



Digitized by the Internet Archive
in 2010 with funding from
Ensuring Democracy through Digital Access (NC-LSTA)

PRIVATE LAWS
OF THE
STATE OF NORTH CAROLINA

PASSED BY THE
GENERAL ASSEMBLY

AT ITS
EXTRA SESSION OF 1908,

BEGUN AND HELD IN THE CITY OF RALEIGH

ON
TUESDAY, THE TWENTY-FIRST DAY OF JANUARY, A. D. 1908.

PUBLISHED BY AUTHORITY.

RALEIGH:
E. M. UZZELL & Co., STATE PRINTERS AND BINDERS.
1908.



CAPTIONS

OF THE

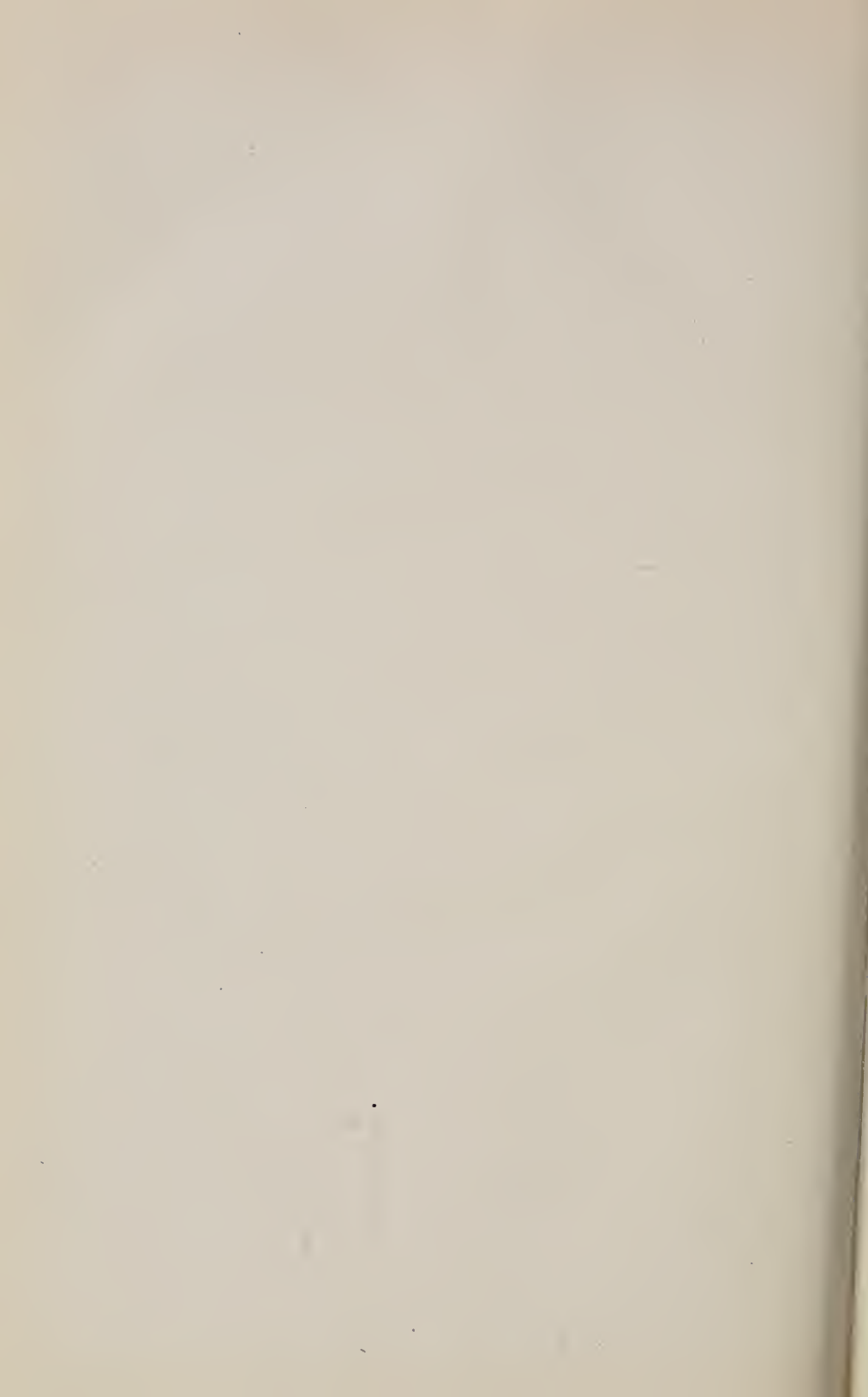
PRIVATE LAWS,

EXTRA SESSION 1908.

CHAP.	PAGE.
1. An act to allow the town of Rockingham to pay commission for the sale of its five per cent. bonds.....	3
2. An act to amend the charter of Wanteska Trust Company, of Hendersonville, North Carolina.....	4
3. An act to amend section 5 of chapter 307 of the Private Laws of 1907, relative to the charter of the North Carolina Savings Bank and Trust Company	4
4. An act to correct and amend chapter 342, Private Laws of 1901.....	5
5. An act to provide for special assessment for improvement of sidewalks and streets in the town of Rockingham.....	5
6. An act to incorporate the town of Webster, in Jackson County.....	7
7. An act to legalize the \$30,000 school bond issue of the city of Greensboro	8
8. An act to amend chapter 421, Public Laws of 1903, entitled "An act to establish graded schools in Roper, Washington County.".....	10
9. An act to consolidate School Districts Nos. 4 and 6, in Little River Township, Wake County, North Carolina.....	11
10. An act to enable the city of Charlotte to fund its floating indebtedness, provide for the payment of its future indebtedness for necessary expenses, and to authorize the city to levy taxes to meet the payment of the same.....	12
11. An act to amend the charter of the city of Monroe.....	13
12. An act to authorize the Board of Commissioners of the Town of Taylorsville, in the county of Alexander, to levy a special tax.....	14
13. An act to authorize and empower the Board of Aldermen of the City of Wilmington to lease at the pleasure of the board certain unimproved property owned by it outside of the limits of the city of Wilmington	14
14. An act to incorporate the Palm Club, of Wilmington, North Carolina..	15
15. An act to amend chapter 451, Public Laws of 1907.....	16
16. An act for the relief of J. B. Gilbert, Tax Collector of the Town of Huntersville, Mecklenburg County, North Carolina.....	16

CHAP.	PAGE.
17. An act to authorize the city of Statesville to issue bonds without submitting the question to a vote of the qualified voters of said city, to pay off certain indebtedness of said city, incurred for necessary expenses	17
18. An act to allow the town of Lincolnton to issue bonds for graded school purposes	18
19. An act to amend chapter 556 of the Public Laws of 1905, relative to a bond issue for the Mooresville Graded School District.....	19
20. An act to authorize the town of Laurinburg to issue bonds.....	20
21. An act to incorporate the town of Middlesex, in the county of Nash...	21
22. An act to authorize the Secretary of State to make correction in an act passed at the session of the General Assembly of North Carolina for the year 1907, it being House Bill No. 2133, Senate Bill No. 1581, and ratified on the 11th day of March, 1907, and entitled "An act to enlarge the corporate limits of the city of Fayetteville," and to amend said act, and to establish the corporate limits of the city of Fayetteville	25
23. An act to amend chapter 121 of the Private Laws of 1891, it being an act to incorporate the town of Kenilworth.....	27
24. An act to authorize the Board of Commissioners of the Town of Lumberton to issue bonds to refund the floating indebtedness of said town, and for other purposes.....	28
25. An act to incorporate Trimont Lodge, No. 249, Independent Order of Odd Fellows	31
26. An act to amend an act entitled "An act to sell or lease the Pittsboro Academy."	32
27. An act to authorize the city of High Point to issue bonds.....	33
28. An act for the relief of Rev. J. W. Pinnix of Forsyth County.....	34
29. An act to permit Wakelon Graded and High School District, in Wake County, to vote \$10,000 of bonds.....	34
30. An act to amend chapter 455, Public Laws of 1903, so as to authorize the Trustees of Morganton Graded School to elect a tax collector..	37
31. An act to authorize the Trustees of the Goldsboro Graded Schools to borrow thirty thousand dollars (\$30,000) for Wayne County High School, and for other purposes.....	38
32. An act to amend chapter 262 of the Private Laws of the General Assembly of North Carolina, at its session of 1907, relative to establishing a graded school in the town of Mocksville, in Davie County..	39
33. An act to authorize the Trustees of the Goldsboro Graded Schools to borrow \$30,000 for Wayne County High School, and for other purposes	39
34. An act to incorporate the town of Walstonburg, in the County of Greene	40
35. An act for the relief of R. M. Echols.....	42
36. An act to incorporate the town of Baileys, Nash County.....	42

CHAP.	PAGE.
37. An act to amend chapter 411 of the Private Laws of 1905, and to extend the time for the organization of the Watauga Railway Company	43
38. An act to allow the city of Greensboro to issue bonds.....	44
39. An act to incorporate the town of Westray, in Nash County.....	45
40. An act to amend chapter 31, Private Laws 1907, relating to the incorporation of Spruce Pine, Mitchell County.....	46
41. An act to authorize the city of High Point to issue bonds.....	47
42. An act amendatory of the act establishing the Spring Hope Graded School District, in Nash County, chapter 403, Laws 1903.....	48
43. An act to amend chapter 197, Private Laws 1895, incorporating the town of Peachland, in Anson County.....	49
44. An act to create a building committee to provide for the erection of a girls' dormitory in connection with Cullowhee Normal and Industrial School, with power to condemn land for the use of said school,	50
45. An act for electric lights for the town of Lincolnton.....	52
46. An act to provide for the erection of a public schoolhouse in Creedmoor Public School Special Tax District, Granville County.....	53
47. An act to amend an act to amend, revise and consolidate the charter of the city of Concord, Cabarrus County, North Carolina.....	56
48. An act to incorporate the town of Candor, in Montgomery County, North Carolina	57
49. An act to validate the marriage of Joseph Ridenhour to Mrs. H. C. Davis	61
50. An act to amend chapter 356 of the Private Laws of the year 1907, so as to limit the collection of arrears of taxes in Snow Hill, Greene County, to January 1, 1909.....	62
51. An act to empower the trustees of Pleasant Retreat Academy, in Lincoln County, N. C., to sell certain property.....	62
52. An act to amend the charter of the town of Weldon, Halifax County, North Carolina	63
53. An act to amend chapter 197, Private Laws 1895, incorporating the town of Peachland, in Anson County.....	65
54. An act to amend the charter of the city of Greensboro.....	67
55. An act for the improvement and advancement of education in certain school districts in Cherokee County.....	69
56. An act to incorporate the town of Westray, in Nash County.....	72
57. An act to amend chapter 47, Private Laws of 1899, so as to authorize an increase of the number of directors of the Davis and Wiley Bank, of Salisbury, N. C., from seven to eleven	73
58. An act to establish graded schools in the town of Beaufort, Carteret County	73
59. An act to create a school district at Craigtownie, North Carolina.....	78
60. An act to amend the charter of the town of Murphy, in Cherokee County	79
61. An act to incorporate the Hiawasse Valley Railway Company, and for other purposes.....	79



PRIVATE LAWS

OF THE

STATE OF NORTH CAROLINA

EXTRA SESSION 1908.

PRIVATE LAWS

OF THE

STATE OF NORTH CAROLINA.

EXTRA SESSION 1908.

CHAPTER 1.

AN ACT TO ALLOW THE TOWN OF ROCKINGHAM TO PAY
COMMISSION FOR THE SALE OF ITS FIVE PER CENT.
BONDS.

The General Assembly of North Carolina do enact:

SECTION 1. That whereas, by virtue of chapter eighty-seven of
the Private Laws of North Carolina, one thousand nine hundred
and seven, the Commissioners of the Town of Rockingham are
authorized to issue, sell and dispose of bonds to an amount not to
exceed forty thousand dollars (\$40,000); and whereas, there is
further provision in said act that the said bonds shall bear interest
at the rate of five per cent. per annum; and whereas, the said
commissioners of the said town find it impossible to dispose of
said bonds at their par value without paying a commission
brokerage for effecting such sale; and whereas, the commissioners
of the said town believe that by the payment of a commission
brokerage not to exceed six per cent. the said bonds can be sold and
thus carry into effect the wishes of the people of the town of
Rockingham and save money to the taxpayers of the said town;
that the commissioners of the said town of Rockingham be and
they are hereby authorized and empowered to issue, sell and dis-
pose of the aforesaid issue of bonds to an amount not exceeding
forty thousand dollars (\$40,000) heretofore authorized to be
issued, sold and disposed of under and by virtue of chapter eighty-
seven of Private Laws of North Carolina, one thousand nine hun-
dred and seven, according to the terms and conditions of the said
law, and to pay out of the sum thus received a commission broker-
age of not exceeding six per centum to the party negotiating the
said sale.

Preamble.

Further preamble.

Sale authorized.

Limit of amount.

Commission broker-
age allowed.

SEC. 2. That this act shall be in force from and after its ratifi-
cation.

In the General Assembly read three times, and ratified this the
27th day of January, A. D. 1908.

CHAPTER 2.

AN ACT TO AMEND THE CHARTER OF WANTESKA TRUST COMPANY, OF HENDERSONVILLE, NORTH CAROLINA.

Preamble. Whereas, the charter of the Wanteska Trust Company, of Hendersonville, North Carolina, was taken out before the Secretary of State and filed in his office July nineteenth, one thousand nine hundred and seven, under the general corporation laws; and whereas, the power to do a general banking business cannot be granted under said law: now, therefore,

The General Assembly of North Carolina do enact:

Corporate name. SECTION 1. That the name of said company shall be changed to the Wanteska Trust and Banking Company.

Additional powers. SEC. 2. That, in addition to the powers now possessed by said company, it shall have the right to do a general banking business at its offices, subject to the same State control and supervision as other banks, and to the same liabilities as to capital and stockholders.

SEC. 3. That all laws and clauses of laws in conflict hereunto are hereby repealed.

In the General Assembly read three times, and ratified this the 27th day of January, A. D. 1908.

CHAPTER 3.

AN ACT TO AMEND SECTION 5 OF CHAPTER 307 OF THE PRIVATE LAWS OF 1907, RELATIVE TO THE CHARTER OF THE NORTH CAROLINA SAVINGS BANK AND TRUST COMPANY.

The General Assembly of North Carolina do enact:

Capital stock. SECTION 1. That section five of chapter three hundred and seven of the Private Laws of one thousand nine hundred and seven, entitled an act to incorporate North Carolina Savings Bank and Trust Company, be and the same is hereby amended to read as follows: "The total authorized capital stock of this corporation is two hundred and fifty thousand dollars (\$250,000), divided into two thousand five hundred (2,500) shares of the par value of one hundred dollars (\$100) each, but the corporation may organize and begin business when one hundred and twenty-five thousand dollars (\$125,000) of capital stock, composed of twelve hundred and fifty (1,250) shares shall have been subscribed for."

SEC. 2. That the North Carolina Savings Bank and Trust Com-
pany, chartered under the general banking law under date of
June thirteenth, one thousand nine hundred and six, located at
High Point, North Carolina, is hereby dissolved.

SEC. 3. That this act shall be in full force and effect from and
after its ratification.

In the General Assembly read three times, and ratified this the
27th day of January, A. D. 1908.

CHAPTER 4.

AN ACT TO CORRECT AND AMEND CHAPTER 342, PRIVATE LAWS OF 1901.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter three hundred and
forty-two, Private Laws of one thousand nine hundred and one,
be amended by striking out in line thirteen thereof, between the
word "street" and the word "feet," the figures "380," and inserting
in lieu thereof the figures "1380."

Boundary of
Scotland Neck.

SEC. 2. That this act shall be in force from and after its ratifi-
cation.

In the General Assembly read three times, and ratified this the
28th day of January, A. D. 1908.

CHAPTER 5.

AN ACT TO PROVIDE FOR SPECIAL ASSESSMENT FOR IM- PROVEMENT OF SIDEWALKS AND STREETS IN THE TOWN OF ROCKINGHAM.

The General Assembly of North Carolina do enact:

SECTION 1. That the land in said town of Rockingham abutting
on sidewalks and streets shall be liable to a special assessment
for the improvement of sidewalk upon which land may abut, the
improvement to be by grading, curbing, paving or in such a man-
ner and of such a character as the commissioners of the said town
may determine, and to that end the commissioners of the said
town are hereby authorized and empowered from time to time to
designate such sidewalks or parts of sidewalks as they may elect,
and to improve such sidewalks or parts of sidewalks so designated
in such a manner as they may see fit, and assess the land abutting

Land liable to
special assessment.

Not more than half of cost assessed against land.	thereon for the payment of the portion of the cost of improvement not to exceed fifty per cent. thereon, the assessment to be ratably levied with respect to the distance each lot or parcel of land abuts on said designated sidewalk. Immediately upon the completion of the improvement upon any designated sidewalk, the owner of each lot or parcel of land abutting thereon shall be notified in writing, a copy of which notice shall be left with him (if he be a resident of the said town or the county of Richmond) of the amount of his assessment on his lot or parcel of land; and if the owner shall be a nonresident of the town and of the county, and having a known agent resident of the town or the county, then such notice shall be personally served upon such agent; and if the owner be a nonresident of the town or the county and having no known agent resident in either, then such notice shall be mailed to him, if his address be or can be by diligent inquiry ascertained, and also published for four successive weeks in some newspaper published in Rockingham, and said notice shall specify the time within which said assessment shall be paid, which shall not be less than sixty days from and after the service of the notice; and after publication be made, the notice shall be deemed served at the time of the publication of the notice. The said assessment shall be a lien on the said abutting land, and if the owner shall refuse or neglect to pay the full amount of assessment so made against any lot or parcel of land within the time mentioned in the notice, then the mayor may sell the same at public outcry to the highest bidder at the door of the courthouse in said town for cash, after advertising the time, place and terms of sale, as may be required by law of sheriffs in selling land under execution. If said land at such sale shall not bring more than the assessment against it and the costs of advertising sale, the said mayor shall bid it in for the city. If bid in by the mayor for the city, the owner shall within one year from the sale pay to the city the amount of the assessment, cost of advertising sale and ten per cent. thereon, and thus divest his land of the lien. If the owner fail to pay within one year, then the mayor shall execute deed for said land to the city, and his deed shall be sufficient in law to convey the title of the owner. If said land be knocked down to another, then the mayor shall give to the purchaser a receipt for the price bid, and shall apply so much of the money paid as may be necessary to pay assessment and costs of advertising sale, and the balance he shall turn over to the owner, and the owner may within one year from said sale pay to the purchaser of said land the amount of his bid, together with ten per cent. thereon, and thereupon the purchaser shall surrender the receipt and have no further claim on said land. In default of the owner
Notice to owner of amount of assessment.	
Time of payment.	
Assessment a lien on lands.	
Sale of land.	
Land bid in for city.	
Power of redemption.	
Conveyance of land not redeemed.	
Land purchased by third person.	
Redemption.	
Deed to purchaser.	paying within one year, as provided he may do, the mayor shall

at the expiration of the year execute a deed in fee to the purchaser of said land, which shall be sufficient in law to convey the estate of the owner therein.

SEC. 2. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 30th day of January, A. D. 1908.

CHAPTER 6.

AN ACT TO INCORPORATE THE TOWN OF WEBSTER, IN JACKSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the town of Webster, in the county of Jack- Town incorporated.
son, be and the same is hereby incorporated under the corporate Corporate name.
name of the Town of Webster, and shall be subject to the provis-
ions, and shall have all the powers, privileges and duties now Corporate powers.
conferred by law on towns under and by virtue of chapter seventy-
three (73) of the Revisal of one thousand nine hundred and five:
Provided, that nothing herein contained shall be construed to *Provido: road laws.*
amend, repeal or in any manner alter the public road laws now
in force in the county of Jackson in the township in which the
said Town of Webster is situated: *Provided further*, that the *Provido: annual*
officers of said town shall be elected annually, instead of bienni- elections.
ally, as hereinafter provided.

SEC. 2. That the corporate limits of said Town of Webster shall Corporate limits.
be as follows: Beginning at the bank of Tuckaseigee River in the
line between A. W. Davis and J. M. Love's heirs, and running up
the ridge with Davis' line to Felix E. Alley's line; thence with
Alley's upper outside line to F. H. Leatherwood's line; thence
with Leatherwood's upper outside line to L. L. Buchanan's line;
thence with Buchanan's line to a point above the reservoir of the
Webster waterworks; thence in an easterly direction, so as to
include said reservoir and waterworks, crossing the lands of Tyler
Buchanan, Mrs. R. F. McKee and W. D. Frizell to J. W. Terrell's
line; thence with Terrell's line to C. W. Davis' line; thence with
the said Davis' outside line to the line between the county farm
and J. W. Davis; thence with J. W. Davis' upper line to A. V. P.
Bryson's line; thence a straight line to Tuckaseigee River; thence
across said river to a stake on the bank of said river between
D. M. Fullbright's and J. J. Wild's land; thence with said Wild's
upper line to J. Robert Ashe's line; thence in a westerly direction,
so as to include the lands of W. L. Cowan, J. W. Cowan and Wil-

liam Self to Hannah Hall's line; thence with her outside line to the bank of Tuckasegee River: thence up the river with its meanders to the beginning.

Town officers.

SEC. 3. That the officers of said town shall consist of a mayor, five commissioners and a marshal, who shall also be chief of police, whose terms of office shall commence immediately upon their qualification under the provisions of this act, and shall expire on the first Saturday in May, one thousand nine hundred and nine, at which time, and annually thereafter, there shall be held an election for mayor and commissioners of said Town of Webster, according to the provisions and in the manner provided for holding town elections under said chapter seventy-three (73) of the Revisal of one thousand nine hundred and five.

Terms of office

Town election.

First officers
named.

SEC. 4. That for the purpose of carrying the provisions of this act into immediate effect and operation, and until their successors shall be elected and qualified on the first Saturday in May, one thousand nine hundred and nine, the following named persons shall fill said offices of mayor, commissioners and marshal for said town, viz.: Mayor, A. W. Davis; Commissioners, O. B. Coward, W. E. Moore, A. B. Allison, J. W. Davis and W. L. Cowan; Marshal, Robert T. Ensley; whose duty it shall be to qualify immediately after the passage of this act, and who, before assuming the duties of their said offices shall take the oaths now prescribed by law.

SEC. 5. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 6. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 30th day of January, A. D. 1908.

CHAPTER 7.

AN ACT TO LEGALIZE THE \$30,000 SCHOOL BOND ISSUE OF THE CITY OF GREENSBORO.

Preamble, election
ordered.

