

Minutes of the Meeting of the Board of Aldermen, Town of Chapel Hill, February 12, '30

Book 6, Page 9, Feb. 12, '30.

The regular monthly meeting of the Board of Aldermen was held at 8:00 P.M. o'clock, Wednesday, at the Town Hall, the Mayor, Zeb. P. Council, presiding and the following Aldermen present:- Messrs. Hogan, Burch, Braune, Eubanks and Thompson. Town Attorney Sawyer was also present.

The Manager read the minutes of the meetings of January 15th and of January 29th, which were approved.

Mayor Council suggested that the minutes be made shorter, leaving out some of the unnecessary details.

Collier Cobb Jr., owns \$12,000.00 in rock-crushing equipment located all over North Carolina, and lists this equipment in Orange County for taxes. He does not object to paying taxes in the County, but requests the Board of Aldermen to relieve him from paying city taxes. Town Attorney investigated the matter, and recommended that Mr. Cobb be released from Town Taxes.

Upon motion of Alderman Hogan, seconded by Alderman Braune, it was moved that Mr. Collier Cob, Jr., be released from the payment of taxes on the \$12,000.00 worth of equipment which he owns. All aldermen present voted in the affirmative therefor.

The Committee appointed on the matter of the Gas Franchise was not ready to report and was continued until the next meeting.

Mr. A. W. Hobbs was appointed to succeed Dr. D. D. Carroll as a member of the Board of Adjustments for the Zoning Ordinance. The Mayor also appointed Dr. R. E. Coker to serve on the Board of Adjustment during the absence of Dr. Royster, who is away on leave of absence.

Upon motion of Alderman Hogan, Seconded by Alderman Braune, the following ordinance in regard to the unloading of Coal and wood was adopted:-

Ordinance
Vs.
The Dumping
of Coal or wood
on sidewalk.

BE IT ORDAINED BY THE BOARD OF ALDERMEN, THAT it shall be unlawful for any person, firm or corporation to dump or leave any coal or wood, or any other material, on the streets or sidewalks of Chapel Hill, which will have a tendency to impede the traffic or prevent the free and unobstructed use of the streets or sidewalks in the Town of Chapel Hill.

Any person, firm, or corporation violating the terms of this ORDINANCE shall be fined not exceeding the sum of FIFTY DOLLARS (\$50.) or imprisoned not exceeding thirty days (30).

RATIFIED this Twelfth Day of February, Nineteen Hundred and Thirty, A. D.

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Alderman Burch, of the Public Safety Committee, recommended that a new Ford automobile be purchased for the use of the Police Department. Upon motion of Alderman Hogan, seconded by Alderman Braune, it was moved that the Mayor, Mr. Burch and the City Manager be authorized to purchase a car suited to the needs of the Police Department. All the aldermen present voted in the affirmative therefor.

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Mr. M. E. Hogan, Chairman of the Finance Committee, recommended the following Budget Transfers:-

<u>Division of Management:</u>	<u>Increase,</u>	<u>Decrease,</u>
Printing & Binding,	\$100.00	-
Clerical Services	75.00	-
Insurance on Equipment	8.00	-
Insurance on Official Bond,	-	9.00
Postage,	-	50.00
Advertising,	-	20.00
Heat,	-	14.00
Office Supplies	-	50.00
Salary of Office Assistant,	-	40.00

Division of Sanitation:

Cleaning Streets after Storm, Wages 150.00 -

Division of Streets:

Wages, 350.00

(continued on p. 11.)

(Continued below)

	<u>Increase.</u>	<u>Decrease.</u>
<u>Division of Sewers:</u>		
Wages,	-	500.00
<u>Division of Police:</u>		
Repairs, (Parts) Equipment,	75.00	-
General Equipment,	450.00	-
Wages,	-	525.00

Upon motion of Alderman Eubanks, seconded by Alderman Thompson, it was moved that the above transfers be made. All the aldermen present voted in the affirmative therefor.

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The Manager made a report in regard to the collection of taxes for the current year, 1929.

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The City Manager was authorized to strenuously enforce the present Dog Ordinance.

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Upon motion of Alderman Hogan, seconded by Alderman Eubanks, the following Ordinances regarding the stopping of the Bus for passengers, and in regard to automobiles stopping in the middle of the highway to take on passengers, - were passed, - all the aldermen present voted in the affirmative therefor:-

(See Ordinances next page)

ORDER
OF THE BOARD OF ALDERMEN
TOWN OF CHAPEL HILL
DISTRICT OF LOTTERY
OFFICE
DISTRICT OF LOTTERY
(COMMISSIONED BY THE BOARD)

\$20.00
10.00

\$20.00
10.00
100.00

Ordinance on
Special
Bus Stops.

