

THE STATE OF ALABAMA,
EX REL: RALPH L. JONES,
SOLICITOR,
COMPLAINANT,
Vs.
C.A. Henry,
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 upon personal service, against the respondent, and the Court having considered and understood the same is of the opinion that 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 two slot machines, the subject matter of this suit, declaring the same to be gambling devices under the laws of the State of Alabama, that they are contraband property and as such are condemned and forfeited, along with their contents seized therein, to the State of Alabama, and ordering that said machines be destroyed, and said contents distributed as provided by law.

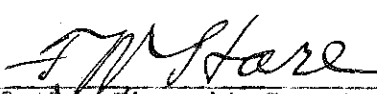
It is, therefore, ordered, adjudged and decreed by the Court that the two slot machines seized from the possession of the respondent in this suit, and described as being one five-cent slot machine and one ten-cent slot machine, both of the type commonly known as Roscoes, as set out in the bill of complaint, be and the same are hereby adjudged and declared to be gambling devices, as defined by law, and the same are hereby declared and adjudged to be contraband property, and as such are condemned and forfeited, along with the contents seized therein, to the ~~the~~ State of Alabama, as such gambling devices prohibited by law.

It is further ordered and directed by the Court that one half of the money seized in said machines be paid over to the officers who made the seizure of said machines, by the Register of this Court, who now holds such money, and that the remaining one-half 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, who has custody of said machines, deliver the same to the present Sheriff of said County, and that said present Sheriff, in the presence of the Register of this Court, proceed to destroy all of said machines, hereinbefore described, within twenty 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 be not collected on or by said execution, the Register shall tax and collect the costs herein from Baldwin County, Alabama, to be paid as in Criminal cases in which the State fails.

Done, ordered and decreed, in open Court, this the 1st day of February, 1939.



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

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

COMPLAINANT,

VS.

C. A. HENRY,
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 C.A. Henry, 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 C.A. Henry 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 C.A. Henry, did keep, own, set up, operate or conduct, or permit to be set up, operated or conducted two gambling devices, as defined by the laws of the State of Alabama, said gambling devices being one five-cent slot machine and one ten-cent slot machine, both of the type commonly known as Roscoes. That said slot machines were machines, mechanical devices, contrivances, appliances or inventions intended for the purpose of winning money by hazard or chance, and were being operated, or could be operated as a game of chance. That said slot machines were and are machines, mechanical devices, contrivances, appliances or inventions in the use of which a consideration is paid or deposited, and there is gambling or the hazarding of small amounts of money to win larger amounts of money.

That the possession, ownership and use of said gambling devices were illegal and contrary to law, and such devices are contraband property and forfeited to the State of Alabama, under the terms and provisions of an Act of the Legislature of Alabama, approved

July 25th, 1931, and appearing at pages 806-809 of the Acts of said 1931 Legislature of Alabama. That on, to-wit; the 15th day of July, 1938, J.W. McClung, a law enforcement officer for the State of Alabama, did seize the said slot machines, in Baldwin County, Alabama, while they were in the possession of said Respondent, and did duly report said seizure to the said Ralph L. Jones, as such Solicitor, and said devices are being held as contraband property, subject to the orders of this Court.

PRAYER FOR PROCESS.

The premises considered, Complainant prays that the usual process issue out of this Court, directed to the said C.A. Henry, making him a party respondent to this Bill of Complaint, and that he be required to answer, plead or demur to the same within the time and under the penalties prescribed by law, and show cause, if any he has, why the said described machines should not be declared contraband property, and the same, together with their contents, forfeited to the State of Alabama.

PRAYER FOR RELIEF.

Complainant further prays that, upon a final hearing of this cause, Your Honor will enter a decree declaring said seized slot machines to be gambling devices, and as such to be contraband property and forfeited with its contents to the State of Alabama, and further directing that the same be destroyed and their 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 machines, as illegal gambling devices under the laws of Alabama.

Respectfully submitted,



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.

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

To Any Sheriff of the State of Alabama—GREETING:

WE COMMAND YOU, That you summon

C. A. HENRY

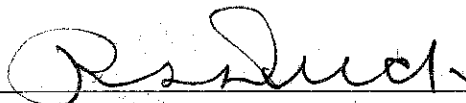
of Baldwin County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

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

against said C. A. HENRY

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, 193 8.

 Register

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

The State of Alabama,
Baldwin County.

No. _____ CIRCUIT COURT IN EQUITY.

State of Alabama, Ex. Rel. Complainant
vs.

C. A. Henry Defendant

In this cause it appears to the Register
that a summons requiring the Defendant C. A. Henry

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
1st day of August 19 38

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 C. A. Henry

Defendant aforesaid.

This 1st day of Feb. 19 39

R. S. Duch Register.

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

Complainant.

Vs.

C. A. HENRY,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NO. 459.

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:

One (1) five-cent slot machine, of the type commonly known as a Roscoe;
One (1) ten-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 H. ...*
Deputy-Register.

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

Vs.

C. A. Henry,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY.

NO. 459.

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 Commonly known
as a roscow
one (1) ten Cent slot machine, Commonly known
as a roscow*

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 8th 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.

C. A. HENRY

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY. NO. 459.

DECREE OF CONFIRMATION.

A decree having heretofore been rendered in this Court on February 1st, 1939, wherein the Sheriff of Baldwin County, Alabama, was ordered to destroy slot machines, namely:

One five cent slot machine commonly known as a roscoe;
One ten cent slot machine commonly known as a roscoe;

and, whereas, the sheriff has this day reported to me that the same has been destroyed in accordance with the terms of such 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, 1939.

This 27th day of March, 1939.

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

(original)
Duck
RECORDED 7:544-5-

Serve On _____

Circuit Court of Baldwin County
IN EQUITY

No. 459

Summons

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

VS.

C. A. HENRY,
Respondent.

RALPH L. JONES,
Solicitor for Complainant

Recorded in Vol. _____ Page _____

THE STATE OF ALABAMA,
Baldwin County

Received in office this _____

day of August, 1938
W. H. Williams
Sheriff.

Executed this 2nd day of August, 1938
by leaving a copy of the Summons with
C. A. Henry

Defendant

W. H. Williams
Sheriff

By *W. H. Williams*
Deputy Sheriff

IN THE CIRCUIT COURT OF
EASTERN DISTRICT, VIRGINIA
NO. 453

THE STATE OF VIRGINIA,
COUNTY OF...
vs.
C. A. HENRY
Defendant.

DECRETION OF CONFIRMATION

DECRETION OF CONFIRMATION

A decree having heretofore been rendered in this Court on February 1st, 1932, wherein the Sheriff of Albemarle County, Virginia, was ordered to destroy and deliver to the Sheriff of Albemarle County, Virginia, one five-cent slot machine commonly known as a "Penny" and one ten-cent slot machine commonly known as a "Nickel". The Sheriff of Albemarle County, Virginia, has this day reported to me that the same has been destroyed in accordance with the terms of such decree. It is, therefore, ordered, advised, decreed and decreed by the Court that the said report of the said Sheriff shall be approved and confirmed; and it is hereby ordered that there be and it hereby approved and confirmed.

File No. 453
R. S. DUCK
clerk - pro tem
Dennis

It is further ordered that the Register of this Court record this decree and carry out the further directions and orders of the Court contained in the last day of February, 1932.
This day of March, 1932.

W. M. Jones
W. M. Jones, Clerk of the
Circuit Court