

ALDERMEN:

W. O. Keeble
J. H. Bennett
C. A. Gaston
H. P. Kamper
J. O. Stimpson

TOWN OF FAIRHOPE

Phone 4791

Fairhope, Alabama

'On Mobile Bay'

January 6, 1948.

1171

Robert J. Nye: Defendant

Tag #5C-2716

D.L.#403409

Charge: Violation of Ord. 174, by operating a motor vehicle on the streets of Fairhope while intoxicated, on Dec. 20, 1947.

Plea: Not guilty

Officers: Cox & Phillips testified that when observing his car on the street near Section Street Fill in Fairhope, with defendant driving and unable to move from the location, they stopped to help and found the defendant in an intoxicated condition, with a part of a bottle of gin on the floor of the car. That one of them drove the car on to the jail with no trouble and that the defendant staggered to a considerable extent when walking from the car to the jail and was, in their opinion, definitely intoxicated. Defendant recounted in court, having taken two drinks but, claimed that he was not intoxicated.

Disposition: Fine of 100.00 and costs of 4.75 levied, plus suspension of driver license.

Case appealed to Circuit Court. Bond executed in the amount of 200.00 for his appearance there.

Witnesses for Town: M. D. Cox
F. Phillips

Howard Ruge, Recorder

HOWARD RUGE, Mayor

R. C. YOHN, Clerk

MARIE MOORE, Assistant Clerk

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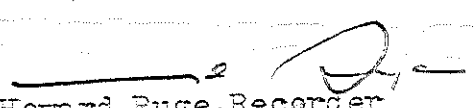
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F. Phillips


Howard Ruge, Recorder

The above is a copy of the docket entry of this case.

Citation attached
Appeal Bond attached
Demand for jury trial attached
Warrant attached

Town of Fairhope

vs

Robert H. Nye

R. H. Nye

charge

Recorders Court of The Town of
Fairhope Alabam.

Comes the Defendant in the above styled cause

Robert J. Nye and demands a jury trial therein.

This Jan 4, 1948

Robert W. Townsend

Attorney for Defendant

January 6, 1948

Above demand refused as violation of local
ordinance involved.

Howard Ruge
Howard Ruge, Recorder

APPEAL BOND.

THE STATE OF ALABAMA,

COUNTY OF BALDWIN

KNOW ALL MEN BY THESE PRESENTS, That we Robert J. Nye

as principal, and Amos Garrett and William Campbell and

as sureties are held and firmly bound unto the Town of Fairhope in the sum of Two Hundred and no/00----- Dollars, for the payment of which well and truly to be made to the Town of Fairhope, we do hereby bind ourselves, and our heirs and assigns, jointly and severally, firmly by these presents.

Sealed with our seals and dated the 6th. day of January in the year of our Lord, one thousand nine hundred and 48

The Condition of this Obligation is such, That whereas the above bounden

Robert J. Nye has on the day of the date of these presents claimed an APPEAL to the Circuit Court, next to be held in and for the County of Baldwin, in the State aforesaid, at the next Term thereof, from a judgment rendered on the 6th. day of January 1948 by Howard Ruge Esq., Recorder of the Town of Fairhope and Ex-officio Justice of the Peace, in and for said Town, against said Robert J. Nye

requiring him to pay said Town of Fairhope One hundred four and 75/00----- Dollars, as a fine, or One hundred days and suspension of Alabama driver's license :

NOW if the said Robert J. Nye shall appear at said term of said Circuit Court, and from term to term thereafter until discharged by due process of law, then this obligation to be void, otherwise to remain of full force and effect

Robert J. Nye (Seal)
William Campbell (Seal)
Amos Garrett (Seal)

SEALED AND DELIVERED IN PRESENCE OF

STATE of ALABAMA. }
COUNTY OF BALDWIN

Personally appeared before me

Recorder of the Town of Fairhope

and

and each, who being duly sworn, deposes and says that he is a resident of the State of Alabama, County of Baldwin, a householder and freeholder therein, and that he is worth exclusive of property exempt from execution, the amount expressed in this undertaking

Subscribed and Sworn to before me

this day of 190.....

Recorder.

RECORDED

TOWN OF FAIRHOPE

VS.

Robert J. Nye

APPEAL BOND.

Approved : January 7 1908

 Recorder.

COMMERCIAL FTG. CO. MOBILE

Complaint for Offense Against Municipal Ordinances

THE STATE OF ALABAMA,
Baldwin County.
Town of Fairhope,

PERSONALLY appeared before me, Howard Ruge
Recorder of the Town of Fairhope, Alabama, M. E. Cox

who, on being sworn; doth depose and say that on to-wit:
the 25 day of December 1947 and within the police jurisdiction of the Town
of Fairhope, Alabama, Robert J. Nye

violated ordinance No. 174 by driving a motor vehicle
on the public streets of Fairhope
while in an intoxicated condition

wherefore he prays for a warrant for the arrest of the said
Robert J. Nye

Sworn to and subscribed before me
this 21 day of Dec 1947

M. E. Cox Complainant
De
Recorder of the Town of Fairhope

Warrant

THE STATE OF ALABAMA,
County of Baldwin,
Town of Fairhope,

To the Town Marshal or to any Police Officer
of the Town of Fairhope

COMPLAINT, on oath, having been made before me that the offense of violating section
174 of the ordinance of the Town of Fairhope by driving while
drunk as described in the above affidavit, has been committed, and accusing
Robert J. Nye
thereof, you are therefore commanded forthwith to arrest and bring before the
Recorder of the Town of Fairhope.

Dated the 21 day of December 1947

De
Recorder of the Town of Fairhope

19_____, and executed same

and carrying before

day of _____, 19_____

Marshal.

no. 1126
RECORDED

VS.

Robert J. Nye

Offense Charge

D.V.I.

WITNESSES:

Dec-20-47

CITATION 403469

TOWN OF FAIRHOPE, Fairhope, Alabama

Name Robert J. Morgan 50.2716

You are hereby notified to appear in Police Court at the
City Hall, Fairhope, Alabama, Dec 27-47
at 9 am for violation of ordinance as follows:
Dw.

EXTENDED TO

1-6-48

Coy F. Phillips

Officer

Failure to attend to this promptly will cause arrest

MOITATIE

Franklin Ave.
Livingstonville
Five-rodging South
Linton St at 534, 90