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A regular meeting of the City Council was held in the Council Chamber of the City Hall at 4 o'clock, P. M., Mayor Douglas, presiding, and Councilmen Alba, Baxter, Durham, Griswold, Hovis, Hudson, Huntley, Nance, Sides and Wilkinson being present.

Absent: Councilman Little.

\* \* \*

Councilman Alba introduced the following ordinance which was read and is as follows:

AN ORDINANCE AUTHORIZING \$350,000 PUBLIC HOSPITAL  
BONDS

WHEREAS, it is deemed advisable to construct and equip a public hospital in the City of Charlotte and acquire a site therefor, and

WHEREAS, it is expected that the City will receive a grant from the Federal Emergency Administration of Public Works and contributions from other sources for paying a portion of the cost thereof; and

WHEREAS, it is necessary to issue bonds to pay the balance of such cost; now, therefore,

BE IT ORDAINED by the City Council of the City of Charlotte;

Section 1. That the City of Charlotte issue its bonds, pursuant to the Municipal Finance Act, as amended, in an amount not exceeding \$350,000 for the purpose of paying a portion of the cost of constructing and equipping a public hospital in the City

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of Charlotte and acquiring a site therefor.

Section 2. That a tax sufficient to pay the principal and interest of said bonds shall be annually levied and collected.

Section 3. That a statement of the debt of the City has been filed with the Clerk and is open to public inspection.

Section 4. That this ordinance shall take effect when approved by the voters of the City at an election as provided by law.

And thereupon the City Council, by unanimous vote, designated M. L. Westmoreland, City Accountant, as the officer whose duty it shall be to make and file with said Clerk the sworn statement required by the Municipal Finance Act as to debt and assessed valuation, and directed Lloyd McC. Ross, City Engineer, to furnish the City Accountant the City Engineer's estimate of the amount of special assessments to be levied on account of local improvements for which any part of the gross debt of the City was or is to be incurred and which will be applied, when collected, to the payment of such part of the gross debt.

Thereupon, M. L. Westmoreland, City Accountant filed with the Clerk, Alice B. McConnell, in the presence of the City Council, such statement of debt and assessed valuation at the foot of which statement Lloyd McC. Ross, City Engineer, had noted his estimate of the amount of the special assessments to be levied, which amount the City Accountant had included in his own statement.

CITY OF CHARLOTTE, NORTH CAROLINA

STATEMENT OF DEBT AND ASSESSED VALUATION MADE PURSUANT TO SECTION 2943, MUNICIPAL FINANCE ACT, AS AMENDED.

I, M. L. Westmoreland, being duly sworn, do hereby certify that I am the duly appointed and qualified City Accountant of the City of Charlotte, and have been designated by the City Council to make and file with the City Clerk a statement pursuant to Section 2943, Municipal Finance Act, as amended, and that the following is a true statement as shown by the books in my office, not taking into consideration any debt incurred or to be incurred in anticipation of the collection of taxes or in anticipation of the sale of bonds other than funding and refunding bonds:

(a) GROSS DEBT

a(1)	Outstanding debt, not evidenced by bonds.....	\$	76,500.00
	(State Loans Payable - School Build-ings.....	\$	52,000.00
	Judgment Funding Note.....	\$	24,500.00)
a(2)	Outstanding bonded debt:		
	School Bonds.....	\$	1,417,000.00
	Electric Light Bonds.....		None
	Water Bonds.....		2,973,446.01
	Grade Crossing Elimination Bonds.....	\$	86,000.00
	Other Bonds.....	\$	5,867,053.99
		\$	10,343,500.00
a(3)	Bonded debt to be incurred under ordinances passed or introduced:		
	Water Works Extension Bonds	\$	65,000.00
	Public Hospital Bonds.....	\$	350,000.00
			415,000.00
(a)	GROSS DEBT, being the sum of a(1), a(2), and a(3).....	\$	10,835,000.00

(b) DEDUCTIONS

b(1)	Unissued funding or refunding bonds.....		None
b(2)	Sinking funds or other funds held for the payment of any part of the gross debt, other than debt incurred for schools, water, gas, electric light or power purposes or two or more of said purposes.....	\$	184,616.12
b(3)	Uncollected special assessments heretofore levied on account of local improvements for which any part of the gross debt was or is to be incurred and which will be applied when collected to the payment of such part of the gross debt.....	\$	1,134,011.02.

