

May 13, 1929.

There was a regular meeting of the Board of Aldermen of the Town of Chapel Hill at 7:30 p. m., Mayor Council presiding, with the following Aldermen present: Messrs. Braune, Burch, Connor, Hogan, Eubanks, Thompson; Mr. Sawyer, the Town Attorney was also present.

Citizens present at the meeting were Messrs. E. C. Smith, E. F. Stevens, C. P. Hinshaw, J. T. Harris, John Carawan and R. A. Eubanks.

The minutes of the Meetings of the Board of Aldermen on April 1st, 6th and 26th were read and approved.

The returns of the Municipal Election held on May 7th by the Registrar and Judges of the Election were read as follows:

"May 7, 1929

TO THE TOWN CLERK OF THE BOARD OF ALDERMEN
TOWN OF CHAPEL HILL, N.C.

We, the undersigned Judges and Registrar of the Municipal Election held in the Town of Chapel Hill on May 7, 1929, for the purpose of electing a Mayor and three Aldermen and for the purpose of holding an election on the proposition of establishing a Recorder's Court for the Town of Chapel Hill, do hereby declare and attest that the election was legal in all respects and that the results listed below are true and accurate in all respects.

Votes received for Mayor:

Zeb P. Council - 101
Louis Graves - 1

Votes received for Aldermen:

G. M. Braune - 84
Clyde Eubanks - 83
M. E. Hogan - 84
M. W. Durham - 1

Votes cast for the proposition of establishing a Recorder's Court in the Town of Chapel Hill:

For - 93
Against - 8

B. J. HOWARD-Registrar.

T. E. BEST- JUDGE

M. W. DURHAM-JUDGE

\$9

Total
Registration
433
See Reg. Book
Apr 23 - 1929-

Upon motion of Alderman Hogan, seconded by Alderman Thompson, the following resolution was adopted; all the Aldermen present voting in the affirmative therefor:

BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

Section 1. That the Municipal Election held on May 7, 1929, and results thereof, as shown by the report of the Registrar and Judges of said Election are hereby declared legal and are accepted.

Section 2. The following candidates are hereby declared elected:

Mayor - Zeb P. Council,

Aldermen - G. M. Braune,
Clyde Eubanks, and
M. E. Hogan.

Section 3. A recorder's court shall be established in the Town of Chapel Hill.

The newly elected Mayor and Aldermen took the oath of office as shown below.

NORTH CAROLINA:

ORANGE COUNTY:

I, ZEB P. COUNCIL, do solemnly swear that I will diligently endeavor to perform faithfully and truly, according to my best skill, judgment and ability, all the duties of the office of Mayor of the Town of Chapel Hill while I continue therein, and will cause to be executed as far as in my power lies, all the laws, ordinances and regulations made for the government of the Town; and in the discharge of my duties I will do equal justice in all cases whatsoever.

Zeb P. Council

Subscribed and sworn to before me, this the 13th day of May, 1929.

C. P. Hinchman Jr.
Notary Public.

My commission expires _____

Minutes of the Meeting of the Board of Aldermen, Book 5, Page ~~136~~ 137

Upon motion of Alderman Hogan, seconded by Alderman Thompson, the following resolution was adopted; all the Aldermen present voting in the affirmative therefor:

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Aldermen - G. M. Braune,
Clyde Eubanks, and
M. E. Hogan.

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Rek P Cormail

Subscribed and sworn to before me, this the 13th day of May, 1929.

C P Hisham Jps.
Notary Public

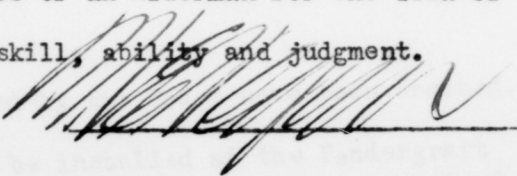
My commission expires

Minutes of the Meeting of the Board of Aldermen, Book 5, Page 138

NORTH CAROLINA:

ORANGE COUNTY :

I, M. E. HOGAN, do solemnly swear that I will faithfully and impartially discharge the duties of an Alderman for the Town of Chapel Hill, according to my best skill, ability and judgment.



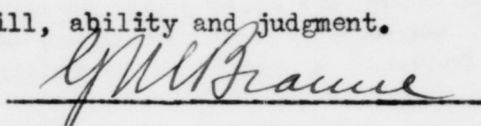
Subscribed and sworn to before me this 13th day of MAY, 1929.

Zeb P Council
Mayor of Chapel Hill.

NORTH CAROLINA:

ORANGE COUNTY :

I, G. M. BRAUNE, do solemnly swear that I will faithfully and impartially discharge the duties of an Alderman for the Town of Chapel Hill, according to my best skill, ability and judgment.