Whereas, on the twenty-eighth day of December, one thousand nine hundred and six, and the eleventh day of January, one thousand nine hundred and seven, the Board of Aldermen of the City of Greensboro, under authority given in the charter of said city, passed an ordinance in the manner prescribed by its charter calling an election to be held on the twelfth day of March, one thousand nine hundred and seven, for the purpose of submitting to the qualified registered voters of said city the question of issuing thirty thousand dollars of coupon bonds of said city, payable

thirty years after their date, in denomination of one thousand dollars each, and bearing interest at the rate of five per cent. per annum, payable semiannually; and the levy of an annual special tax to pay said bonds at maturity and the interest thereon as it becomes due, all the proceeds of said bonds to be used for the purpose of erecting, equipping, altering and furnishing a school building or buildings, and, if necessary, of purchasing land for such building or buildings in the city of Greensboro; and whereas, on the twelfth day of March, one thousand nine hundred and seven, said election was regularly and legally held, and said bond issue was duly approved by a majority of the qualified registered voters of said city; and whereas, on the twenty-second day of March, one thousand nine hundred and seven, an ordinance was duly passed by the board of aldermen of said city authorizing the issue of said thirty thousand dollars of school bonds for the purpose hereinbefore set out; and whereas, by section two thousand nine hundred and seventy-seven of the Revisal of one thousand nine hundred and five it is provided that no municipal corporation can contract any debt for any special purpose to an amount exceeding in the aggregate ten per cent. of the assessed valuation of the real and personal property situate in such city or town; and whereas, it has been determined by the courts of the State that the proposed thirty thousand dollar bond issue above referred to comes within the limitation of section two thousand nine hundred and seventy-seven of the Revisal; and whereas, it is deemed advisable to legalize said bond issue: now, therefore,

Preamble, election held, result.

Preamble, bond issue ordered.

Preamble, limit on municipal debt.

Preamble, decision of court.

Preamble.

The General Assembly of North Carolina do enact:

SECTION 1. That the said thirty thousand dollar bond issue of the city of Greensboro for the purpose of erecting, equipping, altering and furnishing a school building or buildings, and, if necessary, of purchasing land for such building or buildings in the city of Greensboro, authorized by ordinances of the board of aldermen of said city passed on the twenty-eighth day of December, one thousand nine hundred and six, and the eleventh day of January, one thousand nine hundred and seven, and the twenty-second day of March, one thousand nine hundred and seven, and approved by a majority of the qualified registered voters of said city at an election held on the twelfth day of March, one thousand nine hundred and seven, and heretofore referred to in the preamble to this act, be and the same is hereby in all respects legalized, ratified and confirmed: and the Board of Aldermen of the City of Greensboro is hereby authorized and empowered to prepare, execute, deliver and sell said bonds as provided by law, and when a sale of said bonds is effected, said board is hereby directed to levy an annual special tax upon all property within said city subject to taxation, as provided in the ordinances of said city hereinbefore

Bond issue legalized, ratified and confirmed.

Aldermen to issue and sell bonds.

Special tax.

referred to, for the purpose of paying the principal of said bonds at maturity and the interest thereon as it becomes due, and said bonds when issued and sold as provided by law shall become binding obligations of the said city to the amount of the principal and interest of said bonds.

SEC. 2. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 30th day of January, A. D. 1908.

CHAPTER 8.

AN ACT TO AMEND CHAPTER 421, PUBLIC LAWS OF 1903. ENTITLED "AN ACT TO ESTABLISH GRADED SCHOOLS IN ROPER, WASHINGTON COUNTY."

The General Assembly of North Carolina do enact:

Filling vacancies.

SECTION 1. Amend section one, chapter four hundred and twenty-one, Public Laws of one thousand nine hundred and three, by striking out the words "supervisors of said board," in line forty-one, and inserting in lieu thereof "Board of Education for the County of Washington."

Elections for extension of territory.

SEC. 2. Amend section two by adding to the end thereof the following: "Upon the written request of a majority of the qualified voters of any contiguous territory, an election in such new territory shall be ordered and held by said board of trustees in the same manner as prescribed in this chapter for the holding of the election in the original or main territory, and in case a majority of the qualified voters in such new territory shall vote in favor of a special tax of the same rate as that voted and levied in the Roper Graded School District, to which such territory is contiguous, then the new territory shall be added to and become a part of the Roper Graded School District, but not otherwise."

Reports of treasurer.

SEC. 3. Amend section six by adding at the end thereof: "And the treasurer of the said board of trustees shall annually, on or before the first Monday in June, or oftener if required, exhibit his books and vouchers to the said board, which shall examine the same and cause the said treasurer annually to submit to the County Board of Education for Washington County, at its meeting in July, an itemized statement of all receipts and expenditures for the preceding twelve months."

SEC. 4. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 30th day of January, A. D. 1908.

CHAPTER 9.

AN ACT TO CONSOLIDATE SCHOOL DISTRICTS Nos. 4 AND 6, IN LITTLE RIVER TOWNSHIP, WAKE COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That School Districts Numbers Four and Six, also ^{Districts consolidated.} known as Wakefield District and Zebulon District, in Little River Township, Wake County, North Carolina, be and the same are ^{New district.} hereby consolidated into one school district, hereafter to be known as Wakelon Graded and High School District.

SEC. 2. That G. M. Bell, J. M. Whitley, D. D. Massey, W. S. Trustees. Horton and M. B. Chamblee shall constitute the board of trustees for said district, and G. M. Bell and J. M. Whitley shall hold ^{Terms of office.} said office for two years and until their successors are duly elected and qualified; that D. D. Massey and W. S. Horton shall hold said office for four years and until their successors are duly elected and qualified, and that M. B. Chamblee shall hold said office for six years and until his successor is duly elected and qualified.

SEC. 3. That the said board of trustees and its successors in ^{Trustees to meet, qualify and organize.} office shall, within thirty days from and after the ratification of this act, meet, qualify and organize by electing a chairman and secretary to said board, and shall at once enter upon their duties as such.

SEC. 4. That it shall be the duty of the Board of Education of ^{Election of successors.} Wake County to elect the successors to the respective trustees as their respective terms of office shall expire.

SEC. 5. That the said board of trustees shall have and exercise ^{Powers and duty of trustees.} complete control and direction over said school district and shall at all times be subject to such rules and regulations as the Board of Education for Wake County under the general law of the State may adopt.

SEC. 6. That any vacancy occurring in the said board of trustees ^{Vacancies.} by death, resignation or otherwise, except by expiration of term of office, shall be filled by the remaining members of said board.

SEC. 7. That all laws and clauses of laws in conflict with this act be and the same are hereby repealed.

SEC. 8. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 30th day of January, A. D. 1908.

CHAPTER 10.

AN ACT TO ENABLE THE CITY OF CHARLOTTE TO FUND ITS FLOATING INDEBTEDNESS, PROVIDE FOR THE PAYMENT OF ITS FUTURE INDEBTEDNESS FOR NECESSARY EXPENSES, AND TO AUTHORIZE THE CITY TO LEVY TAXES TO MEET THE PAYMENT OF THE SAME.

Preamble.

Whereas, the city of Charlotte has heretofore contracted indebtedness for necessary expenses to the amount of one hundred and seventy-five thousand dollars (\$175,000); and whereas, it is apparent that the current revenue of the city will not be sufficient to meet its obligations for the necessary expenses thereof; and whereas, the said city further desires to procure authority to levy taxes to pay the interest on the bonds issued under the authority of this act, and to provide a sinking fund to meet the principal when it shall become due: now, therefore,

The General Assembly of North Carolina do enact:

Bond issue authorized.

Limit.

Interest.

Proviso: limit of issue.

Authentication of bonds.

Sale of bonds.

SECTION 1. That the Board of Aldermen of the City of Charlotte be and it is hereby authorized to issue bonds to an amount not exceeding one hundred thousand dollars (\$100,000) par value, for the purpose of funding the present indebtedness of the said city, contracted for the necessary expenses thereof, and for the further purpose of funding any future debt of said city which may be contracted for the necessary expenses thereof. The said bonds authorized by this act may be either negotiable coupon bonds or registered bonds, in such form and such denomination, and may be payable, both principal and interest, in gold coin of the United States, payable at such time or times, and said bonds shall bear such legal rate of interest as the board of aldermen of said city may determine: *Provided, however,* that the total issue of bonds authorized by this act shall not exceed the sum of one hundred thousand dollars (\$100,000). Said bonds shall be signed by the mayor, countersigned by the clerk and treasurer, and sealed with the corporate seal of the city; and the coupons, if any, on the said bonds shall bear the engraved or lithographed signature of the clerk and treasurer. The said bonds shall be sold at public or private sale, with or without notice, as the board of aldermen of said city may determine, for not less than par value with accrued interest; and proceeds of said bonds, including any premium received from the sale thereof, shall be applied only to the present or future indebtedness of the said city, contracted for its necessary expenses; and the purchaser of the said bonds shall not be held responsible for the application of the moneys derived from the sale of said bonds.

SEC. 2. The resolution authorizing the issue of the said bonds may be introduced and passed at any regular meeting of the said board of aldermen by a majority of all the aldermen present at such meeting. That no other or further proceedings shall be necessary for the issuance of such funding bonds, and all bonds issued in accordance with the provisions of this act shall be valid and legal obligations of the said city, notwithstanding any previous or present act, either general or special, limiting the amount of the bonded indebtedness of the city or otherwise; and all laws or parts of laws inconsistent with this act are hereby repealed so far as the same are inconsistent with this act. Proceedings for
issue of bonds.

SEC. 3. That the Board of Aldermen of the City of Charlotte is hereby required and directed to levy and collect, in addition to all other taxes in said city, a tax upon all taxable property and polls in the said city of Charlotte sufficient to pay the interest on the said bonds as the same becomes due; and also, on and before the time when the principal of said bonds shall become due, to levy and collect a further special tax to pay for same, or to provide for the payment thereof. The tax levied upon the property shall be an *ad valorem* tax, and the tax upon the polls and property to be in proportion as required by the Constitution of North Carolina. Said special tax shall be levied and collected at the [same] time as other taxes upon the property and polls in the city. Special tax.

SEC. 4. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 30th day of January, A. D. 1908.

CHAPTER 11.

AN ACT TO AMEND THE CHARTER OF THE CITY OF MONROE.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and fifty-two of the Private Laws of one thousand eight hundred and ninety-nine be and the same is hereby amended by inserting after the word "money" and before the word "with," in line three (3) of section thirty-four, words as follows: "to pay the necessary expenses of said city, and for the purpose of repaying any money already borrowed to defray the necessary expenses of said city, and shall, for any other purpose, have the right to borrow money." Power to borrow
money.

SEC. 2. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 30th day of January, A. D. 1908.

CHAPTER 12.

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF THE TOWN OF TAYLORSVILLE, IN THE COUNTY OF ALEXANDER, TO LEVY A SPECIAL TAX.

The General Assembly of North Carolina do enact:

Purpose of tax.

SECTION 1. That for the purpose of paying the present outstanding indebtedness of the town of Taylorsville, the board of commissioners of said town is hereby authorized and empowered to levy and collect a special tax, not to exceed in any one year seventy-five cents on the one hundred dollars valuation of all real and personal property subject to tax under the laws of this State; the said special tax to be levied and collected at the same time and in the same manner as other taxes are levied and collected in said town; said special tax to be levied and collected for a period not exceeding four years.

Tax limit.

Limit of time.

Specific appropriation.

Tax to cease when indebtedness discharged.

SEC. 2. That the special taxes levied and collected and authorized under this act shall be used only for the payment of the present outstanding indebtedness of said town, and the levying of the special tax herein authorized shall cease when the present indebtedness of said town has been discharged.

SEC. 3. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 30th day of January, A. D. 1908.

CHAPTER 13.

AN ACT TO AUTHORIZE AND EMPOWER THE BOARD OF ALDERMEN OF THE CITY OF WILMINGTON TO LEASE AT THE PLEASURE OF THE BOARD CERTAIN UNIMPROVED PROPERTY OWNED BY IT OUTSIDE OF THE LIMITS OF THE CITY OF WILMINGTON.

The General Assembly of North Carolina do enact:

Lease authorized.

SECTION 1. That the Board of Aldermen of the City of Wilmington is hereby empowered and authorized to lease for a term of years or at will any and all real estate owned by it outside of the city of Wilmington, including the old encampment grounds on Wrightsville Sound, on such terms as the said board of aldermen may deem just and proper.

Lessee may enclose land.

SEC. 2. That the said board shall have power and authority to authorize the lessee of the said land to enclose the same by a suitable fence, to be removed at the pleasure of the said board of aldermen.

SEC. 3. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 4. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 30th day of January, A. D. 1908.

CHAPTER 14.

AN ACT TO INCORPORATE THE PALM CLUB, OF WILMINGTON, NORTH CAROLINA.

Whereas, with the view of promoting literary and social inter- Preamble.
course among its members, and providing and furnishing suitable
rooms for the courteous entertainment of visitors to the city of
Wilmington, and to carry into execution the commendable pur-
poses for which this association is formed, and to secure in per-
manent perpetuity so praiseworthy an institution, its members
desire a corporate existence: now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That W. G. Boesch, L. M. Bunting and F. T. Skip- Corporators.
per, together with their future associates and successors, are
hereby created and declared to be a body politic and corporate by
the name of The Palm Club, and by said name shall have per- Corporate name.
petual succession with the rights, privileges and powers incident Corporate powers.
to or belonging to corporations under an act entitled an act to
revise the corporation law of North Carolina, and the several sup-
plements thereto and acts amendatory thereof.

SEC. 2. That said corporation may by purchase, devise, gift or Power to hold and convey property.
bequest take and hold such real estate and all such personal prop-
erty of any nature, kind and description as may be deemed by
its members necessary or in any way conducive to the interest
and purpose of said corporation, and may sell and convey the
same at pleasure.

SEC. 3. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 30th day of January, A. D. 1908.

CHAPTER 15.

AN ACT TO AMEND CHAPTER 451, PUBLIC LAWS OF 1907.

The General Assembly of North Carolina do enact:

Additional trustees.

SECTION 1. That section nine of chapter four hundred and fifty-one of the Public Laws of one thousand nine hundred and three be amended by adding after the word "Futrell" and before the word "shall," in line three thereof, the following words: "H. I. Clark, G. S. White, D. M. Prince, S. F. Dunn and R. M. Johnson."

Terms of office.

SEC. 2. In line eleven, section nine thereof, insert between the figures "one thousand nine hundred and thirteen" and the word "and" the following words and figures: "the next until the first Monday in July, one thousand nine hundred and fourteen; the next until the first Monday in July, one thousand nine hundred and fifteen; the next until the first Monday in July, one thousand nine hundred and sixteen; the next until the first Monday in July, one thousand nine hundred and seventeen; the next until the first Monday in July, one thousand nine hundred and eighteen."

SEC. 3. That this act shall be in force and effect from and after its ratification.

In the General Assembly read three times, and ratified this the 30th day of January, A. D. 1908.

CHAPTER 16.

AN ACT FOR THE RELIEF OF J. B. GILBERT, TAX COLLECTOR OF THE TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

To collect arrears.

SECTION 1. That J. B. Gilbert, City Tax Collector for the Town of Huntersville, Mecklenburg County, North Carolina, be and he is hereby authorized and empowered to collect the taxes levied by said town of Huntersville for the year one thousand nine hundred and six which have not heretofore been collected.

SEC. 2. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 30th day of January, A. D. 1908.

CHAPTER 17.

AN ACT TO AUTHORIZE THE CITY OF STATESVILLE TO
 ISSUE BONDS WITHOUT SUBMITTING THE QUESTION TO
 A VOTE OF THE QUALIFIED VOTERS OF SAID CITY, TO
 PAY OFF CERTAIN INDEBTEDNESS OF SAID CITY, IN-
 CURRED FOR NECESSARY EXPENSES.

The General Assembly of North Carolina do enact:

SECTION 1. That whereas, the Mayor and Board of Aldermen of Preamble.
 the City of Statesville, for the purpose of repairing, extending
 and making efficient the light system of the city, repairing and
 extending the sewer system of said city, and repairing some of
 the public streets of said city, have borrowed the sum of twelve
 thousand five hundred dollars, and have pledged as security for
 said loan the faith and credit of said city; and whereas, in pay-
 ment of certain outstanding obligations of said city incurred in
 the purchase of material for carrying on said work above men-
 tioned, notes have been executed in the name of said city by the
 proper authorities to an amount exceeding seven thousand five
 hundred dollars; and whereas, an additional amount is needed to
 complete the work on the said light system, the mayor and board Bond issue
 of aldermen of said city are hereby authorized and empowered, authorized.
 for the purpose of raising money to pay off and discharge said
 indebtedness and to complete and pay for said improvements in
 said light system, to issue coupon bonds without submitting the
 question to a vote of the qualified voters of the said city; said Limit of amount.
 bonds to be issued for an amount not exceeding twenty-five
 thousand dollars, and to be issued at such times and in such
 amounts as the board of aldermen may determine. Said bonds Denominations.
 are to be in denominations of not less than one hundred dollars,
 bearing interest from the date of their issue at a rate not exceed- Interest.
 ing six per centum per annum, said interest to be payable semi-
 annually. The principal of said bonds shall be payable at the Maturity.
 expiration of thirty years from the date thereof. Said bonds and Authentication.
 coupons shall be numbered and shall be signed by the Mayor of
 Statesville, and countersigned by the clerk and treasurer of said
 city, and the official seal of said city shall be attached to each
 bond. The said bonds shall be sold at not less than par. The Specific appropria-
 moneys arising from said sale shall be expended by the mayor tion of proceeds.
 and board of aldermen of said city only for the purpose of pay-
 ing off and discharging the indebtedness and outstanding obliga-
 tions of said city mentioned above, and in paying off and dis-
 charging the indebtedness incurred in completing the work on
 said light system.

SEC. 2. All laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 3. That this act shall go into effect and be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 30th day of January, A. D. 1908.

CHAPTER 18.

AN ACT TO ALLOW THE TOWN OF LINCOLNTON TO ISSUE BONDS FOR GRADED SCHOOL PURPOSES.

The General Assembly of North Carolina do enact:

Proposition to
issue bonds to be
submitted.

SECTION 1. That for the purpose of completing and equipping the graded school building of and in the town of Lincolnton, and pay indebtedness on the erection of said building now outstanding, and securing furniture for the same, the board of aldermen for the said town of Lincolnton is hereby authorized and empowered and it shall be its duty to submit to the qualified voters of said town a proposition to issue not more than fifteen thousand dollars in coupon bonds, said proposition to be submitted to said voters at said election [which, as provided by] this act, shall be held at such time as the mayor and the board of aldermen of said town may appoint.

Notice of election.

SEC. 2. That notice of said election shall be published in a newspaper published in said town of Lincolnton for four weeks prior to said election, and posted at the courthouse door and three other public places.

What notice to
state.

SEC. 3. Said notice shall contain the amount of bonds to be voted upon, the time at which bonds are to become due, and state to what purposes the proceeds arising from the bonds are to be applied. The said election shall be held under the regular governing rules of regular municipal elections.

Ballots.

SEC. 4. The vote on said proposition shall be by written or printed ballot, and those voting for the bond issue shall use a ballot on which shall be either written or printed the words "For Bonds," while those voting against said issue shall use a ballot on which the words "Against Bonds" shall be written or printed.

Bonds to be issued.

SEC. 5. That if the proposition shall be adopted by a majority of the registered voters of said town, the board of aldermen shall cause bonds to be issued in the name of the Town of Lincolnton, in such denominations as it deems best, bearing interest at the rate of six per centum per annum, payable semiannually, and payable at such time as may be designated in the proposition submitted. The bonds shall be signed by the mayor, and counter-

Denominations.
Interest.

Authentication.

signed by the secretary of the board of aldermen, and shall have the seal of the town affixed thereto.

SEC. 6. That when said bonds are issued, the board of aldermen shall turn them over to the graded school committee for sale, and the proceeds of sale of said bonds to be used by the school board for the purposes mentioned in the bill: *Provided*, that said bonds shall not be sold for less than their par value. It shall be the duty of said board of aldermen, when the said bonds are issued, to provide, by taxation on all the subjects of taxation within the corporate limits of said town, to meet the interest on said bonds and to set aside a sinking fund, said sinking fund to be added to each year in amount sufficient to take up said bonds at maturity.

Sale of bonds.

Use of proceeds.

Proviso: bonds not to be sold below par.
Tax for interest and sinking fund.

SEC. 7. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 30th day of January, A. D. 1908.

CHAPTER 19.

AN ACT TO AMEND CHAPTER 556 OF THE PUBLIC LAWS OF 1905, RELATIVE TO A BOND ISSUE FOR THE MOORESVILLE GRADED SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and fifty-six of the Public Laws of one thousand nine hundred and five be amended by adding at the end of section two a subsection to be known as subsection "a." to read as follows: "The Commissioners of the Town of Mooresville may submit to the qualified voters of the Mooresville Graded School District the question whether bonds shall be issued to complete and equip the Mooresville Graded School buildings, of Mooresville, or not, at an election to be held at any time they may deem proper, after notice of same has been published in some newspaper published in Iredell County for thirty days: *Provided*, said commissioners shall call an election for said purpose in said district whenever one-fourth of the freeholders therein petition for the same. The election under this act shall be held and conducted under the general laws governing municipal elections. Those who favor the issuance of additional bonds for so completing and equipping the said graded school buildings shall vote a ballot on which shall be written or printed the words "For Bonds," and those who are opposed thereto shall vote a ballot on which shall be written or printed the words "Against Bonds." If a majority of the qualified voters of said district shall vote "For Bonds," the Trustees of the Mooresville Graded School District shall have the right to issue the said

Question submitted to voters.

Notice of election.

Proviso: election called on petition of freeholders.
Law governing election.

Ballots.

Effect of election.

bonds hereinafter provided for, but on failure of a majority of the qualified voters to vote "For Bonds" then the said trustees of Mooresville Graded School District shall not have such authority.

Limit on aggregate bond issue.

SEC. 2. That section four of said chapter five hundred and fifty-six be amended by inserting the word "additional" after the word "issue," in line three of said section, and by adding after the word "dollars," in line four of said section, the following words: "making the total amount of bonds already issued by virtue of the original act, and the amount to be issued by virtue of this act, not to exceed twenty thousand dollars in the aggregate. The amount of bonds herein provided for by this act is ten thousand dollars."

SEC. 3. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 30th day of January, A. D. 1908.

CHAPTER 20.

AN ACT TO AUTHORIZE THE TOWN OF LAURINBURG TO ISSUE BONDS.

Preamble.

Whereas, the town of Laurinburg, having contracted for the installation of a water and sewer system, and the contracting company becoming insolvent before completion of the same, said town has completed the same at a cost of ten thousand dollars in excess of contract price, which excess has not been provided for by the bond issue; and whereas, said debt is for necessary expenses of said town: now, therefore,

Preamble.

The General Assembly of North Carolina do enact:

Bond issue authorized.

SECTION 1. That the governing board of the town of Laurinburg is authorized to issue in the name of the Town of Laurinburg its bonds pledging the credit of said town to an amount not exceeding ten thousand dollars, to be due not less than five years after date of issue, and not exceeding twenty-five years after date of issue, as said governing body may determine, said bonds to have attached thereto interest coupons providing for the payment of interest not exceeding six per cent. per annum, payable semiannually. Said bonds shall be of the denomination of five hundred dollars each, or one thousand dollars each, or of both denominations, as the said governing board may determine, and shall be signed by the mayor and the treasurer, the coupons to be signed by the mayor, or attested by the facsimile of the mayor's signature, as the said governing board shall determine, and shall state the time, place and amount of interest accruing each six months and to be due under the terms thereof.

Limit.

Maturity.

Interest.

Denominations.

SEC. 2. None of said bonds shall be sold or disposed of for less than par value. Not to be sold below par.

SEC. 3. The purchaser of said bonds shall not in any way be charged with the duty of seeing to the proper application of the proceeds of sale of said bonds. Purchaser not charged with duty.

SEC. 4. The board of commissioners of said town; or the governing body thereof, by whatever name designated, shall annually levy and cause to be collected from all taxables in said town, as other taxes are levied and collected, a sufficient tax to meet the payments of interest as the same shall become due, and to provide a sinking fund for the payment of the principal when the same shall become due, the constitutional equation between property and polls to be preserved in making such levy. Special tax for interest and sinking fund.