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- b(4) Special assessments to be levied on account of local improvements for which any part of the gross debt ~~was~~ or is to be incurred, and which, when collected, will be applied to the payment of such part of the gross debt..... \$ 46,102.67
- b(5) Bonded debt included in gross debt and incurred or to be incurred for water, gas, electric light or power purposes, or two or more of said purposes..... \$ 3,038,446.01
- b(6) The amount which the City will be entitled to received from any railroad or street railway company under contract heretofore made for payment by such company of all or a portion of the cost of eliminating a grade crossing or crossings within the City, which amount will be applied, when received, to the payment of some part of the gross debt..... \$ 39,638.52
- b(7) Indebtedness included in gross debt and incurred for school purposes..... \$ 1,469,000.00
- (b) DEDUCTIONS, being the sum of b(1), b(2), b(3), b(4), b(5), b(6) and b(7)..... \$ 5,911,814.34
- (c) NET DEBT, being the difference between the GROSS DEBT (a) and the DEDUCTIONS (b)..... \$ 4,923,185.66

(d) ASSESSED VALUATION

- (a) ASSESSED VALUATION of property as last fixed for municipal taxation, being the valuation fixed in 1937.....\$110,945,295.00

(e) DEBT RATIO

- (e) Percentage that the net debt bears to said assessed valuation..... 4.4375%

The foregoing statement is true.

*M. L. W. Wrenn*  
 City Accountant of the City of  
 Charlotte, N. C.

Subscribed and sworn to  
 before me this 27th day of  
 July, 1938.

*Lillian R. Hoffman*  
 Notary Public

My commission expires May 31, 1939.

The undersigned, City Engineer of the City of Charlotte,  
 hereby states that he has examined the foregoing statement and  
 that the amount there stated of special assessments to be levied -

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item b(4) → is in accordance with the undersigned's estimate.

*Lloyd W. Cross*  
 \_\_\_\_\_  
 City Engineer

STATE OF NORTH CAROLINA :  
 :                                    :    SS  
 MECKLENBURG COUNTY        :

The foregoing is a true copy of a statement filed with me as City Clerk of the City of Charlotte, on July 27th, 1938 at a meeting of the City Council of said City, said statement consisting of a statement of certain financial matters sworn by the City Accountant, followed by a statement of the City Engineer, not sworn, all of which was so filed after the introduction and before the passage of an ordinance authorizing \$350,000 Public Hospital Bonds, which statement is and has been since said filing open for public inspection in my office.

WITNESS my hand and the seal of said City, this  
27<sup>th</sup> day of July, 1938.

*Alice B. McConell*  
 \_\_\_\_\_  
 City Clerk

Upon motion of Councilman Albea, seconded by Councilman Nance and unanimously carried, the ordinance authorizing \$350,000 Public Hospital Bonds was read and passed upon its first reading. The votes cast upon the first reading were as follows:

Councilman Albea	AYE
Councilman Baxter	AYE
Councilman Durham	AYE
Councilman Griswold	AYE
Councilman Hovis	AYE
Councilman Hudson	AYE
Councilman Huntley	AYE

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Councilman Nance	AYE
Councilman Sides	AYE
Councilman Wilkinson	AYE

Upon motion of Councilman Albea, seconded by Councilman Nance and unanimously carried, the rules were suspended and the ordinance authorizing \$350,000 Public Hospital Bonds was read and passed upon its second reading. The votes cast upon the second reading were as follows:

Councilman Albea	AYE
Councilman Baxter	AYE
Councilman Durham	AYE
Councilman Griswold	AYE
Councilman Hovis	AYE
Councilman Hudson	AYE
Councilman Huntley	AYE
Councilman Nance	AYE
Councilman Sides	AYE
Councilman Wilkinson	AYE

Upon motion of Councilman Albea, seconded by Councilman Nance and unanimously carried, the rules were suspended and the ordinance authorizing \$350,000 Public Hospital Bonds was read and passed upon its third and final reading, and declared to be an ordinance by the Mayor. The votes cast upon the third and final reading were as follows:

Councilman Albea	AYE
Councilman Baxter	AYE
Councilman Durham	AYE
Councilman Griswold	AYE
Councilman Hovis	AYE
Councilman Hudson	AYE
Councilman Huntley	AYE
Councilman Nance	AYE
Councilman Sides	AYE
Councilman Wilkinson	AYE

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Thereupon, Councilman Baxter introduced the following resolution which was read and is as follows:

A RESOLUTION CALLING A SPECIAL ELECTION TO VOTE UPON AN ORDINANCE AUTHORIZING \$350,000 PUBLIC HOSPITAL BONDS AND ORDERING A NEW REGISTRATION OF VOTERS FOR THE PURPOSE OF SAID ELECTION.

