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 slto 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 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 tencent slot machine both of the type commonly known as Possess because the 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 adjudgee 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-halfof 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 custodyy 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 furtherordered 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 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,

evs-

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 one)

(page two)

- ll. 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.

solicitors for Respondent.

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

R. R. RIGGINS, R. R. RIGGINS, R. R. RIGGINS, Genery jurisdiction, within thirty days after the service Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited STATE OF ALABAMA, EX REL; Relph L. Jones, Solicitor R. R. RIGGINS, gainst said R. R. RIGGINS, md further to do and perform what said Judge shall order and direct in that behalf. And this it aid Defendant shall in no wise omit, under penalty, etc. And we further command that you returns writ with your endorsement thereon, to our said Court immediately upon the execution there WITNESS, R. S. Duck, Register of said Circuit Court, this 28th day July 193. 8.	To Any Sheriff of the	State of Alabama-	—GREETIN	IG:		
R. R. RIGGINS, General Saldwin County, exercising Chancery jurisdiction, within thirty days after the service summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited STATE OF ALABAMA, EX REL: Ralph L. Jones, Solicitor R. R. RIGGINS, gainst said R. R. RIGGINS, and further to do and perform what said Judge shall order and direct in that behalf. And this to lid Defendant shall in no wise ornit, under penalty, etc. And we further command that you returns with your endorsement thereon, to our said Court immediately upon the execution there WITNESS, R. S. Duck, Register of said Circuit Court, this 48th day	WE COMMAND VO	II That you summon				
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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.

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 R. R. Riggins, and shows to the Court as follows:

FIRST.

That said Relph 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 R. R. Riggins 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, R. R. Riggins, 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 games of chance. That said slot machines were and are machines, mechanical devices, contrivances,

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,

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 21 Circuit of Alabama.

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

Ta.

R. R. RIGGINS, Respondent.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN BAULTY, NO. 460.

TO HON. W. R. STUART, SHERIPP OF BALDRIE COUNTY, ALABAMA:

You are hereby commanded in accordance with that certain decree of this Court made and rendered on the lst day of Pebruary, 1959, by Non. F. W. Hare, Judge of said Court, to destroy in the presence of the Register of said Court, the following named articles:

1)

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.

78.5. Duch R. B. DIOE.

Register of the Gircuit Court of Baldwin County, Alabama, in Equity.

By: Monty Hegistor.

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

Complainer,

Va.

R.R. Rýgins,

Wessondont.

IN THE GIRGUIT COURT OF BALDWIN COUNTY, ALABAMA.
IN ROUTTY, NO.446?

TO THE HOS. P. 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 had to report that I have this day in the presence of

one (1) feet Cent abot machine of the type Commonly forward as a rescol machine of the type Commonly one (1) Len Cent slot machine of the type Commonly Somman as a rescol

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 day of February, 1939.

T. B. STUART, MORILE OF Enline County, Alabama. THE STATE OF ALABAMA, EX-REL: RALPH L. JONES, SOLICITOR,

Compleinant,

V.D.

R. R. RIGGINS,

Respondent.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA.

IN EQUITY, No. 460

TATALOGICA OF CONTINUES SANTONIO

A decree having heretofore been rendered in this Court on Pebruary 1st, 1939, wherein the Sheriff of Baldwin County, Ala-bama, 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 be/all things approved and wonfirmed; 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 Firmary, 1959.

2018 Line 308 of Market 1980.

r. W. BARB, funge of the

Serve On -EECOMDED 7:546

Circuit Court of Baldwin County
IN EQUITY

Summons

No. 460

STATE OF ALABAMA, EX REL:

Ralph L. Jones, Solicitor, Complainant.

۷s.

Defendant

Sheriff

R. RIGGINS,

Respondent.

Deputy Sheriff

Ralph L. Jones, Solicitor for Complainant

Recorded in Vol. -

THE STATE OF ALABAMA, **Baldwin County**

y leaving a copy of the Summons with	lugunt , 1938	xecuted this day of	Sheriff.	ay of, 193	eceived in office this
 vith	\sim	of.			

R. RIGGINS,

IN BOUTTY.

Deputy.

, 1938

IN THE CIRCUIT COURT OF BAIDWIN COUNTY, ALABAMA.

SA

Complainant,

Respondent.

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n. R. RIGGINS,

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THE RESIDENTIAL PROPERTY OF THE

THE STATE OF BUY, ADMINER,

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