WARRANT, the complaint has prayed that upon such hearing, that the

wherein, and

other gaming device for the purpose of permitting persons to game thereon or

being concerned in the keeping or equipping of a gaming table or tables, or

and all other persons, firms and corporations from keeping or equipping or

said premises for the purpose of gaming and enjoying the Respondents and any

Respondents and any and all persons, firms and corporations from resorting to

said premises for the purpose of gaming and enjoying and resorting to

Respondents and any and all persons, firms or corporations from maintaining

Court will issue a temporary restraining order or injunction, enjoining the

WHEREAS, the complainant has, among other things, prayed that the

gaming, and

said Bay Sport Shop is a place maintained or resorted to for the purpose of

purpose of permitting persons to game thereon or premises, or that the

in the Bill of Complaint is a place where a gaming table is kept, or

that the petition shows as the Bay Sport Shop, were satisfactorily

WHEREAS, the complainant has filed the Bill of Complaint and

Respondents.

SHOP, et al.,

THE SHOOTING RANGE AT BAY VIEW.

AS:

Complainant,

OF WABAWA,

THE HONORABLE JUSTICE JUDICIAL CIRCUIT
OF WILLIAM E. TAYLOR, SOLICITOR OF
STATE OF WABAWA, ON THE PETITION

IN THE CIRCUIT COURT ON

WILHELM COOK, WABAWA

IN WABAWA

FILED
MAY 1 1923
WABAWA REGISTER

COPY FOR

W. E. Taylor

The State of Alabama, Baldwin County

IN CIRCUIT COURT, IN EQUITY

To any Sheriff of the State of Alabama—Greeting:

5-X/81

10X You are hereby commanded to summon Jameal Kahalley, George D. Argiro, and Manuel Clikas

to 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. The Supreme Court

to an Appeal to The Supreme Court

against Jameal Kahalley et als

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

Witness this 24 2nd day of March, 19 53

Arice J. Busch, Register.

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

The State of Alabama

Baldwin COUNTY.

IN CIRCUIT COURT, IN EQUITY

STATE OF ALABAMA, Rel.

WILLIAM R. LAUPER

vs.

THE PREMISES KNOWN AS

DAY SPORT SHOP et als

SUMMONS

Returned by the Sheriff and filed in office, this the _____ day of _____, 19_____

_____, Register.

Received in office, this the 5th day of

March, 1953
W. H. Holcombe, Sheriff.

I have executed the within by leaving a copy

thereof with George H. Arjio on the 6th day of March, 1953 and Marshall Clarke

defendant named herein, on this the 10th

day of March, 1953

W. H. Holcombe, Sheriff.

By W. A. Ferguson, Deputy.

R. D. Matthews

STATE OF ALABAMA, ON THE RELATION
OF WILLIAM R. LAUTEN, SOLICITOR OF
THE TWENTY-EIGHTH JUDICIAL CIRCUIT
OF ALABAMA,

Complainant,

VS.

THE PREMISES KNOWN AS RAY SPORT SHOP,
ET AL.

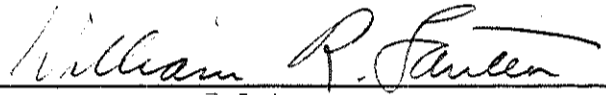
Respondents.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

Now comes the Complainant in the above styled cause and amends its
original Bill of Complainant by striking The First National Bank of Mobile,
a Corporation, and Mary Lakos as party Respondents.


Relator.

RECORDED

2

FILED

FEB 10 1953

ALICE L. BOCK, Register

STATE OF ALABAMA, ON THE RELATION)	
OF WILLIAM R. LAUTEN, SOLICITOR OF)	
THE TWENTY-EIGHTH JUDICIAL CIRCUIT)	
OF ALABAMA,)	
Complainant	)	IN THE CIRCUIT COURT OF
vs.	)	BALDWIN COUNTY, ALABAMA
THE PREMISES KNOWN AS BAY SPORT SHOP,	)	IN EQUITY
MORE PARTICULARLY DESCRIBED BELOW,)	
AND JAMEAL KAHALLEY, ET AL,)	
Respondents)	