BE IT RESOLVED by the City Council of the City of Charlotte:

Section 1. That a special election is hereby called to be held on Tuesday, September 13, 1938 between 7 A.M. and sunset, Eastern Standard Time, at which there shall be submitted to the qualified voters of the City of Charlotte the following question:

"Shall an ordinance passed July 27, 1938 authorizing not exceeding \$350,000 bonds of the City of Charlotte for paying a portion of the cost of constructing and equipping a public hospital in the City of Charlotte and acquiring a site therefor, and a tax for said bonds, be approved?"

Section 2. That there shall be a new registration of voters for the purpose of said election, the books to be opened on Saturday, August 13, 1938 and to be closed on Saturday, September 3, 1938, remaining open during all days within said period, except Sundays and holidays, from 9 A.M. until sunset.

Section 3. That a notice of said election and new registration shall be published not later than Thursday, August 4, 1938, and again during the registration period not later than August 22, 1938 in the Charlotte News, reading substantially as follows:

NOTICE OF SPECIAL BOND ELECTION  
AND  
NEW REGISTRATION  
CITY OF CHARLOTTE, NORTH CAROLINA  
\$350,000 PUBLIC HOSPITAL BONDS

A special election will be held between 7 A. M. and sunset, Eastern Standard Time, Tuesday, September 13, 1938, at which there will be submitted to the qualified voters of the City of Charlotte the following question:

Shall an ordinance passed July 27, 1938 authorizing not exceeding \$350,000 bonds of the City of Charlotte for paying a portion of the cost of constructing and equipping a public hospital in the City of Charlotte and acquiring a site therefor, and a tax for said bonds, be approved?

Said ordinance authorized not exceeding \$350,000 Public Hospital Bonds for paying a portion of the cost of constructing and equipping a public hospital in the City of Charlotte and acquiring a site therefor.

It is expected that the City will receive a grant from the Federal Emergency Administration of Public Works and contributions from other sources for paying the balance of the cost of such public hospital.

If said bonds are issued a tax will be levied for the payment of the principal and interest thereof on all taxable property in the City of Charlotte.

A new registration has been ordered and no one will be permitted to vote unless registered anew. The books for such new registration will remain open from 9 A.M. until sunset on each day, except Sundays and holidays, beginning Saturday, August 13, 1938 and closing Saturday, Sept. 3, 1938. On each Saturday during said registration period said books shall remain open at the several polling places. The polling places and names of the election officers, subject to change as provided by law, are as follows:



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<u>Precinct</u>		<u>Polling Place</u>	<u>Registrar</u>	<u>Judges</u>
<u>Ward</u>	<u>Box</u>			
1	1	501 N. College St.	Mrs. J. H. Dickinson	T. L. Crowell Mrs. A. S. Purcel
1	2	601 E. Trade St.	C. D. Shelby	Mrs. W. S. Charles R. B. Fowler
1	3	First Ward School	D. R. Yarbrough	Fred Gay B. J. Gurley
2	1	City Hall	Mrs. C. L. Porter	Mrs. W. R. Taliaferro, Jr Sarah F. Pickens
2	2	Court House	Mrs. Mary C. Dicks	Mrs. C. P. Andrew W. P. Walther, Sr.
3	1	228 S. Church St.	R. P. King	Cornelia Nixon J. W. Zindell
3	2	316 S. Cedar St.	Mrs. Paul Heath	Mrs. L. J. Estep Mrs. W. M. Bell
4	1	419 N. Church St.	Mrs. N. L. Nabors	H. B. Grier L. S. Yandell
4	2	Bethune School	Mrs. J. M. Hudson	Mrs. Bon Madlin Edith M. Rollins
4	3	312 W. Ninth St.	Mrs. L. S. Boyd	Lloyd Ranson R. H. Ramsey
5	1	Fifth Ward School	W. H. Ferguson	J. C. Smith N. C. Burns
5	2	3206 N. Caldwell St.	Ray Stutts	Detter Peoler J. H. Sloop
6	1	Louise Pharmacy Belmont Ave.	Jno. F. Miller	D. C. Sikes Parks A. Yandle
6	2	Piedmont Junior High School	L. H. Query	Mrs. E. E. Peele Norman M. Black
6	3	1517 Central Ave.	Mrs. Geo. N. Cooke	J. B. Willis Chas. J. Turpie
6	4	1942 East 8th St.	Mrs. N. W. Bridges	Mrs. D. Howard Wolfe H. A. Ziem
7	1	Armory Auditorium	Mrs. J. Gilmer Orr	Mrs. Thos. Handerson Maude Casler
7	2	2115 Crescent Ave.	Jeff E. Morris	Mrs. M. S. Alverson Mrs. R. F. Dorton
7	3	216 Providence Rd. Merrimans Pharmacy	Mrs. L. H. Tucker, Jr.	Betty Lee Holland Mrs. Fredrick Sails
7	4	Myers Park School	Mrs. H. R. Stowe	Mrs. M. R. Kimbrell Mrs. J. W. Stott
8	1	Dilworth School	Mrs. C. K. Messick	Mrs. A. G. Moore R. M. Frazier
8	2	416 E. Boulevard	Mrs. Jno. Griffith	D. E. Mallory C. E. Greenleaf
8	3	Myers Park Pharmacy E. Morehead St.	Mrs. C. W. Alexander	C. W. Wise Wilson N. Bacon
8	4	Avondale Pharmacy	E. A. Moffit	W. M. Sellers Chas. L. Wyatt
9	1	1117 Winifred Place	Mrs. Mary E. Wilson	Mrs. H. H. Sutton Mrs. U. G. Dellinger
9	2	Wilmore School	Mrs. J. A. Daly	John O'Daniel Z. V. McAnulty
10	1	1737 W. Trade St.	Mrs. G. Clayton Neal	R. T. Mooney Mrs. Ernest Sibes
10	2	Blair Bros. Drug 2719 Tuckaseege Rd.	Mrs. J. Lloyd Todd	Dain Fast Earl Hartsell
10	3	Wesley Heights Phar- macy, 1504 W. Morehead St.	Mrs. B. P. Bradley	Mrs. C. S. Britt H. W. Aldred
11		Hutchison School	Mrs. Chas. S. Hord	Mrs. F. E. Miller John Ayers

By order of the City Council of the City of Charlotte.

Alice B. McConnell,  
City Clerk.

By order of the County Board of Elections of Mecklenburg County.

S. Y. McAden

Secretary, County Board of Elections.

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Section 4. That the persons whose names are set out in the foregoing form of election notice are hereby appointed registrars and judges, respectively, for the several polling places therein indicated, and that said election shall be held at the places set out in said election notice.

Section 5. That the form of the ballot to be used at said election shall be substantially as follows:

OFFICIAL BALLOT  
SPECIAL BOND ELECTION  
CITY OF CHARLOTTE, NORTH CAROLINA  
SEPTEMBER 13, 1938

INSTRUCTIONS

- 1. To vote "Yes", make a cross (X) mark in the square to the right of the word "Yes".
- 2. To vote "No", make a cross (X) mark in the square to the right of the word "No".
- 3. If you tear or deface or wrongly mark this ballot, return it and get another.

	:	:	
YES	:	:	Shall an ordinance passed July 27, 1938 au-
	:	:	thorizing not exceeding \$350,000 bonds of
	:	:	the City of Charlotte for paying a portion
	:	:	of the cost of constructing and equipping
	:	:	a public hospital in the City of Charlotte
	:	:	and acquiring a site therefor, and a tax
NO	:	:	for said bonds, be approved?
	:	:	

.....  
Facsimile of signature of City Clerk

.....  
Facsimile of signature of Chairman  
of County Board of Elections.

Section 6. That the County Board of Elections be and is hereby requested to appoint the same registrars and judges who are appointed by this resolution and to unite with the City of Charlotte in the publication of said notice of election and registration and in conducting said registration and said election, all in accordance with Chapter 97, Private Laws of 1931, and that a certified

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copy of this resolution be delivered to the Chairman of said County Board of Elections.