BE IT ORDAINED BY THE BOARD OF ALDERMEN, TOWN OF CHAPEL HILL,

THAT:

Section 1.

It shall be unlawful for any person operating a Bus on Franklin Street between Columbia and Hillsboro Streets, to stop the said Bus for the purpose of admitting and discharging passengers, except at the following stations,; viz., The Bus Station, The Carolina Theater, and Spencer Hall.

Section 2.

This Ordinance shall become effective Monday, February 24, 1930.

Section 3.

Any person violating the terms of this Ordinance shall be fined not exceeding Fifty Dollars, (\$50.00), or imprisoned not to exceed thirty days (30).

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Ordinance vs.
motor vehicles
stopping for
passengers in
middle of street.

BE IT ORDAINED BY THE BOARD OF ALDERMEN, TOWN OF CHAPEL HILL, THAT; the Bumping Ordinance recorded in Book No.4, Page 246, be, and the same is, hereby amended,;

Section 1. That after the word "Street" in "Section 1" the following shall be added , -

Section 1 (a) That it shall be unlawful for any person to stop any motor vehicle in the streets of Chapel Hill to pick up any pedestrian without first drawing up to the right hand curb.

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The City Manager stated that, acting upon the advice of Alderman Burch of the Public Safety Committee, that the Recorder's Court would no longer be held in the second story of the Town Hall, due to its unsafe condition. Mr. E. Carrington Smith offered the use of the Pickwick Theater, for the Court. Mr. Smith makes no charge for the use of this building, provided the Town will pay the light and heating of the same.

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Upon motion of Alderman Burch, seconded by Alderman Hogan, it was moved that Mr. Smith's generous offer be accepted, all the Aldermen present voting in the affirmative therefor.

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dealers.

Upon motion of Alderman Hogan, seconded by Alderman Eubanks, it was moved and passed that the regular meeting of the Board of Aldermen be held at Eight 'o'clock P. M.

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Alderman Braune stated that the local postoffice ought to allow its patrons to gain access to the lock boxes until eleven o'clock at night. There was much discussion.

Mayor Council volunteered to take the matter up with the local postmaster, and to handle the matter through the regular postoffice channels.

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There being no further business, upon motion, the Meeting of the Aldermen adjourned.

ZEB P. COUNCIL, MAYOR

J. A. Osborne CLERK.

end "P. V."

The regular monthly meeting of the Board of Aldermen was held at 8:00 o'clock, P. M. at the Town Hall, Mayor Zeb P. Council presiding, and the following Aldermen present:- to wit, Messrs. Braune, Burch, Eubanks, Connor, Hogan and Thompson. Town Attorney Sawyer was also present.

The Minutes of the Meeting of February 12th, the last meeting, were read and approved.

Alderman Braune, Committee on Framing the franchise for the proposed gas installation for the Town, stated that the committee did not think it was for the best interest of the Town to grant a gas franchise at this time. Upon motion of Alderman Hogan, seconded by Alderman Connor, the recommendation of the Committee was accepted. All aldermen present voted in the affirmative therefor.

Mr. W. R. Rand asked permission to install a Jeter's Baseball Pitching Machine. The following letter from the office of the Attorney General of the State of North Carolina, was read in regard to this machine:-

Raleigh, N. C.
March 12, 1930.

From the office of the Attorney General of the State of North Carolina.

Mr. M. D. Rand,
% Pi Kappa Phi,
Chapel Hill, N. C.

Dear Sir:

C. S. Section #5802 prohibits certain games and exhibitions at Chapel Hill, or within five miles thereof. The first branch of the prohibition is, "Any public billiard table or other public table of any kind, at which games of chance or skill, or by whatever name called, may be played."

Applying the rule of strict construction of a criminal statute, even as administered in modern courts, it seems that Jeter's Baseball Pitching Machine is not a table within this prohibition.

The second branch of the prohibition is, "Any house, place, ten-pin alley, or any implement at which, or by means of which, any game of chance or hazard may be played."

The words in this branch of the prohibition, if interpreted literally, are sufficient to prohibit the establishment of this pitching machine. They are also broad enough to prohibit any machine, or implement of any kind at which any game of chance or hazard may be played. There is absolutely no means of playing any game at all, without there being a possibility of someone converting it into a game of chance. It may be that something, therefore, is left to the character of the person establishing