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PUBLIC LAWS AND RESOLUTIONS

OF THE

STATE OF NORTH CAROLINA

PASSED BY THE

GENERAL ASSEMBLY

AT ITS

SESSION OF 1915

BEGUN AND HELD IN THE CITY OF RALEIGH

ON

WEDNESDAY, THE SIXTH DAY OF JANUARY, A. D. 1915.

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RALEIGH

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1915

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OFFICIAL REGISTER

FOR THE YEAR 1915

LEGISLATIVE DEPARTMENT.

Elijah L. Daughtridge.....	President of the Senate.....	Edgecombe.
*Emmett R. Wooten.....	Speaker of the House of Representatives.....	Lenoir.
T. C. Bowie.....	Speaker of the House of Representatives.....	Ashe.

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J. Bryan Grimes.....	Secretary of State.....	Pitt.
W. P. Wood.....	State Auditor.....	Randolph.
Benjamin R. Lacy.....	State Treasurer.....	Wake.
James Y. Joyner.....	Superintendent of Public Instruction.....	Guilford.
T. W. Bickett.....	Attorney-General.....	Franklin.

OFFICIALS AND EMPLOYEES OF THE STATE DEPARTMENTS.

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Locke Craig.....	Governor.....	Buncombe.
John P. Kerr.....	Private Secretary.....	Buncombe.
Miss May Jones.....	Clerk.....	Buncombe.
J. J. Mackay.....	Clerk.....	Wake.

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George W. Norwood.....	Grant Clerk.....	Wake.
William S. Wilson.....	Corporation Clerk.....	Caswell.
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Miss Minnie Bagwell.....	Stenographer.....	Wake.
Miss Susie Taylor.....	Stenographer.....	Wake.

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Mrs. Fannie Smith.....	Pension Clerk and Stenographer.....	Wake.

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A. H. Arrington.....	Teller.....	Nash.
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E. E. Sams.....	Superintendent of Teacher-training.....	Madison.
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N. W. Walker.....	State Inspector Public High Schools.....	Orange.
L. C. Brøgdén.....	Rural Agent.....	Wayne.

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State Board of Examiners.—James Y. Joyner, Chairman *ex officio*; C. E. McIntosh, Secretary; H. E. Austin, N. W. Walker, W. A. Graham, Zebulon V. Judd.

*Died during session. Succeeded by T. C. Bowie.

OFFICIAL REGISTER

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Laurence W. Young.....	Adjutant General.....	Buncombe.
Gordon Smith.....	Assistant Adjutant General.....	Wake.
Miss Ethel Wynne.....	Secretary.....	Wake.
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Capt. Alexander Greig, Jr.....	Inspector-Instructor.....	Coast Art., U. S. A.
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Miss Myrtle Gates.....	Assistant Clerk.....	Durham.

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H. D. Bateman.....	Assistant Examiner.....	Pitt.
J. G. Nichols.....	Assistant Examiner.....	

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Miss Daisy Thompson.....	Stenographer.....	Wake.
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Edwards & Broughton Printing Co.....		

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C. C. Wright.....	Hunting Creek.....	Seventh District.
William Bledsoe.....	Gale.....	Eighth District.
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A. Cannon.....	Horse Shoe.....	Tenth District.

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D. G. Conn.....	Bulletin Superintendent.
C. H. Creighton.....	Night Watchman.
James Higgs.....	Janitor.
Charles Higgs.....	Messenger.

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J. M. Pickel.....	Feed Chemist.
W. G. Haywood.....	Fertilizer Chemist.
J. Q. Jackson.....	Assistant Chemist.
J. R. Mullen.....	Assistant Chemist.
E. S. Dewar.....	Assistant Chemist.
Badger Hart.....	Assistant Chemist.
R. W. Collett.....	Assistant Test Farm Director.
Miss M. S. Birdsong.....	Clerk and Stenographer.
J. F. Hatch.....	Clerk and Stenographer.
W. F. Pate.....	Agronomist in Soils.
L. L. Brinkley.....	Soil Survey.
J. K. Plummer.....	Soil Work.
*W. E. Hearn.....	State Soil Agent—Soil Survey.
F. N. McDowell.....	Soil Survey.
John Mangum.....	Janitor.
Moses Lord.....	Servant.