SEC. 5. The said governing body shall cause to be entered upon its records of bonds issued a record of each bond issued hereunder, the amount, serial number, principal sum and when and where to be due and to whom sold; and when such bond shall have been paid, it shall be the duty of the said governing board to make entry of said fact, and have the bond so paid destroyed in the presence of said board, and make an entry of that fact upon its records. Record of bonds.

SEC. 6. That the said town of Laurinburg shall have the option, if so expressed in the face of said bonds, to pay off and settle all of said bonds at any time after ten years after date of issue, by paying the principal and all accrued interest, upon notice to be issued by the said town five months prior to such date and time as the same be ordered presented for payment, which notice may be delivered to such person or agent as shall collect the interest coupons accruing, and shall be deemed sufficient notice to the holder of the corresponding bond. Bonds redeemable after ten years.

SEC. 7. All laws and clauses of laws in conflict with this act are repealed.

In the General Assembly read three times, and ratified this the 30th day of January, A. D. 1908.

CHAPTER 21.

AN ACT TO INCORPORATE THE TOWN OF MIDDLESEX. IN THE COUNTY OF NASH.

The General Assembly of North Carolina do enact:

SECTION 1. That the town of Middlesex, in the county of Nash, Town incorporated, be and the same is incorporated under the name and style of the Town of Middlesex, and in and by that name may sue and be sued, plead and be impleaded, contract and be contracted with, Corporate name. Corporate powers.

acquire and hold property, real and personal, for the use of the town as its board of aldermen may deem necessary and expedient.

Corporate limits.

SEC. 2. That the corporate limits of said town shall be defined, to-wit: Beginning at a point 50 feet south of and opposite Station 942 of the Norfolk and Southern Railway; thence running in a northerly direction across said Norfolk and Southern Railway and at right angles to the same 1,760 feet; thence in an easterly direction and parallel to said railway 3,960 feet; thence in a southerly direction across said railway and at right angles to the same 3,960 feet; thence in a westerly direction and parallel to said railway to the intersection with Cattail Branch; thence following said Cattail Branch to the intersection with the right of way line of the Norfolk and Southern Railway; thence along said right of way line in an easterly direction to the beginning.

Town officers.

SEC. 3. That the officers of said town shall consist of a mayor and four aldermen, who shall be styled the Board of Aldermen of Middlesex, and the said mayor and the aldermen shall be elected by the qualified voters of said town on the first Monday in June, one thousand nine hundred and nine, and biennially thereafter, under the same rules and regulations as are prescribed by the law for the holding of municipal elections; a constable and secretary and treasurer, to be chosen by the board of aldermen immediately after its organization, to hold office one year, or until their successors are duly elected and qualified. And until the first Monday in June, one thousand nine hundred and nine, E. T. Lewis shall fill the office of mayor, and A. F. Manning, J. R. J. Finch, S. F. High and H. J. Morris shall act as aldermen of said town.

Town elections.

First officers named.

Taxing power.

SEC. 4. The board of aldermen of said town shall have authority to assess and collect annual taxes for municipal purposes on all taxable persons and property within the corporate limits which are taxed for State and county purposes, under such rules and regulations as it may adopt: *Provided*, that the basis of taxation between persons and property shall be the same as established by the Constitution of the State, and the taxes so assessed and collected shall not exceed fifty cents on the hundred dollars of property, and one dollar and fifty cents on the poll.

Proviso: ratio of taxation.

Tax limit.

Town ordinances.

SEC. 5. That the board of aldermen of the town may pass all ordinances it may deem necessary for the good government, quiet, peace, health and safety of the town, not inconsistent with the Constitution and laws of the State and of the United States.

Violation of town ordinances a misdemeanor.

SEC. 6. That the willful and unlawful violation of any ordinances of the town shall be a misdemeanor, but the punishment thereof shall not exceed a fine of fifty dollars or imprisonment for thirty days.

SEC. 7. That the mayor of said town, within the limits thereof, shall have and exercise the jurisdiction and power which are now or may hereafter be conferred upon such officer by the laws governing cities and towns. And the constable or marshal of said town shall, within the corporate limits thereof, have and exercise all authority, rights and powers which are now or may hereafter be conferred by the law on constables, including the right and authority to arrest any person without warrant who commits a breach of peace or violates the town ordinance in the presence of such constable or marshal.

Jurisdiction of
mayor.

Powers of constable.

SEC. 8. That the town constable shall collect and pay over to the secretary and treasurer all taxes imposed by the board of aldermen, all fines and costs, when execution is issued to him for that purpose, and return the same in due time to the secretary and treasurer. He shall see that the ordinances of the town are enforced, and report all breaches thereof to the mayor. He shall preserve the peace of the town by suppressing all disturbances in his presence and apprehending offenders and taking them before the mayor, or if they are intoxicated or in any way not in a condition to be brought before the mayor, he may confine them there until they are in a condition to be brought before the mayor. He shall execute all process directed to him by the mayor within the limits of the said town and make due return thereof, and in the execution of any criminal process he may call to his aid such assistance as he may deem necessary; and whenever the board of aldermen may deem it necessary, it may appoint as many additional constables as it sees proper. He shall have the same fee for his services as are allowed the sheriff for similar services, and such additional compensation as the board of aldermen may allow.

Powers and duties
of constable.

Execution of
process.

May summon
posse.

Additional constables.
Fees and compensation.

SEC. 9. The secretary and treasurer shall act as the clerk of the board of aldermen and the mayor's court. He shall keep the minutes of the proceedings of all trials before the mayor, of all fines imposed, preserve the books, papers and all articles committed to his charge, keep a strict account of all moneys coming into his hands from any and all sources whatever belonging to said town, pay the same upon the order of the board of aldermen, signed by the mayor, and at the expiration of his term of office shall turn over to his successors all books, papers, money and other property belonging to said town, and for his service he shall receive such compensation as the board may allow.

Secretary and
treasurer.
Duties.

SEC. 10. That the secretary and treasurer, before entering upon the duties of his office, shall enter into a bond, conditional upon the faithful performance of his duties, in the sum of three hundred dollars, payable to the State of North Carolina, with surety to be approved by the board of aldermen, and the town constable shall enter into a like bond before entering upon his duties. And

Secretary and
treasurer to give
bond.

Constable to give
bond.
Suits on bonds.

Commitments of offenders.	the board of aldermen shall institute suit in the name of the Town of Middlesex, upon the relation of the State of North Carolina, for any violation of said bonds.
Fees of sheriff or jailer.	SEC. 11. That the mayor shall have the power to commit any offender who is sentenced to imprisonment for misdemeanor, or violation of the town ordinance, or for contempt of the mayor's court, or upon failure to pay fine and cost, to the common jail of the county, and the sheriff or jailer shall receive such persons as are committed by the mayor, and shall charge the same fees as in cases of other prisoners, or the mayor shall have power, under such rules and regulations as the board of aldermen may adopt, to require any person who fails to pay fines and costs to work on the streets of the town till the fines and costs are paid.
Mayor to qualify.	SEC. 12. That the mayor, immediately after the election and before entering upon the duties of his office, shall before a justice of the peace take the oath prescribed for public office, and an oath that he will faithfully and impartially discharge the duties of his office according to law.
Aldermen to qualify.	SEC. 13. That each alderman, before entering upon the duties of his office, shall take before the mayor or some justice of the peace the oath prescribed for public office, and an oath that he will truly and impartially perform the duties of alderman for the town according to the best of his skill, ability and judgment.
Terms of office.	SEC. 14. That the mayor and aldermen shall hold the offices respectively until the next ensuing election and until their respective successors shall be qualified.
Duties of mayor.	The mayor, when present, shall preside at the meetings of said board of aldermen, but shall not be entitled to vote upon any question except in case of a tie; in the absence of the mayor, the board may appoint one of its number mayor <i>pro tempore</i> . The said board shall also have power
Aldermen to fill vacancies.	to fill all vacancies which may occur.
Forfeiture for failure of officer-elect to qualify.	SEC. 15. Any person qualified to serve and elected mayor or alderman, either by the electors at their annual election or by the board to fill a vacancy or otherwise, who shall not take the oath of office within five days after his election, or who having qualified shall fail to serve during the term for which he may be elected (inability from sickness, removal from the town or resignation excepted), shall forfeit and pay fifty dollars, to be recovered before any justice of the peace of Nash County in the name of and for the benefit of the Town of Middlesex.
Powers of aldermen as to streets.	SEC. 16. That the aldermen shall have power from time to time to open out new streets and alleys within the limits of said town by paying the owners through whose land the said streets and alleys may run the damages, if any there be: <i>Provided</i> , that if the said aldermen and owners of said land cannot agree as to the price of the same, it shall be left to three disinterested persons, to be selected as follows: The aldermen shall select one,
Proviso: procedure for settlement of damages.	

and the owner of the land one, and the two thus selected shall select the third man, and the persons thus selected shall assess the damages; and if the owner of the land shall fail or refuse to select a man, then the aldermen shall select two men, and the two thus selected shall select the third, and the three shall assess the damages to the land: *Provided*, that either party being dissatisfied with the decision of the persons thus selected, by giving bond for payment of cost, may appeal to the Superior Court. Proviso: appeals.

SEC. 17. The mayor and aldermen and constable named in this charter shall hold said offices, with all the powers, privileges, rights and responsibilities under this charter, until their successors are elected and qualified. Terms of officers.

SEC. 18. That in addition to the rights, franchises and immunities conferred by the foregoing sections, the Town of Middlesex shall be subjected to all the provisions contained in the Revisal of North Carolina, chapter seventy-three, not inconsistent with this act. Corporate powers under general law.

SEC. 19. That it shall be unlawful for any person, firm or corporation to manufacture or sell spirituous, vinous or malt liquors within the corporate limits of the said town. Sale of liquors forbidden.

SEC. 20. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 30th day of January, A. D. 1908.

CHAPTER 22.

AN ACT TO AUTHORIZE THE SECRETARY OF STATE TO MAKE CORRECTIONS IN AN ACT PASSED AT THE SESSION OF THE GENERAL ASSEMBLY OF NORTH CAROLINA FOR THE YEAR 1907, IT BEING HOUSE BILL No. 2133, SENATE BILL No. 1581, AND RATIFIED ON THE 11TH DAY OF MARCH, 1907, AND ENTITLED "AN ACT TO ENLARGE THE CORPORATE LIMITS OF THE CITY OF FAYETTEVILLE," AND TO AMEND SAID ACT, AND TO ESTABLISH THE CORPORATE LIMITS OF THE CITY OF FAYETTEVILLE.

Whereas, at the session of the General Assembly of North Carolina for the year one thousand nine hundred and seven there was passed and ordered enrolled by said General Assembly a bill entitled an act to enlarge the corporate limits of the city of Fayetteville; and whereas, the copyist in the office of the enrolling department, in making the enrolled copy of said act, left out of Preamble.

the first section of said act the following words and figures just after Rowan Street, to-wit: "extended to a point fifty feet beyond N. A. Sinclair's northwest corner; thence southwardly in a direct line to the Morganton Road in the western margin of the road that runs by N. A. Sinclair's"; and whereas, said act was enrolled and ratified without the above words and figures and deposited in the office of the Secretary of State for publication; and whereas, said act has not been published: now, therefore,

The General Assembly of North Carolina do enact:

Secretary of State
authorized to cor-
rect act.

SECTION 1. That the Secretary of State be and he is hereby authorized and empowered to so correct the enrolled and ratified copy of House Bill No. 2133, Senate Bill No. 1581, which was ratified on the eleventh day of March, one thousand nine hundred and seven, it being an act to enlarge the corporate limits of the city of Fayetteville, so that the description of the boundary set forth in section one of said act shall read as follows: "Beginning at the intersection of the present city line on the west with the southern margin of Rowan Street, and running thence westward along the southern margin of Rowan Street extended to a point fifty feet beyond N. A. Sinclair's northwest corner; thence southwardly in a direct line to the Morganton Road in the western margin of the road that runs by N. A. Sinclair's; thence southwardly, crossing the Morganton Road, and in continuation of the line of the road leading from N. A. Sinclair's place where it intersects with said Morganton Road to the north margin of the road on the south of the Woodward place; thence eastwardly along the northern margin of that road to a small store northwest of W. H. Newberry's corner; thence southeastwardly along the northern margin of the road which leads by the silk mills to the south end of the coal chute on the Atlantic Coast Line Railroad; thence northwardly by the most direct line to the present line of the city of Fayetteville in that vicinity; thence with the present city line as established, northwardly to the beginning: *Provided*, that no part of the city limits as now existing shall be eliminated from said city when so extended."

Act to be published
as corrected.

SEC. 2. That the said act passed at the session of one thousand nine hundred and seven be published as corrected according to the provisions of section one of this act.

Act of 1907
amended.

SEC. 3. That House Bill No. 2133, Senate Bill No. 1581, passed by the General Assembly of North Carolina at its session of one thousand nine hundred and seven, and ratified on the eleventh day of March, one thousand nine hundred and seven, it being entitled an act to enlarge the corporate limits of the city of Fayetteville, be amended so that section one of said act shall read as follows:

"Sec. 1. That the corporate limits of the city of Fayetteville, Boundary of city. upon the ratification of this act by a popular vote, as hereinafter provided for, shall be enlarged as follows: Beginning at the intersection of the present city line on the west with the southern margin of Rowan Street, and running thence westward along the southern margin of Rowan Street extended to a point fifty feet beyond N. A. Sinclair's northwest corner; thence southwardly in a direct line to the Morganton Road in the western margin of the road that runs by N. A. Sinclair's; thence southwardly, crossing the Morganton Road, and in continuation of the line of the road leading from N. A. Sinclair's place where it intersects with said Morganton Road to the north margin of the road on the south of the Woodward place; thence eastwardly along the northern margin of that road to a small store northwest of W. H. Newberry's corner; thence southeastwardly along the northern margin of the road which leads by the silk mills to the south end of the coal chute on the Atlantic Coast Line Railroad; thence northwardly by the most direct line to the present line of the city of Fayetteville in that vicinity; thence with the present city line as established, northwardly to the beginning: *Provided*, that no part of the city limits as now existing shall be eliminated from said city when so extended.

Sec. 4. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 30th day of January, A. D. 1908.

CHAPTER 23.

AN ACT TO AMEND CHAPTER 121 OF THE PRIVATE LAWS OF 1891, IT BEING AN ACT TO INCORPORATE THE TOWN OF KENILWORTH.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and twenty-one of the Private Laws of one thousand eight hundred and ninety-one, it being an act to incorporate the town of Kenilworth, be and the same is hereby amended by adding a new section, to be designated as section ten and one-half, to read as follows: "That it shall be unlawful for any person, firm or corporation to sell or manufacture within said town any spirituous, vinous or intoxicating liquors." Sale or manufacture of liquors forbidden.

Sec. 2. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 31st day of January, A. D. 1908.

CHAPTER 24.

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF THE TOWN OF LUMBERTON TO ISSUE BONDS TO REFUND THE FLOATING INDEBTEDNESS OF SAID TOWN, AND FOR OTHER PURPOSES.

Preamble.

Whereas, under the terms and provisions of the charter of the town of Lumberton and various acts which have heretofore been enacted by the General Assembly of North Carolina, the board of commissioners of said town was authorized and empowered to contract debts for various necessary expenses of the government

Preamble.

of said town of Lumberton; and whereas, under the power conferred upon it, the said board of commissioners has contracted debts for various necessary expenses of the government of said town of Lumberton, the contracting of which indebtedness was authorized by the board of audit and finance of said town and

Preamble.

approved by said board; and whereas, on account of the matters and things above set forth, the town of Lumberton has become indebted to the following persons and corporations, which said indebtedness is evidenced by notes of the town of Lumberton, the principal amounts being as follows: To Southern Life Insurance Company, five thousand dollars (\$5,000); to A. P. McAllister, five thousand dollars (\$5,000); to R. McA. Nixvon, five thousand dollars (\$5,000); to First National Bank of Lumberton, two thousand five hundred dollars (\$2,500); to First National Bank of Lumberton, one thousand five hundred dollars (\$1,500); to estate of A. H. McLeod, four hundred dollars (\$400); to Robeson County Loan and Trust Company, three thousand dollars (\$3,000); to Bank of Lumberton, three thousand dollars (\$3,000);

Preamble.

to Bank of Lumberton, two thousand dollars (\$2,000); and whereas, the indebtedness above set forth constitutes a legal and valid charge and indebtedness of the said town of Lumberton, and has been heretofore duly contracted by the proper authorities

Preamble.

of the said town; and whereas, interest is also due on the foregoing amounts, and there are certain other small debts due by the said town which have been contracted for necessary expenses

Preamble.

of the government of said town; and whereas, the general taxes of the said town have proven insufficient to pay the current running expenses of the government of said town and the indebtedness above set forth, and it is necessary to make some provision for the payment of the said floating indebtedness and to refund the same; now, therefore,

The General Assembly of North Carolina do enact:

Law of 1907
amended.

SECTION 1. That the Private Acts of the General Assembly of North Carolina, session of one thousand nine hundred and seven, chapter three hundred and forty-three, entitled an act to revise

the charter of the town of Lumberton, ratified March sixth, one thousand nine hundred and seven, be amended as follows: That the Board of Commissioners of the Town of Lumberton, for the purpose of paying the floating indebtedness of the said town which has heretofore been contracted, and which is set forth in the preamble to this act, and for the purpose of refunding the said floating indebtedness, is hereby authorized and empowered to issue bonds of said town, bearing interest at a rate not less than five per cent. nor greater than six per cent., to the amount of not exceeding thirty thousand dollars (\$30,000), of the denomination of not less than one hundred dollars (\$100), nor greater than one thousand dollars (\$1,000) each, to each of which shall be attached coupons representing the interest on said bonds, which said coupons shall be due and payable on the first days of January and July of each year, until the said bonds become due, which shall not be exceeding thirty years from date of issue. The rate of interest, denomination, aggregate amount and time of maturity of the said bonds, within the limits above defined, shall be in the discretion of the board of commissioners of the said town. The bonds so issued shall be numbered consecutively from one to whatever number shall be issued, and the coupons shall bear the number corresponding to the bond to which they are attached, and shall declare the amount of the interest which they represent and when the interest is due, and shall be receivable in payment of all town taxes. The bonds so issued shall be exempt from all town taxes.

Bond issue
authorized.

Interest.

Amount.

Denomination.

Maturity.

Coupons receivable
for town taxes.

SEC. 2. The said bonds shall be issued under the signature of the mayor of said town, and shall be attested by the town clerk and treasurer, and shall be sealed with the corporate seal of said town: *Provided*, that the approval of the board of audit and finance of said town of Lumberton shall not be necessary to the validity of the said bonds, but the said bonds, when issued by the board of commissioners of said town and signed by the mayor and attested by the town clerk and treasurer and sealed with the corporate seal as hereinbefore provided, shall be a valid and legal charge against the said town of Lumberton, without any endorsement or approval thereto by the board of audit and finance of said town: *Provided further*, that the lithographed signatures of the mayor and town clerk and treasurer to the coupons attached to the said bonds shall be a sufficient signing thereof.

Authentication.
Proviso: approval
of board of audit
and finance.

Proviso: lithograph
signatures to
coupons.

SEC. 3. That the said board of commissioners of said town shall sell and dispose of the said bonds at a sum not less than their face or par value, and the proceeds therefrom shall be used in the payment of the indebtedness set forth in the preamble to this act: *Provided, however*, that the purchaser or purchasers of the

Sale of bonds.

Use of proceeds.

Proviso: purchaser
not responsible for
application.

said bonds shall not be bound to see to the application of the purchase money to said purposes.

Special tax for
bonds and sinking
fund.

Specific appro-
priation.

SEC. 4. That for the purpose of paying the interest as it falls due on said bonds, and of providing a sinking fund for the redemption of said bonds, it shall be the duty of the said board of commissioners to levy and cause to be collected annually, as other taxes of said town are levied and collected, so long as any of the said bonds are unpaid, a sufficient special tax upon all the subjects of taxation within the town of Lumberton which are subject to taxation for ordinary municipal purposes, which taxes so collected shall be at all times kept separate and distinct, and used only for the purposes above set forth: *Provided*, that so much of the taxes levied each year as may not be required to pay the interest on said bonds, and which cannot be applied to the purchase and retirement of the said bonds, shall be invested so as to secure the payment at maturity of the principal of said bonds, and to increase the due investment of the above described amounts from time to time, it shall be the duty of the chairman of the board of audit and finance of said town to make investments of said amounts, and to do and perform all such other services in connection with said bonds as said board of commissioners may prescribe: *Provided further*, that the rate of taxation in said town (not including license and privilege taxes) shall not at any one time exceed the rate of one dollar and seventy-five cents (\$1.75) on every one hundred dollars (\$100) valuation of property, and the poll tax shall not exceed the sum of five dollars and twenty-five cents (\$5.25), with which to pay both the ordinary expenses of said town and the special taxes provided for in the acts of the General Assembly heretofore enacted for the issuance of bonds by the said town of Lumberton, and the special taxes for the bond issue herein provided for.

SEC. 5. The board of commissioners shall provide a record in which shall be entered the name of every purchaser of a bond and the number and amount of the bond so purchased. It shall also cause to be kept a record of the bonds redeemed, and the bonds when redeemed, and a record made thereof, shall be destroyed by fire in the presence of the mayor and chairman of the board of audit and finance of the said town.

SEC. 6. That the bonds herein provided for shall be separate and distinct from and in addition to the bonds heretofore issued by the town of Lumberton under the provisions of other acts of the General Assembly of North Carolina heretofore enacted.

SEC. 7. That so much of chapter three hundred and forty-three, Private Laws of North Carolina, session of one thousand nine hundred and seven, entitled an act to revise the charter of the town of Lumberton, ratified March sixth, one thousand nine hun-

dred and seven, as provides that the rate of taxation in said town of Lumberton (not including license and privilege taxes) shall at no time exceed the sum of one dollar and fifty cents (\$1.50) on the one hundred dollars (\$100) valuation of property, and four dollars and eighty cents (\$4.80) on each taxable poll, be and the same is hereby amended so as to strike out so much of said act as limits the rate of taxation to the said figures as therein contained wherever the same may occur in the said act, to the end that hereafter the board of commissioners of the said town of Lumberton shall have full power and authority, and is hereby invested with full power and authority, to levy municipal taxes (not including license and privilege taxes) to the amount of one dollar and seventy-five cents (\$1.75) on every one hundred dollars (\$100) valuation of property and five dollars and twenty-five cents (\$5.25) on each taxable poll, with which to pay both the ordinary expenses of said town and the special taxes provided for in the acts heretofore enacted by the General Assembly of North Carolina for the issuance of bonds by the said town of Lumberton, and the special taxes for the bond issue provided for by this act.

SEC. 8. That all laws and clauses of laws in conflict with this act be and the same are hereby repealed in so far as they may affect the provisions of this act.

SEC. 9. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 31st day of January, A. D. 1908.

CHAPTER 25.

AN ACT TO INCORPORATE TRIMONT LODGE, No. 249, INDEPENDENT ORDER OF ODD FELLOWS.