ANSWER OF RESPONDENTS GEORGE D. ARGIRO AND MANUEL CLIKAS

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

Come the respondents George D. Argiro and Manuel Clikas, and for answer to the Bill of Complaint heretofore filed show unto the Court as follows:

1. The allegations of paragraph one of the Bill are admitted.
2. The allegations of paragraph two of the Bill are admitted.
3. The respondents George D. Argiro and Manuel Clikas allege that the respondents Jameal Kahalley and W. C. Sanderford were tenants or lessees of the respondents Argiro and Clikas.
- 4 and 5. The allegations of paragraphs four and five of the Bill of Complaint are admitted.
6. The respondents deny that the respondent Mary Lakos, as mortgagee, holds a mortgage on the property described in the Bill of Complaint.
7. The respondents have no knowledge concerning the allegations of paragraph seven of the Bill of Complaint, and state that they were lessors of the respondents Kahalley and Sanderford and had nothing to do with the operation of the premises.
8. The allegations of paragraph eight of the Bill of Complaint are admitted.
9. The allegations of paragraph nine of the Bill of Complaint are admitted.

WHEREFORE, THE PREMISES CONSIDERED, the respondents George D. Argiro and Manuel Clikas pray that the said Bill of Complaint will be dismissed as to them and that they be dismissed as parties respondent hereto; the

respondents pray for such other, further and different relief to which,
in equity, they might be entitled.

George D. Argiro
By George A. Tonsmeire
George D. Argiro

Manuel Clikas
By George A. Tonsmeire
Manuel Clikas

TONSMEIRE & HODNETTE

By George A. Tonsmeire

RECORDED

FILED

3-5-53
ALICE J. DUCK, Register

Handwritten notes:
...
...
...

Vertical handwritten notes:
...
...

STATE OF ALABAMA, §

BALDWIN COUNTY. § IN THE CIRCUIT COURT, IN EQUITY

Whereas, the State of Alabama, on the relation of William R. Lauten Solicitor of the Twenty-eighth Judicial Circuit of Alabama, has filed its complaint against the premises known as the Bay Sport Shop, situated on land more particularly described as follows:

Commencing at a point on the southern boundary of the Bay Bridge Causeway right of way 30 feet eastwardly from the Northeast corner of Argiro's Beverage Store, thence running southwardly and perpendicular with said right of way boundary to the wooden bulkhead in the rear of said property, thence running eastwardly along said wooden bulkhead a distance of 20 feet to a point, thence running northwardly and perpendicular with said right of way boundary to the said southern boundary of said right of way, thence running westwardly along said southern boundary of said right of way a distance of 20 feet to the point of beginning, being in Section 20, Township, 4 South, Range 1 East, Baldwin County, Alabama.

and against Jameal Kahalley, W. C. Sanderford, George D. Argiro, Manuel

Clikas, The First National Bank of Mobile, a corporation, Mary Lakos, ~~and~~

and any and all persons, firms, or corporations claiming an interest in

and to the said premises known as Bay Sport Shop, and which complaint alleges

that the respondents Jameal Kahalley and W. C. Sanderford claim or are

reputed to claim an interest in said property, and that the Respondents,

The First National Bank of Mobile, a corporation, and Mary Lakso hold mort-

gages on the land on which the said Bay Sport Shop is situated and that

such mortgages have not been cancelled of record, and that the respondents,

George D. Argiro and Manuel Clikas hold the title to the said property ac-

ording to the records of the probate Judge's office in Baldwin County, Ala-

bama, and

Whereas said complaint alleges that the said Bay Sport Shop is maintained or resorted to for the purpose of gaming or that the building

is a place where gaming table or other gaming devices is or are kept for

the purpose of permitting persons to game thereon or therewith, which com-

plaint seeks, among other things, an injunction against all persons, firms

or corporations from using said premises for gaming purposes, and

Whereas it has been shown by the affidavit of the relator, William

R. Lauten, that the address of said W. C. Sanderford is unknown, and cannot be ascertained after reasonable efforts,

Now, therefore, you, W. C. Sanderford, and any and all other persons, firms and corporations claiming an interest in or to said premises are hereby notified that you are required to demur, plead to, or answer the said complaint filed in the case within the time required by law.

Alice J. French
Register in Equity.

