The regular meeting of the City Council was held in the Council Chamber, City Hall, Wednesday, April 1, 1936, at 4:00 o'clock P. M., Mayor Douglas presiding and present: Councilmen Albea, Baxter, Boyd, Durham, Hovis, Huntley, Nance, Tipton and Wilkinson.

Absent: Councilmen Hudson and Sides.

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Approval of Minutes of March 25th. Meeting.

On motion of Councilman Albea, seconded by Councilman Tipton, the minutes of the meeting of March 25, 1936, were approved as read.

Taxicab Insurance.

Mr. H. C. Williams, Attorney, and Mr. Tom P. Jimison, spokesmen for a large delegation of taxicab operators, requested the City Council to respect the order of the Supreme Court of North Carolina, Judge Felix Alley having signed an injunction preventing the insurance company from cancelling the insurance on the ten-cent taxicabs, and allow them to operate without interference until after Judge Alley hears the arguments at Murphy on Friday next.

Mr. Williams stated that Judge Alley's order on file with the Clerk of the Court, stated that the policies of insurance on these taxicabs had not been cancelled, but City Attorneys Boyd and Scarborough contended that the insurance had been cancelled and that the City in enforcing the ordinance was not interfering with the injunction since the fight was not with the City but with the insurance company.

After a lengthy discussion, Councilman Boyd made a motion to respect Judge Alley's order and instruct the Police not to interfere with the operation of these cars until after the hearing. Motion seconded by Councilman Albea.

Before a vote was taken Councilman Baxter stated that the taxicab operators had asked for ten days in which to secure the insurance, that the ten days were now up and they are still without insurance, and that while he realized the need for cheap transportation he felt that the Council should not change and that he would like to wait until after the hearing on Friday.

Councilman Hovis asked the City Attorneys if they had read the order of the Court and they replied that they had. City Attorney Boyd stated that when Judge Alley signed the restraining order he did not know that the policies did not contain the five-day clause and would not have signed it had he known.
A VOTE WAS TAKEN ON COUNCILMAN BOYD'S MOTION, WITH
THE FOLLOWING RESULT:

AYE: COUNCILMEN BOYD, ALBEA, HOVIS AND TIPTON.

NAY: COUNCILMEN BAXTER, DURHAM, HUNTLEY AND WILKINSON.

COUNCILMAN NANCE ASKED TO BE RECORDED AS NOT VOTING.
THIS MAKING A TIE, MAYOR DOUGLAS CAST HIS VOTE AGAINST THE
MOTION, AND THE MOTION WAS LOST.

BIDS ON ASPHALT RECEIVED AND CONTRACT LET TO AMERICAN BITUMULS
COMPANY.

THE CITY MANAGER'S OFFICE REPORTED THAT BIDS HAD
BEEN RECEIVED ON ONE MINIMUM CAR OF ASPHALT, APPROXIMATELY
5,200 GALLONS, AS FOLLOWS:

AMERICAN BITUMULS CO.         $494.00
THE TEXAS COMPANY               535.20
STANDARD OIL CO.                535.04
MEXICAN PETROLEUM CO.           536.75

ON MOTION OF COUNCILMAN HUNTLEY, SECONDED BY COUNCIL-
MAN WILKINSON, CONTRACT WAS AWARDED TO AMERICAN BITUMULS CO.,
AT $494.00, THE LOW BID, AND THE MAYOR AND CLERK WERE AUTHORIZED
TO SIGN THE CONTRACT.

LOUISE AVENUE FOOT BRIDGE.

COUNCILMAN BOYD, SECONDED BY COUNCILMAN WILKINSON,
MOVED THAT THE FOOT BRIDGE ACROSS THE CREEK ON LOUISE AVENUE
EXTENSION, FOR WHICH A PETITION WAS PRESENTED AT THE LAST
MEETING, BE CONSTRUCTED, THE ENGINEERING DEPARTMENT ESTIMATING
THE COST OF THIS WORK TO BE $65.01 AND THE CITY MANAGER'S
OFFICE REPORTING SUFFICIENT MONEY IN THE STREET DEPARTMENT TO
HANDLE SAME. MOTION UNANIMOUSLY CARRIED.

PENALTY FOR LATE LISTING RELEASED.

ON MOTION OF COUNCILMAN WILKINSON, SECONDED BY
COUNCILMAN TIPTON AND UNANIMOUSLY CARRIED, THE PENALTY FOR
LATE LISTING OF TAXES AGAINST COLE, RANKIN & ROBINSON CO.,
AMOUNTING TO $21.00, WAS WAIVED.

ARMORY-AUDITORIUM FOR HOUSING AND BUILDING EXHIBITION GIVEN
WITHOUT COST.

THE CHARLOTTE OBSERVER, WHO ARE SPONSORING A
HOUSING AND BUILDING EXHIBITION BEGINNING MAY 25TH, AND LAST-
ing one week, were granted free use of the Armory-Auditorium
for this exhibition, on motion of Councilman Boyd, seconed
by Councilman Albea and carried.
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REPORT OF COMMITTEE ON TAX COLLECTION RECEIPTS.

