

482

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

GEORGE RANDOLPH

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

THE STATE OF ALABAMA, EX REL.,

against said GEORGE RANDOLPH,

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 31st day of

August, 193 8.

R. S. DUCK
clerk, - 103-10

By *[Signature]*, Register
Deputy

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.

THE STATE OF ALABAMA, EX REL:

Complainant

vs.

GEORGE RANDOLPH,

Defendant

In this cause it appears to the Register,

that a summons requiring the Defendant

GEORGE RANDOLPH.

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 3 day of Nov. 1939

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

GEORGE RANDOLPH

Defendant aforesaid.

This 1st day of Feb. 1939

R. S. Oush Register.

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

Complainant,

Vs.

George Randolph

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NO. 482.

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 pin ball table machine, with automatic
Payout device -
And penny slot machine of the type commonly known
as a cigarette machine*

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 the 19th day of February, 1939.

W. R. Stuart
W. R. STUART, SHERIFF OF
Baldwin County, Alabama.

REPORT OF SHERIFF.

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

Complainant.

Vs.

GEORGE RANDOLPH,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 482.

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 pin-ball table machine, with automatic pay-out device;
One (1) penny slot machine, of the type commonly known as a cigarette machine;

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

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

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

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

By: *Santhia M. ...*
Deputy Register.

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

Vs.

GEORGE RANDOLPH,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NO. 482

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 machine, namely:

- One pinball table machine, with automatic pay out device;
- One penny slot machine of the type commonly known as a cigarette machine;

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 _____ day of _____, 1939.

Judge of the Circuit Court.

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

VS.

GEORGE RANDOLPH,
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 complainant is entitled to the relief prayed for in the bill of complaint, and is entitled to a decree condemning the ~~two~~ pin-ball table machine, and the slot machine, the subject matter of this suit, declaring the same to be gambling devices under the laws of the State of Alabama, declaring the same to be contraband property and condemning and forfeiting the same, with their contents, as such, to the State of Alabama.


It is, therefore, ordered, adjudged and decreed by the Court, that both of said machines, seized from the possession of the respondent in this suit, as set out in the bill of complaint, and being described as one pin-ball table machine with automatic pay out device and one penny slot machine of the type called a cigarette machine, be and the same are hereby adjudged and declared to be gambling devices, under the laws of Alabama, and they are hereby declared and adjudged to be contraband property and as such are hereby condemned and forfeited, along with their contents seized therein, to the State of Alabama.

It is further ordered and directed by the Court that one-half of the money seized in said machines, and now held by the Register of this Court, be paid over by said Register to the officers who seized said machines, and that the other one-half of said money be paid by him to the general fund of Baldwin County, Alabama, as provided by law.

It is further ordered and directed by the Court that M.H. Wilkins, former Sheriff of Baldwin County, who has the 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, destroy the same within twenty days from the date of this decree.

It is further ordered 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 upon said execution, the Register shall tax and collect the costs herein from Baldwin County, 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.

GEORGE RANDOLPH,
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 George Randolph, 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 George Randolph is a citizen of Baldwin County, Alabama, and is over 21 years of age.

SECOND.

That on, to-wit; the 4th day of August, 1938, George Randolph, 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 pin table machine with automatic payout device and one one-cent slot machine of the type known as a cigarette machine. That said 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 games of chance. That said machines were and are machines,

directing the same to 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 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.

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 4th day of August, 1938, Oliver McDuff and H. G. Black, law enforcement officers for the State of Alabama, did seize the said 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 machines 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 George Randolph, 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 machines, together with their contents, should not be declared contraband property, and the same 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 machines to be gambling devices, and as such to be contraband property and forfeited with their contents to the State of Alabama, and further

THE STATE OF ALABAMA,
EX REL: etc,
Complainant

Vs.

GEORGE RANDOLPH,
Respondent.

Decree.

Filed January 16, 1939

R. S. DICK

clerk, - register

By *Walter S. Benjamin*
Deputy

Serve On _____

**Circuit Court of Baldwin County
IN EQUITY**

No. 482

Summons

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

VS.

GEORGE RANDOLPH,
Respondent.

**THE STATE OF ALABAMA,
Baldwin County**

Received in office this _____

day of _____, 193

Sheriff.

Executed this 3rd day of

July, 193

by leaving a copy of the Summons with

George Randolph
Defendant

M. A. Welton
Sheriff

By *John P. Davis*
Deputy Sheriff

Ralph L. Jones,
Solicitor for Complainant