The General Assembly of North Carolina do enact:

SECTION 1. That Frank B. Benbow, S. H. Lyle, H. H. Jarrett, M. D. Billings, Henry G. Robertson, R. M. Ledford, John S. Trotter, George M. Bulgin, H. Davis Bean, Rev. F. L. Townsend, Charles T. Blain, O. V. Hill, George H. Dalrymple, George T. Bryson, James M. Dryman, Martin F. Jones and others, officers and members of Trimont Lodge Number Two hundred and Forty-nine, Independent Order of Odd Fellows, under the jurisdiction of the Grand Lodge of North Carolina, and their successors be and they are hereby declared to be a corporation and body politic by the name, style and title of Trimont Lodge Number Two Hun-

Corporators.

Corporate name.

Corporate powers. dred and Forty-nine, Independent Order of Odd Fellows, and by that name they and their successors shall and may at all times hereafter be capable in law to have, receive and retain to them and their successors property, both real and personal, also devises or bequests of any persons or person, bodies corporate or politic, capable of making the same, and the same at their pleasure to convey, transfer or dispose of in such manner as they may think proper.

Further enumeration of corporate powers. SEC. 2. That the said corporation and its successors by the name, style and title aforesaid shall be forever hereafter capable in law to sue and be sued, to plead and be impleaded, answer and be answered unto, defend and be defended in all or any courts of justice and before all or any judges, officers or persons whatsoever in all and singular actions or matters or demands whatsoever.

Common seal. SEC. 3. That it shall and may be lawful for the said corporation to have a common seal for its use, and the same at its will and pleasure to change, alter and make new from time to time as it may think best; and shall in general have and exercise all such rights, privileges and immunities as by law are incident or necessary to corporations and that may be necessary to the corporation herein constituted.

Further enumeration of corporate powers. SEC. 4. This act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 31st day of January, A. D. 1908.

CHAPTER 26.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO SELL OR LEASE THE PITTSBORO ACADEMY."

The General Assembly of North Carolina do enact:

Limit on use stricken out.

SECTION 1. That the words "for school purposes," in section one of an act entitled an act to sell or lease the Pittsboro Academy, ratified on the eighth day of March, one thousand nine hundred and seven, be stricken out.

SEC. 2. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 31st day of January, A. D. 1908.

CHAPTER 27.

AN ACT TO AUTHORIZE THE CITY OF HIGH POINT TO
ISSUE BONDS.

Whereas, the city of High Point has contracted a floating in- Preamble.
debtedness to the amount of sixty thousand dollars (\$60,000),
all of said indebtedness being for necessary expenses of said city;
and whereas, the said indebtedness is inconvenient to handle by Preamble.
reason of having to make frequent renewals of notes, and by
reason of the difficulty in borrowing money for short periods of
time; and whereas, it would be much more economical for the Preamble.
said city to issue its coupon bonds and take up such outstanding
indebtedness: now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the board of aldermen of the said city be and Bond issue
it is hereby authorized and empowered to issue bonds of said authorized.
city to the amount of sixty thousand dollars (\$60,000), for the Amount.
purpose of taking up and discharging the floating indebtedness Purpose.
hereinbefore mentioned.

SEC. 2. That the said bonds shall be coupon bonds of the de- Denomination.
nomination of five hundred dollars (\$500) or one thousand, as
may be determined by the board of aldermen of said city, and Maturity.
shall mature thirty years from their date, and shall be payable Payable in gold
in gold coin of the United States of the present standard of coin.
weight and fineness.

SEC. 3. That the said bonds shall bear interest at the rate of Interest.
five per cent. per annum, and the interest shall be payable semi-
annually, and the said bonds shall in no case be sold, hypothec-
ated or otherwise disposed of for less than their par value.

SEC. 4. That the board of aldermen of said city may fix by Date of bonds and
resolution the date of said bonds and the place of payment. place of payment.
thereof, and may in such resolution prescribe the form of said
bonds and all other matters in relation thereto not fixed herein.

SEC. 5. That the said bonds shall be signed by the mayor, Authentication.
attested by the city treasurer, and sealed with the corporate seal
of the city, and shall have interest coupons attached thereto, Exemption from
which said bonds and their coupons shall be exempt from city city tax.
taxation until all of them become due, and the coupons shall be Coupons receivable
[receivable] in payment of the city taxes. That for the purpose for taxes.
of paying city bonds at maturity and the coupons as they become Special tax.
due, it shall be the duty of the board of aldermen of said city,
and it is hereby empowered and directed so to do, to levy and
collect each year a sufficient special tax upon all subjects of
taxation which are now or may hereafter be embraced in the

Proviso: specific appropriation.

Semiannual reports.

Resolution of aldermen to validate bonds.

subjects of taxation, under the charter of said city, and in the manner and at the same time as other taxes are collected under said charter: *Provided*, that the taxes collected under this act for the payment of said bonds and interest coupons as aforesaid shall be used for no other purpose, and it shall be the duty of the said treasurer, as such coupons are paid off and taken up, to cancel the same, and report not less than twice a year to the board of aldermen the number and amounts of the coupons so cancelled.

SEC. 6. No further proceedings other than the resolution of the board of aldermen hereinbefore provided for shall be necessary for the issuance of said bonds, and all bonds issued in accordance with the provisions of this act shall be valid, legal and binding obligations of the said city, notwithstanding any other acts; and anything in the charter of said city in conflict herewith is hereby repealed.

SEC. 7. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 31st day of January, A. D. 1908.

CHAPTER 28.

AN ACT FOR THE RELIEF OF REV. J. W. PINNIX OF FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

Allowed to engage in teaching.

SECTION 1. That Rev. J. W. Pinnix of Forsyth County, a member of the Board of Education of Forsyth County, be allowed to engage in teaching in the public schools of Forsyth County.

SEC. 2. This bill shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 31st day of January, A. D. 1908.

CHAPTER 29.

AN ACT TO PERMIT WAKELON GRADED AND HIGH SCHOOL DISTRICT, IN WAKE COUNTY, TO VOTE \$10,000 OF BONDS.

The General Assembly of North Carolina do enact:

Trustees empowered to petition for election.

SECTION 1. That a majority of the Trustees of the Wakelon Graded and High School District, in Wake County, North Carolina, be and it is hereby authorized and empowered to petition

the Board of County Commissioners of Wake County, North Carolina, to call an election in said district at a time and place to be specified by them to determine the question: Shall the Wakelon Graded and High School District, in Wake County, issue ten thousand dollars of the bonds of said district, with interest coupons attached, to aid in the construction, equipment and maintenance of a high school in said district?

Question to be submitted.

SEC. 2. That upon said request of the majority of the trustees as aforesaid, it shall be the duty of the said Board of County Commissioners of Wake County to order an election to be held in said district at such time and place as may be specified in said request to determine the question: Shall the Wakelon Graded and High School District, in Wake County, issue ten thousand dollars of the bonds of said district, with interest coupons attached, to aid in the construction, equipment and maintenance of a high school in said district? That said board of county commissioners shall, at least thirty (30) days preceding such election, give public notice of said election and purpose thereof by publication in one or more newspapers published in said county and at such other places as may be determined upon by it.

County commissioners to order election.

Notice of election.

SEC. 3. That the said election shall be held and conducted in the same manner and under the same requirements of law as are now in force or may hereafter be prescribed by law for holding elections for members of the General Assembly: *Provided*, that there shall be a new registration of all of the qualified voters residing in said district, and for this purpose the said board of county commissioners is hereby empowered to prescribe such rules and regulations for the opening and closing of said registration books as it may see fit and proper: *Provided further*, that said board of county commissioners shall appoint registrars of election and judges of election, and the registration of voters, except as herein provided, and challenges of voters shall be conducted in the same manner as is now provided for the election of members of the General Assembly, or may hereafter be provided. That the votes shall be counted at the close of the polls and returned to the said board of county commissioners on Thursday next following the election, and said board of county commissioners shall canvass, tabulate and declare the result of the election, which shall be recorded in the minutes of the board of county commissioners, and no other recording and declaration of the result of said election shall be necessary.

Laws governing election.

Proviso: new registration.

Proviso: appointment of registrars and judges of election.

Registration and challenges.

Count, return and canvass of votes.

SEC. 4. That at said election the ballots tendered and cast shall have written or printed upon the same "For School Bonds" or "Against School Bonds," and all qualified electors who favor the issue of bonds shall vote a ticket on which shall be written or printed the words "For School Bonds," and all qualified electors who may be opposed to the issue of bonds shall vote a ticket on

Ballots.

which shall be written or printed the words "Against School Bonds."

County commissioners to prepare bonds.

SEC. 5. That if a majority of the votes cast at said election shall be "For School Bonds," and the result shall be declared and recorded as aforesaid, then it shall be the duty of the Board of County Commissioners of Wake County to prepare bonds in denominations not exceeding one thousand dollars and not less than one hundred dollars, the total amount not to exceed ten thousand dollars, which said bonds shall bear a rate of interest at the rate of six (6) per cent. per annum, with interest coupons attached, payable semiannually on the first days of January and July, the principal whereof shall be payable or redeemable at such time or times not exceeding thirty (30) years from the date of issue, as the said Board of Commissioners of Wake County may determine. That said bonds and the coupons attached thereto shall be signed by the chairman of the board of county commissioners, and countersigned by the clerk of said board, and said bonds shall have upon them the seal of the county. That said bonds shall be styled bonds in aid of the construction, equipment and maintenance of a high school in Wakelon Graded High School District, of Wake County."

Denominations.

Limit of amount.

Interest.

Maturity.

Authentication.

Delivery and sale of bonds.

SEC. 6. That upon the preparation, signing and execution of said bonds that said board of county commissioners shall deliver the same to the treasurer of the school fund of Wake County, who shall sell said bonds at such times and in such manner as the said Board of Education for Wake County may direct. That none of said bonds or the proceeds thereof shall be used by said board of education for any other purpose than that provided by this act. That said bonds shall be numbered consecutively, and the coupons attached shall bear the numbers of the bonds to which they are attached. The bonds and coupons shall state the time, place, when they are due, and when payable, and by what authority they were issued. The said Board of Education for Wake County shall record all the proceedings in respect to said bonds in the minutes of its meeting, and when sold the numbers of the bond or bonds, the denominations, to whom sold and the number of coupons attached.

Specific appropriation.

Record of proceedings and of bonds.

Deposit and expenditure of proceeds of bonds.

SEC. 7. That when said bonds are issued and sold, the proceeds thereof shall be deposited with the treasurer of the school fund for Wake County, and the same shall be expended by said board of education in such manner and for such uses and purposes in the building, equipment and maintenance of said high school as a majority of the trustees herein mentioned shall direct, and no other. That the said treasurer of the board of education shall keep said funds provided for in this act which may come into his hands separate from all other funds, and shall keep separate accounts of the same, and for the faithful performance of his

Funds to be kept separate.

duties in this respect the said treasurer shall execute an official Bond of treasurer, bond, payable to the State of North Carolina for the use of said trustees in the usual manner, in such an amount as the board of county commissioners may direct.

SEC. 8. When said bonds shall have been issued, the Board of Special tax. County Commissioners of Wake County shall levy annually on the first Monday in June a tax not exceeding twenty (20) cents Tax limit. on the hundred dollars of property and sixty (60) cents on the poll in said Wakelon Graded and High School District, of Wake County, and none other, to provide for the payment of the interest upon the same and to create a sinking fund sufficient to meet the payments of said bonds at their maturity. The tax so levied Collection and application of tax. shall be collected as other taxes, and shall be kept by the treasurer of the school fund as a separate fund, and applied first to the payment of the interest upon said bonds, and next to the creation of a sinking fund as aforesaid. That said treasurer of Commissioner of sinking fund. the school fund shall be commissioner of the sinking fund for said bonds, and it shall be his duty to keep said fund invested in some safe security or bond. And said commissioner of the sinking Bond of commissioner. fund may be required to execute such bond as the board of education shall direct for the safe-keeping of said fund and the faithful performance of his duties as commissioner, and shall Reports. make such reports from time to time as the board of education or the trustees herein mentioned may direct.

SEC. 9. That this act shall apply only to the Wakelon Graded Application of act. and High School District, in Wake County.

SEC. 10. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 11. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 31st day of January, A. D. 1908.

CHAPTER 30.

AN ACT TO AMEND CHAPTER 455, PUBLIC LAWS OF 1903,
SO AS TO AUTHORIZE THE TRUSTEES OF MORGANTON
GRADED SCHOOL TO ELECT A TAX COLLECTOR.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and fifty-five, Public Laws of one thousand nine hundred and three, be amended as follows: In section two, after the word "trustees," at the end of line four, add the words "shall elect a collector to collect the taxes levied in this act, who shall have all the powers given sheriffs under the laws of North Carolina for the levy and col- Trustees to elect tax collector.

Collector invested
with duties.

lection of taxes." In section six, after the words "duty of," in line seventeen, strike out the words "the Sheriff of Burke County," in lines seventeen and eighteen of said section six, and insert in lieu thereof the words "the collector elected by the board of trustees."

SEC. 2. This act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 31st day of January, A. D. 1908.

CHAPTER 31.

AN ACT TO AUTHORIZE THE TRUSTEES OF THE GOLDSBORO GRADED SCHOOLS TO BORROW THIRTY THOUSAND DOLLARS (\$30,000) FOR WAYNE COUNTY HIGH SCHOOL, AND FOR OTHER PURPOSES.

Preamble.

Whereas, the lower grades for whites in the Goldsboro Graded Schools are greatly crowded, so that many pupils are greatly inconvenienced in attending the same, and further admissions cannot be made on account of the said crowded condition; and whereas, the purchase of a site and the building of a high school, into which the high school of the said graded schools can be moved, would relieve the crowded condition and permit the attendance of many more pupils in the lower grades of the said graded schools: now, therefore,

The General Assembly of North Carolina do enact:

Trustees authorized to borrow money.

Amount and purpose.

Bond issue authorized.
Denomination and interest.

Maturity.

Fund for payment.

Security.

SECTION 1. That the Trustees of the Goldsboro Graded Schools are hereby authorized and empowered to borrow the sum of thirty thousand dollars (\$30,000), to pay for a site and for building a school building for the Wayne County High School to be run in connection with the Goldsboro Graded Schools, and to issue therefor bonds of the denomination of one hundred dollars (\$100) each, bearing interest at not less than six (6) per cent., payable annually, and payable twenty years after date of issue, none of which shall be sold for less than par, the interest and principal of which shall be paid out of the taxes realized from the levies now made or hereafter made for school purposes, and the trustees of the said Goldsboro Graded Schools are hereby authorized and empowered to execute a mortgage upon the property of the Goldsboro Graded Schools used for whites, for the purpose of securing the interest upon the said bonds, and for the purpose of securing the principal thereof at maturity.

SEC. 2. This act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 31st day of January, A. D. 1908.

CHAPTER 32.

AN ACT TO AMEND CHAPTER 262 OF THE PRIVATE LAWS OF THE GENERAL ASSEMBLY OF NORTH CAROLINA, AT ITS SESSION OF 1907, RELATIVE TO ESTABLISHING A GRADED SCHOOL IN THE TOWN OF MOCKSVILLE, IN DAVIE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section nine of chapter two hundred and sixty-two of the Private Laws of the General Assembly of one thousand nine hundred and seven be amended as follows: Strike out the name of J. L. Sheek, in line two of said section, and insert in lieu thereof the name of O. L. Williams, and strike out the name of James F. Moore, in line three of said section nine, and insert in lieu thereof the name of B. O. Morris. That said section nine be further amended by inserting after the word "resignation," in line eighteen and before the word "or," in line nineteen, the words "or otherwise."

Trustees substituted.

SEC. 2. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 33.

AN ACT TO AUTHORIZE THE TRUSTEES OF THE GOLDSBORO GRADED SCHOOLS TO BORROW \$30,000 FOR WAYNE COUNTY HIGH SCHOOL, AND FOR OTHER PURPOSES.

Whereas, the lower grades for whites in the Goldsboro Graded Schools are greatly crowded, so that many pupils are greatly inconvenienced in attending the same, and further admissions cannot be made on account of the said crowded condition; and whereas, the purchase of a site and the building of a high school into which the high school of the said graded schools can be moved would relieve the crowded condition and permit the attendance of many more pupils in the lower grades of the said graded schools: now, therefore,

Preamble.

The General Assembly of North Carolina do enact:

SECTION 1. That the Trustees of the Goldsboro Graded Schools are hereby authorized and empowered to borrow the sum of thirty thousand dollars, to pay for a site and for building a school building.

Trustees authorized to borrow money. Amount and purpose.

Bond issue
authorized.
Denomination and
interest.

Maturity.

Fund for payment.

Security.

ing for the Wayne County High School, to be run in connection with the Goldsboro Graded Schools, and to issue therefor bonds of the denomination of one hundred dollars each, bearing interest at not less than six per cent., payable annually, and payable twenty years after date of issue, none of which shall be sold for less than par, the interest and principal of which shall be paid out of the taxes realized from the levies now made or hereafter made for school purposes, and the trustees of the said Goldsboro Graded Schools are hereby authorized and empowered to execute a mortgage upon the property of the Goldsboro Graded Schools used for whites for the purpose of securing the interest upon the said bonds, and for the purpose of securing the principal thereof at maturity.

SEC. 2. This act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 34.

AN ACT TO INCORPORATE THE TOWN OF WALSTONBURG, IN THE COUNTY OF GREENE.

The General Assembly of North Carolina do enact:

- Town incorporated. SECTION 1. That the town of Walstonburg, in the county of Greene, be and the same is hereby incorporated and created a
- Corporate name. body politic by the name and style of The Town of Walstonburg,
- Corporate powers. and shall have all of the powers, rights and privileges, and be subject to all of the duties provided in chapter seventy-three (73) of the Revisal of one thousand nine hundred and five of North Carolina.
- Corporate limits. SEC. 2. That the boundaries of the said town shall be and remain, and the same are hereby established, as follows, to-wit: Beginning at a point where the county road crosses the railroad, runs thence north 400 yards to a stake; thence east 400 yards to a stake; thence south 400 yards to a stake; thence west 400 yards to the beginning.
- Town officers. SEC. 3. That the officers of the said town of Walstonburg shall be a mayor and four commissioners, who, at the time of their organization, or as soon thereafter as may be, shall elect a town
- Constable and clerk and treasurer. constable and a clerk and treasurer, and whenever they may deem
- Police officers. it necessary they may appoint such police officers as in their judgment may be required for the due preservation of the peace and good order of the town.

SEC. 4. That the person so elected as clerk and treasurer shall be required to enter into a bond in such amount as the said board of commissioners may deem sufficient, not exceeding the sum of three hundred dollars, payable to the said town, for the faithful discharge of the duties of his office, which bond shall be duly justified before the mayor of said town, and approved by him, if accepted.

Clerk and treasurer to give bond.

SEC. 5. That until the qualification and induction into office of the officers of said town first elected under the provisions of this act, the government of said town shall be vested in the following persons, for the offices named as follows, respectively, to-wit: Silas McKeel, Mayor; and S. P. Walston, B. S. McKeel, M. L. Walston and H. E. Slater, Commissioners; the said officers shall meet and be sworn, and inducted into office on the first day of March, one thousand nine hundred and eight, or as soon thereafter as may be.

First officers named.

Date of qualification and induction into office.

SEC. 6. That an election shall be held in the said town on Tuesday next after the first Monday of May, one thousand nine hundred and eight, and again on the same Tuesday in May in the next following year, and biennially thereafter, for the election of the mayor and commissioners of the said town, under the rules and regulations prescribed for town elections in the said chapter seventy-three (73) of the Revisal of one thousand nine hundred and five.

Town elections.

SEC. 7. That within three days after the said election, the persons elected as officers for the said town shall meet and shall be inducted into office, after being duly sworn as required by law.

Officers to qualify.

SEC. 8. That after the first election so held for said town, the said mayor and commissioners shall have power, if they so choose, to elect all the governing officers of the town as commissioners for the same, and in that case the commissioners so elected shall elect the mayor out of their own number.

Election of governing officers as commissioners.

SEC. 9. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 10. That a copy of this act be forwarded by the Secretary of State to Silas McKeel, mayor of said town, within ten days after its ratification.

Copy of act to be forwarded to mayor.

SEC. 11. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 35.

AN ACT FOR THE RELIEF OF R. M. ECHOLS.

Preamble.

Whereas, R. M. Echols became a resident of North Carolina after July, nineteen hundred and seven, and is a graduate and holds a diploma from the American School of Osteopathy, of Kirksville, Missouri, and is also the holder of a certificate of license issued after an examination by the legally constituted board of the State of Missouri: now, therefore,

The General Assembly of North Carolina do enact:

To practice osteopathy.

SECTION 1. That the said R. M. Echols be and he is hereby authorized and empowered to practice his profession as an osteopathic physician in the State of North Carolina without undergoing an examination by the Board of Examination provided for in chapter seven hundred and sixty-four of the Public Laws of nineteen hundred and seven.

SEC. 2. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 36.

AN ACT TO INCORPORATE THE TOWN OF BAILEYS,
NASH COUNTY.

The General Assembly of North Carolina do enact:

Town incorporated.

SECTION 1. That the town of Baileys, in the county of Nash, and State of North Carolina, be and the same is hereby incorporated

Corporate name.

by the name and style of Baileys, and so far as may not be incon-

Corporate powers.

sistent with this act, shall have all the powers and be subject to all the provisions of chapter seventy-three of the Revisal of one thousand nine hundred and five.

Corporate limits.

SEC. 2. That the corporate limits of said town shall be as follows, to-wit: Said town shall be bounded on the north by a line parallel with the main line of the Norfolk and Southern Railway Company, at a distance of 880 yards north therefrom; on the east by a line at right angles with said line, at a distance of 880 yards east from the depot of said railroad; on the south by a line parallel with said railroad, 880 yards south therefrom; and on the west by a line at right angles with said railroad, 200 yards west from said depot.

SEC. 3. That the jurisdiction of the mayor of said town and the officers thereof, for the purpose of police regulation, shall extend in all directions one mile from corporate limits. The officers shall be a mayor and three commissioners and a town constable, and said town shall have such other police officers as the mayor and commissioners shall appoint.

Jurisdiction of
mayor.

Town officers.

SEC. 4. That until the time of the first regular election and the qualification of the officers elected, the government of the town shall be vested in the following persons, to-wit: I. N. Glover, Mayor; J. D. Finch, M. C. Bissett and J. D. Farmer, Commissioners; and Rufus Benson, Town Marshal or Constable.

First officers
named.

SEC. 5. That the manufacture or sale of spirituous, vinous, malt or intoxicating liquors is prohibited within the limits of said town.

Prohibition.

SEC. 6. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 37.

AN ACT TO AMEND CHAPTER 411 OF THE PRIVATE LAWS OF 1905, AND TO EXTEND THE TIME FOR THE ORGANIZATION OF THE WATAUGA RAILWAY COMPANY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and eleven of the Private Laws of nineteen hundred and five be and the same is hereby re-enacted.

SEC. 2. That said chapter be and the same is hereby amended as follows: By adding a new section after section fourteen of said act, to be known as section fourteen and a half (14½), and which shall read as follows: "That the said Watauga Railway Company shall have two years from the passage of this act within which to organize and begin operations, and the Board of Directors of the Penitentiary shall have power to contract with and furnish convict labor to the said railroad company upon such terms and conditions as the said parties may agree, the number of convicts so furnished not to be less than fifty nor more than one hundred.

Time for organi-
zation.

Convict labor may
be furnished.

SEC. 3. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 38.

AN ACT TO ALLOW THE CITY OF GREENSBORO TO
ISSUE BONDS.