RECORDED

FILED
JAN 1951
195-3
JAMES B. WOOD, President

STATE OF ALABAMA, ON THE RELATION
OF WILLIAM R. LAUTEN, SOLICITOR OF
THE TWENTY-EIGHTH JUDICIAL CIRCUIT
OF ALABAMA,

Complainant,

VERSUS

THE BAY SPORT SHOP, ET AL.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY.

INTERROGATORIES PROFOUNDED BY THE COMPLAINANT TO THE RESPONDENT, JAMEAL KAHALLEY

Now comes the State of Alabama, the Complainant in the above-styled cause, and propounds the following interrogatories to the Respondent, Jameal Kahalley, under Equity Rule 39 of the Rules of Practice in Alabama, to be answered by said Jameal Kahalley under oath within thirty days from the service hereof, unless otherwise ordered by the Honorable Circuit Court of Baldwin County Alabama, sitting in Equity.

1. State your name, age, place of residence and occupation.

(a) Are you gainfully employed in any business connected with any gaming operations?

(b) If so, where is such place of business?

(c) Name your associates in such business?

(d) Are you a professional gambler?

(e) Was any of your income in the last year up to and including the date of your making these answers attributable to gambling?

(f) If your answer to Question 1(e) is in the affirmative, state how much your net income from gambling was from January 1, 1952, to the date of your making these answers.

(g) Did you win or lose any money gambling between the dates of November 4, 1952, to January 21, 1953? These dates are inclusive.

(h) If so, how much did you win or lose between those dates? Where did such gambling take place? With whom were you gambling when you won or lost said money?

(i) Have you gambled since January 21, 1953?

(j) If so, where, and with whom, and on what dates did such gambling take place?

2. (a) Do you claim any interest in the building known as Bay Sport Shop, more particularly described in the bill of complaint, or in any business connected therewith?

(b) Prior to January 21, 1953, did you claim any interest in said building or in any business connected therewith?

(c) If your answer to Question 2(a) or 2(b) is in the affirmative, state what claim or interest you have or had in said building?

(d) If your answer to Question 2(a) or 2(b) is in the affirmative, state what claim or interest you have or had in said business.

(e) If your answer to Question 2(a) or 2(b) is in the affirmative, when did you acquire such claim or interest?

(f) Is anyone associated with you in such business?

(g) If so, whom?

(h) What portion of said business belongs to you, and what portion or portions belong to the ones named in your answer to Question 2(g)?

(i) Is the said building used for any purpose other than the sale of sporting goods equipment?

(j) If so, for what other purposes?

(k) From November 4, 1952, to the date of your making these answers, was the building used for any other purpose than for the sale of sporting goods?

(l) If so, for what purposes?

(m) What part and portion of the said building is occupied by the sporting goods business?

3. (a) What type and size is the building called the Bay Sport Shop?

(b) Is the sporting goods part of the building in the front part or part which faces the Mobile Bay Causeway?

(c) What kinds of businesses are carried on in the rear part of said building?

(d) Is the rear portion of said building used as a gaming room?

(e) Is any gambling with cards and/or dice permitted to be carried on in the room in the rear of said building?

(f) Do you have an interest in the business or in the room in

the rear of said building?

(g) If so, what?

(h) If your answer to Question 3(f) is in the affirmative, state the names of your associates in such business and room?

(i) Is there a table used in the rear part of said building for the purpose of gambling?

(j) Has the table in the rear part of the building, that is, the table which resembles a pool table without pockets, ever been used for gaming?

(k) Have you ever gambled with cards and/or dice on said table?

(l) If so, with whom?

(m) Is there a gaming table kept in the rear part of the said building?

4. (a) Is or was there a pool table kept in the rear part of said building?

(b) Are there any pockets in said pool table?

(c) ~~Does~~ ^{DID} the said pool table have any pockets?

(d) Was pool ever played on said table prior to January 21, 1933?

(e) Has the said table ever been used for any purpose than gambling?

(f) If so, when?

(g) If your answer to Question 4(e) is in the affirmative, for what other purpose has said table been used?

5. (a) Has any one ever bet money or other thing of value at a game played with cards and/or dice at said table while it was located in the rear room of said building?