Upon motion of Councilman Baxter, seconded by Councilman Albea and unanimously carried, the resolution calling a special election was read and passed upon its first reading. The votes cast upon its first reading were as follows:

Councilman Albea	AYE
Councilman Baxter	AYE
Councilman Durham	AYE
Councilman Griswold	AYE
Councilman Hovis	AYE
Councilman Hudson	AYE
Councilman Huntley	AYE
Councilman Nance	AYE
Councilman Sides	AYE
Councilman Wilkinson	AYE

Upon motion of Councilman Baxter, seconded by Councilman Albea and unanimously carried, the resolution calling a special election was read and passed upon its second reading. The votes cast upon its second reading were as follows:

Councilman Albea	AYE
Councilman Baxter	AYE
Councilman Durham	AYE
Councilman Griswold	AYE
Councilman Hovis	AYE
Councilman Hudson	AYE
Councilman Huntley	AYE
Councilman Nance	AYE
Councilman Sides	AYE
Councilman Wilkinson	AYE

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Upon motion of Councilman Baxter, seconded by Councilman Albea and unanimously carried, the resolution calling a special election was read and passed upon its third and final reading and the Mayor declared it had passed. The votes cast upon its third and final reading were as follows:

Councilman Albea	AYE
Councilman Baxter	AYE
Councilman Durham	AYE
Councilman Griswold	AYE
Councilman Hovis	AYE
Councilman Hudson	AYE
Councilman Huntley	AYE
Councilman Nance	AYE
Councilman Sides	AYE
Councilman Wilkinson	AYE

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I, Alice B. McConnell, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing has been carefully copied from the actually recorded minutes of the City Council of the City of Charlotte at a regular meeting held July 27, 1938, the record having been made in Minute Book No. 7, beginning at page No. 139 and ending at page 150, and is a true copy of so much of the said proceedings as relate in any way to the authorization of \$350,000 Public Hospital Bonds of the City of Charlotte and the calling of a special election to vote upon the approval of the ordinance authorizing said bonds.

WITNESS my hand and the official seal of said City this 27<sup>th</sup> day of July, 1938.

Alice B. McConnell  
City Clerk

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APPROVAL OF MINUTES OF MEETINGS OF JULY 13TH. AND 20TH.

On motion of Councilman Wilkinson, seconded by Councilman Albea, the minutes of the meetings of July 13th. and 20th. were approved as read.

RESOLUTION RELATIVE TO EMPLOYING CONSULTANT AND ARCHITECT FOR HOSPITAL.

After the adoption of the foregoing ordinance and resolution relative to the Public Hospital, Mr. Paul Whitlock presented the following resolution to the Council:

To the Mayor and City Council, Charlotte, North Carolina.

We respectfully request your honorable body to pass the following resolution.

WHEREAS, a resolution has been adopted by the City Council of the City of Charlotte calling an election for a \$350,000.00 bond issue for the purpose of raising funds with which to build and equip a community hospital in the City of Charlotte, said funds to be augmented by funds to be raised by the Charlotte Memorial Hospital Association, Inc., by subscriptions, and a grant from the Public Works Administration of the Federal Government; and,

WHEREAS, it is necessary to accompany the application for the Public Works Administration grant with plans and specifications for said hospital; and,

WHEREAS, the City of Charlotte has no funds at this time with which to employ architects to prepare such plans and specifications, and will not have unless and until said bond election carries and said bonds are sold and a grant of approximately \$450,000.00 is obtained from the Public Works Administration and approximately \$200,000.00 supplied from other sources; and,

WHEREAS, the Charlotte Memorial Hospital Association, Inc., represents to the Council that Dr. William Henry Walsh of Chicago, Hospital Consultant, and Charles C. Hook and Son, Architects, of Charlotte, North Carolina, have agreed to prepare plans and specifications for said hospital upon a contingent basis with the understanding that they are to be paid nothing in the event said hospital is not constructed, and that they are to be employed as architects for said job in the event said hospital is constructed, and are to be paid for their work not in excess of the architects' fees allowed for work done under Public Works Administration specifications;

NOW, THEREFORE, be it resolved that the said Dr. William Henry Walsh, Consultant, and Charles C. Hook and Son be, and they are hereby authorized to prepare plans and specifications for said hospital upon such understanding, and that if the said bond issue is carried and sufficient additional funds are raised from other sources, including the grant from the Public Works Administration, to erect and equip said hospital and the City proceeds with said work then the said Dr. William Henry Walsh and Charles C. Hook and Son will be paid for their services the usual commissions for said work, not to exceed the architects' commissions allowed by the Public Works Administration to be paid where Public Works Administration funds are used; provided, that, if Dr. William Henry Walsh or the City Council of the City of Charlotte deem it necessary, a consulting architect

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may be employed whose fee shall be included in the total.

(Signed) Hamilton W. McKay, Pres.  
W. Z. Bradford, Sec.  
Elias S. Faison  
Thos. D. Sparrow  
Wm. Allen  
Committee representing Charlotte  
Memorial Hospital Association, Inc.