The General Assembly of North Carolina do enact:

Bond issue
authorized.

SECTION 1. That the Board of Aldermen of the City of Greensboro is hereby authorized and empowered to issue bonds in the name of the City of Greensboro, in such denominations and forms as it may determine, to an amount not exceeding thirty-five thousand dollars; payable at such times and places as the board of aldermen may prescribe: *Provided*, that the time of the payment of such bonds shall not be less than thirty nor more than fifty years from their date.

Amount.

Proviso: maturity.

Interest.

SEC. 2. That the said bonds shall bear interest at no greater rate than five per centum per annum, and that the interest shall be made payable annually or semiannually, as the board of aldermen may prescribe; and that the said bonds shall in no case be sold, hypothecated or otherwise disposed of for less than their par value.

Authentication.

Exemption from
city tax.

Coupons receivable
for taxes.

Special tax.

Proviso: specific
appropriation of
taxes.

Election.

Notice of election.
Votes.

SEC. 3. That the said bonds shall be signed by the mayor, attested by the city treasurer, and sealed with the corporate seal of the city, and shall have interest coupons attached thereto; which said bonds and their coupons shall be exempt from city taxation until after they become due, and the coupons shall be receivable in payment of such taxes. That for the purpose of paying said bonds at maturity, and the coupons as they become due, it shall be the duty of the board of aldermen, and it is hereby empowered so to do, to levy and collect each year a sufficient special tax upon all subjects of taxation which are now or may hereafter be embraced in the subjects of taxation under the charter of the city, and in the manner and at the same time as other taxes are collected under said charter: *Provided*, that the taxes collected under this act for the payment of said bonds and interest coupons as aforesaid shall be used for no other purpose; and it shall be the duty of the city treasurer, as such bonds are paid off and taken up, to cancel the same, and report not less than twice a year to the board of aldermen the numbers and amounts of the [bonds and] coupons so cancelled.

SEC. 4. That the board of aldermen shall not issue bonds, nor any of them, nor levy nor collect said taxes, until it shall have been authorized and empowered so to do by a majority of the qualified registered voters of said city at an election or elections to be held at such times and places as the said board of aldermen shall appoint, of which notice shall be given for twenty days in some newspaper published in the said city; and at such election

or elections, those favoring the issue of said bonds, or any of them, as specified in the call of such election or elections, and the levy and collection of taxes for the payment of said bonds and coupons, shall vote "Approved," and those opposing it shall vote "Not Approved": *Provided*, that the said board may in its discretion order an entirely new registration of voters.

SEC. 5. That said board may call an election under this act at any time it may see fit so to do, after giving the notice as hereinbefore provided; and the rejection by the voters of any proposition submitted to them under this act shall not prevent the submission of the same or other propositions to the said voters at any other time that the board of aldermen may appoint; and that the board of aldermen may continue to call elections under this act until the whole amount of thirty-five thousand dollars shall have been issued.

SEC. 6. Said bonds may be issued for the purpose of erecting, equipping, altering and furnishing a school building or school buildings, and, if necessary, of purchasing land for such building or buildings, in the city of Greensboro; and the proceeds of the sale of said bonds shall be used for no other purpose than that specified as aforesaid: *Provided*, that the purchasers of said bonds shall not be required to see to the application of the purchase money.

SEC. 7. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 39.

AN ACT TO INCORPORATE THE TOWN OF WESTRAY, IN NASH COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the town of Westray, in Nash County, is hereby incorporated under the name and style of Westray.

SEC. 2. That the corporate limits of said town shall be as follows: Centering in the center of Nashville Branch railroad track, in said town of Westray, where said track is crossed by the public road; thence one-fourth mile west, north, east and south, so as to form a square having its side parallel and at right angles respectively with the track of said railroad.

SEC. 3. That the officers of said town shall consist of a mayor and five commissioners and constable, the last to be elected by the commissioners of said town.

Town elections.

SEC. 4. That the first election for mayor and commissioners shall be held on the first Monday in May, one thousand nine hundred and eight, under the same rules and regulations as are provided by the general laws for town elections.

Powers of commissioners.

SEC. 5. The said commissioners shall have power to pass by-laws, rules, regulations and ordinances for the government of said town, not inconsistent with the laws of the State, and to enforce the same by fines and penalties, and to levy and to collect taxes as provided in the laws of the State applicable to cities and towns.

First officers named.

SEC. 6. Until the election to be held on the first Monday in May, one thousand nine hundred and eight, as hereinbefore stated, John C. Lindsay is hereby appointed mayor, and J. S. Proctor, M. J. Hedrick, W. W. Winstead, DeLeon Carter and J. B. Land commissioners of said town of Westray.

Prohibition.

SEC. 7. That no intoxicating liquors shall ever be manufactured or sold in said town.

SEC. 8. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 40.

AN ACT TO AMEND CHAPTER 31, PRIVATE LAWS 1907, RELATING TO THE INCORPORATION OF SPRUCE PINE, MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

Term of first officers.

SECTION 1. Amend said chapter, section three, in line four, after the word "and" and before the word "Benjamin," by striking out the word "seven," and inserting in lieu thereof the following, viz.: "eight, or until their successors are duly elected and qualified."

Town elections.

SEC. 2. Amend section four, in line three, after the word "and" and before the word "and," by striking out the word "seven," and inserting in lieu thereof the word "eight."

SEC. 3. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 41.

AN ACT TO AUTHORIZE THE CITY OF HIGH POINT TO
ISSUE BONDS.

Whereas, the city of High Point has contracted a floating in- Preamble.
debtedness to the amount of sixty thousand dollars, all of said
indebtedness being for necessary expenses of said city; and where- Preamble.
as, the said indebtedness is inconvenient to handle by reason of
having to make frequent renewals of notes, and by reason of the
difficulty in borrowing money for short periods of time; and Preamble.
whereas, it would be much more economical for the said city to
issue its coupon bonds and take up such outstanding indebted-
ness: now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the board of aldermen of the said city be and Bond issue
it is hereby authorized and empowered to issue bonds of said city authorized.
to the amount of sixty thousand dollars, for the purpose of taking Amount.
up and discharging the floating indebtedness hereinbefore men- Purpose.
tioned.

SEC. 2. That the said bonds shall be coupon bonds of the de- Denominations.
nomination of five hundred or one thousand dollars, as may be
determined by the board of aldermen of said city, and shall ma- Maturity.
ture thirty years from their date, and shall be payable in gold Payable in gold
coin of the United States of the present standard of weight and coin.
fineness.

SEC. 3. That the said bonds shall bear interest at the rate of Interest.
five per cent. per annum, and the interest shall be payable semi-
annually, and the said bonds shall in no case be sold, hypothecated
or otherwise disposed of for less than their par value.

SEC. 4. That the board of aldermen of said city may fix by reso- Date of bonds and
lution the date of said bonds and the place of payment thereof, place of payment.
and may in such resolution prescribe the form of said bonds and
all other matters in relation thereto not fixed herein.

SEC. 5. That the said bonds shall be signed by the mayor, at- Authentication.
tested by the city treasurer, and sealed with the corporate seal of
the city, and shall have interest coupons attached thereto, which Exemption from
said bonds and their coupons shall be exempt from city taxation city tax.
until all of them become due, and the coupons shall be [receiv- Coupons receivable
able] in payment of the city taxes. That for the purpose of pay- for taxes.
ing city bonds at maturity and the coupons as they become due,
it shall be the duty of the board of aldermen of said city, and it Special tax.
is hereby empowered and directed so to do, to levy and collect
each year a sufficient special tax upon all subjects of taxation
which are now or may hereafter be embraced in the subjects of
taxation under the charter of said city, and in the manner and
at the same time as other taxes are collected under said charter:
Provided, that the taxes collected under this act for the payment
Proviso: specific
appropriation.

Semiannual
reports.

Resolution of
aldermen to vali-
date bonds.

of said bonds and interest coupons as aforesaid shall be used for no other purpose, and it shall be the duty of the said treasurer, as such coupons are paid off and taken up, to cancel same, and report not less than twice a year to the board of aldermen the number and amounts of the coupons so cancelled.

SEC. 6. No further proceedings other than the resolution of the board of aldermen hereinbefore provided for shall be necessary for the issuance of said bonds, and all bonds issued in accordance with the provisions of this act shall be valid, legal and binding obligations of the said city, notwithstanding any other acts; and anything in the charter of said city in conflict herein is hereby repealed.

SEC. 7. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 42.

AN ACT AMENDATORY OF THE ACT ESTABLISHING THE SPRING HOPE GRADED SCHOOL DISTRICT, IN NASH COUNTY, CHAPTER 403, LAWS 1903.

The General Assembly of North Carolina do enact:

Tax levy.

SECTION 1. That the words "by the authorities of the town of Spring Hope" in section six (6), line three (3), be stricken out, and the words "by the board of school trustees" be inserted; and the word "town" after the word "other" and before the word "taxes," and the words "in and for the town of Spring Hope," in lines five and six of said section, be stricken out.

Election of tax
collector.

SEC. 2. That section seven (7) of said act and chapter be stricken out, and the following be inserted in its place: "The said board of school trustees shall elect annually a suitable person to act as tax collector, to be known as the Tax Collector of the Spring Hope Graded School District, who shall collect the special tax levied for said district in the same manner and under the same liabilities as other taxes are collected, and the compensation and bond for said collector shall be fixed by the said board of trustees, and the said collector is hereby authorized and empowered to collect the taxes levied for and in said district, and pay over said taxes to the treasurer of said board of school trustees under the same rules and regulations as State and county taxes are collected and paid over."

Compensation and
bond.

Collection and set-
tlement of taxes.

SEC. 3. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 43.

AN ACT TO AMEND CHAPTER 197, PRIVATE LAWS 1895,
INCORPORATING THE TOWN OF PEACHLAND, IN ANSON
COUNTY.*The General Assembly of North Carolina do enact:*

SECTION 1. That chapter one hundred and ninety-seven, Private Laws of one thousand eight hundred and ninety-five, the same being an act to incorporate the town of Peachland, in Anson County, be and the same is hereby amended as follows: After section four add the following, which shall be designated as section five, to-wit:

"Sec. 5. The commissioners of said town of Peachland shall have power to open and lay out any new street or streets within the corporate limits of said town whenever a majority of them may think necessary, and shall have power at any time to widen, enlarge, make narrower, change, extend or discontinue any street or streets, or any part thereof, within the corporate limits of said town, and shall have power to condemn and appropriate any land necessary for the purposes of this section, and make compensation therefor as hereinafter provided to the owner or owners of said lands. It shall be the duty of the commissioners of said town to tender through their clerk and treasurer, or other officer of said town, the amount they may think the owner of any land so appropriated or condemned may be entitled to as damages for the opening out, changing or discontinuing any street or streets across his land, and if such amount shall not be accepted in full satisfaction therefor, the mayor of said town shall have the power to issue an order directed to the town constable, commanding him to summon as jurors three citizens of said town, connected neither by consanguinity nor affinity with the mayor or commissioners of said town, or any person or persons over whose land said street proposed to be changed or discontinued runs, or over whose land said proposed new street will run; said order shall direct the town constable to summon said jurors to meet on the land over which the proposed street is to be laid out or changed or discontinued on a day not exceeding ten days from the day of summoning them, and the owner or owners of said land, shall be notified by the constable of said town of the summoning of said jurors and the time and place of their meeting, and the purpose of their meeting, for five days before the day when the said jurors shall meet to open and lay out any street, or alter, change or discontinue any street already laid out; said jurors, attended by the constable, after being sworn by the mayor to do strict and impartial justice between the parties, shall proceed to lay open,

Powers of commissioners as to streets.

Power to condemn land.

Tender of damages.

Procedure for assessment of damages.

Return of pro-
ceedings.

Proviso: jurors
summoned from
township.

lay out, change, narrow or widen such street or streets, as the case may be, and shall assess the damage sustained by the owner or owners of such land, and in assessing the damages they shall consider the improvements to said land or lands caused by the opening, laying out, changing, making narrower or wider any of said street or streets, and such estimated improvements shall be deducted from the damages assessed by them; and the said jurors shall under their hands and seals make a return of their proceedings to the mayor of said town, and the board of commissioners of said town shall make compensation to such owner or owners of said land for the amount of damages so assessed, which compensation can be made on the return of the report of said jurors or thereafter, within a reasonable time not to exceed twelve months. Upon the return of the report of said jurors, said new street or streets so laid out, altered or changed shall be in all respects one of the streets of said town, and under the control of the board of commissioners of said town: *Provided*, that if three citizens of said town cannot be found by the town constable who possess the qualifications herein required, then in that event the town constable may summon one or more of said jurors from Lanesboro Township, who shall be qualified to serve as herein provided for jurors summoned who reside in the town of Peachland."

SEC. 2. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 44.

AN ACT TO CREATE A BUILDING COMMITTEE TO PROVIDE FOR THE ERECTION OF A GIRLS' DORMITORY IN CONNECTION WITH CULLOWHEE NORMAL AND INDUSTRIAL SCHOOL, WITH POWER TO CONDEMN LAND FOR THE USE OF SAID SCHOOL.

Preamble.

Whereas, at the regular session of the General Assembly of one thousand nine hundred and seven, an act was enacted appropriating the sum of ten thousand dollars for the purpose of building a girls' dormitory in connection with the Cullowhee Normal and Industrial School; and whereas, the authorities of said school have been unable to acquire by donation or purchase a suitable site for said building: now, therefore,

The General Assembly of North Carolina do enact:

Building committee.

SECTION 1. That the following named persons shall constitute a building committee, with power to erect said building and to pay

for the same out of the funds appropriated for that purpose, viz.: Felix E. Alley, W. L. Henson, J. N. Wilson, W. A. Henson and Robert L. Madison, all of the county of Jackson, who are hereby appointed as a building committee with full power and authority to adopt plans and specifications for said building, to advertise for bids and to make all contracts for the proper erection and completion of said building, to decide on the location of said building, and to purchase or accept by deed or devise, or to institute condemnation proceedings for a site therefor: *Provided*, that whenever the said building committee is unable to obtain a suitable site for said building by gift or purchase at a reasonable price, it shall report to the county superintendent of public instruction, who shall upon five days' notice to the owner of the land desired as a site for said building, apply to the Clerk of the Superior Court of Jackson County for the appointment of three appraisers, who shall be freeholders in and citizens of said county, who shall lay off by metes and bounds not more than twenty acres, and assess the value thereof: *Provided*, that said land so laid off shall be adjacent and contiguous to the present site of the said school. Said assessors shall make a written report of their proceedings, to be signed by them or a majority of them, and file the same with the Clerk of the Superior Court within five days after their appointment, who shall enter the same upon the records of the court: *Provided*, that the appraisers and officers shall serve without compensation.

Power and authority.

Proviso: procedure for condemnation.

Area to be laid off.

Report of assessors.

Record of reports.

Proviso: compensation.

SEC. 2. If the report is confirmed by the said clerk of the court, the said building committee, or any of them, shall pay the amount set forth in the report of said appraisers to the owner of the land condemned, and upon the payment or offer of payment of the amount so set forth to the said owner, the title to the said land shall vest in the State of North Carolina. Any person aggrieved by the action of the said board of appraisers may appeal to the Superior Court.

Payment on confirmation of report.

Title to vest.

Appeals.

SEC. 3. *Provided further*, that the building committee hereinbefore mentioned shall serve without compensation.

Building committee to serve without pay.

SEC. 4. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 45.

AN ACT FOR ELECTRIC LIGHTS FOR THE TOWN OF
LINCOLNTON.

Preamble.

Whereas, the last General Assembly passed an act entitled an act to allow the town of Lincolnton to issue bonds, Private Laws one thousand nine hundred and seven, chapter three hundred and fifty-five, authorizing the Board of Aldermen of Lincolnton to issue thirty-five thousand dollars in bonds of said town for the purpose of extending the present municipal waterworks and system of said town, for installing and constructing a sewer system and equipping and installing an electric light plant for lighting said town and furnishing lights for its citizens, and authority was granted said board of aldermen to levy and collect a tax not exceeding thirty-five cents on property and one dollar and five cents on the poll to meet the interest and create a sinking fund;

Preamble.

and whereas, under the provisions of said act, said board of aldermen had prepared and ordered the issue of said bonds in the amount of thirty-five thousand dollars, bearing date seventh of June, one thousand nine hundred and seven, payable in thirty years, interest payable semiannually, and, in order to meet the requirements of said act, said board of aldermen at its meeting in June, one thousand nine hundred and seven, levied a tax of twenty-five cents on property, on each and every one hundred

Preamble.

dollars, and seventy-five cents on polls; and whereas, said tax is now being collected, a part of which having already been paid; and whereas, on account of the money market said board of aldermen has not made a satisfactory disposition of said bonds, and is not likely to do so before June next; and whereas, said board of aldermen is anxious to install and equip an electric light plant for lighting said town and use of its citizens, and desire to use the taxes so levied under said act, Private Laws of one thousand nine hundred and seven, chapter three hundred and fifty-five, in part payment of said electric light system for said town and its citizens, and to execute the obligations of said town for the balance, or sufficient amount to install said system: now, therefore,

The General Assembly of North Carolina do enact:

Tax levy approved.

SECTION 1. That the levy of taxes, made by the Board of Aldermen of Lincolnton in June, one thousand nine hundred and seven, of twenty-five cents on each and every one hundred dollars of property, and seventy-five cents on each and every poll, under the provisions of Private Laws of one thousand nine hundred and seven, chapter three hundred and fifty-five, be and the same is hereby approved and ratified and said Board of Aldermen of the

Collection authorized.

Town of Lincolnton is hereby authorized, empowered and directed to collect the same, in the same manner as other taxes so levied, notwithstanding said bonds have not been sold.

SEC. 2. That said Board of Aldermen of Lincolnton, is hereby authorized to use and apply said taxes, so levied and collected, in part payment of installing and equipping an electric light plant for said town and its citizens.

Application of
taxes.

SEC. 3. That said board of aldermen is directed and empowered to construct, or have constructed, and installed an electric light system for said town and its citizens, and in so doing may apply the taxes above mentioned, and for balance and costs of the same is authorized to execute the note and obligation of said town in an amount not exceeding seven thousand dollars, upon such terms as said board of aldermen may deem proper, and make the same payable in such amounts and times as it may deem advisable, not exceeding two years.

Installation of
electric light plant
directed.

Note to be exe-
cuted.

Amount and
terms.

SEC. 4. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 46.

AN ACT TO PROVIDE FOR THE ERECTION OF A PUBLIC SCHOOLHOUSE IN CREEDMOOR PUBLIC SCHOOL SPECIAL TAX DISTRICT, GRANVILLE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Granville County be and it is hereby authorized, empowered and directed to submit to the votes of the qualified voters of Public School District Number Nine of Dutchville Township, Granville County, known as Creedmoor Special Tax District, on the first Tuesday in April, one thousand nine hundred and eight, the question as to whether or not bonds of said school district shall be issued in the sum of six thousand dollars, with interest coupons attached, the proceeds of which bonds shall be used by the board of trustees of said district for the purpose of erecting and equipping in said district a building suitable for the purpose of a public primary and high school.

County commis-
sioners to call
election.

Date.

Question to be
voted on.

SEC. 2. That said board of county commissioners shall for at least thirty days preceding the election give public notice of said election, together with the purpose thereof, by publication in some newspaper published in said county, and by posters in at least ten places in said school district.

Notice of election.

Registrar and poll holders. Polling place; new registration.	SEC. 3. That the board of county commissioners shall appoint a registrar and two poll holders, and shall designate a polling place, and order a new registration for said district, and the election shall be held in the district under the law governing general elections as near as may be, and the registrar and poll holders shall canvass the vote cast and declare the result, and shall certify the returns to the board of county commissioners and to the county board of education, and the same shall be recorded in the records of said board of county commissioners and county board of education: <i>Provided</i> , the expense of the same shall not exceed one dollar per day to the registrar and poll holders, each, for the challenge day and election day, and the registrar shall also receive three cents for each name registered, which expense shall be paid out of the general school fund of the county. At such election those who are in favor of issuing the bonds for the purpose of building the schoolhouse shall vote a ticket on which shall be written or printed the words "For School Bonds," and those who are opposed shall vote a ticket on which shall be written or printed the words "Against School Bonds."
Law governing election. Canvass of vote and declaration of result. Returns.	
Proviso: limit of expense.	
Tickets.	
County commissioners to prepare bonds.	SEC. 4. That in case a majority of the qualified voters at the election is in favor of the issue of bonds for said purpose, the board of county commissioners shall cause to be prepared, in such denominations as it may deem best, bonds of said public school district in the sum of six thousand dollars, styled Creedmoor Public School District Bonds, payable in ten years, with interest at a rate not to exceed six per cent. per annum, with the right in said commissioners to take up one-tenth part of said bonds each year until the same shall have been paid in full. Said bonds and coupons shall be signed by the chairman of the Board of County Commissioners of Granville County, and said bonds shall also be countersigned by the chairman of the public school committee of said Creedmoor Public School District; they shall be deposited with the treasurer of Granville County, and when sold or hypothecated, the seal of said county of Granville shall be affixed thereto.
Denominations.	
Amount.	
Maturity.	
Interest.	
Right to take up bonds.	
Authentication.	
Deposit of bonds.	
Result of election to be recorded.	SEC. 5. That in the event the requisite majority of the qualified electors of said public school district shall vote "For School Bonds" at said election, the result shall be recorded as aforesaid; and Z. E. Lyon, R. H. Rogers, B. G. Rogers, S. C. Lyon and B. E. Moss be and they are hereby constituted a board to be known as the Board of Trustees of Creedmoor Public School District; the said trustees shall hold their offices until the first day of July, one thousand nine hundred and ten. The county board of education, at its regular meeting in July, one thousand nine hundred and ten, and every two years thereafter, shall elect the successors to said trustees, and shall fill all the vacancies in said board of trustees caused by death, resignation or otherwise; that, as soon
Trustees named.	
Term of office.	
Election of successors.	
Vacancies.	

as practicable after the election shall have been carried "For School Bonds," the members of said board of trustees shall meet and organize by electing one of their members chairman and another one of their members secretary of said board, who shall keep a record of all meetings and all actions of said board of trustees.

Trustees to meet and organize.

SEC. 6. That immediately after the preparation and signing of said bonds by the chairman of the board of county commissioners, and countersigning by the chairman of the Board of Trustees of the Creedmoor Public School District, they shall be deposited with the Treasurer of Granville County, who shall hold them until sold or hypothecated by the Board of Trustees of Creedmoor Public School District, and the proceeds arising from the sale or hypothecation of said bonds shall be deposited with said Treasurer of Granville County, and kept separate and apart from all other funds in his hands, and shall be paid out only on the order of the chairman of the said board of trustees, countersigned by the secretary, for the purpose of erecting and equipping said public school building, and said Treasurer of Granville County shall keep an account of all receipts from said bonds and disbursements of the proceeds, and publish the same annually in some newspaper published in the county of Granville, and shall be allowed the same commissions upon said fund as allowed for handling other county money.

Deposit of bonds.

Deposit of proceeds.

Specific appropriation.

Accounts.

Commissions of treasurer.

SEC. 7. That said Board of Trustees of the Public School District of Creedmoor shall cause to be prepared plans for the erection of a suitable building for the purposes of a public school and a public high school in said district, which said plans shall be approved by the county board of education and the Superintendent of Public Instruction of North Carolina, and, upon such approval, the said board of trustees shall cause a building in accordance with said plans to be erected either upon the present site of the public school or upon a lot to be purchased for said purpose.