(b) If your answer to question 5(a) is in the affirmative, state on what occasions, to the best of your knowledge, when money was bet at a game played with cards and/or dice at said table, and who was present and engaged in said game, and who was betting the money?

(c) Have you ever joined in such a game at said table in said building and bet any money at such game?

(d) Have you ever bet any money at a game played with cards and/or dice at said table while it was located in said building?

(e) If so, when?

(f) Who else was betting money at such game at said table while it was located in said building at the times when you were betting money at said game or games?

6. (a) Name the person or persons in charge of the sporting goods store, that is, the sporting goods part of the said building?

(b) Name the person or persons in charge of the table mentioned in Question 3(j).

(c) Do you have any lease, muniment of title, or other instrument or paper or memorandum evidencing your interest in said building or business carried on there?

(d) If your answer to Question 6(c) is in the affirmative, attach a copy of such instrument, paper or memorandum to your answers hereto.

(e) Do you have any agreement, oral or written, with any person whatsoever concerning the operation of or profits made in the business carried on at the Bay Sport Shop?

(f) If your answer to Question 6(e) is in the affirmative, attach a copy of such agreement, if written, to your answers to these interrogatories. If such agreement is oral, explain, in substance, of what said agreement consists, and with whom it was made.

(g) Do you have any agreement, oral or written, with any person whatsoever concerning the operation of or profits made as the result of any gambling carried on at the Bay Sport Shop?

(h) If your answer to Question 6(g) is in the affirmative, attach a copy of such agreement, if written, to your answers to these interrogatories. If such agreement is oral, explain, in substance, of what said agreement consists, and with whom it was made.

7. (a) Give a general description of the building known as the Bay Sport Shop. In your answer to this question, state how many rooms are in the building, what type of goods, wares, or merchandise are kept in each room, what furniture is kept in each room.

(b) Is there a door connecting the front room from the rear room where the table described in Question 3(j) is kept?

(c) If your answer to question 7(b) is in the affirmative, is this door located in the rear of the front room, approximately equidistant

from the sides of the said building?

(d) Is there any ^{OTHER} access from the front to the rear room without going outside of the building?

(e) How large is the room in which the table described in Question 3(j) is or was located? In your answer to this question give the number of square feet of floor for said room?

(f) How large is the entire building (in floor square feet)?

(g) What, generally, is the closing time for the operation of the place as a sporting goods store?

(h) Is the building kept open at nighttime?

(i) If so, for what purpose or purposes?

(j) Have you ever gone to said building after dark for the purpose of gambling?

(k) Have you ever met other people at said building after dark for the purpose of gaming?

(l) If your answer to question 7(k) is in the affirmative, give the names and addresses of such persons and state on what occasions you did meet such other people at said building for the purpose of gaming?

(m) Is the room in the rear of said building where the said table is kept ever lighted at night?

(n) Are people generally in said building or rear thereof when said room is lighted?

(o) Do people congregate in said building for the purpose of gaming at said table?

(p) Did people congregate in said building for the purpose of gaming at said table prior to January 21, 1953?

(q) If your answer to either Question 7(o) or 7(p) is in the affirmative, is or was this practice generally carried on at night?

(r) During the times you have been to the place at night, has any gambling with money at said table been carried on at a game played with dice and/or cards?

8. (a) How many different occasions have you bet with other people at a game played with cards and/or dice at said table in said place?

(b) State the names and addresses of the persons with whom you have gambled at said table in said place, and the number of times with each?

(c) How many times have you observed people gaming with others at said table in said place?

(d) How many times have you observed people betting at a game played with cards and/or dice at said table in said place?

(e) Did you bet any money at a game played with cards and/or dice at said table in said place on January 8, 1953?

(f) Did anyone else bet any money at a game played with cards and/or dice at said table in said place on January 9, 1953?

(g) State the names and addresses of such persons.

(h) Did you bet any money at a game played with cards and/or dice at said table at said place on January 15, 1953 (the night that the Sheriff of Baldwin County visited ^{said} ~~that~~ place)--either prior to or subsequently to his said visit?

(i) Did anyone else bet any money at a game played with cards and/or dice at said table in said place on January 15, 1953?

(j) If your answer to question 8(i) is in the affirmative, state the names and addresses of such persons.