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H. H. Brimley.....	Curator.
T. W. Adickes.....	Assistant.
Miss Annie Lewis.....	Usher.
William Alston.....	Janitor.

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B. B. Flowe.....	Veterinarian.
H. P. Flowe.....	Assistant.
E. G. Hargett.....	Assistant.
Miss Mary Knight.....	Stenographer.

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L. W. Shook.....	Assistant.
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W. H. Eaton.....	Dairy Experimentation.
R. W. Fletcher.....	Assistant.
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S. C. Clapp.....	Field Work.

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C. D. Matthews.....	Assistant.
Miss Maud Olds.....	Stenographer.

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W. M. Allen.....	Pure Food and Oil Chemist.
C. E. Bell.....	Assistant.
L. B. Rhodes.....	Assistant.
E. W. Thornton.....	Assistant.

*Assigned by the Bureau of Soils, United States Department of Agriculture.

†Assigned by the Bureau of Animal Husbandry, United States Department of Agriculture.

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Miss S. G. Allen.....Stenographer.

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Mrs. C. H. Garren.....Assistant.
Miss M. H. McKimmon.....Clerk and Stenographer.

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C. H. Waldron.....Assistant.
Miss S. D. Allen.....Assistant, Seed Laboratory.
Miss Louise Rademacher.....Assistant, Bacteriological Laboratory.

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†T. E. Browne.....In Charge Boys Corn Clubs.
†A. K. Robertson.....Assistant Boys Corn Clubs.

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E. G. Moss.....Tobacco Work.

Drainage Work.

F. R. Baker.....Drainage Work.

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C. B. Williams.....Agronomist.
G. M. Garren.....Assistant.
E. C. Blair.....Assistant.

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F. T. Meacham.....Superintendent Iredell Test Farm.....Statesville, N. C.
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S. O. Perkins.....Supt. Buncombe Test Farm.....Swannanoa, N. C.
E. G. Moss.....Supt. Granville Test Farm.....Oxford, N. C.

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S. F. Campbell.....Chief Clerk.....Harnett.
W. S. Cameron.....Deputy and Actuary.....Wake.
W. A. Scott.....Deputy.....Guilford.
F. M. Jordan.....Deputy.....Buncombe.
Sherwood Brockwell.....Deputy.....Wake.
A. H. Yerby.....License Clerk.....Wake.
Miss Eva B. Powell.....Bookkeeper.....Wake.
Miss Ida Montgomery.....Cashier and Stenographer.....Warren.

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W. J. Peele.....Commissioner.....Wake.
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M. C. S. Noble.....Commissioner.....Orange.
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F. A. Olds.....Collector for Hall of History.....Wake.
Mrs. J. M. Winfree.....Restorer of Manuscripts.....Wake.

†In cooperation with Bureau of Plant Industry, United States Department of Agriculture.

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James Y. Joyner.....	Commissioner.....	Guilford.
Miles O. Sherrill.....	Commissioner.....	Catawba.
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Miss Myrtle King.....	Assistant Librarian.....	Wake.

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George H. Brown.....	Associate Justice.....	Washington.....	Beaufort.
William A. Hoke.....	Associate Justice.....	Lincolnton.....	Lincoln.
W. R. Allen.....	Associate Justice.....	Goldsboro.....	Wayne.

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R. H. Bradley.....	Marshal and Librarian.....	Raleigh.....	Wake.
Robert C. Strong.....	Reporter.....	Raleigh.....	Wake.

