

Minutes of Special Meeting
Board of Aldermen - Town of Chapel Hill
February 3, 1949

A special meeting of the Board of Aldermen was held in the Town Hall on February 3, 1949 at 8:00 P.M. Present were Mayor Madry and Aldermen Burch, Hobbs, Lanier, Fowler, Davis and Fitch. Also present were Mr. Ray, Town Manager and Mr. Hinshaw, Town Attorney.

The meeting was called to order by Mr. Madry.

The purpose of the meeting was to discuss moving of jury trials to Hillsboro when requested by a defendant. A letter from Mr. M.W. Durham, Clerk of Recorder's Court was read. Mr. Durham stated that nine cases have been tried by jury in Chapel Hill since November 1947. Of these cases approximately 80% were found not guilty. Mr. Farlow, Chapel Hill Attorney, spoke against the moving of trials by jury to Hillsboro. It is his opinion that jury trials are needed in Chapel Hill and he would not like to see them moved because of the additional cost and inconvenience that will be imposed on the defendant. He feels that the jury should be retained and one day a month should be set aside for jury trials alone.

Mr. John T. Manning, another attorney of Chapel Hill, also stated that he would not like to have jury trials moved from Chapel Hill for the same reasons as those presented by Mr. Farlow.

After considerable discussion the following motion was made by Mr. Lanier.

"That the Board of Aldermen of the Town of Chapel Hill request Representative John Umstead and Senator Webb to secure the passage of a statute in the present session of the General Assembly removing from the Chapel Hill Recorder's Court to the Orange County Superior Court the trial of any case where the defendant requests a jury trial".

Seconded by Mr. Fitch. Voting for the motion were Burch, Hobbs, Lanier and Fitch. Against Davis and Fowler.

Mr. Ray brought up discussion of having the County Commissioners levy and collect the tax for the greater school district. After considerable discussion, motion was made by Mr. Burch that Mr. Ray and Mr. Goble meet with the County Commissioners on Monday, February 7, 1949 to request them to levy and collect tax in the greater school district. Seconded by Mr. Hobbs. Voting for the motion were Messrs. Burch, Hobbs, Fowler, Davis and Fitch. Mr. Lanier did not vote.

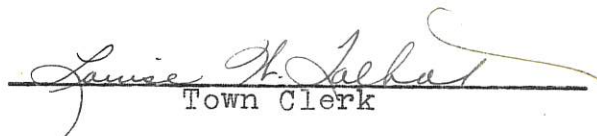
Mr. J.A. Williams, University Attorney, read extract from minutes of the Board of Trustees of the University of N.C. dated June 11, 1948 stating that they gave the present land for cemetery to the

with the condition that the money collected for lots sold would be used for maintenance of the cemetery. After some discussion, motion was made by Mr. Hobbs that the Town Manager and such persons as the Mayor may appoint, confer with the Trustees and request them, ~~in~~ in view of the circumstances existing in the colored cemetery, to authorize the Town to use the money they have on hand from the sale of lots, to purchase a new cemetery at another site and proceed to develop it. Seconded by Mr. Fitch and unanimously carried. Mr. Madry appointed Messrs. Hobbs, Fitch, Ray and Williams to confer with the University Trustees.

Mr. Hobbs moved that the Board authorize the Town Manager and a committee to be appointed, to negotiate the purchase of cemetery land not to exceed \$300.00 an acre for sufficient acreage to supply the needs for a colored cemetery. Seconded by Mr. Burch and unanimously passed. Mr. Madry appointed Messrs. Hobbs, Fitch, Williams and Ray along with any members of the City Cemetery Committee who might want to help, to serve on this committee.

Mr. Hinshaw read the contract between the Town of Chapel Hill and the University of North Carolina for 50% interest in the land on which the new sewer plant is being built and easement across the land. After some discussion Mr. Hobbs moved that the contract with the Trustees of University of North Carolina be accepted and that the Mayor and Town Manager be authorized to sign and execute said contract and prepare and execute deeds mentioned in the contract to the University. Seconded by Mr. Burch and unanimously passed.

Upon motion of Mr. Davis, Seconded by Mr. Burch and unanimous consent the meeting adjourned at 10:15 P.M.


Town Clerk