(k) Did you bet any money at a game played with cards and/or dice at said table at said place on January 20, 1953 (the night that Deputy Sheriffs H. F. Hall and Ed Leigh Steadham raided said place)?

(l) Did anyone else bet any money at a game played with cards and/or dice at said table in said place on January 20, 1953?

(m) If your answer to Question 8(l) is in the affirmative, state the names and addresses of such persons.

9. (a) Have you received any money from any other person which you have used in any gambling with other persons at said table in said place?

(b) If so, state the names and addresses of the persons from whom you have received such money?

(c) Is your money used to finance the gambling which is carried on in said place?

(d) Is any other person's money used to finance the gambling carried on in said place?

(e) If so, state the names and addresses of such persons financing said gambling operations?

(f) Do you pay any rent to any person for the use of said building? Or did you?

(g) If your answer to question 9(f) is in the affirmative, state the names and addresses of such persons to whom you pay such rent.

(h) Do you receive any money from any person for the use of said place? Or did you?

(i) If your answer to Question 9(h) is in the affirmative, state the amount of such money, and the persons from whom you receive such money?

(j) What is the consideration for the payment of such money received by you?

10. (A) Do you or does any other person have a license for operating said Bay Sport Shop?

(b) If so, state what type license or licenses have been granted to said Bay Sport Shop or to you for its operation?

(c) Who made application for each of such licenses, and from whom were such applications made?

11. (a) Is any person other than yourself interested in any way in the operation of said building as a sport shop or as a gambling place or as any other type business?

(b) Is any person other than yourself interested in said place in that he receives a share of the proceeds from any business or gambling carried on there?

(c) If your answer to question 11(a) or 11(b) is in the affirmative, state the names and addresses of such persons, together with the amount or portion or percentage of his or her share.

(d) Is anyone employed by you in the operation of said place for any purpose?

(e) If so, state his name or their names and addresses, giving

the capacity or capacities in which such person or persons is or are employed by you.

(f) If anyone employed by you in the operation of the place as a sporting goods place?

(g) If so, give the names and addresses of such persons and the capacity of employment of each.

(h) Is or was anyone employed by you in the operation of the place as a gambling place?

(i) If so, state the names and addresses of such persons and the capacity of employment of each.

(j) Is anyone employed by any other person in the operation of the place and a gambling place, or was anyone so employed?

(k) If so, state the names and addresses of such persons and the capacity of employment of each.

(l) Is some one stationed at the front door of said place at nighttime and while people are in the rear room engaged in gambling at said table?

11. (a) How many doors open to the outside of the building?

(b) Of what material is each of these doors made? What is the location of each door on the building?

(c) Are/any of these doors kept locked while people are/in the rear room of said building engaged in gambling at said table?
or were or were

(d) If your answer to Question 11(c) is in the affirmative, state which of said doors were kept locked during such time as people are in the rear room of said building engaged in gambling at said table?

(e) At nighttime, while people are in the rear part of the said building, is a doorman generally stationed in the front part of the said building to advise people in the rear part of the building when to abandon any games or gambling they may be engaged in at the time?

(f) Was there such a man stationed in such place for such purpose on the night of January 8, 1953?

(g) Was there such a man stationed in such place for such purpose on the night of January 10, 1953?

(h) Was there such a man stationed in such place for such

purpose on the night of January 15, 1953?

(i) Was there such a man stationed in such place for such purpose on the night of January 20, 1953?

(j) Did you bet any money at any game played with cards and/or dice at said table in said place on the night of January 20, 1953?

(k) Did you bet any money at any game played with cards and/or dice at said table in said place on the night of January 15, 1953?

(l) Did you bet any money at any game played with cards and/or dice at said table in said place on the night of January 10, 1953?

(m) Did you bet any money at any game played with cards and/or dice at said table in said place on the night of January 8, 1953?

(n) Did anyone in your presence bet any money at any game played with cards and/or dice at said table in said place on the night of January 20, 1953?

(o) Did anyone in your presence bet any money at any game played with cards and/or dice at said table in said place on the night of January 15, 1953?

(p) Did anyone in your presence bet any money at any game played with cards and/or dice at said table in said place on the night of January 10, 1953?