Subscribed and sworn to before me this 13th day of MAY, 1929.

Zeb P Council
Mayor of Chapel Hill.

NORTH CAROLINA:

ORANGE COUNTY:

I, C. L. EUBANKS, do solemnly swear that I will faithfully and impartially discharge the duties of an Alderman for the Town of Chapel Hill, according to my best skill, ability and judgment.

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SUBSCRIBED AND SWORN TO BEFORE ME THIS 13th day of MAY, 1929.

C. L. Eubanks
Mayor of Chapel Hill.

Minutes of the Meeting of the Board of Aldermen, Book 5, Page 139

The Manager made the following report:

The Town Attorney advises that the Town accept the proposal of Mr. Parker, Attorney for the Mrs. A. S. Barbee Estate, that the Town accept \$910.28 in full settlement for back taxes on personal property of Mrs. A. S. Barbee. The check has been received by the Town.

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The "STOP" signs authorized by the Board have been erected.

The culvert authorized to be installed at the Pendergraft Filling Station on Franklin Street has been installed at a cost of approximately \$380.00.

A survey has been made of Senlac Road and the estimated cost is found to be approximately \$1.48 per foot.

A survey of Franklin Street on the South side, between the Bus Station and Columbia Street, has been made and it is estimated that the cost of laying a sidewalk will be \$4.50 per lineal foot.

The Town will give its annual barbecue to the Fire Department on Thursday, May 16th, at 6:30 at the Club House belonging to the Fire Department. All members of the Board of Aldermen are urged to be present.

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The Board voted to refund Kenneth Jones \$4.24 for taxes paid in 1927 on a \$600 listed in error. The motion was made by Alderman Eubanks, and seconded by Alderman Braune, all members of the Board of Aldermen voting in the affirmative therefor.

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Mr. E. C. Smith, Manager of the Carolina Theater, appealed to the Board of Aldermen for relief from a recent ruling of the Board of Adjustment that all billboards in Town should be removed by January 1, 1930.

Town Attorney Sawyer stated that the Supreme Court held that sign boards could not be removed - that it amounted to confiscation of property which of course is unconstitutional.

Upon motion of Alderman Eubanks, seconded by Alderman Braune, it was moved that no action be taken on the matter, and that Mr. Sawyer investigate further. All members of the Board voting in the affirmative therefor.

Mr. B. F. Stevens, Superintendent of the Chapel Hill Graded School, stated that the Trustees of the Chapel Hill Graded School District, instructed him to present for the Board's consideration the matter of the collection fee charged for School taxes and the matter of allowing the school to share in the discounts and penalties charged on School taxes.

Correction:

There was much discussion. It was pointed out that \$300 seemed a very fair charge for the service rendered in making out the tax books, and collecting the taxes for the School. The Manager pointed out that it would add quite an additional expense to the management of the office if it were required to separate the penalties and discounts for school taxes. Alderman Hgan recommended that the Manager be instructed to furnish a statement to the Board in regard to the amount of penalties and discounts the School Fund would share in, if the Board should decide to accept Mr. Steven's recommendation.

The following resolution was presented by Mr. Stevens in regard to the sale of School Bonds:

BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE
TOWN OF CHAPEL HILL:

Section1. That pursuant to an act of the General Assembly of North Carolina, being House Bill 186, Senate Bill 258, entitled, "AN ACT TO AUTHORIZE THE CHAPEL HILL GRADED SCHOOL DISTRICT, ORANGE COUNTY, TO ISSUE BONDS, AND TO PROVIDE FOR THE PAYMENT THEREOF", ratified February 15th, 1929, and the will of the qualified voters of the Chapel Hill Graded School District as expressed at the Special Election held on the 23rd day of April, 1929, there be issued at this time the following bonds of the Chapel Hill Graded School District:

(a) \$7,500.00 bonds of said District for the purpose of funding and paying an outstanding debt of the district created for the running expenses of the schools therein.

(b) \$7,500.00 bonds for the purpose of paying the unpaid portion of the cost of erecting and equipping school buildings in said District.

Section 2. That the two bond issues authorized by this resolution shall be consolidated into one issue, consisting of thirty bonds of \$500.00 denomination each, numbered 1 to 30, both inclusive, and shall be dated July 1st, 1929, and shall mature in numerical order annually July 1st \$500.00 1932 to 1935, and \$1,000 1936 to 1949, all inclusive. Said bonds shall bear interest at a rate to be hereafter determined upon receipt of bids for said bonds by the Board of Trustees of the Chapel Hill Graded School District, not however, to exceed six per cent per annum, payable semi-annually on the first days of January and July in each year.