On motion of Councilman Baxter, seconded by Councilman Nance, the above resolution was unanimously adopted.

ELECTION OF TWO MEMBERS TO BOARD OF DIRECTORS OF CHARLOTTE MEMORIAL HOSPITAL ASSOCIATION, INC.

Mr. Whitlock then asked that the City Council proceed to elect two members to the Board of Directors of the Charlotte Memorial Hospital Association, Inc., either from the Council or by the Council, the Mayor to be ex officio member. The two directors to be elected are to serve until the annual meeting of this Association in January 1939, their successors then to be elected for a three year term.

Councilman Albea, seconded by Councilman Nance, moved to proceed with the election of these members at this time, which motion carried. It was decided that election be by ballot.

Councilman Hudson nominated Councilman Hovis as a member of this Board.

Councilman Albea nominated Councilman Nance, Chairman of the Health Committee.

Councilman Wilkinson nominated Chairman of the Finance Committee, Councilman Durham.

Councilman Nance nominated Mr. B. M. Boyd, City Attorney, stating that he would readily withdraw his name in favor of Mr. Boyd. Mr. Boyd stated that he should not be considered on this Board, but Councilman Albea withdrew his nomination of Councilman Nance in favor of City Attorney Boyd, reluctantly.

Thereupon, Councilman Albea, seconded by Councilman Hovis, moved that the nominations be closed, and the Council proceeded to vote by ballot, with Councilman Hovis and Mr. Boyd being elected to serve as Directors on the Charlotte Memorial Hospital Association, Inc. board until January 1939.

LETTERS FROM CIVIC CLUBS ENDORSING THE HOSPITAL MOVEMENT.

The Mayor read a letter from the American Business Mens' Club and Hornets Nest Post No. 9, American Legion, endorsing the union hospital plan.

JUNIOR CHAMBER OF COMMERCE RESOLUTION.

Mr. Bomar A. Lowrance, of the Charlotte Junior Chamber of Commerce presented the following resolution to the City Council regarding the operation of taxi-cabs:

TO THE HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL  
CITY OF CHARLOTTE, NORTH CAROLINA.

WHEREAS, the Charlotte Junior Chamber of Commerce is vitally interested in safety and the prevention of traffic accidents

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and hazards both on the city streets and highways, and

WHEREAS, taxi-cabs operating constantly on the city streets constitute a large percentage of the total traffic on the city streets and more especially during the hours of heavy traffic, and

WHEREAS, it is essential to the safety of the lives and property of the citizens of Charlotte that these taxis be kept in good condition and operated by skillful, careful, and competent drivers,

NOW, THEREFORE, we earnestly request that the present city ordinance governing the operation of taxi-cabs in the City of Charlotte be amended by the addition of the following requirements:

1. That each and every taxi-cab that is operated on the streets of the City of Charlotte be inspected periodically every thirty days, under the supervision of the Police Department, for any defects in the safety equipment of said taxi and that no automobile be permitted to operate as a taxi-cab unless it is found to be safe and in first class condition at such inspection.

2. That no person be licensed or permitted to operate or drive any taxi-cab in the City of Charlotte unless such person can meet the requirements necessary to enable him to purchase public liability insurance from a standard insurance company for the operation of a privately owned automobile.

3. That if any person who has a license to drive or operate a taxi-cab is convicted of any major traffic violation or two minor traffic violations within a period of ninety days, that such person's license to operate or drive a taxi-cab be immediately revoked.

Respectfully submitted,

SAFETY COMMITTEE- JUNIOR CHAMBER OF COMMERCE.

Signed by Bomar A. Lowrance, Vice Pres.  
T. R. Banks  
S. Russell Mickle  
J. S. Smith, Pres.

No action was taken on this resolution by the City Council.

#### TAXICABS.

Mr. Keith Beaty was present and advised the Council that he held a check in his hand to pay off all consent judgments outstanding against the Beaty Service Company and a check to replace the money taken from the bond to make this original bond back to \$10,500.00; and advised that the bonding company would operate under the old name of Beaty Service Company instead of the Charlotte Bonding Company, as intended.

Mr. Fred Helms, attorney representing a colored girl injured by a taxicab of the Beaty Service Company, was again present and stated he was interested in protecting the rights of his client. He pointed out that damage suits totaling \$65,000 still remain unsettled and that the bonds posted by the taxicabs are not increased from time to time as cabs are put on and therefore are of little benefit to the public.