(q) Did anyone in your presence bet any money at any game played with cards and/or dice at said table in said place on the night of January 8, 1953?

(r) If your answer to either Question 11(n), 11(o), 11(p), or 11(q) is in the affirmative, state the names and addresses of such persons and the dates each were so engaged?

12. (a) Did you ever receive a "take-out" from any gambling operation carried on at said place ?

(b) If so, what percentage did you receive from the gambling receipts returned from any gambling operation carried on at said place?

(c) To the best of your knowledge, did any one else receive a "take-out" from any gambling receipts resulting from any gambling operation carried on in said place?

(d) If your answer to Question 12(c), state the names and

addresses of such persons --if your answer to Question 12(c) is in the affirmative.

(e) What percentage of the profits from gambling did each such person receive?

(f) Are any gambling devices used or were such devices used prior to January 21, 1953, in said building?

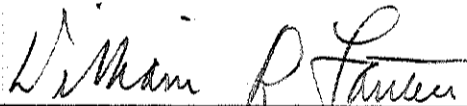
(g) If your answer to Question 12(f) is in the affirmative, state the type and number and use of such device or devices. By this question is meant such devices as playing cards, gambling sticks, dice, poker chips, gaming table, roulette wheel, dice table chips, etc.

(h) Do you have a license to operate said place as a gambling place?

(i) Do you have a license to use said table as a gaming table?

(j) Do you have a license to use any of the articles named in your answer to Question 12(g) for the purpose of gaming?

(k) If your answer to Question 12(h), 12(i), or 12(j), is in the affirmative, state from whom the said license was procured and when?



Relator.

Received in Sheriff's Office

this 16 day of Feb. 1953

Received by TAYLOR WILKINS, Sheriff 1953

and on 10 day of Feb. 1953

I served a copy of the within _____

on _____

By service on Jamial Kabalby

TAYLOR WILKINS, Sheriff

By H F Hall D.S.

ORIGINAL

RECORDED

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RECORDED

2-10-53

FILED

FEB 10 1953.

AIDE J. BUCK, Register

The State of Alabama }
Baldwin County

IN THE CHANCERY COURT OF BALDWIN COUNTY

To _____

Or To William R. Lauten, Solicitors of record.

Whereas, on the 2nd day of March, 1953,

W. C. Sanderford

took an appeal from the decree rendered on the 20th day of February

1953, by the Circuit Court of said county, in the cause of STATE OF ALABAMA on Rel:

WILLIAM R. LAUTEN

versus The Premises Known As Bay Sport Shop et als

Now, therefore, you are cited to appear as required by law, before the Supreme Court of Alabama. to defend on said appeal, if you think proper so to do.

Witness my hand this 4th day of March 1953

Bessie J. Slack
Register in Chancery.

STATE OF ALABAMA on Rel:
WILLIAM R. LAUTEN Complainant

vs.

THE PREMISES KNOWN AS Respondent
BAY SPORT SHOP et als

CITATION OF APPEAL

IN EQUITY

Issued 4th day of March 1953

Moore Ptg. Co., Bay Minette

I hereby accept service this 4th day of March 1953

William R. Lauten

The BALDWIN Times

ALABAMA'S BEST COUNTY'S-
BAY MINETTE, ALABAMA

ALABAMA'S BEST COUNTY'S- BEST NEWSPAPER

STATE OF ALABAMA,
BALDWIN COUNTY.

In The Circuit Court, In Equity
Whereas, the State of Alabama, on the relation of William R. Lauten, Solicitor of the Twenty-eighth Judicial Circuit of Alabama, has filed its complaint against the premises known as the Bay Sport Shop, situated on land more particularly described as follows:

Commencing at a point on the southern boundary of the Bay Bridge Causeway right of way 30 feet eastwardly from the Northeast corner of Argiro's Beverage Store, thence running southwardly and perpendicular with said right of way boundary to the wooden bulkhead in the rear of said property, thence running eastwardly along said wooden bulkhead a distance of 20 feet to a point, thence running northwardly and perpendicular with said right of way boundary to the said southern boundary of said right of way, thence running westwardly along said southern boundary of said right of way a distance of 20 feet to the point of beginning, being in Section 20, Township 4 South, Range 1 East, Baldwin County, Alabama.