COUNCILMAN DURHAM reported for his committee on the matter of tax collection receipts, which matter was referred to a committee composed of Councilmen Durham, Baxter and Hovis at the last meeting. Councilman Durham stated that it was necessary for the tax bills to be sent out prior to the date of this meeting due to the fact that new tax listing begins on April 1st, and the City would have lost about $300.00 in penalties if they had waited. He stated that it was the recommendation of his committee that this penalty for late returns be waived if paid within thirty days, and made a motion that the Council approve this action. Motion seconded by Councilman Albea and unanimously carried.

CONTRACT FOR YEARLY AUDIT, LET TO H. C. NORTHRUP AND COMPANY.

In the absence of Councilman Sides, Chairman of the Finance Committee, Councilman Hovis reported that the committee had gone into the matter very thoroughly and after talking with each auditor submitting bids, the committee recommended that the audit be given to H. C. Northrop & Company, the low bidder, and moved that the committee's recommendation be accepted. Motion seconded by Councilman Durham.

After discussion, during which it was brought out that the audit, at the price quoted, would be complete, the motion was voted on and carried unanimously.

RESOLUTION OF THE CITY COUNCIL UPON THE DEATH OF MRS. J. B. MARSHALL, SR.

Mayor Douglas presented the following resolution upon the death of Mrs. J. B. Marshall, Sr., mother of City Manager J. B. Marshall, which occurred at 2:00 o'clock P.M. this date, and upon motion of Councilman Wilkinson, seconded by Councilman Huntley, was unanimously adopted:

RESOLUTION

WHEREAS, in the providence of the Almighty God, Mrs. J. B. Marshall, Sr., mother of Mr. J. B. Marshall, our City Manager, has been called by death from the Church Militant to the Church Triumphant.

NOW, THEREFORE, BE IT RESOLVED: First, that we as members of the City Council of Charlotte bow in humble submission to the will of Almighty God, knowing that He is too wise to err and too kind to willingly afflict without cause.

Second, that we extend to Mr. J. B. Marshall, and to the bereaved family our sincere sympathy in this hour of bereavement, and pray God's richest blessings to rest upon them.

Third, that copies of this resolution be spread
UPON THE MINUTES OF THE CITY COUNCIL, A COPY SENT TO THE FAMILY
OF THE DECEASED, AND COPIES FURNISHED TO THE NEWSPAPERS IN THE
CITY OF CHARLOTTE.

CEDAR STREET GATES AT ELMWOOD CEMETERY.

COUNCILMAN BOYD BROUGHT TO THE ATTENTION OF THE
COUNCIL THAT THE CEDAR STREET GATES TO ELMWOOD CEMETERY WERE
NOT BEING KEPT OPEN, AS REQUIRED BY ORDINANCE, AND THE MAYOR
INSTRUCTED THE CEMETERY COMMITTEE TO LOOK INTO THE MATTER.

CEMETERY DEEDS

ON MOTION OF COUNCILMAN HUNTLEY, SECONDED BY
COUNCILMAN ALBEE, THE FOLLOWING CEMETERY DEEDS WERE ORDERED
RECORDED:

ELMWOOD CEMETERY

JAMES W. BARNETT, WEST HALF LOT NO. 285, SECTION "U" $35.00

PINewood CEMETERY

ESTELLE MAY FLOYD, LOT NO. 3, SECTION "E" 25.00

TRAFFIC SCHOOL BEING SPONSORED BY JUNIOR CHAMBER OF COMMERCE.

COUNCILMAN HOWIS STATED THAT THE JUNIOR CHAMBER OF
COMMERCE WERE CONSIDERING SPONSORING A TRAFFIC SCHOOL FOR
TRAFFIC VIOLATORS, AND THAT WHILE NOT NECESSARY TO HAVE THE
AUTHORITY OF THE COUNCIL FOR SAME THEY WOULD LIKE TO HAVE IT,
THAT MR. SKINNER AND MR. MARSHALL THINK WELL OF THE IDEA AND
THAT A SIMILAR SCHOOL HAS WORKED OUT WELL IN NORFOLK.

AFTER DISCUSSION, COUNCILMAN WILKINSON STATED THAT
IF NOT IMPERATIVE TO ACT AT THIS MEETING, HE WOULD LIKE TO HAVE
IT HELD OVER FOR FURTHER CONSIDERATION, AND THE MAYOR REFERRED
THE MATTER TO THE POLICE COMMITTEE FOR REPORT AT THE NEXT
MEETING.

ADJOURNMENT.

ON MOTION OF COUNCILMAN ALBEE, SECONDED BY COUNCIL-
MAN WILKINSON, THE MEETING ADJOURNED.

[Signature]  
CITY CLERK