

452

THE STATE OF ALABAMA, EX-REL;
RALPH L. JOHNS, SOLICITOR,

Complainant.

Vs.

T. W. EMMONS,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NO. 452

DECREE OF CONFIRMATION.

A decree having heretofore been rendered in this Court on February 1st, 1930, wherein the Sheriff of Baldwin County, Alabama, was ordered to destroy slot machine, namely:

One five cent slot machine of the type commonly known as a roscoe;

Handwritten notes:
Register - Feb 6
Sheriff

and whereas, the sheriff has this day reported to me that the same has been destroyed in accordance with the terms of said decree.

It is therefore, ordered, adjudged and decreed by the Court that the said report of the said Sheriff be in all things approved and confirmed; and it is hereby ordered that same be and is hereby approved and confirmed.

It is further ordered that the Register of this Court proceed forthwith to carry out the further directions and orders of the decree rendered on the 1st day of February, 1930.

This 27th day of March, 1930.

F. W. Hare
F. W. HARE, Judge of the
Circuit Court.

THE STATE OF ALABAMA, EX-REL:
RALPH L. JONES, SOLICITOR,

Complainant,

Vs.

T. W. EMMONS,
Respondent.

)
(IN THE CIRCUIT COURT OF
(BALDWIN COUNTY, ALABAMA.
(IN EQUITY. NO. 452
(
(

TO HON. W. R. STUART, SHERIFF OF BALDWIN COUNTY, ALABAMA:

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RECORDS OF COURTS
TO SHERIFFS
You are hereby commanded in accordance with that certain decree of this Court made and rendered on the 1st day of February, 1939, by Hon. F. W. Hare, Judge of said Court, to destroy in the presence of the Register of said Court, the following named articles:

One [1] five-cent slot machine, of the type commonly known as a Roscoe;

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

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

WITNESS my hand this 10th day of February, 1939.

R. S. Duck
R. S. DUCK,
Register of the Circuit Court
of Baldwin County, Alabama,
In Equity.

By: *Walter Thompson*
Deputy-Register.

THE STATE OF ALABAMA, EX-REL:
RALPH L. JONES, SOLICITOR,
Complainant,

Vs.

J. W. Emmons,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 452

TO THE HON. F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA:

In accordance with an order issued by you under date
of February 1st, 1939, I beg to report that I have this day in the
presence of

destroyed the following:

*One (1) five cent slot machine of the type
commonly known as a rosca*

I further beg to report that above stated machine
has been completely wrecked and is of no further use or value.

WITNESS my hand this 19th day of February, 1939.

W. R. Stuart
W. R. STUART, Sheriff of Baldwin
County, Alabama.

THE STATE OF ALABAMA,)
EX REL; RALPH L. JONES,)
SOLICITOR,)
 COMPLAINANT,)
 VS.)
T.W. EMMONS,)
 RESPONDENT.)

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

DECREE.

This cause coming on to be heard in term time, was submitted for final decree upon the bill of complaint, and decree pro confesso on personal service against the respondent, and the Court having considered and understood the same, is of the opinion that the Complainant is entitled to the relief prayed for in the bill of complaint, and is entitled to a final decree in this cause condemning the slot machine, the subject matter of this suit, as a gambling device under the laws of the State of Alabama, declaring the same to be contraband property and forfeited, along with the contents seized therein, to the State of Alabama, and ordering said machine destroyed and its contents distributed as provided by law.

It is, therefore, ordered, adjudged and decreed by the Court that the slot machine seized from the possession of the respondent in this suit, as set out in the bill of complaint, and described as being a five-cent slot machine of the type commonly known as a Rosco, be and the same is hereby declared and adjudged to be a gambling device under the laws of Alabama, and the same is hereby declared and adjudged to be contraband property and is condemned and forfeited to the State of Alabama, along with the contents seized therein, as being a gambling device prohibited by law.

It is further ordered and directed that one-half of the money seized in said machine, and now held by the Register of this Court, be paid over by said Register to the officers who made the seizure of said machine, and that the remaining one-half of such money be paid by said Register into the general fund of Baldwin County, as provided by law.

It is further ordered and directed by the Court that M.H. Wilkins, former Sheriff of Baldwin County, Alabama, who has said machine in his custody, deliver the same to the present Sheriff of said County, and that said present Sheriff, in the presence of the Register of the Court, destroy said machine, hereinbefore described, within twentieth days from the date of this decree.

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

in open Court

Done, ordered and decreed, /this the 1st day of February,
1939.



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

The State of Alabama,
Baldwin County.

No. CIRCUIT COURT IN EQUITY.

State of Alabama, Ex Rel;

Complainant

vs.

T. W. Emmons

Defendant

In this cause it appears to the Register

that a summons requiring the Defendant T. W. Emmons

to appear and demur, plead to or answer the Bill of Complaint in this cause within thirty days after the service of said Summons upon him was served upon him by the Sheriff of Baldwin County, Alabama, on the 4th day of August 1938.

And the said Defendant... having failed to demur, plead to or answer the said Bill of Complaint to this date, it is now, therefore, on motion of

ordered and decreed that the said Bill of Complaint in this cause be and it hereby is in all things taken as confessed against the said T. W. Emmons

Defendant aforesaid.

This 1st day of Feb. 19 39

R. S. Dush

Register.