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Thomas J. Shaw.....	Greensboro.....	Guilford.
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B. F. Long.....	Statesville.....	Iredell.
J. L. Webb.....	Shelby.....	Cleveland.
E. B. Cline.....	Hickory.....	Catawba.
M. H. Justice.....	Rutherfordton.....	Rutherford.
Frank Carter.....	Asheville.....	Buncombe.
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Michael Schenck.....	Hendersonville.....	Henderson.
J. E. Swain.....	Asheville.....	Buncombe.
G. L. Jones.....	Franklin.....	Macon.

GENERAL ASSEMBLY.

CONVENES BIENNIALLY IN THE CITY OF RALEIGH ON WEDNESDAY AFTER THE FIRST
MONDAY IN JANUARY.

SENATORS.

HON. E. L. DAUGHTRIDGE, LIEUTENANT-GOVERNOR, PRESIDENT, EDGEcombe.

District.	NAME OF SENATOR.	POSTOFFICE.	COUNTY.
1st	W. L. COHOON.....	Elizabeth City.....	Pasquotank.
1st	J. S. McNIDER.....	Hertford.....	Perquimans.
2d	H. W. STUBBS.....	Williamston.....	Martin.
2d	MARK MAJETTE.....	Columbia.....	Tyrrell.
3d	T. T. SPEIGHT.....	Windsor.....	Bertie.
4th	H. A. GILLIAM.....	Tarboro.....	Edgecombe.
4th	N. L. STEADMAN.....	Halifax.....	Halifax.
5th	F. C. HARDING.....	Greenville.....	Pitt.
6th	R. B. WHITE.....	Franklinton.....	Franklin.
6th	T. M. WASHINGTON.....	Wilson.....	Wilson.
7th	A. D. WARD.....	New Bern.....	Craven.
7th	FRANK THOMPSON.....	Jacksonville.....	Onslow.
8th	E. A. STEVENS.....	Goldsboro.....	Wayne.
9th	R. D. JOHNSON.....	Warsaw.....	Duplin.
10th	W. B. COOPER.....	Wilmington.....	New Hanover.
11th	DONALD MACRACKAN.....	Whiteville.....	Columbus.
12th	GEORGE B. McLEOD.....	Lumberton.....	Robeson.
13th	J. W. JOHNSON.....	Raeford.....	Hoke.
14th	W. H. FISHER.....	Roseboro.....	Sampson.
14th	EZRA PARKER.....	Benson.....	Johnston.
15th	W. B. SNOW.....	Raleigh.....	Wake.
16th	TASKER POLK.....	Warrenton.....	Warren.
17th	T. G. CURRIN.....	Oxford.....	Granville.
18th	FRANK NASH.....	Hillsboro.....	Orange.
18th	E. F. UPCHURCH.....	Yanceyville.....	Caswell.
19th	C. O. McMICHAEL.....	Wentworth.....	Rockingham.
20th	F. P. HOBGOOD, JR.....	Greensboro.....	Guilford.
21st	J. B. ATWATER.....	Bynum.....	Chatham.
21st	C. M. MUSE.....	Carthage.....	Moore.
22d	FRANK McAULAY.....	Mt. Gilead.....	Montgomery.
23d	J. S. EFIRD.....	Albemarle.....	Stanly.
23d	NEY McNEELY.....	Monroe.....	Union.
24th	JOHN A. McRAE.....	Charlotte.....	Mecklenburg.
24th	W. L. MORRIS.....	Concord.....	Cabarrus.
25th	B. B. MILLER.....	Salisbury.....	Rowan.
26th	HUGH G. CHATHAM.....	Winston-Salem.....	Forsyth.
27th	RUFUS L. HAYMORE.....	Mt. Airy.....	Surry.
28th	LINVILLE BUMGARNER.....	Wilkesboro.....	Wilkes.
29th	DORMAN THOMPSON.....	Statesville.....	Iredell.
30th	CHARLES A. JONAS.....	Lincolnton.....	Lincoln.
31st	ARTHUR M. DIXON.....	Gastonia.....	Gaston.
32d	O. MAX GARDNER.....	Shelby.....	Cleveland.
32d	E. B. CLOUD.....	Columbus.....	Polk.
33d	D. F. GILES.....	Marion.....	McDowell.
33d	B. F. DAVIS.....	Morganton.....	Burke.
34th	R. L. BALLOU.....	Jefferson.....	Ashe.
35th	JOHN E. LINEBACK.....	Spruce Pine.....	Avery.
36th	ZEBULON WEAVER.....	Asheville.....	Buncombe.
37th	COS. PAXTON.....	Brevard.....	Transylvania.
38th	JOHN C. HERBERT.....	Hayesville.....	Clay.