Mr. Boyd, City Attorney stated that the ordinance adopted by the Council on July 13th. is valid, constitutional and binding in every respect.

An agreement was read with reference to the transfer of money from one company to another, but Mr. Boyd advised that he had told Mr.

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Baity that he would not approve the transfer and that the only way that they could operate under the ordinance as drawn would be to continue to let the money deposited by Beaty Service Company as now deposited, that they pay the \$3400.00 on consent judgments out of other sources, leaving \$9900.00 plus \$600.00 to bring it back to the maximum amount of \$10,500.

Councilman Barter stated that in view of what Mr. Helms had said to the Council at the last meeting, that he was interested in protecting the citizens of Charlotte and that he personally would not be liable for any suits that may be brought in the future to settle claims. Mr. Baity stated that if compelled to post another \$10,500.00 that he would be unable to operate .

Councilman Barter, after much discussion by Mr. Helms, Mr. Boyd, Mr. Beaty and the Council, moved that the matter be held in abeyance until the Council could have time to study and know where it stands. This motion seconded by Councilman Wilkinson, stating that he wished to go on record as being opposed to limiting the life of any pedestrian or passenger riding in taxicabs because he felt that was going beyond his rights. Mayor Douglas advised, however, that the above motion was not in order as the ordinance has already been adopted and that it would require the repeal of the ordinance now in effect unless the interested parties would agree not to operate.

Councilman Wilkinson then moved that the ordinance be repealed and placed back on the ordinance requiring insurance. Mr. Boyd advised that this would be necessary to be done by an ordinance as it would be repealing an ordinance.

Mr. Taylor, Attorney for Mr. Beaty, advised that there has not been a valid claim against the money on deposit that has not been paid.

Councilman Barter suggested that the present ordinance be amended to make a new bond be required for the new ordinance, as he was interested in providing property protection, and it was suggested that the resolution of the Junior Chamber of Commerce be incorporated in that amendment, but Councilman Durham was not in favor of this, as it would not be fair that an operator would lose his license simply for violating two minor traffic laws, something that any citizen might do at any time.

Councilman Barter then stated that he would like to have the ordinance amended by changing sub-section 2-C as follows: "That under this present ordinance new money to the amount of \$5500.00 for the 1st cab and \$100.00 for each additional cab, be put up as surety for the protection of the public."

Councilman Griswold asked that he go on record as being opposed to using the old bond on deposit now for the protection of claims now pending. Councilman Huntley asked that he also go on record to this effect. It was then moved that further discussions cease, and the following amendment to the ordinance now in effect was prepared by the City Attorney to cover Councilman Barter's motion for amendment:

AN ORDINANCE  
ENTITLED AN ORDINANCE TO AMEND THAT CERTAIN  
ORDINANCE RELATIVE TO SURETY BONDS OR CASH  
DEPOSITS FOR TAXICAB OPERATION AND PROVIDING  
FOR BONDSMEN, WHICH WAS ADOPTED JULY 13, 1938.

BE IT ORDAINED by the City Council of the City of Charlotte:

Section 1. That that certain ordinance above referred to, adopted by the City Council on July 13, 1938, be amended by striking out and repealing all of Sub-section 2-C thereof.



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Section 2. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. That this ordinance shall become effective immediately upon its adoption.

The motion to adopt this amending ordinance, made by Councilman Baxter, seconded by Councilman Wilkinson, was put to a vote with the following result:

AYE: Councilmen Baxter, Durham, Wilkinson, Griswold and Huntley.

NAY: Councilmen Hovis, Sides, Albea, Nance and Hudson.

This being a tie vote, the Mayor voted against the repeal, and the ordinance failed to carry on first reading.

Mr. L. L. Ledbetter, City Treasurer, who was present, asked that the City Council instruct him to accept the bond of the Beaty Service Company. Before this was done Mr. Helms, attorney for Arnetha Smart, colored, advised that he wished to enter his protest as attorney for Arnetha Smart to any action of the Council permitting or allowing the deposit by Beaty Service Company to be used as a deposit under Sub-section 2-C of the Ordinance of the City Council adopted July 13, 1938. Mr. Ledbetter, Treasurer, was present at the time this objection was made.

Councilman Wilkinson moved that the money not be transferred, which was seconded by Councilman Griswold, but after argument on this point, this was ruled unnecessary, and the City Attorney was advised to instruct the City Treasurer regarding the deposit.