Section 3. The principal and interest of all of said bonds shall be payable in gold coin of the United States of the present standard of weight and fineness at the United States Mortgage & Trust Company, in the City of New York; they shall be coupon bonds subject to registration as to principal along.

Section 4. Said bonds shall be issued in the name of the Chapel Hill Graded School District, and shall be executed on behalf of said District by the Mayor of the Town of Chapel Hill, and the Clerk of this Board and by the Chairman of the Board of Trustees of the Chapel Hill Graded School District and the seal of the District shall be affixed to said bonds, and the annexed interest coupons shall be executed with the facsimile signature of said Clerk and said Chairman; and the said bonds and coupons, and the endorsement on each bond setting forth the condition under which same may be registered shall be substantially as follows, and the said bond shall be subject to registration in accordance with the terms and conditions of such endorsement:

\$500.00

No. _____

UNITED STATES OF AMERICA
STATE OF NORTH CAROLINA
ORANGE COUNTY
CHAPEL HILL GRADED SCHOOL DISTRICT
SCHOOL BOND.

The Chapel Hill Graded School District, in Orange County, North Carolina, is justly indebted, and for value received, hereby promises to pay to the bearer, or if this bond be registered, to the registered owner hereof, on the first day of July, 19____, the sum of

FIVE HUNDRED DOLLARS

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LAW OFFICES
MOREHEAD AND
MURDOCK
DURHAM, N. C.

with interest thereon at the rate of _____ per cent per annum, payable on the first days of January and July in each year, until this bond is paid, upon the presentation and surrender of the annexed interest coupons as they severally fall due. Both

...at the United States Mortgage & Trust Company, in the City of New York. For the prompt payment thereof, both principal and interest as the same shall fall due, the full faith, credit and resources of the said Chapel Hill Graded School District are hereby irrevocably pledged.

This bond is one of a series of 30 bonds of like date, tenor and amount, except as to maturities, aggregating the sum of \$15,000, comprising a consolidated issue of two separate bond issues, being an issue of \$7,500 for the purpose of funding and paying an outstanding debt of the District created for the running expenses of the schools therein, and an issue of \$7,500 for the purpose of paying the unpaid portion of the cost of erecting and equipping school buildings in said District. Each class of bond is issued under the authority of and in full compliance with an act of the General Assembly of North Carolina, ratified February 15th, 1929, and being House Bill 186, Senate Bill 258 of the regular session of 1929, and pursuant to an election duly called, held on the 23rd day of April, 1929, and resolutions duly adopted by the Board of Aldermen of the Town of Chapel Hill.

It is hereby certified and recited that all acts, conditions and things required by the laws and constitution of said State to happen, exist and be performed precedent to and in the issuance of this bond, have happened, exist and been performed in regular and due form and time as so required. That the total indebtedness of said District, including this bond, does not exceed any constitutional or statutory limitation thereon; and that provision has been made for the levy and collection of a direct annual tax upon all taxable property within said District sufficient to pay the principal and interest hereof as the same shall fall due.

This bond may be registered as to principal only in accordance with the endorsement hereon.

IN WITNESS WHEREOF, the Board of Aldermen of the Town of Chapel Hill, North Carolina, pursuant to the authority conferred by the above mentioned act and vote, has caused this bond to be signed for and on behalf of said Chapel Hill Graded School District, by the Mayor of the Town of Chapel Hill and the Clerk of said Board, and by the Chairman of the Board of Trustees of the Chapel Hill Graded School District, under the corporate seal of said District, and has caused the interest coupons hereto annexed to be executed with the facsimile signature of said Clerk and Chairman, all as of the first day of July, 1929.

Mayor.

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Clerk, Board of Aldermen of
the Town of Chapel Hill.

Chairman, Board of Trustees of
Chapel Hill Graded School District

ENDORSEMENT TO BE PRINTED ON EACH BOND.

NOTICE: No writing shall be made hereon save by the Treasurer of the Town of Chapel Hill, or such other bond registrar as may be appointed by the Board of Aldermen of said Town.

This bond may be registered as to principal only in the bond register of the Chapel Hill Graded School District, notation of such registry to be made hereon by the Treasurer of the Town of Chapel Hill, or such other bond registrar as may be legally appointed by the Board of Aldermen of said Town, and may thereafter be transferred on such register only upon a written assignment of the registered owner, or his attorney, duly acknowledged or proved, such transfer to be endorsed hereon by the Bond Registrar. Such transfer may be to bearer and thereby transferability by delivery shall be restored, but this bond shall again be subject to registration and transfer as before. The coupons will remain payable to bearer, notwithstanding the registration of this bond. The principal of this bond, if registered, will be payable only to the registered owner, or his legal representative.