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W. T. AYCOCK.....	Engrossing Clerk.....	Wayne.
W. B. GASTER.....	Sergeant-at Arms.....	Cumberland.

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NAME.	POSTOFFICE.	COUNTY.
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R. A. DOUGHTON.....	Sparta.....	Alleghany.
F. E. THOMAS.....	Wadesboro.....	Anson.
T. C. BOWIE.....	Jefferson.....	Ashe.
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GALLATIN ROBERTS.....	Asheville.....	Buncombe.
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M. LESLIE DAVIS.....	Beaufort.....	Carteret.
P. M. SOMERS.....	Altamahaw.....	Caswell.
J. Y. KILLIAN.....	Hickory.....	Catawba.
F. W. BYNUM.....	Pittsboro.....	Chatham.
D. WITHERSPOON.....	Murphy.....	Cherokee.
P. H. BELL.....	Edenton.....	Chowan.
P. B. KILLIAN.....	Hayesville.....	Clay.
J. B. SMITH.....	Shelby.....	Cleveland.
A. M. BENTON.....	Evergreen.....	Columbus.
G. A. WHITFORD.....	Askins.....	Craven.
JOHN H. CURRIE.....	Fayetteville.....	Cumberland.
PIERCE HAMPTON.....	Waterlily.....	Currituck.
A. H. ETHERIDGE.....	Manteo.....	Dare.
C. H. B. LEONARD.....	Lexington.....	Davidson.
THOS. J. HENDRIX.....	Mocksville.....	Davie.
DR. R. L. CARR.....	Rose Hill.....	Duplin.
BENEHAN CAMERON.....	Stagville.....	Durham.
J. ED. PEGRAM.....	Durham.....	Durham.
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P. FRANK HANES.....	Winston-Salem.....	Forsyth.
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J. T. INSCOE.....	Castalia.....	Franklin.
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C. Z. DENTON.....	Robbinsville.....	Graham.
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L. J. H. MEWBORNE.....	Snow Hill.....	Greene.
ROBERT BROCKETT.....	High Point.....	Guilford.
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W. A. BOWMAN.....	Liberty.....	Guilford.
W. L. LONG.....	Roanoke Rapids.....	Halifax.
J. H. DARDEN.....	Spring Hill.....	Halifax.
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D. R. NOLAND.....	Crabtree, R. F. D.....	Haywood.
G. H. VALENTINE.....	Hendersonville.....	Henderson.
STANLEY WINBORNE.....	Murfreesboro.....	Hertford.