Place for building.

Building to be erected.

SEC. 8. That said board of trustees shall have all the powers now invested in the school committee of said district or in the committees for public high schools of the State.

Powers of trustees.

SEC. 9. That in order to meet the payment of said bonds and interest, the County Board of Education of Granville County is hereby authorized and directed to apportion annually for ten years out of the general school fund of said county of Granville the sum of one hundred and twenty-five dollars, to be applied to the payment in part of the one-tenth part of the proceeds of the bonds used in the erection of said public school building; and, in order to meet the payment of the balance of said bonds and interest, the Board of County Commissioners of Granville County is hereby authorized and directed to levy a tax upon all real and personal property and all other subjects of taxation (preserving

Fund for payment of bonds.

Special tax.

the equation between polls and property) in said public school district sufficient to meet the balance of each annual installment of the principal and interest on the cost of the erection and equipment of said building for ten years, unless the same shall be paid for at an earlier date, which taxes shall be collected by the sheriff as other taxes of Granville County.

Sale of bonds.

Proviso: bonds
not sold below par.

SEC. 10. And said Board of Trustees of the Public Schools in Creedmoor District is hereby authorized and empowered to sell and dispose of or to hypothecate as much of said bonds as may be necessary to erect and equip the public school building herein provided for: *Provided*, that none of said bonds shall be sold or disposed of for less than their par value.

SEC. 11. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 47.

AN ACT TO AMEND AN ACT TO AMEND, REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF CONCORD, CABARRUS COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Tax fee to use
of city attorney.

SECTION 1. That section thirty-two of an act to amend, revise and consolidate the charter of the city of Concord, Cabarrus County, North Carolina, be amended by adding after the word "constables" the following: "And the said police justice shall charge and collect as a part of the costs an additional fee of two dollars and fifty cents in all cases tried and determined before said police justice where a justice of the peace would not have had final jurisdiction, which fee shall be paid to the Attorney of the City of Concord as a part of his salary, to be fixed at any time by the board of aldermen of said city."

Additional subjects
of license tax.

SEC. 2. That section eighty-nine of said act shall be amended by adding at the end of said section the following words: "On every fish and oyster dealer, a license tax not exceeding ten dollars. On every restaurant, a license tax not exceeding twenty dollars. On every pressing club, a license tax not exceeding ten dollars."

City attorney to
prosecute.

SEC. 3. That section ninety-four of said act be amended by adding the following: "It shall be the duty of the attorney for said city to prosecute all cases in the police justice's court in which a justice of the peace would not have had final jurisdiction, as a part of the duties of his office."

SEC. 4. That section ninety-nine of said act be amended by striking out after the words "drug store" the following words: "or whose immediate family has an immediate interest therein." Prescriptions for sale of liquor.

SEC. 5. That section one hundred of said act be amended by striking out in said section the following words: "or in which any of his immediate family may hold any stock." Prescriptions for sale of liquor.

SEC. 6. That paragraph one of section one hundred and nine be amended to read as follows: "To the mayor, for his services to the city as such, per month, payable monthly by the city, there shall be paid a salary of not less than fifty dollars per month nor more than seventy-five dollars per month, to be fixed at any time by the board of aldermen of said city." Salary of mayor.

SEC. 7. This act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 48.

AN ACT TO INCORPORATE THE TOWN OF CANDOR, IN MONTGOMERY COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That the town of Candor, in the county of Montgomery, be and the same is hereby incorporated under the name and style of The Town of Candor, and in and by that name may be sued and sue, plead and be impleaded, contract and be contracted with, acquire and hold property, real and personal, for the use of the town, as its board of commissioners may deem necessary or expedient. Town incorporated. Corporate name. Corporate powers.

SEC. 2. That the corporate limits of said town shall be a circle of one-half mile from the Aberdeen and Ashboro Railroad depot in all directions. Corporate limits.

SEC. 3. That the officers of said town shall consist of a mayor, five commissioners and a marshal, and the following named persons shall fill said offices until the first Monday in May, one thousand nine hundred and nine, to-wit: A. B. McCaskill, Mayor; W. F. McMaster, Marshal; and J. C. Currie, R. B. Sutton, George Clark, Neil Leach and S. T. Ewing, Commissioners; and a secretary and treasurer, to be chosen by the board of commissioners immediately after its organization, to hold one year or until their successors are installed into office. Town officers. First officers named.

SEC. 4. There shall be an election held for officers mentioned in this act on the first Monday in May, A. D. one thousand nine hundred and nine, and every year thereafter, under the same rules and regulations that govern State and county elections; and the Town elections. Election board.

Registrar and
judges of election.

Voters.

Fees.

Proviso: consti-
tutional equation.

Tax limit.

Town ordinances.

Violation of
ordinances a
misdemeanor.

Jurisdiction
of mayor.

Authority and
power of marshal.

Arrests without
warrants.

Duties of
constable.

May summon
posse.

mayor and commissioners shall appoint a registrar and two judges to conduct such elections, and provide for a registration of the voters in the corporate limits of the town. All persons qualified to vote for members of the General Assembly who have resided ninety days within the corporate limits of the town, shall be allowed to register and vote in the town election.

SEC. 5. The board of commissioners of said town shall have authority to assess and collect annual taxes for municipal purposes on all persons and property within the corporate limits which are taxed for State and county purposes, under such rules and regulations as it may adopt: *Provided*, that the basis between persons and property shall be the same as established by the Constitution of the State, and taxes so assessed and collected shall not exceed twenty cents on the hundred dollars' worth of property and sixty cents on the poll.

SEC. 6. That the board of commissioners of the town may pass all ordinances it may deem necessary, for the good government, quiet, peace, health and safety of the town, not inconsistent with the Constitution and laws of the State and of the United States.

SEC. 7. That the violation of any ordinance of the town shall be a misdemeanor, but the punishment thereof shall not exceed a fine of fifty dollars or imprisonment for thirty days.

SEC. 8. That the mayor of said town, within the limits thereof, shall have and exercise the true jurisdiction and powers which are now or may hereafter be conferred by the laws for governing cities and towns. And the constable or marshal of said town shall, within the corporate limits thereof, have and exercise all the authority, rights and powers which are now or may hereafter be conferred by the law on constables, including the right and authority to arrest any person without warrant who commits a breach of the peace or violates a town ordinance in the presence of such constable or marshal.

SEC. 9. That the town constable shall collect and pay over to the secretary and treasurer all taxes imposed by the board of commissioners, all fines and costs, when execution is issued to him for that purpose, and return the same in due time to the secretary and treasurer. He shall see that the ordinances of the town are enforced and report all breaches thereof to the mayor. He shall preserve the peace of the town by suppressing all disturbances in his presence and apprehending offenders and taking them before the mayor, or if they are intoxicated, or in any way not in a condition to be brought before the mayor, he may confine them there until they are in a condition to be brought before the mayor. He shall execute all process directed to him by the mayor within the limits of the said town, and make due return thereof, and in the execution of his duties he may call to his aid such assistance as he may deem necessary, and whenever the

board of commissioners may deem it necessary it may appoint as many additional constables as it sees proper. He shall have the same fees for his services as are allowed the sheriff for similar services, and such additional compensation as the board of commissioners may allow.

SEC. 10. The secretary and treasurer shall act as the clerk of the board of commissioners and of the mayor's court. He shall keep the minutes of the proceedings of all trials before the mayor, of all fines imposed, preserve the books, papers and all articles committed to his charge, keep a strict account of all moneys coming into his hands from any and all sources whatsoever belonging to the said town, pay the same out upon the order of the board of commissioners, signed by the mayor, and at the expiration of his term of office shall turn over to his successor all books, papers, money and other property belonging to said town, and for his services he shall receive such compensation as the board may allow.

Duties of secretary and treasurer.

Compensation.

SEC. 11. That the secretary and treasurer, before entering upon the duties of his office, shall enter into bond, conditioned upon the faithful performance of his duties, in such sum as said commissioners may deem sufficient, payable to the State of North Carolina, with surety to be approved by the board of commissioners; and the town constable shall enter into like bond before entering upon his duties; and the board of commissioners shall institute suit in the name of the Town of Candor, upon the relation of the State of North Carolina, for any violation of said bonds.

Secretary and treasurer to give bond.

Town constable to give bond.

Suits on bonds.

SEC. 12. That the mayor shall have power to commit any offender who is sentenced to imprisonment for misdemeanor or violation of the town ordinances, or for contempt of the mayor's court, or upon the failure to pay fine or costs, to the common jail of the county, and the sheriff or jailer shall receive such persons as are committed by the mayor, and shall charge the same fees as in cases of other prisoners, or the mayor shall have power, under such rules and regulations as the board of commissioners may adopt, to require any person who fails to pay fines and costs to work on the streets of the town until the fines and costs are paid, and the town constable is authorized upon persons working the streets for the nonpayment of such fines and costs.

Commitments by mayor.

Jail fees.

Fines and costs worked out on streets.

SEC. 13. That all fines and penalties imposed for violations of the town ordinances shall be paid over to the secretary and treasurer, and shall be expended for the improvement of the streets of the town or for the necessary expenses of the town.

Fines and penalties to use of town.

SEC. 14. That the mayor, immediately after the election and before entering upon the duties of his office, shall before a justice of the peace take the oath prescribed for public officers, and an oath that he will faithfully and impartially discharge the duties of his office according to law.

Mayor to qualify.

Commissioners to qualify.

SEC. 15. That each commissioner, before entering upon the duties of his office, shall take before the mayor or some justice of the peace the oath as prescribed for public officers, and an oath that he will truly and impartially perform the duties of commissioner for the town according to the best of his skill, ability and judgment.

Terms of office.

SEC. 16. That the mayor and commissioners shall hold their offices respectively until the next ensuing election and until their respective successors shall be qualified; the mayor, when present, shall preside at the meetings of the said board of commissioners, but shall not be entitled to a vote upon any question except in case of a tie. In the absence of the mayor, the board may appoint one of its members mayor *pro tempore*. The said board shall have power also to fill all vacancies which may occur.

Duty of mayor.

Mayor pro tem.

Vacancies.

Forfeit on officer elect failing or refusing to qualify or serve.

SEC. 17. Any person qualified to serve and elected mayor or commissioner, either by the electors at their annual election or by the commissioners to fill a vacancy or otherwise, who shall not take the oath of office within five days after his election, or who having qualified shall fail to serve during the term for which he may be elected (inability from sickness, removal from the town or resignation excepted), shall forfeit and pay fifty dollars to be recovered before any justice of the peace of Montgomery County, in the name and for the benefit of the Town of Candor, or, on failure to pay such fine, shall be imprisoned in the county jail not to exceed thirty days.

Powers of commissioners as to streets.

Arbitration for settlement of damages.

SEC. 18. That the commissioners shall have power from time to time to open out any new streets and alleys within the limits of said town, by paying the owner through whose land said streets and alleys may run the damages, if any there be: *Provided*, that if the said commissioners and the owners of said land cannot agree as to the price of the same it shall be left to three disinterested persons, to be selected as follows: The commissioners shall select one and the owner of the land one; the two thus selected shall select the third man and these persons thus selected shall assess the damages, and if the owner of the land will not select a man, then the commissioners shall select two men, and the two thus selected shall select the third, and the three thus selected shall assess the damages to the land: *Provided*, that either party, being dissatisfied with the decision of the persons thus selected, by giving bond for payment of costs, may appeal to the Superior Court.

Proviso: appeals.

Manufacture, sale, gift or disposal of liquor forbidden.

SEC. 19. That it shall be unlawful for any person or persons to manufacture, sell or give away, or dispose of in any way, directly or indirectly, any spirituous liquors or intoxicating drinks of any kind, for reward or hope of a reward, within the corporate limits of the said town; and if any person shall violate the provisions of this act, he shall be guilty of a misdemeanor, and on conviction

Misdemeanor.

tion thereof shall be fined not more than fifty dollars or imprisonment not more than thirty days, or both, for each and every offense.

SEC. 20. That the mayor and commissioners and constable named in this charter shall hold said offices with all the powers, privileges, rights and responsibilities which this charter confers until their successors are elected and qualified. Terms of officers.

SEC. 21. That in addition to the rights, franchises and immunities conferred by the foregoing sections, the Town of Candor shall have and be subject to all the provisions contained in the chapter on municipal corporations in the Revisal of one thousand nine hundred and five, not inconsistent with this act. Application of general law.

SEC. 22. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 49.

AN ACT TO VALIDATE THE MARRIAGE OF JOSEPH RIDENHOUR TO MRS. H. C. DAVIS.

The General Assembly of North Carolina do enact:

SECTION 1. That the marriage of Joseph B. Ridenhour to Mrs. H. C. Davis, which occurred on the eleventh day of February, one thousand nine hundred and six, in the county of Rowan, in the State of North Carolina, be and the said marriage is in all respects validated and confirmed, and the said marriage shall be as effectual and binding as if there had been no impediment thereto at the time of said marriage. Marriage validated.

SEC. 2. That the property rights of the said Joseph B. Ridenhour and his wife, Mrs. H. C. Ridenhour, shall be and are the same that they would have been under the general law of the State, had they been properly married on the date set out in this act. Property rights.

SEC. 3. That all other laws and clauses of laws in conflict herewith are hereby repealed for the purposes of this act only.

SEC. 4. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 50.

AN ACT TO AMEND CHAPTER 356 OF THE PRIVATE LAWS OF THE YEAR 1907, SO AS TO LIMIT THE COLLECTION OF ARREARS OF TAXES IN SNOW HILL, GREENE COUNTY, TO JANUARY 1, 1909.

The General Assembly of North Carolina do enact:

Limitation.

SECTION 1. That chapter three hundred and fifty-six of the Private Laws passed at the regular session of the General Assembly of North Carolina in the year one thousand nine hundred and seven (1907) be and the same is hereby amended by adding after the last word in section three (3) of said chapter the words following, to-wit: "and his duties, rights and powers as such tax collector shall continue and be exercised until the first day of January in the year one thousand nine hundred and nine (1909), and no longer."

SEC. 2. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 51.

AN ACT TO EMPOWER THE TRUSTEES OF PLEASANT RETREAT ACADEMY, IN LINCOLN COUNTY, N. C., TO SELL CERTAIN PROPERTY.

The General Assembly of North Carolina do enact:

Trustees authorized to convey or lease academy on its property for memorial hall.

SECTION 1. That the Trustees of Pleasant Retreat Academy, of Lincoln County, North Carolina, or a majority of them, are hereby authorized and empowered to convey or lease for a number of years, with power to continue or renew as may be deemed to be desirable by said trustees, the Pleasant Retreat Academy building and the lot on which the same is situated, and the remainder of the property held by them or connected therewith, all or any part of the same, to the Southern Star Chapter of the Daughters of the Confederacy of Lincoln County, North Carolina, for the purpose of a memorial hall of the Confederate Veterans of said county; the terms and conditions and specifications of the lease or conveyance to be as agreed upon between the parties.

Public school authorities to join in conveyance or lease.

SEC. 2. That the public school authorities of the town of Lincolnton, North Carolina, to be represented by the school committee of the graded school of said town, are authorized and directed

to join in the lease or conveyance, which may be agreed upon and made between the parties mentioned in section one of this act.

SEC. 3. That Mrs. W. A. Hoke, Mrs. R. S. Reinhardt and Mrs. R. E. Costner be and they are hereby incorporated as Trustees of the Southern Star Chapter, with power in said chapter or its successors to fill vacancies and to increase the number of the trustees to five, if it be so desired; said trustees or their successors to hold the property taken under said lease or conveyance, and all other property taken, acquired or held for like purpose for the use and benefit and under the control of the Southern Star Chapter and its successors, and for the purposes indicated in section one of this act.

Trustees of
Southern Star
Chapter incor-
porated.

Powers.

Trustees to hold
property for
purposes indicated.

SEC. 4. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 1st day of February. A. D. 1908.

CHAPTER 52.

AN ACT TO AMEND THE CHARTER OF THE TOWN OF WELDON, HALIFAX COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter eighty-three, Private Laws of one thousand eight hundred and ninety-one, the same being the charter of the town of Weldon, be amended by the addition of the following section to said charter of the town of Weldon, North Carolina.

SEC. 2. That if the board of town commissioners of the said town of Weldon shall find that the welfare of the town requires the establishment of a system of waterworks and sewerage, it shall so declare by ordinance, in which shall be set forth the amount to be expended for that purpose, which shall not exceed forty thousand dollars, and shall also provide for the holding of an election to ascertain the will of the people as to issuing bonds for that purpose. The election shall be held not less than thirty days after the adoption of said ordinance, of which due notice shall be given as provided for other elections, and it shall be held under such rules and regulations as are prescribed by law for other municipal elections. Those in favor of issuing bonds for waterworks and sewerage, as set forth in the ordinance, shall vote a ticket on which shall be the words "For Waterworks and Sewerage," and those not in favor of issuing said bonds shall vote a ticket on which shall be the words "Against Waterworks and Sewerage." The inspectors of the election shall meet as soon

Declaration by
ordinance.

Election to be
provided for.

Time of election.
Notice.

Law governing
election.

Tickets.

Declaration of
result.

Bond issue.	as the poll is closed, and shall declare the result, and make and sign a certificate thereof, and deliver the same to the secretary of the board of town commissioners, who shall record it in the minute book of said board. If a majority of the qualified voters of the town shall have voted in favor of waterworks and sewerage, the board of town commissioners shall issue coupon bonds of said town for an amount not exceeding the amount designated in the ordinance, said bonds to mature in not more than thirty years, bearing interest not exceeding six (6) per cent. per annum, in such denominations and payable at such place as the board may fix, and may sell the said bonds for not less than par. The proceeds of the sale of said bonds shall be expended under the direction of the said board of town commissioners in the erection or purchase of waterworks for said town, and the laying of sewers therein, as the board may deem necessary or expedient.
Maturity.	The said board of town commissioners shall have power to appoint such agents as may be needed to manage said waterworks, to regulate the charges for water, and generally do all that may necessary for the maintenance and preservation of said waterworks.
Interest.	
Appropriation of proceeds.	If any land or right of way is required in the construction of said waterworks and in the laying of said sewer, and the same cannot be purchased at a price which the said board considers fair and reasonable, the said land and right of way may be condemned and taken for waterworks and sewerage purposes, as is provided for the condemning and taking of land for public purposes. And it shall be the duty of the said board of commissioners to levy and collect taxes to pay the interest on said bonds and to provide for the payment of the principal thereof at maturity.
Management of waterworks.	SEC. 3. If a majority of the qualified voters of the said town of Weldon shall not vote at said election in favor of the issue of said bonds herein provided for, the said board of town commissioners at any time thereafter, not oftener than once in each twelve months, as it may deem fit, and of its own motion, may again submit the same question to a vote of the qualified voters of the said town of Weldon, on the same notice and terms as are required for said first election, and if a majority of the qualified voters of said town shall be in favor of the issue of said bonds, then this act and all of its provisions shall be and remain in full force and effect, and the said board shall take the steps provided in this act for carrying out the provisions of said act.
Condemnation of land.	
Taxes for interest and bonds.	SEC. 4. Any person who shall willfully place or deposit in any of the streams or springs from which the supply of water for domestic or other purposes is drawn or conducted for the use of the citizens of the said town of Weldon, or upon the ground or watershed drained by said streams, any dead carcass of an animal, reptile or other creature, or any filth or poisonous substance, or anything by which the water in said streams shall or may be
Successive elections.	
Protection of water supply.	

rendered, or may become liable to be rendered unwholesome, contaminated or otherwise unfit for domestic purposes, shall be guilty of a misdemeanor.

SEC. 5. That any person who shall willfully injure any of the property of the said waterworks or sewerage, or in any manner willfully interfere with or obstruct the operations of said works and sewerage, or shall cast, throw, place or deposit any substance or thing into any of the filters, pipes, tanks, conduits, reservoirs, streams or other receptacle or channel of water, or any other source of supply, shall be guilty of a misdemeanor.

SEC. 6. It shall be the duty of the health officer of the town of Weldon to institute criminal proceedings against all persons violating the provisions of this act.

SEC. 7. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 53.

AN ACT TO AMEND CHAPTER 197, PRIVATE LAWS 1895, INCORPORATING THE TOWN OF PEACHLAND, IN ANSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and ninety-seven, Private Laws of one thousand eight hundred and ninety-five, the same being an act to incorporate the town of Peachland, in Anson County, be and the same is hereby amended as follows: After section four add the following, which shall be designated as section five, to-wit:

"Sec. 5. The commissioners of the said town of Peachland shall have power to open and lay out any new street or streets within the corporate limits of said town whenever a majority of them may think necessary, and shall have power at any time to widen, enlarge, make narrower, change, extend or discontinue any street or streets, or any part thereof, within the corporate limits of said town, and shall have power to condemn and appropriate any land necessary for the purposes of this section, and make compensation therefor, as hereinafter provided, to the owner or owners of said lands. It shall be the duty of the commissioners of said town to tender through their clerk and treasurer, or other officer of said town, the amount they may think the owner of any land so appropriated or condemned may be

Injury to or obstruction of waterworks or sewerage a misdemeanor.

Duty of health officer.

Powers of commissioners as to streets.

Power to condemn land.

Tender of damages.

Procedure for
assessment of
damages.

entitled to as damages for the opening out, changing or discontinuing any street or streets across his land, and if such amount shall not be accepted in full satisfaction therefor, the mayor of said town shall have the power to issue an order directed to the town constable, commanding him to summon as jurors three citizens of said town, connected neither by consanguinity nor affinity with the mayor or commissioners of said town, or any person or persons over whose land said street proposed to be changed or discontinued runs, or over whose land said proposed new street will run; said order shall direct the town constable to summon said jurors to meet on the land over which the proposed street is to be laid out or changed or discontinued on a day not exceeding ten days from the day of summoning them, and the owner or owners of said land shall be notified by the constable of said town of the summoning of said jurors, and the time and place of their meeting, and the purpose of their meeting, for five days before the day when the said jurors shall meet to open and lay out any street [or alter, change or discontinue any street] already laid out; said jurors, attended by the constable, after being sworn by the mayor to do strict and impartial justice between the parties, shall proceed to lay open, lay out, change, narrow or widen such street or streets, as the case may be, and shall assess the damage sustained by the owner or owners of such land, and in assessing the damages they shall consider the improvements to said land or lands caused by the opening, laying out, changing, making narrower or wider any of said street or streets, and such estimated improvements shall be deducted from the damages assessed by them; and the said jurors shall under their hands and seals make a return of their proceedings to the mayor of said town, and the board of commissioners of said town shall make compensation to such owner or owners of said land for the amount of damages so assessed, which compensation can be made on the return of the report of said jurors, or thereafter, within a reasonable time not to exceed twelve months. Upon the return of the report of said jurors, said new street or streets so laid out, altered or changed shall be in all respects one of the streets of said town and under the control of the board of said town: *Provided*, that if three citizens of said town cannot be found by the town constable who possess the qualifications herein required, then in that event the town constable may summon one or more of said jurors from Lanesboro Township, who shall be qualified to serve as herein provided for jurors summoned who reside in the town of Peachland."

Return of pro-
ceedings.

Proviso: jurors
from township.

SEC. 2. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 54.

AN ACT TO AMEND THE CHARTER OF THE CITY OF
GREENSBORO.