and against Jameal Kahalley, W. C. Sanderford, George D. Argiro, Manuel Clikas, The First National Bank of Mobile, a corporation, Mary Lakos, and any and all persons, firms, or corporations claiming an interest in and to the said premises known as Bay Sport Shop, and which complaint alleges that the respondents Jameal Kahalley and W. C. Sanderford claim or are reputed to claim an interest in said property, and that the Respondents, The First National Bank of Mobile, a corporation, and Mary Lakos hold mortgages on the land on which the said Bay Sport Shop is situated and that such mortgages have not been cancelled of record, and that the respondents, George D. Argiro and Manuel Clikas hold the title to the said property according to the records of the probate judge's office in Baldwin County, Alabama, and

Whereas said complaint alleges that the said Bay Sport Shop is maintained or resorted to for the purpose of gaming or that the building is a place where gaming table or other gaming devices is or are kept for the purpose of permitting persons to game thereon or therein, which complaint seeks, among other things, an injunction against all persons, firms or corporations from using said premises for gaming purposes, and

Whereas it has been shown by the affidavit of the relator, William R. Lauten, that the address of said W. C. Sanderford is unknown, and cannot be ascertained after reasonable efforts.

Now, therefore, you, W. C. Sanderford, and any and all other persons, firms and corporations claiming an interest in or to said premises are hereby notified that you are required to demur, plead to, or answer the said complaint filed in the case within the time required by law.

ALICE J. DUCK,
Register in Equity.

3-41c.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

Jimmy Faulkner, being duly sworn, deposes and says that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

State vs. Bay Sport Shop

COST STATEMENT

509 WORDS @ 6 1/2 cents --- \$ 33 08

I hereby certify this is correct, due and unpaid (paid).

Jimmy Faulkner
Publisher.

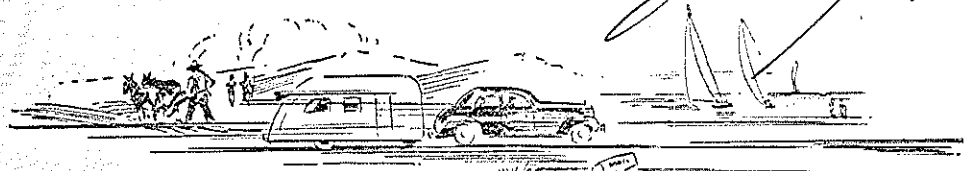
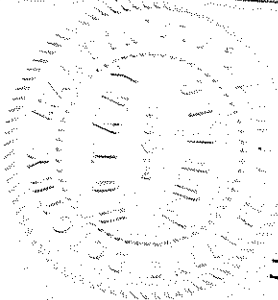
Was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication	<u>Feb. 5</u>	, 195 <u>3</u>	Vol <u>64</u>	No. <u>3</u>
Date of 2nd publication	<u>Feb. 12</u>	, 195 <u>3</u>	Vol <u>64</u>	No. <u>4</u>
Date of 3rd publication	<u>Feb. 19</u>	, 195 <u>3</u>	Vol <u>64</u>	No. <u>5</u>
Date of 4th publication	<u>Feb. 26</u>	, 195 <u>3</u>	Vol <u>64</u>	No. <u>6</u>

Subscribed and sworn before the undersigned this 28 day of Feb, 1953.

Dorothy Martin
Notary Public, Baldwin County.

Jimmy Faulkner
Publisher.



1st Div. No. 545 Baldwin Circuit Court

W. C. Sanderford Appellant. In Equity No. 2953

vs.

STATE OF ALABAMA ex rel. William R. Lauten
Appellee.

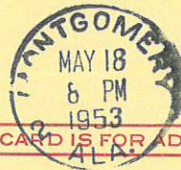
Dear Sir: The transcript

~~YOUR COPY~~ in above stated cause received and filed today.

Yours truly,

May 18, 195 3.

J. RENDER THOMAS,
Clerk Supreme Court.



THIS SIDE OF CARD IS FOR ADDRESS

Mrs. Alice J. Duck
Register Baldwin Circuit Court
Box 239
Bay Minette,
Alabama