

October 31, 1955

City Council met in special session Monday at 4:P.M. at City Hall, all members present for the purpose of trying case of Dr. W. D. Hall on charge of disorderly conduct. Judge Maddox of Rome and Col. Y. A. Henderson representing Dr. Hall. All present.

Mayor Lawrence called the meeting to order.

1. Mr. Gregory, attorney for City of Calhoun, heard asking if Mayor should be disqualified as stated in objection presented in trial of September 28, 1955.
2. Mayor Lawrence states that trial before Council automatically include Mayor, as council is composed of Mayor and Aldermen.
3. Judge Maddox asks that Mayor be disqualified according to objections previously set forth, including charge that Mayor Lawrence was prejudiced and biased in the case.
4. Mayor Lawrence disqualifies himself and leaves Court room, and Mr. David, as Mayor Protem takes chair.
5. Judge Maddox mentioned that the two police officers were not mentioned as policemen in case tried before recorder on October 17, 1955. Attorney requests that this be put on record, that witnesses Fuller and Garmon were Police officers who answered call to Dr. Hall's home.
6. Judge Maddox asked that the Council dismiss the case against Dr. Hall on grounds that 1st. the warrant was illegally issued, then also that the charge of disorderly conduct was too vague, indefinite and uncertain, and that no person should be deprived of life liberty or property except by due process of law, nor no law passed to restrain the liberty of speech as set forth in demurrer and asks that demurrer be either sustained or overruled. Mr. Gregory states that he has a great deal of respect for Judge Maddox, but thinks the ordinance is a good one, and that the Mayor was within his rights in trying the case and imposing fine.
7. Mr. David asks that Council be allowed to retire to another room and decide whether Demurrer be sustained or overruled.
8. After due deliberation and discussion of legality of ordinance and consideration of all evidence in the case of City of Calhoun versus Dr. W. D. Hall, the following decision was rendered:

"We, the Board of Aldermen of the City of Calhoun sustain the decision of Mayor Lawrence and find the defendant W. D. Hall guilty as charged and affix his fine at \$ 77.00."

Signed _____

There being no other business, at this time, special meeting adjourned.

Respectfully Submitted

Sarah M. Fagala, Acting City Clerk

Approved:


MAYOR