The General Assembly of North Carolina do enact:

That chapter three hundred and thirty-three of the Private Laws of one thousand nine hundred and one be amended as follows:

SECTION 1. By adding to the end of section four thereof the following: "When any alderman shall move from the ward in which he resided at the time of his election, he thereby vacates his office, and the board of aldermen shall immediately elect a successor for his unexpired term." Removal of alderman from ward to vacate office.

SEC. 2. By adding at the end of section seven thereof the following: "And in case a new registration of voters is ordered, the board shall fix the length of time the registration books are to be kept open for such new registration: *Provided*, that the time so fixed shall not be less than ten nor more than twenty days." Time registration books kept open.

SEC. 3. By inserting between subsection twenty-one and subsection twenty-two of section fifty-five thereof the following, to be designated as subsections 21a and 21b: Additional subjects of license tax.

"21a. Upon every dealer in fresh meats within the corporate limits of said city, or within one mile thereof, a license tax not exceeding one hundred dollars.

"21b. Upon every dealer in fresh fish within the corporate limits of said city, or within one mile thereof, a license tax not exceeding fifty dollars."

SEC. 4. By striking out of section sixty-five thereof the words "in the same way as unpaid taxes, and with the same costs and penalties," in the seventh line of said section, and inserting in lieu thereof the following: "at any time thereafter by the collector of taxes for the said city, by sale at the courthouse door in said city of the property to which said lien attaches, after advertising the same for thirty days in some newspaper published in the city of Greensboro; said sale to be made under the same rules and regulations and subject to the same costs and penalties, and the same rights of redemption, as are provided in the charter of the city for the sale of real estate for taxes. That the provisions of this section shall apply to the collection of sewer rents now due the city, and shall in no way affect liens for sewer rents now existing in favor of said city." Collection of sewer rentals.

SEC. 5. By adding at the end of section seventy-nine thereof the following: "That said commission shall fix the time or times when said water rents shall become due and payable, and in case such rent is not paid within ten days after it becomes due, the" Collection of water rents.

same shall become a lien upon the property where said water is used and with which said water connections are made; and the same may at any time thereafter be collected, either by suit in the name of the city or by the collector of taxes for the city, by the sale of the property upon which said lien attaches at the courthouse door of the city of Greensboro, after advertising the same for thirty days in some newspaper published in the city of Greensboro; and the said sale is to be made under the same rules and regulations, and subject to the same costs and penalties, and to the same rights of redemption, as are provided in the charter of the city for the sale of real estate for taxes. That upon the failure of the owner of property for which water is furnished under the rules and regulations of the water and light commission to pay said water rents when due, then the said water and light commission, or its agents, servants or employees, may cut off the water from said property; and when so cut off, it shall be unlawful for any person, firm or corporation, other than the said water and light commission, to turn on said water to said property, or to use the same in connection with the said property, without having paid said water rent and obtained permission from the said water and light commission to turn on said water; and any person, firm or corporation convicted of the violation of any one of the provisions contained in this section shall be guilty of a misdemeanor, and shall be fined not exceeding fifty dollars and imprisoned not exceeding thirty days."

Collection of assessments for street improvements.

SEC. 6. By inserting in section fifty-nine thereof, after the word "same" and before the word "to," in the twenty-fourth line of said section, the following: "By the collector of taxes for said city."

Lien of taxes to accrue.

SEC. 7. That section six of the Private Acts of the General Assembly of one thousand nine hundred and seven, amending the charter of the city of Greensboro, and ratified the eighth day of March, one thousand nine hundred and seven, be repealed, and that section nine of chapter three hundred and seventy-one of the Private Laws of one thousand nine hundred and five be amended by striking out the word "one," at the beginning of line fifteen of said section, and inserting in lieu thereof the following: "one-half of one," and adding after the word "first," before the word "the," in line sixteen of said section, the following: "up to February first following, and after the said first day of February said penalty shall be one per cent. for each month or fraction thereof that said taxes shall remain unpaid."

Penalty for non-payment.

Coupons of city bonds receivable for city taxes.

SEC. 8. The Board of Aldermen of the City of Greensboro is hereby empowered to make the coupons of any and all bonds heretofore issued or that may hereafter be issued by said city receivable in payment of said taxes.

SEC. 9. That section seven of this act shall be in force from and after the first day of July, one thousand nine hundred and eight, and the remaining sections and provisions of this act shall be in force from and after its ratification. When act effective.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 55.

AN ACT FOR THE IMPROVEMENT AND ADVANCEMENT OF EDUCATION IN CERTAIN SCHOOL DISTRICTS IN CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of advancement of education in Beaver Dam Township, Cherokee County, the County Commissioners of Cherokee County are hereby authorized, empowered and directed to levy on the first Monday in June, one thousand nine hundred and eight, and annually thereafter, a special tax of Special tax for districts in Beaver Dam township. Rate. not less than twenty-five cents nor more than seventy-five cents on every hundred dollars valuation of property, and not less than seventy-five cents nor more than two dollars and twenty-five cents on each taxable poll in School Districts Numbers One, Three, Four and Seven, in Beaver Dam Township. The taxes collected by the provision of this act from the property and polls in the above-named districts shall be used exclusively by the County Board of Education of Cherokee County for high school purposes at a high school to be established at Unaka, or near Unaka, in Beaver Dam Township. Specific appropriation.

SEC. 2. That for the purpose of the advancement of education in the districts hereinafter named, the Commissioners of Cherokee County are hereby authorized, empowered and directed to levy on the first Monday in June, one thousand nine hundred and eight, and annually thereafter, the following special taxes, to-wit: Special tax for districts in Notla township. Rate. In School Districts Numbers One and Six, in Notla Township, Cherokee County, not less than twenty-five cents nor more than seventy-five cents on every hundred dollars valuation of property, and not less than seventy-five cents nor more than two dollars and twenty-five cents on every taxable poll in said districts. Such tax when so collected shall be used by the County Board of Education of Cherokee County for school purposes in said districts, each district to receive its own tax. Specific appropriation.

SEC. 3. That for the purpose of the advancement of education in School Districts Numbers One and Two, in Shoal Creek Township, Cherokee County, the County Commissioners of Cherokee Special tax for districts in Shoal Creek township.

Rate.	County are hereby authorized, empowered and directed to levy on the first Monday in June, one thousand nine hundred and eight, and annually thereafter, the following special taxes, to-wit: Not less than twenty-five cents nor more than seventy-five cents on every hundred dollars valuation of property, and not less than seventy-five cents nor more than two dollars and twenty-five cents on every taxable poll in School Districts Numbers One and Two, in Shoal Creek Township, Cherokee County. Such taxes when so collected shall be used by the County Board of Education of Cherokee County for school purposes in said districts, each district receiving its respective taxes.
Specific appropriation.	
Special tax for districts in Notla township.	SEC. 4. That for the purpose of advancement of education in School Districts Numbers Two and Four, in Notla Township, Cherokee County, the County Commissioners of Cherokee County shall and they are hereby authorized, empowered and directed to levy on the first Monday in June, one thousand nine hundred and eight, and annually thereafter, the following special taxes, in said districts, to-wit: Not less than twenty-five cents nor more than seventy-five cents on every hundred dollars valuation of property, and not less than seventy-five cents nor more than two dollars and twenty-five cents on every taxable poll in said districts. Such taxes when so collected shall be used by the County Board of Education of Cherokee County for school purposes in said districts, each district to receive its own taxes.
Rate.	
Specific appropriation.	
Tax lists.	SEC. 5. After the levies of taxes provided for in this act are made, it shall be the duty of the clerk of the board of county commissioners to prepare a tax list of same, and deliver the same to the Sheriff or Tax Collector of Cherokee County, together with other tax lists of the county, for collection; and the Sheriff of Cherokee County shall collect the same under the same rules, regulations and laws governing the collection of other taxes, and shall keep a separate account of same, and pay the same over to the Treasurer of Cherokee County.
Compensation of clerk, sheriff and treasurer.	SEC. 6. That the clerk of the Board of County Commissioners of Cherokee County shall receive as compensation for his services in making the tax lists the same amount as is now allowed for making special lists for any other school district in Cherokee County, which amount shall be paid by the county board of education out of the respective funds herein provided for; and the Sheriff of Cherokee County shall receive as compensation for collecting the special taxes provided for in this act not exceeding two and one-half cents on the dollar collected by him; and the Treasurer of Cherokee County shall not receive exceeding two per cent. for disbursing or paying out any of said special tax.
County commissioners to order election.	SEC. 7. That before any provisions of this act shall go into effect, the County Commissioners of Cherokee County shall, at their regular meeting in March, one thousand nine hundred and

eight, call and order an election to be held in the school districts above named, and submit to the qualified voters of said districts at an election to be held on the first Thursday after the first Monday in May, one thousand nine hundred and eight, the question of tax or no tax provided for under this act. The County Board of Elections of Cherokee County shall, not later than the first Monday in March, one thousand nine hundred and eight, appoint a registrar and two judges of election for the election precincts in the respective townships wherein the school districts herein named are located, for the purpose of allowing persons not already registered to register. That all persons residing in said districts, and who were qualified to vote at the general election of one thousand, nine hundred and six, and who have paid their poll tax for one thousand, nine hundred and seven, and who have properly qualified for the election herein provided for, shall be entitled to vote in said election so held in their respective districts. That no person residing outside of the school districts herein named shall be entitled to vote in any of said elections. That the election herein provided for shall be conducted under the general law provided for the election of members of the General Assembly. That on the first Monday in April, one thousand nine hundred and eight, the registrars of election herein provided for shall open the books for the registration of voters, and keep them open until the last Saturday in April, one thousand nine hundred and eight; and said registrar shall attend at his voting precinct on each Saturday for the purpose of registering all persons who may desire to register, and on the last Saturday in April, one thousand nine hundred and eight, said registrars, together with the judges of election appointed, shall meet at their respective precincts for the purpose of registering all persons desiring to register and receiving challenges against any person who has or may register under the provisions of this act.

Date of election.

Appointment of registrars and judges.

Voters.

Law governing election.

Registration.

Challenge day.

SEC. 8. That on the first Thursday after the first Monday in May, one thousand [nine hundred] and eight, the registrars and judges of election of their respective precincts shall meet not later than seven o'clock in the morning of said date for the purpose of receiving votes or ballots, and open the polls for such purpose, and keep said polls open until five o'clock in the afternoon of said day, and not later than five o'clock, when said polls shall be closed, and the registrars and judges of election shall open the poll boxes and count the votes therein deposited, and declare the result of such election. That within two days after such election is held, the result of such election shall be returned to the County Board of Elections of Cherokee County, at Murphy, North Carolina, on which day the County Board of Elections of Cherokee County is hereby required to meet and canvass the re-

Hours of election.

Count of votes and declaration of result.

Returns and canvass.

turns of such election, and declare the result of the same, and report the same to the County Commissioners of Cherokee County.

Ballots.

SEC. 9. That at all elections held under the provisions of this act those voting in favor of tax shall vote upon a written or printed, or partly written or printed ballot, "For the Advancement of Education," and all those opposed to this tax shall vote a ticket written or printed, or partly written or printed, "Against Advancement of Education."

Messengers.

SEC. 10. That the registrars and judges of election for their respective precincts may select one of their number to carry the returns to the County Board of Elections of Cherokee County.

Effect of election.

SEC. 11. That if a majority of the votes cast at any such election shall be "For the Advancement of Education," then it shall be the duty of the County Commissioners of Cherokee County to levy the taxes herein provided for, and in accordance with the provisions of this act; and all expenses incident to the holding of said elections shall be paid by the County Board of Education of Cherokee County.

Expense of election.

SEC. 12. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 56.

AN ACT TO INCORPORATE THE TOWN OF WESTRAY, IN NASH COUNTY.

The General Assembly of North Carolina do enact:

Town incorporated.

SECTION 1. That the town of Westray, in Nash County, is hereby incorporated under the name and style of Westray.

Corporate name.

Corporate limits.

SEC. 2. That the corporate limits of said town shall be as follows: Beginning in the center of the Nashville Branch Railroad track, in said town of Westray, where said track is crossed by the public road, thence one-fourth mile west, north, east and south.

Town officers.

SEC. 3. That the officers of said town shall consist of a mayor and five commissioners and a constable, the last to be elected by the commissioners of said town.

Town elections.

SEC. 4. That the first election for mayor and commissioners shall be held on the first Monday in May, one thousand nine hundred and eight, under the same rules and regulations as are provided by the general laws for town elections.

Powers of commissioners.

SEC. 5. The said commissioners shall have power to pass by-laws, rules, regulations and ordinances for the government of said town, not inconsistent with the laws of the State, and to

enforce the same by fines and penalties, and to levy and collect taxes as provided in the laws of the State applicable to cities and towns.

SEC. 6. Until the election to be held on the first Monday in May, one thousand nine hundred and eight, as hereinbefore stated, John C. Lindsay is hereby appointed mayor, and J. S. Proctor, M. J. Hedrick, W. W. Winstead, De Leon Carter and J. B. Lamb commissioners of said town of Westray.

SEC. 7. That no intoxicating liquors shall ever be manufactured or sold in said town.

SEC. 8. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 57.

AN ACT TO AMEND CHAPTER 47, PRIVATE LAWS OF 1899.
SO AS TO AUTHORIZE AN INCREASE OF THE NUMBER
OF DIRECTORS OF THE DAVIS AND WILEY BANK, OF
SALISBURY, N. C., FROM SEVEN TO ELEVEN.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter forty-seven, Private Laws of one thousand eight hundred and ninety-nine, be amended by striking out the word "seven," in line nineteen, on page five hundred and ninety-four, and inserting in lieu thereof the word "eleven."

SEC. 2. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 58.

AN ACT TO ESTABLISH GRADED SCHOOLS IN THE TOWN
OF BEAUFORT, CARTERET COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all the territory embraced within the corporate limits of the town of Beaufort, and also all the territory embraced and included as it is now laid out in the present Public School District Number Eighteen, in Beaufort Township, shall be and is hereby constituted a school district for the white and colored children, to be known and designated as the Beaufort Graded School District.

Territory constituted school district.

Official designation.

Date for election on tax.	SEC. 2. That on the fourteenth day of April, one thousand nine hundred and eight, there shall be held in the town of Beaufort, Carteret County, an election to determine whether an annual tax shall be levied for the support of a graded school in said Beaufort Graded School District.
Ballots.	SEC. 3. That at the election held under the provisions of this act those favoring the levying of such tax shall vote on a written or printed ballot with the words "For Graded Schools" upon it, and those opposed to the levying of such tax shall vote on a written or printed ballot with the words "Against Graded Schools"
Illegal registration and voting.	upon it. The penalty for an illegal or fraudulent voting shall be the same as in the election for members of the General Assembly.
Notice of election.	The board of county commissioners shall give thirty days' notice of the time of holding said election in some newspaper published in Carteret County, and shall post the said notice at the courthouse door in said county and at four other public places in said graded school district. It shall be the duty of the said board of county commissioners at its regular meeting in March to appoint a registrar and two judges of election for said election, whose duties shall be those prescribed in the general election law.
Appointment of registrar and judges.	
New registration.	That there shall be a new registration of the voters of said district, and said election shall be conducted under such rules and regulations as prescribed in the general election law for the election of members of the General Assembly, except as herein especially provided. And it shall be the duty of said registrar and judges of election to determine the result of said election and certify the same under their hand to the clerk of the board of said commissioners within three days after said election. And said commissioners shall canvass said returns at their next regular meeting, and declare the result of the same, and have the same entered upon the minutes of said meeting.
Determination and certificate of result.	
Canvass of returns.	
Special tax to be levied.	SEC. 4. That in case a majority of the qualified voters of the said Beaufort Graded School District shall be in favor of such tax, the Board of Commissioners of Carteret County shall, in addition to other taxes laid upon said school district, annually compute and levy, at the time of levying other taxes, a sufficient special tax upon the property of white and colored persons of said Beaufort Graded School District to raise such a sum of money as the trustees of said graded schools in said graded school district shall deem necessary to support and maintain said graded schools, which sum shall not exceed thirty cents on one hundred dollars valuation of property and ninety cents on each poll. The said trustees, whose appointment is hereinafter provided for, upon their appointment and qualification after the election herein provided for, shall meet and organize and report to the Commissioners of Carteret County what sum said trustees deem necessary to support and maintain said graded schools dur-
Limit.	
Trustees to meet and organize.	
Trustees to report sum necessary to support and maintain schools annually.	

ing the first year: and annually thereafter the said trustees, thirty days prior to the time for levying the county taxes, shall report to the said Board of Commissioners of Carteret County what sum is necessary to support and maintain said graded schools during the next year. The taxes levied for the support of said schools, as hereinafter provided, shall be annually collected as other taxes are collected, and paid over by the sheriff or other collecting officer to the Treasurer of Carteret County for the safe-keeping and proper distribution of the same, and the said tax levied and collected for said graded schools shall be kept sacred and separate and distinct from other taxes by the said officers, and shall be used only for the purposes for which they were levied and collected.

Collection and settlement of tax.

Tax to be kept sacred and separate.

SEC. 5. That the trustees to be appointed for said graded schools, as hereinafter provided, are hereby created, and their successors shall be, a body corporate by the name and style of the Board of Trustees of the Beaufort Graded Schools, and by that name shall be capable of receiving gifts, grants and apportionments, purchasing and holding real estate and personal property, selling, mortgaging and transferring the same for school purposes, and of prosecuting and defending suits for or against the corporation hereby created. Conveyances to the said trustees shall be to them and their successors in office, and all deeds, mortgages and other agreements affecting the real estate and personal property shall be deemed sufficiently executed when signed by the chairman of the said board of trustees, and attested by the secretary of said board.

Trustees incorporated.

Corporate name.

Corporate powers.

Conveyances to trustees.
Execution of conveyances.

SEC. 6. That it shall be the duty of said board of trustees to establish graded public schools for the white and colored children of said Beaufort Graded School District, and the said board of trustees shall use and appropriate the funds derived from said special tax herein provided for in such manner as shall be just to both races, without prejudice, and giving to each equal school facilities, due regard being had, however, to the costs of establishing and maintaining the graded schools for each race.

Duties.

SEC. 7. That the board of trustees, whose appointment is provided for by this act, shall have entire and exclusive control of the public schools and property in said district; shall prescribe rules and regulations for its own government and the government of the schools, not inconsistent with the provisions of this act: shall employ and fix compensation of the officers and teachers of the public schools in said district; shall make an accurate census of the school population of the district, as required by the general school law of the State, and do all other acts that may be just and lawful in the management of the public school interests in said district: *Provided*, that all children resident in the said district between the ages of six and twenty-one years

Powers of trustees.

School census.

Proviso: free tuition.

Pay pupils.	shall be admitted into said schools free of tuition charges; and the board of trustees may permit attendance upon the said school of children residing without the territory embraced in said graded school district or admit pupils to said school over twenty-one years of age upon such terms as the board of trustees may prescribe.
Apportionment from general school fund.	SEC. 8. That all public school funds derived from the State and county of Carteret, and which may from time to time be collected and apportioned under the general school law for school purposes for the children in said district, and all moneys to which said district may be entitled by reason of any special tax, gift, grant, apportionment or otherwise shall be paid to the Treasurer of Carteret County, and shall be applied to the keeping up of said graded schools under the order of the said board of trustees. The said Treasurer of Carteret County and sureties on his official bond shall be responsible for the proper disbursement by said treasurer of all moneys collected under this act and received by him; and the Sheriff of Carteret County and his sureties on his official bond shall be responsible for all moneys collected by him under this act until the same are paid over to the treasurer of said county.
Responsibility of treasurer and sheriff.	
Appointment of trustees.	SEC. 9. That at the first regular meeting of the Board of Education with the Superintendent of Public Schools of Carteret County after the election has been held under this act, and it has been ascertained that a majority of the qualified voters of the Beaufort Graded School District has voted for graded schools in said district, the said Board of Education in conjunction with the Superintendent of Public Schools of Carteret County shall appoint nine trustees for the graded schools of said district as follows: Three trustees for the term of six years from and after the date of their appointment, three trustees for the term of four years from and after the date of their appointment, three trustees for the term of two years from and after the date of their appointment. The said trustees shall meet and organize by electing one of their number as chairman and one of their number as secretary, and they and their successors shall be a body corporate as hereinbefore described by the name and style of the Board of Trustees of Beaufort Graded School, and shall have all the powers as such corporate body as are set out in section five of this act.
Terms of office.	
Organization of trustees.	
Vacancies.	All vacancies occurring in the said board of trustees from any cause shall be filled by the Board of Education in conjunction with the Superintendent of the Public Schools of Carteret County for the term of six years, except in the cases of death or resignation, and in the event of either of these cases, for the unexpired term of the trustee so dying or resigning.
Superintendent and teachers.	SEC. 10. That the said board of trustees shall have the power to employ and fix the compensation of a superintendent for said

graded schools and such teachers as are necessary, and to do all such other acts as may be necessary to carry on said school. It shall have power at any time to remove said superintendent or any teacher, and to employ others in his or her stead.

SEC. 11. That the beginning and end of the school term of each year shall be fixed by the said board of trustees; that the property, both real and personal, of the public school of said district shall become the property of the said graded school and shall be vested in the said board of trustees and its successors in trust for said graded school: *Provided*, that said election carries for graded school; and that in case of the discontinuance of the said graded school all the property thereto belonging shall revert to and become the property of the public school of said district.

Beginning and end of school term.
Property vested in trustees.

Reversion.

SEC. 12. Under the direction and under the rules prescribed by the said board of trustees, the superintendent elected by it shall examine all applicants for positions as teachers in said school, and certify the result to said board before their election as such teachers by the board. No other certificates of qualification shall be necessary for such teachers before their election as teachers in said graded school. The superintendent shall also act as secretary to the said board of trustees, should the said board elect or require him to serve.

Examination of teachers.

SEC. 13. That the moneys received as herein provided for shall be held by the Treasurer of Carteret County to be disposed of under the direction of the board of trustees, whose warrant, signed by the chairman of the board of trustees, and countersigned by the secretary of the said board, shall be the only valid voucher in the hands of said treasurer for the disbursement of said money in any settlement required of him by law or by the said board of trustees.

Warrants for payment of school funds.

SEC. 14. That it shall be the duty of the said board of trustees to make annually after the close of each school year a full and complete report of the operations of the said graded schools, together with a financial report which shall show receipts and disbursements, and shall also make such recommendations and estimates and plans for the future as in its judgment [may] be advisable, to the Board of Education of Carteret County. Said trustees shall also include in their reports such data and other information as may be required under the general school [law].

Annual reports.

SEC. 15. That no person shall be appointed as trustee of graded schools but shall have arrived at the age of twenty-one, and nothing in this act shall prevent persons acting as trustees from holding any other office of profit or trust while acting as trustee.

Qualifications for trustees.

SEC. 16. That the expense and cost of holding the election of this act shall be paid out of the funds raised by this act by the treasurer of the county.

Expense of election.

SEC. 17. That all laws and clauses of laws in conflict with this act be and the same are hereby repealed.

SEC. 18. This act shall be enforced from and after its ratification.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 59.

AN ACT TO CREATE A SCHOOL DISTRICT AT CRAIGROWNIE, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Territory constituted a school district.

SECTION 1. That the following territory of the counties of Montgomery, Richmond and Moore shall constitute and make a free school district, to be known as the Craigrownie School District, viz.: Beginning at a stake in the bank of Drowning Creek about north from Craigrownie, and thence a southeasterly direction to a stake in the county line between Montgomery and Richmond Counties, about one and one-half miles from Craigrownie; then about south one and a half miles to a stake; then east to a stake in the bank of Drowning Creek, about one and one-half miles from Craigrownie; then about one and one-half miles to a stake one and one-half miles from Craigrownie; then about one and one-half miles to a stake one and one-half miles from Craigrownie; then a direct line to the beginning.

