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The City Council met in the Council Chamber, City Hall, at 4 o'clock P. M., Wednesday, August 12, 1942, this being the regular weekly session. Mayor Currie presided and the following members were present: Councilmen Alba, Baker, Daughtry, Little, Painter, Price and Ross.

Absent: Councilmen Beasley, Hovis, Slye and Ward.

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REQUEST MADE BY DR. TROSS FOR PERMISSION TO HAVE SHOE SHINE BOYS ON STREETS DURING ARMY MANEUVERS.

Dr. J. S. N. Tross appeared before the Council with several little colored shoe-shine boys, stating that he had taken these boys off the streets where they were gambling and getting into trouble, and by outfitting them with shoeshine boxes and materials, they were now earning money and helping support their families, whereas, they had begged. He stated that there was an ordinance against bootblacks operating on the streets, but asked permission for them to do so during the duration of the maneuvers, and after considerable discussion, the Council decided to leave the matter to the Police Department to handle as they see best.

SPECIAL OFFICER PERMITS GRANTED TO SIMPSON AND DELLINGER CONDITIONALLY.

Wm. F. Dellinger and Sanford V. Simpson appeared on behalf of Special Officer permits for use on the premises of the Quartermaster Depot, and Councilman Little moved that these two men be made Special Officers on the above premises, which was seconded by Councilman Price with the understanding that the letter from Acting Chief West comes through to take the place of the letter issued previously by Chief West, and the motion carried on this provision.

MINUTES OF PREVIOUS MEETING APPROVED.

Upon motion of Councilman Little, seconded by Councilman Ross, the minutes of the August 5th meeting were approved as read.

RESOLUTION RELATING TO REMOVAL OF STREET CAR RAILS.

The following Resolution was read by the Clerk, and upon motion made by Councilman Baker, seconded by Councilman Ross, was unanimously adopted:

WHEREAS, the Council adopted a resolution on the 29th day of July 1942, relating to the removal of street car rails from certain named streets in the City, therein setting forth the conditions upon which the City's consent for such removal was based and, whereas, the representative of the War Production Board states that said resolution is not acceptable to the Government in its present form, and

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WHEREAS, there are imbedded in certain of the streets of the City street car rails which the War Production Board of the United States Government declares are urgently needed by it in connection with the prosecution of the war now going on, and

WHEREAS, these rails have been abandoned by Duke Power Company, and Duke Power Company has agreed that, as far as it is concerned, the City is free to make such disposition of these rails as it sees fit, and

WHEREAS, they have no pecuniary value to the City for the reason that the cost of their removal and the repair of the streets thereafter would exceed any price obtainable for them, and

WHEREAS, notwithstanding the foregoing recital, the Council finds that the needs of the City and of the United States require that the said rails be disposed of as hereinafter set forth, and, whereas, Metals Reserve Company, a subsidiary of the Reconstruction Finance Corporation, an agency of the United States Government, has agreed to remove or cause to be removed the said rails and repair the streets thereafter if the City will consent to such removal and the delivery of the said rails to Metals Reserve Company or to whomsoever it directs,

NOW, THEREFORE, Be it resolved:

(1) That the resolution heretofore adopted on July 29, 1942, be, and the same hereby is, stricken.

(2) The City agrees that under the conditions hereinafter stated, the rails embedded in the following named streets may be removed by Metals Reserve Company or by whomsoever it authorizes and the City releases to Metals Reserve Company all of its right, title and interest in and to the said rails.

