

460

THE STATE OF ALABAMA, )  
EX REL : RALPH L. JONES, )  
SOLICITOR, )  
COMPLAINANT, )  
VS. )  
R.R. RIGGINS, )  
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 over. 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 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, and declaring the same to be contraband property and forfeited, along with their contents to the State of Alabama, and further ordering said machines to be destroyed and their contents, seized therein, to be 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, as set out in the bill of complaint, and described as being one five-cent slot machine and one ten-cent slot machine, both of the type commonly known as Roscoes, be and the same are hereby declared and adjudged to be gambling devices under the laws of Alabama, and the same are hereby adjudged and declared to be contraband property and forfeited, along with the contents seized therein, 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 and now held by the Register of this Court, be paid over by said Register to the officers making the seizure of such machines, and that 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, 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, such costs are not collected on or by such execution, then 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, Ala. In Equity.

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

Complainant,

-vs-

R. R. RIGGINS,

Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

Now comes the Defendant, and files this, his Demurrer to the Bill of Complaint in this cause filed, and as grounds therefor, says:-

1. That the Bill of Complaint does not contain equity.
2. That this is a proceedings in rem and should be made against the articles therein described.
3. That this proceedings should also be against the articles, machines or mechanisms mentioned in the Bill of Complaint.
4. Without proceedings or condemnation against the articles mentioned in the Bill of Complaint this Court has no authority to condemn the same.
5. Without the articles mentioned in the Bill of Complaint being proceeded against, this Court has no authority to order their destruction.
6. That for aught appearing in the Bill of Complaint said articles, mechanisms or machines in their operation could be influenced by the will or skill of the person operating same.
7. That for aught appearing in the Bill of Complaint the operator could operate the articles, machines or mechanisms therein mentioned so by will or skill as to influence the results of willing or losing.
8. That the allegation in the Bill of Complaint that the articles mentioned therein are gambling devices as defined by the laws of Alabama, is but a conclusion of the pleader.
9. That said device mentioned in the Bill of Complaint is not properly or clearly described by the pleader.
10. That said device being described as a pin table machine with automatic pay-out means nothing, and the statement that such mechanism is a gambling device is nothing more than a conclusion of the pleader.

(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.

*Edward A. Pascoe*  
Solicitors for Respondent.

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

R. R. RIGGINS,

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 R. R. RIGGINS,

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.

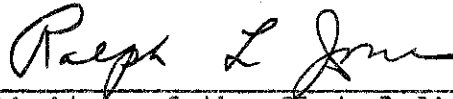
*R. S. Duck*, Register



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,

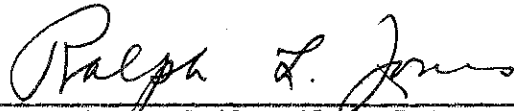


---

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.



---

Solicitor of the 21st Judicial  
Circuit of Alabama.

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

Vs. }

R. R. RIGGINS, Respondent. }

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NO. 460.

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 Thompson*  
Deputy Register.

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

Complainant,

Vs.

*R. R. Riggins,*

Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

NO. 460

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 nose -  
one (1) ten cent slot machine of the type commonly  
known as a nose*

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 19<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.

R. R. RIGGINS,

Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NO. 460.

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 commonly known as a roscoe;  
One ten cent slot machine of the type 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 <sup>in</sup> be/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. HARE, Judge of the  
Circuit Court.

(original)

RECORDED  
Duck  
7:546

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

Circuit Court of Baldwin County  
IN EQUITY

No. 460

Summons

STATE OF ALABAMA, EX REL;

Ralph L. Jones, Solicitor,  
Complainant.

VS.

R. R. RIGGINS,

Respondent.

Ralph L. Jones,

Solicitor for Complainant

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

THE STATE OF ALABAMA,  
Baldwin County

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

day of \_\_\_\_\_, 193\_\_\_\_\_

Sheriff.

Executed this \_\_\_\_\_

*1st*

day of

*August*

, 193\_\_\_\_\_

by leaving a copy of the Summons with

*R. R. Riggins*

Defendant

*M. W. Williams*

Sheriff

By

*John Collins*

Deputy Sheriff

DEMURRER.

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

Complainant,

-VS-

R. R. RIGGINS,

Respondent.

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

Filed August 31, 1938

R. S. DUCK

Clerk of the Court.

By *Wm. Alice Thompson*  
Deputy.

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF COLUMBIA  
IN RE: THE EVIDENCE IN THE CASE OF  
THE UNITED STATES OF AMERICA, PLAINTIFF,  
VERSUS  
JAMES EARL RAY, DEFENDANT.

THE COURT OF THE DISTRICT OF COLUMBIA  
DOUGLAS M. HENNING, CLERK  
R. R. RIGGINS, DEPUTY CLERK  
Department

DECLARATION OF CONFIDENTIALITY

DECLARATION OF CONFIDENTIALITY

A decree having heretofore been rendered in this Court on February 1st, 1968, wherein the Honorable Court has ordered to destroy the five cent slot machine of the type commonly known as the "five cent slot machine" and the ten cent slot machine of the type commonly known as the "ten cent slot machine" and, further, the serials has been reported to the Court and same has been destroyed in accordance with the terms of said decree. It is, therefore, ordered, advised, and decreed by the Court that the said report of the said serials be filed in the Court 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, 1968.

This day of March, 1968.

*Full Court 2/28/68*  
**R. R. RIGGINS**  
Deputy Clerk  
*James Earl Ray*  
Clerk

*[Signature]*  
JAMES EARL RAY, Defendant  
District Court

460