Boundary.

Control of district.

SEC. 2. That this school district shall be under the control of the Board of Education of Montgomery [County].

School moneys to be paid over.

SEC. 3. That the County Treasurers of Richmond and Moore Counties shall pay over to the County Treasurer of Montgomery all free school moneys belonging to the children of the counties of Richmond and Moore included within the boundaries of the district as set forth in section one of this act.

School committee named.

SEC. 4. That Jason Ammon, A. L. Currie and John E. Patterson shall constitute the school committee for this district for a period of two years: *Provided*, that none of the provisions of this bill shall apply to Richmond County or the authorities thereof until approved by order of the County Board of Education of Richmond County; and, *Provided further*, that the Treasurer of Montgomery County shall not receive any commission for receiving or disbursing funds received by him for this school from the treasurers of the other counties.

Proviso: application of act to Richmond county.

Proviso: compensation of treasurer.

SEC. 5. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 60.

AN ACT TO AMEND THE CHARTER OF THE TOWN OF
MURPHY, IN CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter two hundred and thirty-nine of the Private Laws of one thousand eight hundred and eighty-nine be amended as follows: By striking out all that part of said section after the word "follows," in line two thereof, to and including the word "beginning," in line ten thereof, and inserting in lieu of the same the following: "Beginning at the center or middle of the public square in the town of Murphy, and running from said point a line due north one mile, a line due east one mile from said central point, a line due west one mile from said central point, and a line due south from said point, and from the end or terminus of each line running a line one mile in length each way at right angles to said line until they all intersect, making a territory of two miles square, to be known as the corporate limits of the town of Murphy." Corporate limits.

SEC. 2. That J. R. McLelland and Ben. Posey and S. D. Akin are hereby designated as commissioners to lay off said boundary, properly marking the same, establishing corners thereto; and for this purpose they may employ sufficient chainmen or axemen as may be necessary: all the expense of said laying off to be paid for by the town of Murphy. Commissioners to lay off boundary.

SEC. 3. That all laws in conflict with this act are hereby repealed. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 61.

AN ACT TO INCORPORATE THE HIAWASSEE VALLEY
RAILWAY COMPANY, AND FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. That S. H. Boyd, W. T. Bumgarner, C. C. Standridge, J. W. Alexander and M. W. Bell, and such other person or persons as may be associated with them, their successors and assigns, are hereby created a body corporate under the name of the Hiawassee Valley Railway Company, for the purposes herein after described; and under the aforesaid name and style shall have perpetual succession, and shall have power to sue and be sued, to plead and be impleaded, defend and be defended in all courts, whether in law or in equity, and may make and have a Corporate name. Corporate powers.

common seal, and alter, renew or break the same at pleasure; and shall have, possess and enjoy all rights and privileges of a corporation or body politic under the general law, and also rights, privileges and franchises herein given.

Power to construct, maintain and operate a railroad.

Termini and route.

Branch lines.

Further enumeration of powers.

Telegraph and telephone lines.

Powers to condemn land.

Exclusive rights.

SEC. 2. That said company shall have and it is hereby given the right and power to locate, construct, equip, maintain and operate, by steam power or electric power, a railroad or any part thereof upon one or more tracks, standard gauge or otherwise, from some point at or near Murphy, Cherokee County, North Carolina, through the counties of Cherokee and Clay to the State line dividing the States of North Carolina and Georgia, by such route as it may select; and it may also construct, maintain and operate such lateral and branch lines as may be necessary or advantageous to the extension, completion and operation of such railroad. And for these purposes it shall have the power to construct dams, culverts, trestles and bridges over and across streams, valleys and depressions; and it shall have the right to cross any navigable stream on its route; it shall have the right to cross at grade or over or under, to intersect, join or unite its railway with any other railway now constructed or that may be hereafter constructed in this State upon the ground of such other companies at any point on its route, and to build the necessary turnouts, sidings, switches and other conveniences in furtherance of the objects of its construction; and may, in making any intersection or connection with another road, have all the rights, powers and privileges conferred upon railroads by chapter sixty-one of Revisal of one thousand nine hundred and five, or any act of Assembly amendatory thereof. Said company shall also have the right to locate such station or stations along its railroad, and arrange such schedule or schedules for the running of its passenger or freight cars or trains as it may think proper; and may construct and operate one or more lines of telegraph or telephone along its line or lines of railway, and may charge and collect such pay for messages or dispatches as said corporation may determine upon, subject to the general law of the State, and may lease, rent, mortgage or sell this right and any telegraph or telephone lines constructed or owned by the said corporation. For the construction of a railway, telegraph and telephone lines provided by this act, the company shall have, for the purpose of acquiring lands, easements or rights of way, all the rights, powers and authorities given to railroads and electric companies under chapters sixty-one and thirty-two of Revisal of one thousand nine hundred and five of North Carolina, or any act of Assembly amendatory thereof, as fully as if the provisions of said chapters were incorporated in this act.

SEC. 3. Said company, its successors or assigns, shall have the exclusive right to carry and transport passengers and freight

over and along said road and its branches at such rate as said company may prescribe, subject to such general laws regulating the same as the General Assembly may from time to time establish; and it shall have the right to transport all manner of goods, United States mail or other property, and make and collect charges therefor, and to make, fix charge and collect such tolls for the transportation of persons and property as it may think necessary, subject to the general law.

SEC. 4. Said company shall have the right and authority to use any public road or highway or street for the construction or operation of its railroad, cars, poles, lines or other equipment, under such reasonable regulations as the authorities controlling said roads, highways or streets respectively shall upon application from the company prescribe.

Use of public roads, highways or streets.

SEC. 5. The capital stock of the said railway company shall be one hundred and twenty-five thousand dollars, which may be increased from time to time by the votes of its shareholders to an amount not exceeding three millions of dollars, to be divided into shares of one hundred dollars each: *Provided*, such increase of capital stock shall only be made upon application to the Secretary of State and leave granted by him; such application to be accompanied by a receipt from the State Treasurer for the taxes prescribed in sections one thousand two hundred and thirty-two and one thousand two hundred and thirty-five of chapter twenty-one of the Revisal of one thousand nine hundred and five for increase of capital stock. Each share subscribed shall be entitled

Capital stock.

Proviso: increase of capital stock.

to one vote in all meetings of the stockholders of said company, and ten thousand dollars shall be the minimum subscription on which said company may be organized. The company may receive cash, material, labor, bonds, stock, contracts, real or personal property, in payment of donations or subscriptions to its capital stock. A majority of the corporators hereinbefore named, or such of them as shall be subscribers, may organize the said company by electing a board of directors and providing for the election or appointment of such other officers by said board of directors as may be necessary for the control and management of the business and affairs of said company, and thereupon they shall have and exercise all the powers and functions of a corporation under this charter and the laws of this State. No subscriber shall be individually liable for the debts of the company.

Stock votes.

Payment of subscriptions.

Organization.

Subscribers not individually liable.

SEC. 6. It shall be lawful for the said company to borrow money, and issue and sell its bonds from time to time for such sums and on such terms as its board of directors may deem expedient and proper for any of the purposes of the company; and may secure the payment of said bonds by mortgage or deed of trust upon all or any portion of its property, real, personal or mixed; also on all its franchises, rights and privileges of every

Power to borrow money and issue bonds.

Mortgage.

Power of sale or lease.

kind; and it may also, as the business of the company shall require, sell, lease or in any manner convey and encumber the same or any part thereof.

Power of consolidation or merger.

SEC. 7. The said company may connect or unite its lines with those of any other railway company or companies, or consolidate and merge its stock, property and franchises with and into those of any other railroad company or companies incorporated under the laws of this State or any other State of the United States, operating or authorized to operate railway lines, upon such terms and under such name as may be agreed upon between the companies so uniting or connecting, merging or consolidating; and the said company may lease or sell any or all its property, real, personal or mixed, its contracts and privileges and its charter rights and franchises to any such other company upon such terms as may be agreed upon between them, and may in like manner acquire by lease or purchase any or all of the property, real or personal or mixed, and all contracts and privileges and the chartered rights and franchises of any such other company or companies; and full power and authority are hereby given to the said company or companies to make and carry out all such contracts as will facilitate and consummate such consolidation, lease, sales, mergers and changes of name.

Location and construction of works.

SEC. 8. The board of directors shall, as soon as it deems it practicable, proceed to locate the works of said company, and may have one or more locations from time to time as it may deem expedient; and the construction of some of said works shall be begun within three years after the ratification of this act.

Time within which construction shall begin.

Principal office.

SEC. 9. That the principal office of said company shall be located at Murphy, North Carolina; and such branch offices as may be desirable for the purposes of the corporation shall be established at such places as the by-laws of the corporation shall designate and prescribe. But by consent of the board of directors the principal office may be removed to any place within the State most expedient to the management of its works.

Removal of office.

Procedure for condemnation of lands.

SEC. 10. Whenever from any cause the said railroad company cannot agree with the owners of the land over which the railroad shall go for the purchase of the land for the right of way and depot purposes, the said company may proceed to condemn and enter the same in the manner set forth in chapter sixty-one of the Revisal of one thousand nine hundred and five, and amendments thereto, or may file a petition before the Clerk of the Superior Court of the county wherein the land lies, specifying the objects for which the land is desired, with description and plot thereof. The Clerk of the Superior Court shall thereupon issue a summons or notice to the owner, returnable to a day certain, after ten days' notice; and, after a hearing, shall, if not sufficient cause is shown against granting the prayer of the petition, make an order ap-

pointing three disinterested and competent freeholders of said county, who shall be summoned by the sheriff to meet on the premises at a time not more than ten days after the appointment, and, after being duly sworn, assess the damage of the land or right of way taken. In assessing the damages the jurors or appraisers shall take into consideration the actual value of the land, together with any special damages likely to accrue to the owner, and likewise shall consider any special benefits thereto; but general benefits pertaining to the public shall not be considered in reduction of damages. If the petition shall pray for a condemnation of the right of way only, the consideration or damages allowed shall be for the said easement only; but if for depot or building purposes, the consideration or damages shall be for the fee. The appraisers shall make their report to the Clerk of the Superior Court within ten days from the time of their meeting on the premises. Said report shall be recorded in the office of the register of deeds, after approval by the clerk and payment of damages assessed, and shall have the force and effect of a deed. Either party may appeal to the Superior Court, in term time, from the approval or disapproval of the clerk, which appeal must be prayed within ten days of the approval or disapproval of the clerk. Appeals.

SEC. 11. The right of said company to condemn and take land under this act shall be limited to the space of fifty feet on each side of its roadbed, measuring from the center of the same, except where cuts and fills require more, and then as much as may be required for a double track at grades; and for depots and warehouses it may condemn not exceeding ten acres in any one place; and in all cases where land or rights of way have been condemned, the owner shall petition for assessment of damages within two years from condemnation and occupation, and not after, except in case of legal disabilities, and in such cases within two years from the removal of such disabilities. Limit of land to be condemned. Time for petition for damages.

SEC. 12. A part of the railway line of said company may be constructed without completing its entire line, and the said part may be operated, and charges may be collected therefor, notwithstanding the entire line of the company has not been completed. Partial construction and operation.

SEC. 13. The stockholders of said company, or board of directors under a resolution of the stockholders, may enact such by-laws, rules and regulations for the management of the affairs of the company as they may deem proper and expedient. Meetings of stockholders and directors may be held at such times and places as the stockholders and board of directors may respectively prescribe. By-laws. Meetings of stockholders and directors.

SEC. 14. The board of directors shall be elected at the stockholders' annual meeting, to be held on such days as the by-laws of the company may direct, and shall continue in office for the Election and term of directors.

President and other officers.	term of one year from and after the date of its election and until its successors are elected and qualified; and it shall choose from its number a president, vice-president, secretary and treasurer, but one or more of said offices may be held by the same person.
Vacancies.	In case of death, resignation or incapacity of any officer or member of the board of directors during his term of office, the said board shall choose his successor for the unexpired term.
Act deemed public. Evidence.	SEC. 15. This act shall be deemed and taken to be a public act, and a copy of any by-laws or regulations of the said company, under its corporate seal, purporting to be signed by the president, shall be received as <i>prima facie</i> evidence for and against the said company in any judicial proceedings.
Counties, townships or municipalities may make donation or subscription.	SEC. 16. That any county, city, town or township through any portion of which the said railroad shall pass, or along or near its lines or its branches, lateral or connecting roads, or at their terminal points, may make a donation to said company in money or its equivalent in real or personal property, or a subscription to its capital stock: <i>Provided</i> , that after notice given and an election held as hereinafter provided a majority of the qualified voters of the county, city, town or township wherein the election is held shall vote for the donation or subscription which shall be submitted to their vote for acceptance or rejection. That upon presentation of a writing, signed by not less than fifty freeholders and resident taxpayers of the county, township, city or town to the board of county commissioners of said county or to the proper authorities of said city or town, requesting them to submit to the qualified voters of the county, township, city or town where said petitioners may reside a proposition to subscribe a definite sum named in said petition to the capital stock or bonds of said company, or a proposition to donate to said company in money or its equivalent a definite sum named in the petition, the board of commissioners of said county, or proper authorities of said city or town, may in their discretion order a new registration,
Proviso: vote for donation or subscription.	and shall, within thirty days thereafter, order an election to be held in such county, township, city or town to submit to the qualified voters therein the question of said donation to said company or subscription to the said capital stock or bonds of said company; at which election all those qualified to vote who are in favor of such subscription or donation shall vote a ballot on which shall be written or printed the words "For Subscription" or "For Donation," and those opposed to such subscription or donation shall vote a ballot on which shall be written or printed the words "Against Subscription" or "Against Donation"; and the election for this purpose shall be conducted in the same manner and subject to the same rules and regulations as are provided for the election of county officers by the general election laws of the
Petition for election.	State of North Carolina. Such election shall be held after thirty
New registration.	
Election to be held.	
Ballots.	
Law governing election.	
Notice of election.	

days' notice thereof shall have been given, specifying the amount of the proposed subscription or donation, posted at the courthouse door of said county and at every polling place of said county, township, city or town where the said election shall take place; and the returns thereof shall be made to the board of commissioners of said county, or proper authorities of said city or town.

Returns.

SEC. 17. If a majority of the qualified voters vote for subscription or for donation, then the board of commissioners of said county, or proper authorities of said city or town, shall immediately make such subscription or donation, and shall issue coupon bonds to the amount of said subscription or donation, in order to pay the same; and the bonds shall upon their face indicate on account of what county, township, city or town they are issued. They shall be in a denomination of not less than one hundred dollars and not more than one thousand dollars each, and shall run for such number of years and bear such rate of interest as the petition and order of election shall indicate.

Bonds to be issued.

Denomination.

Maturity and interest.

SEC. 18. The county authorities in any county voting for subscription or donation, or in which there is a township voting for subscription or donation, who are legally empowered to levy taxes in order to provide for payment of the bonds authorized to be issued by the preceding section, shall compute and levy each year, at the time of levying other taxes, a sufficient tax upon the property and polls in said county, township, city or town to pay the interest on the bonds issued on account of such county, township, city or town; and shall also levy a sufficient tax to create a sinking fund to provide for payment of said bonds at maturity. The taxes levied as above shall be annually collected as other taxes, and shall be paid by the collecting officer of such county, township, city or town to the treasurer thereof; and the taxes levied and collected for these purposes shall be kept distinct from all other taxes, and shall be used for the purpose for which they were levied and collected, and for no other. The sinking fund shall be invested as may be directed by the board of commissioners of said county, or by the proper authorities of such city or town issuing such bonds.

Special tax for bonds and sinking fund.

Collection and settlement of taxes.

Specific appropriation.

Investment of sinking fund.

SEC. 19. It shall be lawful for the said company chartered by this act to issue coupon bonds in such denominations and running for such a time and bearing interest at such a rate and payable at such time and place as the board of directors may direct, to be sold or hypothecated by the direction of said company; and to secure payment of the same the company is authorized to execute a mortgage to such person or corporation as the company may select on all real and personal estate of said company, together with all its franchises and privileges; or, in case the road may be divided and built in sections, which the said company is authorized to do, such mortgage may be placed upon such

Issue of mortgage bonds by company.

Registration of
mortgage.

separate sections and in such manner as the company may direct; and it is hereby provided that the registration of any mortgage provided to be executed in this section may be made in Cherokee County, and upon registration in said county, it shall be a lien on such property and franchises conveyed in such mortgages as fully and completely as if the same were registered in each and every county through which the road passes.

SEC. 20. All acts or parts of acts inconsistent herewith are hereby repealed.

SEC. 21. This act shall be in full force and effect from and after its ratification.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

STATE OF NORTH CAROLINA,

OFFICE OF SECRETARY OF STATE,

RALEIGH, February 3, 1908.

I, J. Bryan Grimes, Secretary of State of the State of North Carolina, hereby certify that the foregoing (manuscript) are true copies of the original acts and resolutions on file in this office.

J. BRYAN GRIMES,

Secretary of State.

INDEX

TO THE

PRIVATE LAWS,

EXTRA SESSION 1908.

	PAGE.
A.	
Academies. See Schools and Colleges.	
B.	
Baileys (town), incorporated.....	42
Banks and trust companies, Davis and Wiley, charter amended.....	73
North Carolina Savings Bank and Trust Company, relative to charter of	4
Wanteska Trust Company, charter amended.....	73
Beaufort Graded Schools.....	53
Bonds, Creedmoor School District.....	38
Goldsboro Graded School.....	39
Goldsboro Graded School.....	44
Greensboro	8
Greensboro, issue legalized.....	33
High Point	47
High Point	20
Laurinburg	28
Lumberton, for floating debt.....	3
Rockingham (town)	17
Statesville	34
Wakelon School District.....	
C.	
Candor (town), incorporated.....	12
Charlotte, to fund debt.....	69
Cherokee County, for advancement of education.....	
Cities and towns:	
Baileys, incorporated	42
Candor, incorporated	57
Charlotte, to fund debt.....	12
Concord, charter amended.....	56
Fayetteville, boundary	25
Greensboro, bond issue legalized.....	8

Cities and towns:	PAGE.
Greensboro, bonds	44
charter amended	67
High Point, bonds.....	47
to issue bonds.....	33
Kenilworth, charter amended.....	27
Laurinburg, bonds	20
Lincolnton, bonds for graded schools.....	18
electric lights	52
Lumberton, bonds for floating debt.....	28
Middlesex, incorporated	21
Monroe, charter amended.....	13
Murphy, charter amended.....	79
Peachland, charter amended.....	49
charter amended	65
Rockingham, bonds	3
sidewalks and streets.....	5
Scotland Neck, boundary corrected.....	5
Snow Hill, arrears of taxes.....	62
Spruce Pine, charter amended.....	46
Statesville, bonds	17
Taylorsville, special tax.....	14
Walstonburg, incorporated	40
Webster, incorporated	7
Weldon, charter amended.....	63
Westray, incorporated	45
incorporated	72
Wilmington, to lease certain lands.....	14
Concord, charter amended.....	56
Corporations, Palm Club, incorporated.....	15
Counties, Cherokee, for advancement of education.....	69
Craigrownie School District, to establish.....	78
Creedmoor School District, school building.....	53
Culowhee Normal and Industrial School, building committee.....	50

D.

Davis, Mrs. H. C., marriage validated.....	61
Davis and Wiley Bank, charter amended.....	73

E.

Echols, R. M., for relief of.....	42
-----------------------------------	----

F.

Fayetteville, boundaries	25
--------------------------------	----

G.

	PAGE.
Gilbert, J. B., for relief of.....	16
Goldsboro Graded Schools, to borrow money.....	38
to borrow money.....	39
Graded schools, Beaufort.....	73
Goldsboro, to borrow money.....	38
Goldsboro, to borrow money.....	39
Mocksville, trustees changed.....	39
Mooresville, bonds	19
Morganton, tax collector.....	37
Roper, law amended.....	10
Scotland Neck, additional trustees.....	16
Spring Hope, law amended.....	48
Wakelon District, to vote on bond issue.....	34
Greensboro, bonds	44
bond issue legalized.....	8
charter amended	67

H.

Hiawassee Valley Railway Company, incorporated.....	79
High Point, bonds.....	47
to issue bonds.....	33

K.

Kenilworth, charter amended.....	27
----------------------------------	----

L.

Laurinburg, bonds	20
Laws amended:	
1891, Chapter 121, Private	27
1899, Chapter 47, Private	73
1901, Chapter 342, Private	5
1903, Chapter 403	48
Chapter 421, Public	10
Chapter 451, Public	16
Chapter 455, Public	37
1905, Chapter 411, Private	43
Chapter 556, Public	19
1907, Chapter 31, Private	46
Chapter 262, Private	39
Chapter 307, Private	4
Chapter 356, Private	62
Lincolnton, bonds for graded school.....	18
electric lights	52
Lumberton, bonds for floating debt.....	28

M.	
	PAGE.
Middlesex (town), incorporated.....	21
Mocksville Graded School, trustees changed.....	39
Monroe, charter amended.....	13
Mooreville Graded School District, bonds.....	19
Morganton Graded School, tax collector.....	37
Murphy, charter amended.....	79
N.	
North Carolina Savings Bank and Trust Company, relative to charter.....	4
O.	
Odd Fellows, Trimont Lodge incorporated.....	31
P.	
Palm Club, incorporated.....	15
Peachland, charter amended.....	49
charter amended	65
Pinnix, J. W., for relief of.....	34
Pittsboro Academy, law for sale of, amended.....	32
Pleasant Retreat Academy, sale authorized.....	62
R.	
Railroad companies, Hiawassee Valley Railway Company, incorporated.....	79
Watauga Railway Company, time for organization.....	43
Ridenhour, Joseph, marriage validated.....	61
Rockingham (town), bonds.....	3
sidewalks and streets.....	5
Roper Graded School, law amended.....	10
S.	
School districts:	
Craigrownie, established	78
Creedmoor, school building.....	53
Wakefield and Zebulon, consolidated.....	11
Wakelon	11
Schools and colleges:	
Cullowhee Normal and Industrial School, building committee.....	50
Pittsboro Academy, law for sale of, amended.....	32
Pleasant Retreat Academy, sale authorized.....	62
Scotland Neck, boundary corrected.....	5
graded school, additional trustees.....	16
Sheriffs and tax collectors, Gilbert, J. B., for relief of.....	16
Snow Hill, arrears of taxes.....	62
Special tax, Taylorsville.....	14

	PAGE.
Spring Hope Graded School, law amended.....	48
Spruce Pine, charter amended.....	46
Statesville, bonds	17

T.

Tax collectors. See Sheriffs and Tax Collectors.	
Taylorsville, special tax.....	14
Trimont Lodge, incorporated.....	31

W.

Wakefield and Zebulon school districts, consolidated.....	11
Wakelon Graded and High School District, to vote on bond issue.....	34
Wakelon School District.....	11
Walstonburg, incorporated	40
Wanteska Trust Company, charter amended.....	4
Watauga Railway Company, time for organization.....	43
Webster (town), incorporated.....	7
Weldon, charter amended.....	63
Westray (town), incorporated.....	45
incorporated	72
Wilmington, to lease certain lands.....	14

Z.

Zebulon and Wakefield school districts, consolidated.....	11
---	----