The State Of Alabama, } Circuit Court of Baldwin County, In Equity.
Baldwin County

To Any Sheriff of the State of Alabama—GREETING:

WE COMMAND YOU, That you summon

T. W. EMMONS,

of Baldwin County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

STATE OF ALABAMA, EX REL: Ralph
L. Jones, Solicitor,

against said T. W. EMMONS,

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, R. S. Duck, Register of said Circuit Court, this 28th day of July, 1938.

R. S. Duck

Register

N. B. — Any party defendant is entitled to a copy of the bill upon application to the Register.

THE STATE OF ALABAMA,
EX-REL: RALPH L. JONES,
SOLICITOR,
COMPLAINANT,

VS.

T. W. EMMONS,
RESPONDENT.

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

TO THE HON. F. W. HARE, JUDGE OF SAID COURT:

Comes the State of Alabama, on relation of
Ralph L. Jones, Solicitor of the 21st Judicial Circuit of
Alabama, and complains of T. W. Emmons, and shows to the
Court as follows:

FIRST.

That said Ralph L. Jones is the duly elected
and qualified Solicitor of the 21st Judicial Circuit of
Alabama, which said Circuit embraces Baldwin County,
Alabama, and as such official is the prosecuting officer
in the Circuit Court of said County. That said T. W. Emmons
is a citizen of Baldwin County, Alabama, and is over 21
years of age.

SECOND.

That on, to-wit; the 15th day of July, 1938,
the said respondent, T. W. Emmons, did keep, own, set up,
operate or conduct, or permit to be set up, operated or
conducted a gambling device, as defined by the laws of the
State of Alabama, said gambling device being a five-cent
slot machine of the type commonly known as a Roscoe. That
said slot machine was a machine, mechanical device, contrivance,
appliance or invention intended for the purpose of winning
money by hazard or chance, and was being operated, or could
be operated as a game of chance. That said slot machine
was and is a machine, mechanical device, contrivance,

the same be destroyed and its contents distributed as provided by law.

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

Respectfully submitted,

Ralph L. Jones

Solicitor of the 21st Judicial
Circuit of Alabama.

FOOT-NOTE.

Respondent is required to answer each and every allegation contained in paragraphs numbered FIRST and SECOND of this Bill of Complaint, but not under oath, answer under oath being hereby waived.

Ralph L. Jones

Solicitor of the 21st Judicial
Circuit of Alabama.

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THE COURT OF APPEALS, BY THE
HONORABLE JUSTICE, CHARLES
W. BROWN

Respondent.

T. W. BROWN,
Respondent.

IN THE SUPREME COURT OF
THE STATE OF MISSISSIPPI

IN THE MATTER OF THE ESTATE OF
T. W. BROWN, DECEASED

IN TESTAMENTARY
PROCEEDINGS
No. 439

DECREE OF CONFIRMATION

DECREE OF CONFIRMATION

decease having heretofore been rendered in this Court

on February 1, 1933, wherein the will of DeWitt County, Ala-

ma, was ordered to be destroyed, and the same was destroyed

One five cent slot machine of the type commonly known as a Possee;

Will made 12-28-1932
R. S. DICK
clerk - register
By *[Signature]*
Deputy

and witness, she shall be this day reported to as that the

same has been destroyed in accordance with the terms of said decree.

It is therefore, ordered, adjudged and decreed by the

Court that the said report of the said will be in all things

approved and confirmed; and it is hereby ordered that same be so

report approved and confirmed.

It is further ordered that the Register of this Court

be forthwith to carry out the further directions and orders

of the decree rendered on the 1st day of February, 1933.

This 1st day of March, 1933.

[Signature]
T. W. BROWN, Judge of the
said Court.

(original)

Duck
7:53L

Serve On _____

Circuit Court of Baldwin County
IN EQUITY

No. 452

Summons

STATE OF ALABAMA, EX REL:

Ralph L. Jones, Solicitor,
Complainant.

VS.

W. W. EMMONS, *Defendant*
Respondent.

Ralph L. Jones,
Solicitor for Complainant

Recorded in Vol. _____ Page _____

1935
THE STATE OF ALABAMA,
Baldwin County

Received in office this _____

day of _____, 1935

Sheriff.

Executed this 4 day of

August, 1935

by leaving a copy of the Summons with

W. W. Emons

Defendant

W. W. Emons
Sheriff

By *John R. Davis*
Deputy Sheriff

No.

Page

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY

vs.

**DECREE PRO CONFESSO ON
PERSONAL SERVICE**

Issued 19...

Register.

Moore Printing Company, Bay Minette, Ala.

THE STATE OF ALABAMA,
EX-REL: etc.
Complainant,

vs.

T. W. EMMONS,
Respondent.

DECEASED.

Filed February 10, 1929

R. S. DUCK

clerk, - register

B. H. ...
Deputy

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
NO. 432
IN EQUITY.

THE STATE OF ALABAMA, EX-REL:
RALPH L. JONES, SOLICITOR

Complainant,

vs.

T. W. EMMONS
Respondent.

TO HON. W. R. STUART, SHERIFF OF BALDWIN COUNTY, ALABAMA:
You are hereby commanded in accordance with that
certain decree of this Court made and rendered on the 1st day
of February, 1939, by Hon. F. W. Hare, Judge of said Court, to
destroy in the presence of the Register of said Court, the
following named articles:

NOTICE TO SHERIFF.

One (1) five-cent slot machine, of the type commonly
known as a Roscoe;

The above named property is to be destroyed within
twenty (20) days from the date of said decree.
You are further directed to report to this court your
compliance with said decree of condemnation.
WITNESS my hand this 10th day of February, 1939.

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

By:
Deputy-Register.

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