#### COLORED ODD FELLOWS LODGE GRANTED FREE USE OF ARMORY FOR AUGUST 8TH.

Request was made by the Colored Odd Fellows Lodge for free use of the Armory-Auditorium on August 8th. for a convention to be held at that time. On motion of Councilman Nance, seconded by Councilman Sides, this request was granted.

#### REQUEST FOR FREE USE OF ARMORY BY WATCH TOWER BIBLE TRACT ASSOCIATION DENIED.

Mr. Clarence Kuester, Secretary of the Chamber of Commerce, appeared with a Mr. Scarborough and Mr. Dixon, representatives of a religious organization, known as the Watch Tower Bible Tract Association, making request for free use of the Armory-Auditorium for August 9th, 10th. and 11th. After several motions and substitute motions were put regarding this, Councilman Wilkinson, seconded by Councilman Huntley, made a substitute motion th the motion offered by Councilman Albea, seconded by Councilman Nance to grant the request, that this request be denied, which was carried, with Councilman Albea voting "No".

#### REQUEST OF PRODUCE MERCHANTS REFERRED TO COMMITTEE THAT HANDLED RECENTLY ADOPTED PEDDLERS ORDINANCE.

Mr. John Newitt, Attorney, again appeared before the Council as representative of the Charlotte produce merchants, relative to the handling of such produce by peddlers, and Mayor Douglas suggested that the matter be referred to ancommittee. Thereupon, Councilman Albea, seconded by Councilman Durham, moved that the matter be referred to the committee handling the recently adopted peddlers ordinance.

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STREET BENCHES.

The City Manager reported that the Park and Recreation Commission was considering the erection of ten concrete benches along the sidewalk in front of the First Presbyterian Church lot on West Trade Street, and that they had requested that the Council grant them permission to do so.

Councilman Sides made a motion that the request be denied, which was seconded by Councilman Wilkinson and carried.

SEWER IN GREENLAND AVENUE.

On motion of Councilman Hudson, seconded by Councilman Huntley, the request from Mr. E. C. Griffith that the City purchase from him an 8-inch sewer in Greenland Avenue, from West Morehead Street to Belt Road, a distance of 590 feet, estimated value \$483.00, was deferred for one week, with Councilman Albea voting "No" on this motion.

REQUEST OF THOMASBORO TO USE CITY FIRE EQUIPMENT REFERRED TO CITY ATTORNEY.

The City Manager reported that Mr. Allman of Thomasboro had requested him to obtain a ruling from the City Council as to whether the town of Thomasboro could get an agreement with the City of Charlotte which would enable the City's fire fighting equipment to be used at Thomasboro in event they installed a water works system.

On motion of Councilman Albea, seconded by Councilman Wilkinson, this matter was referred to the City Attorney for a ruling.

PURCHASE OF BONDS FOR SINKING FUND.

On motion of Councilman Hovis, seconded by Councilman Hudson, the Council approved the purchase of the following bonds for the Sinking Fund Account, subject to the approval of the Local Government Commission:

- \$5,000 Washington N. C. 3s due 11/1/39 at 1.50%
- 2,000 North Wilkesboro, N.C. Water Improvement 4s due 11/1/38 at 1.75%
- 4,000 North Wilkesboro, N. C. Street 6s due 4/1/39 at 2%
- 2,000 North Wilkesboro, N. C. Street 6s due 12/1/41 at 2/50%
- 10,000 Catawba County, Road 6s due 7/1/41 at 2%
- 1,000 Raleigh, N. C. Water 6s due 6/1/40 at 2.25%
- 3,000 Pitt County, Funding 4½s due 5/1/40 at 2.25%
- 4,000 Lowell, N. C. Water Works 4s due 1,000 each year, April 1, 1939 to 1942, at 2.75%

HOUSING QUESTION DEFERRED ONE WEEK.

On motion of Councilman Sides, seconded by Councilman Hovis, the question of Better Housing was deferred until the next meeting.

CEMETERY DEED.

On motion of Councilman Albea, seconded by Councilman Nance, the request of Mr. L. M. Gurley for new deed to be issued in his name covering N.W. ¼ of Lot No. 5 in Section "R", formerly recorded in the name of his father, G. W. Gurley, was approved. This was done on affidavit of Mr. Gurley, that he was left all the property of his father by will.

ADJOURNMENT.

The meeting then adjourned.

*Alba B. McConell*  
City Clerk