Date of Registry

Registered Owner

Registrar

(Coupon)

No. _____

\$ _____

On _____ 1st, 19____, the Chapel Hill Graded School District, in Orange County, North Carolina, will pay to bearer the sum of _____ Dollars (\$ _____), at the United States Mortgage & Trust Company, in the City of New York, in gold coin as provided in and for the semi-annual interest upon its School Bond, dated July 1st, 1929, and numbered _____.

Clerk, Board of Aldermen of
the Town of Chapel Hill.

Chairman, Board of Trustees of
the Chapel Hill Graded School District.

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Section 5. That the Treasurer of the Town of Chapel Hill is hereby appointed Registrar for the purpose of registration of the principal alone of said bonds as herein above provided.

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MOREHEAD AND
MURDOCK
DURHAM, N. C.

Section 6. That in each year while any of said bonds shall be outstanding a direct annual tax shall be levied upon all taxable property within the Chapel Hill Graded School District over and above all other taxes authorized or limited by law in a sufficient amount to meet the payment of interest and principal of said bonds maturing in the following year.

Section 7. That the said bonds shall be delivered by the Mayor and Clerk of this Board pursuant to sale thereof made by the Board of Trustees of the Chapel Hill Graded School District, and upon receipt of the purchase price by the Treasurer of the Town of Chapel Hill.

The resolution was duly adopted, the following Aldermen voting in the affirmative therefor:

Messrs. Eubanks, Braune, Thompson, Connor, Burch and Hogan. E

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Alderman Connor stated that the reflector had not been installed on the curve in front of his home. The Manager stated that the State Highway Engineer in Durham stated that the reflector would be put, but as yet had not installed it.

Dr. Connor offered the following motion, which was seconded by Mr. Hogan, that the Town Manager and Dr. Braune take up the matter of changing the roadbed on this curve with Mr. Hill, the State Highway Commissioner for this District; all members of the Board voting in the affirmative therefor.

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The matter of appointing officers and fixing fees for the Recorder's Court was brought up.

Town Attorney Sawyer suggested that the officers of the new Court be appointed tonight, and then let the officers of the Court visit nearby towns having recorders' courts and ascertain the fees collected and salaries paid in these courts.

Mr. Sawyer left the meeting at this time.

The question of electing a recorder was taken up at this time, and the Manager read applications from C. P. Hinshaw and L. J. Phipps.

After much discussion, upon motion of Alderman Burch, seconded by Alderman Thompson, Mr. Hinshaw was elected.

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Mr. A. B. Sawyer was elected as prosecuting attorney and Miss Ruby Ross was elected clerk.

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The following motion was introduced and unanimously approved:
The meetings of the Board of Aldermen shall be held on the second Monday night at 8 p. m. of each month, until October. During the winter months the meetings will be held at 7:30 p. m.

Meetings
of
Board of
Aldermen

The Bank of Chapel Hill was declared depository for all town funds.

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Dr. Nathan was asked to investigate the selling of ice cream on the streets from wagons.

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The Manager read the followings letter to Mr. C. H. Weaver in regard to a swimming pool to be constructed on Bowling Creek just above the Town sewerage disposal plant:

"May 10, 1929.

Mr. C. H. Weaver,
City.
Dear Sir:

In regard to establishing a lake on Bolen Creek, please let me say that the Town of Chapel Hill will require a continuous flow from your dam equal to flow entering lake from all sources including any ground water source within the lake.

We understand that the present flow is insufficient even to maintain a lake level with no water leaving the lake. Would suggest you have competent engineers investigate proposition.

Upon motion of Alderman Braune, seconded by Alderman Hogan, it was moved that the Board go on record as endorsing the Manager's letter, all members of the Board voting in the affirmative therefor.

The following resolution was introduced by Alderman Braune and seconded by Alderman Hogan:

BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

Section 1: In making street improvements, the abutting property owners shall be assessed one hundred per cent of the cost of the improvement.

Section 2: This ordinance shall take effect upon its passage.

Book 5 - Page 146

The above resolution was passed, all members of the Board of Aldermen present voting in the affirmative therefor.

Upon motion of Alderman Hogan, seconded by Alderman Connor, Alderman Eubanks was elected Mayor-Protem for two years, all members of the Board of Aldermen present voting in the affirmative therefor.

The meeting of the Board of Aldermen adjourned upon motion at 10:10 p. m.

ZEB P. COUNCIL, MAYOR

Ruby Ross Clerk.

*See Page 153 for Amendment to
Resolution Re: School Bond*