STREETS FROM WHICH RAILS MAY BE REMOVED

Group I

Hawthorne Lane	- Elizabeth Ave. to E. 7th St.
Pegram Street	- Belmont Ave. to Parkwood Ave.
Boundary Street	- McDowell St. to Alexander St.
East First Street	- Alexander St. to Brevard St.
Brevard Street	- First St. to E. Trade St.
N. Davidson Street	- E. Trade St. to E. 5th St.
East 7th Street	- Davidson to Brevard St.
N. Caldwell Street	- 36th St. to Old City Limits.
N. Brevard Street	- E. 7th St. to E. 12th St.
N. Davidson Street	- E. 11th. St. to E. 9th St.
East 9th Street	- Davidson St. to Myers St.
North Myers Street	- E. 9th St. to E. Trade St
E. 11th Street	- College St. to Railroad.
N. College Street	- Phifer St. to 13th St.
13th Street	- Tryon to College St.
12th Street	- Church St. east to New Pavement.
North Church Street	- 10th St. to 12th St.
North Pine Street	- 10th St. to 11th St.
11th Street	- Graham St. to Pine St.
Mint Street	- 4th St to Stonewall St. - 1 track.
Mint Street	- Trade St. to 4th St.
Mint Street	- Hill St. to Winona St.

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- Bland Street
- East 1st. Street
- Dilworth Road
- Dilworth Road
- Berkley Avenue
- Myrtle Avenue
- Mt. Vernon Avenue
- East Boulevard
- East Boulevard
- Mint St. to Tryon St.
- Tryon St. to Church St.
- McDowell St. to Mt. Vernon Ave.
- Mt. Vernon Ave. to Berkley Ave.
- Dilworth Road to Myrtle Ave.
- Berkley Ave. to Mt. Vernon Ave.
- Myrtle Ave. to Dilworth Road
- S. Boulevard to Dilworth Road West
- Dilworth Rd. West to Dilworth Rd. East

STREET FROM WHICH RAILS MAY BE REMOVED

Group II

- Elizabeth Avenue
- East Trade Street
- East 7th Street
- Hawthorne Lane
- McDowell Street
- East 7th Street
- Central Avenue
- Central Avenue
- S. McDowell Street
- West Trade Street
- West Trade Street
- West Trade Street
- South Tryon Street
- Morehead Street
- South Boulevard
- East Trade Street
- Alexander Street
- East 11th Street
- North Tryon Street
- North Tryon Street
- West Trade Street
- West Trade Street
- Beatties Ford Road
- Beatties Ford Road
- South Tryon Street
- Dilworth Rd. West
- Dilworth Rd. East
- McDowell St. to Hawthorne Lane
- Caldwell St. to McDowell St.
- Hawthorne Lane to near Clarice Ave.
- Elizabeth Ave. to Queens Road
- Elizabeth Ave. to E. 7th St.
- McDowell St. to Central Ave.
- E. 7th St. to Louise Ave.
- Louise Ave. to Plaza.
- Elizabeth Ave. to Boundary St.
- Graham St. to Sycamore St.
- Sycamore St. to Summit Ave.
- Summit Ave. to Tuckaseege Rd.
- Morehead St. to Bland St.
- Tryon St. to McDowell St.
- Morehead St. to E. Boulevard
- Caldwell St. to Tryon St.
- Boundary St. to First St.
- Brevard St. to Davidson St.
- Trade St. to 11th St.
- 12th to 11th St.
- Tryon St. to Graham St.
- Tuckaseege Rd. to Martin St.
- Martin St. to Dixon St.
- Dixon St. to Booker St.
- Trade St. to Morehead St.
- E. Boulevard to Dilworth Road East.
- E. Boulevard to Dilworth Road West,

(3) That before removing rails from the streets named in "Group II - Streets From Which Rails May Be Removed" of this resolution, Metals Reserve Company and/or the War Production Board must communicate with the State Highway and Public Works Commission, with headquarters at Raleigh, N. C., which commission has assumed the expense of, and is finally responsible for, the maintenance of a substantial number of the streets named in said "Group II - Streets From Which Rails May Be Removed", and the said Government agencies must procure from the said Commission plans and specifications approved by the said Commission for the removal of the said rails and the repair and reconstruction of the streets thereafter, and the said plans and specifications must then be submitted to the City Engineer. If the City Engineer is of the opinion that the plans and specifications as approved by the said Commission will, after the project is completed, provide streets amply capable of sustaining the heavy traffic which they will be subjected to, he is authorized to approve same, but if in his opinion, in order to provide streets sufficient to stand up under the heavy traffic to which they will be subjected, it is necessary to add to and make changes in the plans and specifications approved by the Commission or to draft different plans and specifications for the different types of streets involved, he is authorized to do so. The Metals Reserve Company and/or whomsoever it may direct is them authorized to remove the rails imbedded in the streets named in "Group II - Streets From Which Rails May Be Removed", provided it is done in accordance with the plans and specifications as finally presented