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NAME.	POSTOFFICE.	COUNTY.
THOS. MCBRYDE.....	Raeford.....	Hoke.
J. M. CLAYTON.....	Engelhard.....	Hyde.
H. P. GRIER.....	Statesville.....	Iredell.
THOS. N. HALL.....	Mooresville.....	Iredell.
B. C. JONES.....	Webster.....	Jackson.
J. H. ALLRED.....	Smithfield.....	Johnston.
C. M. WILSON.....	Wilson's Mills.....	Johnston.
B. B. COLLINS.....	Mayesville.....	Jones.
A. A. F. SEAWELL.....	Sanford.....	Lee.
E. R. WOOTEN.....	Kinston.....	Lenoir.
JOHN E. HOOVER.....	Lincolnton.....	Lincoln.
H. D. DEAN.....	Franklin.....	Macon.
PLATO D. EBBS.....	Marshall.....	Madison.
A. R. DUNNING.....	Williamston.....	Martin.
BYRON CONLEY.....	Marion.....	McDowell.
R. C. FREEMAN.....	Charlotte.....	Mecklenburg.
R. S. HUTCHISON.....	Charlotte.....	Mecklenburg.
T. J. RENFROW.....	Matthews.....	Mecklenburg.
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M. A. BENNETT.....	Jackson Springs.....	Montgomery.
HENRY A. PAGE.....	Aberdeen.....	Moore.
JACOB BATTLE.....	Rocky Mount.....	Nash.
GRAY KING.....	Nashville.....	Nash.
W. P. STACY.....	Wilmington.....	New Hanover.
T. W. MASON.....	Garysburg.....	Northampton.
HORACE V. GRANT.....	Sneads Ferry.....	Onslow.
S. S. SMITH.....	Hillsboro.....	Orange.
JORDAN CARAWAN.....	Messic.....	Pamlico.
W. L. SMALL.....	Elizabeth City.....	Pasquotank.
J. B. SCOTT.....	Rocky Point.....	Pender.
JAMES P. WINSLOW.....	Hertford.....	Perquimans.
DR. E. J. TUCKER.....	Roxboro.....	Person.
J. C. GALLOWAY.....	Grimesland.....	Pitt.
J. J. LAUGHINGHOUSE.....	Greenville.....	Pitt.
J. T. CAMP.....	Columbus, R. F. D.....	Polk.
DR. G. A. FOSTER.....	Liberty.....	Randolph.
M. C. FREEMAN.....	Hamlet.....	Richmond.
MARSHALL SHEPHERD.....	Orrum.....	Robeson.
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J. T. WALL.....	Stoneville.....	Rockingham.
J. L. ROBERTS.....	Reidsville.....	Rockingham.
T. J. BROWN.....	Salisbury.....	Rowan.
W. C. COUGHENOUR.....	Salisbury.....	Rowan.
J. F. ALEXANDER.....	Forest City.....	Rutherford.
C. M. FAIRCLOTH.....	Clinton.....	Sampson.
L. M. BLUE.....	Gibson.....	Scotland.
L. H. BOST.....	Big Lick.....	Stanly.
D. V. CARROLL.....	Mizpah.....	Stokes.
MATTHEW H. NORMAN.....	Rusk, R. F. D.....	Surry.
J. U. GIBBS.....	Whittier.....	Swain.
C. B. DEAYER.....	Brevard.....	Transylvania.
J. CHARLES MEEKINS.....	Columbia.....	Tyrrell.
J. C. M. VANN.....	Monroe.....	Union.
W. G. LONG.....	Monroe.....	Union.
R. G. KITRELL.....	Henderson.....	Vance.

REPRESENTATIVES—Continued.

NAME.	POSTOFFICE.	COUNTY.
CLYDE A. DOUGLASS.....	Raleigh.....	Wake.
A. T. SMITH.....	Holly Springs.....	Wake.
D. B. HARRISON.....	Eagle Rock.....	Wake.
DR. P. J. MACON.....	Warrenton.....	Warren.
A. W. SWAIN.....	Plymouth.....	Washington.
A. W. SMITH.....	Mabel.....	Watauga.
M. H. ALLEN.....	Goldsboro.....	Wayne.
F. R. MINTZ.....	Mt. Olive.....	Wayne.
T. S. BRYAN.....	Trap Hill.....	Wilkes.
JOHN L. BAILEY.....	Elm City.....	Wilson.
S. C. WILLIAMS.....	Yadkinville.....	Yadkin.
G. PENLEY DEYTON.....	Toecane.....	Yancey.

HOUSE OFFICERS.

