

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

Complainant,

vs.

AMY PARKER,

Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,

IN EQUITY.

NO. 458

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 of the type known as a roscoe;  
One ten cent slot machine of the type known as a roscoe;  
One twenty-five cent slot machine of the type 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 <sup>in</sup> 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 27<sup>th</sup> day of March, 1939.

  
F. W. LANE, Judge of the  
Circuit Court.

THE STATE OF ALABAMA  
EX REL: RALPH T. JONES  
SOLICITOR,  
COMPLAINANT,  
VS.  
AMY PARKER,  
RESPONDENT.

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

DECREE.

This cause coming on to be heard in Term time, and the Court having overruled respondent's demurrer to the bill of complaint, the respondent refuses to plead further. The Court, therefore 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 said cause condemning the three slot machines the subject matter of this suit, as gambling devices under the laws of the State, of Alabama, declaring the same to be contra-band property, and forfeited, along with their contents to the State of Alabama, and ordering said machines to be destroyed and the contents seized therein to be distributed as provided by law. It is, therefore, ordered, adjudged and decreed by the Court that the three slot machines seized from the possession of the respondent in this suit as set out in the bill of complaint, and being described as one five-cent slot machine, one ten-cent slot machine and one twenty five-cent slot machine, all of the type commonly known as Roscoes, be and the same are hereby adjudged and declared to be gambling devices under the laws of Alabama, and the same are hereby declared and adjudged to be contra-band property and are hereby condemned and forfeited, along with their contents, to the State of Alabama, as being gambling devices prohibited by law.

It is further ordered and directed that one-half of the money seized in said machines, now held by the Register, of this Court, be paid over by said Register to the officers making the seizure of said machines, and the remaining one-half of such money be paid by the Register into 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 now has custody of said machines, deliver the same to the present Sheriff of said County, and that the present Sheriff, in the presence of the Register of this Court, destroy all of said machines, heretofore 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 such costs are not collected on or by said execution, the Register is directed to 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, Ala. In Equity.

(page two)

11. That said complaint fails to define what a pin table machine is or what a pay-out is, and the allegations that the same is a gambling device is but a conclusion of the pleader.

12. That the said device being described as a Roscoe means nothing, and the statement that such machine is a gambling device is nothing more than a conclusion of the pleader.

~~W. J. & R. J.~~  
Solicitors for Respondent.

458

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—

AMY BARKER

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 AMY BARKER

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 29th 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.

~~ANNIE~~ PARKER,  
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 *Annie* Parker, 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 *Annie* Parker 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, *Annie* Parker, did keep, own, set up,  
operate or conduct, or permit to be set up, operated or  
conducted three gambling devices, as defined by the laws  
of the State of Alabama, said gambling devices being one  
five-cent slot machine, one ten-cent slot machine and one  
twenty-five cent slot machine, all 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 games 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, A. P. Pruett, a law enforcement officer for the State of Alabama, did seize 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 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 ~~Ann~~ Parker, making her a party respondent to this Bill of Complaint, and that she 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 she 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 slot machines to be gambling devices, and as such to be contraband property and forfeited with their contents to the State of Alabama, and further 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*

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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*

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Solicitor of the 21st Judicial  
Circuit of Alabama.





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

Vs.

*Amy Parker,*

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY.

NO. 458.

TO HON. F. W. HARR, 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 - five Cent slot machine of the type known as a roscow  
One - ten Cent slot machine of the type known as a roscow  
One - twenty four Cent slot machine of the type 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 the 11<sup>th</sup> 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.

AMY PARKER,  
Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,  
IN EQUITY. NO. 458.

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 known as a Roscoe;
- One (1) ten-cent slot machine, of the type known as a Roscoe;
- One (1) twenty-five-cent slot machine, of the type 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: *[Signature]*  
Deputy Register.

(original)

RECORDED 7:54 PM

Serve On \_\_\_\_\_

Circuit Court of Baldwin County  
IN EQUITY

No. 459

Summons

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

VS.

AMYE PARKER,  
Respondent.

Ralph L. Jones  
Solicitor for Complainant

Recorded in Vol. \_\_\_\_\_ Page \_\_\_\_\_

THE STATE OF ALABAMA,  
Baldwin County

Received in office this \_\_\_\_\_

day of \_\_\_\_\_, 1938

Sheriff.

Executed this 1st day of

Aug, 1938  
by leaving a copy of the Summons with

Amy Parker

Defendant

M. W. Williams  
Sheriff

By John Davis  
Deputy Sheriff

DEMANDER.

STATE OF ALABAMA, EX-REI:  
RALPH I. JONES, SOLICITOR,  
Complainant,

-VS-

AMY PARKER,  
Respondent.

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

Filed August 31, 1938

R. S. DUCK

deputy Registrar.

By *Wm. C. Hester*  
Deputy

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

vs.

AMY PARKER,  
Respondent.

DECREES

*Filed February 10, 1939*  
R. S. DUCK

clerk, register

By *William Thompson*  
Deputy

IN THE DISTRICT COURT OF  
SOUTH CAROLINA,  
IN AND FOR THE DISTRICT OF  
COLUMBIA.

THE STATE OF SOUTH CAROLINA,  
BY AND THROUGH THE  
SHERIFF OF THE DISTRICT OF  
COLUMBIA,

Complaint,

AMY PARKER,

Respondent.

WARRANT OF SEIZURE

DEPT. OF  
CORRECTIONS

A decree having heretofore been rendered in this case on February 1st, 1933, wherein the Sheriff of the District of Columbia was ordered to destroy, namely: twenty-five cent slot machine of the type known as a roose; ten cent slot machine of the type known as a roose; five cent slot machine of the type known as a roose; 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 approved and confirmed; and it is hereby ordered that same be and is hereby approved and confirmed.

*Filed March 17, 1933*  
**R. S. DECK**  
clerk - register

By *[Signature]*  
Deputy

It is further ordered that the Sheriff of this Court proceed forthwith to carry out the further directions and orders of the decree rendered on the 1st day of February, 1933.

This 17<sup>th</sup> day of March, 1933.

*[Signature]*  
U. S. District Judge in and for the District of Columbia.

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