to Metals Reserve Company with the approval both of the State Highway and Public Works Commission and the City Engineer.

(4) Metals Reserve Company and/or whomsoever it may direct will furnish all of the labor and material necessary for the removal and delivery of the rails in both groups of streets above named and for the making of the repairs to the said streets rendered necessary by such removal and the entire project shall be carried to completion without any cost or expense to the City.

(5) The method to be used in the removal of the rails shall be the trench or slot method without the removal of cross-ties, except that where the decay of the cross-tie ends, in the opinion of the City Engineer, makes it necessary and he so directs, these ends will be cut off in the trench section and replaced with concrete. Metals Reserve Company and/or whomsoever it directs will remove the said rails and will repair the streets from which the rails are removed and all materials, construction methods and workmanship shall conform to paving specifications of the State Highway & Public Works Commission and/or the City of Charlotte. The said work shall be done in accordance with a blueprint, dated July 22, 1942, prepared by the City Engineer which is on file in his office, bearing the designation N-A-24.

(6) The work is to be prosecuted without delay and with a minimum interference with traffic. Material will be kept on hand readily available at all times, to the end that openings will be left in the streets for as short a time as it reasonably possible. The work will be done in a careful manner and in accordance with all requirements of law; proper barricades will at all times be maintained to protect the public, and after sundown and throughout the night, the work and all barricades and material will be properly guarded with warning lights.

(7) Before the work is commenced Metals Reserve Company and/or whomsoever it directs to do the work shall, without cost to the City, procure the issuance to the City of a public liability policy, in a company approved by the City Manager and in a form approved by the City Attorneys, insuring the City against liability for property and personal injury damages, on account of the aforesaid work, with limits of not less than \$5000 for property damage, of not less than \$20,000 for injuries to one person in one accident, and not less than \$40,000 for all persons who may be injured in one accident, such policy to be delivered to the City Manager and kept in force until final completion of the said work without cost to the City.

(8) The City Engineer shall supervise the work to the extent of seeing that the plans and specifications furnished by the State Highway & Public Works Commission and/or the City are followed, but Metals Reserve Company or whomsoever it directs to do the work shall be in charge of the manner and method of doing the work according to the said plans and specifications, and shall also be in charge of employing and discharging the persons doing the work.

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CEMETERY DEEDS.

Upon motion of Councilman Albea, seconded by Councilman Baker, the following cemetery deeds and perpetual care agreements were ordered issued:

Mrs. Blanche B. Kenfield, S.E. 1/4 Lot No. 31-B "D Annex" Elmwood	\$45.85
Lucian H. Harris, Jr., Lot No. 7, "F Annex"	140.00
Mrs. Annie M. Dellinger, Lot No. 5-A, Section "X"	76.65
Perpetual care on " " "	65.70
Robert B. & Frank N. Owens, 5-B Section "X"	80.15
Perpetual care on " " "	68.70
Mrs. Roy Perry, No. 56, Section "X"	62.65
Perpetual care on " " "	52.35
Mr. and Mrs. P. W. Stewart, N. 1/2 No. 74, Section "X"	70.00
Perpetual care on " " "	60.00
Mrs. Lottie Linton Stewart, Perpetual care on Lot No. 7 Sec. "H"	144.00
(This lot is recorded in the name of S. E. Linton)	

ADJOURNMENT.

Upon motion of Councilman Little, duly seconded and carried, the meeting adjourned.

Alice B. McCowell
City Clerk