NAME.	POSITION.	COUNTY.
E. R. WOOTEN.....	Speaker.....	Lenoir.
T. G. COBB.....	Principal Clerk.....	Burke.
D. P. DELLINGER.....	Reading Clerk.....	Gaston.
D. M. KINSLAND.....	Engrossing Clerk.....	Haywood.
J. H. MORING.....	Sergeant-at-Arms.....	Wake.

ENROLLING DEPARTMENT.

NAME.	POSITION.	COUNTY.
EDMUND B. NORVELL.....	Chief Clerk.....	Cherokee.
J. W. JENKINS.....	Assistant.....	Macon.
MRS. J. M. WINFREE.....	Assistant.....	Wake.

COMMISSIONERS OF AFFIDAVITS FOR NORTH CAROLINA
RESIDENT IN OTHER STATES.

NAME.	ADDRESS.	EXPIRATION OF TERM.
THOS. CATO WORSFOLD	9 Staple Inn, London, E. C.....	June 7, 1915
E. G. BAGLEY.....	Danville, Va.....	Mar. 17, 1916
J. L. BAGLEY.....	Danville, Va.....	Feb. 24, 1916
J. WALTER HOSIER.....	Suffolk, Va.....	Jan. 2, 1917
W. P. JORDAN, JR.....	Norfolk, Va.....	May 9, 1915
WM. T. SHANNONHOUSE.....	Norfolk, Va.....	Mar. 4, 1916
IRMA L. GRAVES.....	Danville, Va.....	Feb. 16, 1917
W. H. BARKER.....	Danville, Va.....	Mar. 25, 1916
ROBERT GILLIAM.....	Petersburg, Va.....	Aug. 4, 1915
C. E. HOLLAND.....	Danville, Va.....	Apr. 27, 1916
G. B. MOUNTCASTLE.....	Richmond, Va.....	July 23, 1915
GEO. H. COREY.....	56 Wall St., New York.....	Oct. 18, 1915
CHAS. E. A. MCCARTHEY.....	New York City.....	June 17, 1916
ISAAC R. HITT.....	Washington, D. C.....	July 20, 1916
PEARCE HORNE.....	Washington, D. C.....	Apr. 7, 1916
ROBT. E. MCNAMARA.....	Washington, D. C.....	Dec. 19, 1916
THOMAS J. HUNT.....	Philadelphia, Pa.....	Nov. 20, 1915
KINLEY J. TENNER.....	Philadelphia, Pa.....	Oct. 15, 1915
JOHN S. WURTS.....	Philadelphia, Pa.....	Sept. 11, 1916
WM. E. SCHULL.....	Baltimore, Md.....	Nov. 14, 1915

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CONSTITUTION
OF THE
STATE OF NORTH CAROLINA

PREAMBLE.

We, the people of the State of North Carolina, grateful to Al-Preamble.
mighty God, the Sovereign Ruler of Nations, for the preservation
of the American Union, and the existence of our civil, political and
religious liberties, and acknowledging our dependence upon Him
for the continuance of those blessings to us and our posterity, do,
for the more certain security thereof, and for the better govern-
ment of this State, ordain and establish this Constitution:

ARTICLE I.

DECLARATION OF RIGHTS.

That the great, general and essential principles of liberty and
free government may be recognized and established, and that the
relations of this State to the Union and Government of the
United States, and those of the people of this State to the rest
of the American people, may be defined and affirmed, we do de-
clare:

SECTION 1. That we hold it to be self-evident that all men are
created equal; that they are endowed by their creator with cer-
tain inalienable rights; that among these are life, liberty, the en-
joyment of the fruits of their own labor, and the pursuit of hap-
piness. The equality and
rights of man.

SEC. 2. That all political power is vested in, and derived from
the people; all government of right originates from the people, is
founded upon their will only, and is instituted solely for the good
of the whole. Political power
and government.

