

December 10, 1941
Unofficial Meeting.

The City Council of the City of Charlotte met in unofficial session at 2 o'clock P. M., Wednesday, December 10, 1941, the meeting having been called at the regular session on November 26, 1941, for the purpose of hearing the attorney for the Red Top Taxicab Company on the proposed amendments to the Taxicab Ordinance.

Those present were: Mayor Pro Tem Albea presiding; Councilmen Baker, Beasley, Hovis, Painter, Price, Ross and Ward.

Absent: Mayor Currie, Councilman Daughtry and Little, and Slye.

RED TOP TAXICAB COMPANY OFFER OPPOSITION TO PASSAGE OF PROPOSED AMENDMENTS TO TAXICAB ORDINANCE.

Mr. H. L. Taylor, Attorney, representing the Beatty Service Company, the only company now in Charlotte interested in the ten-cent taxicabs, addressed the Council at this time.

Mr. Taylor stated that this meeting developed from a boy wearing a steel collar and claiming to have been injured in a taxicab, to the extent that it was necessary for him to wear this collar; the injury being a broken collar-bone. He stated that he had since been advised, on good authority, that the boy's injury was not caused in a taxicab at all. However, he (Mr. Taylor) could not divulge the source from which this information had come to him.

Mr. Taylor gave in detail the costs of operating a taxicab in the City of Charlotte, stating that a dime taxicab driver averaged \$12.00 per day, of which \$8.00 went for operation cost and license fees and that after this was paid he realized only about \$4.00 per day net. Therefore, if the Council raised the insurance rate that a man could not afford to operate a ten-cent taxicab in the City of Charlotte.

He discussed at length the advantages to the citizens of Charlotte of having the dime taxicabs on the streets, and cited numerous cases of citizens having been to see him, asking that he do all in his power to keep the cabs on the streets of Charlotte. He also cited many cases unjustly brought against Beatty Bros. Service Company, or the Red Top Taxi Company, owned and operated by Beatty Bros. Service Company, and stated that the operation of dime cabs was no more dangerous than other cabs or automobiles. In connection with the suits brought against these taxicabs unjustly, he cited the case of a negro woman who was a passenger in a Red Top cab when he was touched by another car coming out of a parking place, and that as a result of that incident, she brought suit against the Red Top Taxicab Company in the sum of \$4,000.00.

He said that after five years of operations in Charlotte, the Red Top Taxicab Company had only two law suits pending in this county, one of which is, what he termed, a "fake" suit. The other suit is that of a man driving on the wrong side of the street and ran square into a taxicab and then turned over, and the man is suing the taxicab company. It was tried once and when he got through the evidence, there were twelve witnesses to contradict everything he had said and his lawyer asked that they withdraw a juror and give a mis-trial.

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Mr. Taylor stated that assuming that his company put up \$30,000 or \$35,000. insurance to operate 100 taxicabs, which is the amount necessary if the proposed amendment is adopted, it would be an invitation to anyone having an idea to bring suit under a fictitious claim, knowing that the company would either have to pay them or put up \$9,000.00. And that even if the ordinance required them to put up only one-half of the amount of the claim, then instead of suing for \$5,000 they would bring suit for \$10,000, which would amount to the same thing.

He also said that the impression seems to prevail that the dime taxicabs are a fly-by-night proposition with a lot of irresponsible people driving cabs. He stated that the City Attorney, after going through a trial in which two taxicab drivers were witnesses, the City Attorney stated that he had changed his opinion of these boys; that they were high-type boys who are unable to get work elsewhere. He stated that many of them have large families to support and that if necessary to take the cabs off the streets it would throw hundreds of people without any means of support.

He cited the fact that taxicabs produce taxes, not counting income and ad valorem taxes but simply counting license tax and gasoline tax, in the amount of \$43,925.00 per year. That the state license tax on a cab is \$55.00 and \$1.00 city license, making a total of \$56.00 per cab in license taxes alone.

Mr. Taylor stated that of the amount posted as bond with the City Treasurer, not one cent has ever been withdrawn, but that all claims have been paid promptly.

He then went back to the first taxicabs operated in Charlotte, in which he had some interest, and told how the Southern Power Company, (now Duke Power Company) fought these cabs. He said that special privileges have always been granted the Duke Power Company, or the old Southern Power Company, in that the busses are allowed to stop at the Square and block traffic, while the cabs are not allowed to stop within 200 feet of the Square.

He said that in the five years of operation of the ten-cent cabs of the Red Top Company not a single passenger in a cab has suffered a broken bone.

Mr. Stogner, the young man referred to by Mr. Taylor, as having a broken neck, came into the Council Chamber during the discussion, and after Mr. Taylor had taken his seat, he addressed the Council, stating that he would like to see the insurance requirement increased. That in connection with his injury, after paying doctor bills, hospital bills and lawyer fees, he received the sum of \$333.33, and that he was left a cripple for life and could only make a living from now on as an operator of a newstand. He stated that the drivers of cabs carry keys to set the governors on their cars and then drive at a rate of speed they want to. He stated that he knew this to be a fact, as he had been a cab driver himself prior to his injury. At this point, Mr. Taylor said that it should be made a misdemeanor for a driver to tamper with the governor on his cab.

A number of questions were asked by different members of the Council regarding the amount of insurance now carried not being sufficient, since \$2500.00 is the most anyone can recover under anyone accident. Mr. Taylor stated that the driver of the cab, if he had anything, could be held responsible.

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Mr. Taylor advised that if the proposed ordinance is adopted, the Red Top Taxicab Company will have to take their cabs off the streets.

He said that he would venture to state that nine out of every ten suits brought against the taxicab company can be settled for ten cents on the dollar.

Mr. Stogner stated that he felt that the taxicab companies should be required to carry liability insurance on the drivers of the cabs as well as the passengers; that under the present set-up they have no protection whatsoever. Mr. Taylor was questioned regarding this feature and he stated that they carry no compensation insurance as a number of the drivers own their own cars and operate them.

At this point, the discussion was closed, and the meeting adjourned.

Alice B. McConnell
City Clerk

Unofficial meeting in Mayors Office.
3:30 P.M.

After the hearing held in the Council Chamber between the Council and the taxicab interests, the Council adjourned to the Mayor's office, where it went into a discussion of the taxicab situation.

Councilman Baker stated that he thought the ordinance should be extended to include other violations of the law as well as traffic violations, also that governors should be required on all cabs with the Police Department or the City Garage instructed to inspect the governors.

Councilman Ross stated that he would suggest that the matter be settled as soon as possible as they want to buy license for their cabs before the first of the year.

The proposed amendment to the ordinance regulating the operations and operators of the cabs, was read by the Clerk.

Also, the proposed amendment to the ordinance governing the requirements for liability insurance.

After the reading of the above mentioned proposed amendments, it was the opinion of the Council, after discussion, that the Council meet in special session to discuss these two ordinances, with the City Attorney present to answer questions, in order that the matter might be gotten into shape, and any re-drafting necessary be done by the City Attorney.

The time of meeting was set for 5 o'clock P. M., Monday, December 15th., in the Mayor's office.

CITY ATTORNEYS SHOULD ATTEND ALL MEETINGS.

At this point, Councilman Ward stated that it was his personal opinion that one of the City Attorneys should attend all meetings.

CONTRIBUTION TO HIGH SCHOOL ANNUAL.

A request having come in that each Councilman contribute the sum of \$1.00 per person to the Central High School Annual, a total of \$10.00 was collected to be turned over for that purpose.

The meeting then adjourned to go into regular session in the Council Chamber at 4 o'clock.


City Clerk