SEC. 3. That the people of this State have the inherent, sole,
and exclusive right of regulating the internal government and
police thereof, and of altering and abolishing their Constitution
and form of government whenever it may be necessary for their
safety and happiness; but every such right should be exercised in
pursuance of law, and consistently with the Constitution of the
United States. Internal govern-
ment of the State.

SEC. 4. That this State shall ever remain a member of the
American Union; that the people thereof are a part of the
American Nation; that there is no right on the part of the State
to secede, and that all attempts from whatever source or upon
whatever pretext to dissolve said Union, or to sever said Nation,
ought to be resisted with the whole power of the State. That there is no
right to secede.

Of allegiance to the U. S. Government.

SEC. 5. That every citizen of this State owes paramount allegiance to the Constitution and Government of the United States, and that no law or ordinance of the State in contravention or subversion thereof can have any binding force.

Public debt.

SEC. 6. The State shall never assume or pay, or authorize the collection of any debt or obligation, express or implied, incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; nor shall the General Assembly assume or pay, or authorize the collection of any tax to pay, either directly or indirectly, expressed or implied, any debt or bond incurred, or issued, by authority of the Convention of the year one thousand eight hundred and sixty-eight, nor any debt or bond incurred or issued by the Legislature of the year one thousand eight hundred and sixty-eight, at its special session of the year one thousand eight hundred and sixty-eight, or at its regular sessions of the years one thousand eight hundred and sixty-eight and one thousand eight hundred and sixty-nine and one thousand eight hundred and seventy, except the bonds issued to fund the interest on the old debt of the State, unless the proposing to pay the same shall have first been submitted to the people and by them ratified by the vote of a majority of all the qualified voters of the State, at a regular election held for that purpose.

Exception.

Exclusive emoluments, etc.

SEC. 7. No men or set of men are entitled to exclusive or separate emoluments or privileges from the community but in consideration of public services.

The legislative, executive and judicial powers distinct.

SEC. 8. The legislative, executive and supreme judicial powers of the government ought to be forever separate and distinct from each other.

Of the power of suspending laws.

SEC. 9. All power of suspending laws, or the execution of laws, by any authority, without the consent of the representatives of the people, is injurious to their rights, and ought not to be exercised.

Elections free.

SEC. 10. All elections ought to be free.

In criminal prosecutions.

SEC. 11. In all criminal prosecutions, every man has the right to be informed of the accusation against him and to confront the accusers and witnesses with other testimony, and to have counsel for his defense, and not be compelled to give evidence against himself or to pay costs, jail fees, or necessary witness fees of the defense, unless found guilty.

Answers to criminal charges.

SEC. 12. No person shall be put to answer any criminal charge, except as hereinafter allowed, but by indictment, presentment, or impeachment.

Right of jury.

SEC. 13. No person shall be convicted of any crime but by the unanimous verdict of a jury of good and lawful men in open court. The Legislature may, however, provide other means of trial for petty misdemeanors, with the right of appeal.

Excessive bail.

SEC. 14. Excessive bail should not be required, nor excessive fines imposed, nor cruel or unusual punishments inflicted.

SEC. 15. General warrants, whereby any officer or messenger may be commanded to search suspected places, without evidence of the act committed, or to seize any person or persons not named, whose offense is not particularly described and supported by evidence, are dangerous to liberty and ought not to be granted. General warrants.

SEC. 16. There shall be no imprisonment for debt in this State, except in cases of fraud. Imprisonment for debt.

SEC. 17. No person ought to be taken, imprisoned, or disseized of his freehold, liberties, or privileges, or outlawed or exiled, or in any manner deprived of his life, liberty or property, but by the law of the land. No person to be taken, etc., but by law of the land.

SEC. 18. Every person restrained of his liberty is entitled to a remedy to inquire into the lawfulness thereof, and to remove the same if unlawful; and such remedy ought not to be denied or delayed. Persons restrained of liberty.

SEC. 19. In all controversies at law respecting property, the ancient mode of trial by jury is one of the best securities of the rights of the people, and ought to remain sacred and inviolable. Controversies at law respecting property.

SEC. 20. The freedom of the press is one of the great bulwarks of liberty, and therefore ought never to be restrained, but every individual shall be held responsible for the abuse of the same. Freedom of the press.

SEC. 21. The privileges of the writ of *habeas corpus* shall not be suspended. Habeas corpus.

SEC. 22. As political rights and privileges are not dependent upon, or modified by, property, therefore, no property qualification ought to affect the right to vote or hold office. Property qualification.

SEC. 23. The people of the State ought not to be taxed, or made subject to the payment of any impost or duty, without the consent of themselves, or their representatives in General Assembly, freely given. Representation and taxation.

SEC. 24. A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed; and, as standing armies in time of peace are dangerous to liberty, they ought not to be kept up, and the military should be kept under strict subordination to, and governed by, the civil power. Nothing herein contained shall justify the practice of carrying concealed weapons, or prevent the Legislature from enacting penal statutes against said practice. Militia and the right to bear arms.

SEC. 25. The people have a right to assemble together to consult for their common good, to instruct their representatives, and to apply to the Legislature for redress of grievances. But secret political societies are dangerous to the liberties of a free people and should not be tolerated. Right of the people to assemble together.

SEC. 26. All men have a natural and inalienable right to worship Almighty God according to the dictates of their own consciences, and no human authority should, in any case whatever, control or interfere with the rights of conscience. Religious liberty.

- Education. SEC. 27. The people have the right to the privilege of education and it is the duty of the State to guard and maintain that right.
- Elections should be frequent. SEC. 28. For redress of grievances, and for amending and strengthening the laws, elections should be often held.
- Recurrence to fundamental principles. SEC. 29. A frequent recurrence to fundamental principles is absolutely necessary to preserve the blessings of liberty.
- Hereditary emoluments, etc. SEC. 30. No hereditary emoluments, privileges or honors ought to be granted or conferred in this State.
- Perpetuities, etc. SEC. 31. Perpetuities and monopolies are contrary to the genius of a free State, and ought not to be allowed.
- Ex post facto laws. SEC. 32. Retrospective laws, punishing acts committed before the existence of such laws, and by them only declared criminal, are oppressive, unjust and incompatible with liberty; wherefore no *ex post facto* law ought to be made. No law taxing retrospectively sales, purchases, or other acts previously done, ought to be passed.
- Slavery prohibited. SEC. 33. Slavery and involuntary servitude, otherwise than for crime, whereof the parties shall have been duly convicted, shall be and are hereby forever prohibited within the State.
- State boundaries. SEC. 34. The limits and boundaries of the State shall be and remain as they now are.
- Courts shall be open. SEC. 35. All courts shall be open; and every person for an injury done him in his lands, goods, person or reputation, shall have remedy by due course of law, and right and justice administered without sale, denial or delay.
- Soldiers in time of peace. SEC. 36. No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war but in a manner prescribed by the law.
- Other rights of the people. SEC. 37. This enumeration of rights shall not be construed to impair or deny others retained by the people; and all powers not herein delegated remain with the people.

ARTICLE II.

LEGISLATIVE DEPARTMENT.

- Two branches. SECTION 1. The legislative authority shall be vested in two distinct branches, both dependent on the people, to wit, a Senate and House of Representatives.
- Time of assembling. SEC. 2. The Senate and House of Representatives shall meet biennially on the first Wednesday after the first Monday in January next after their election; and, when assembled, shall be denominated the General Assembly. Neither house shall proceed upon public business unless a majority of all the members are actually present.
- Number of senators. SEC. 3. The Senate shall be composed of fifty senators, biennially chosen by ballot.
- Regulations in relation to districting the State for senators. SEC. 4. The Senate Districts shall be so altered by the General Assembly, at the first session after the return of every enumeration by order of Congress, that each Senate District shall con-

tain, as near as may be, an equal number of inhabitants, excluding aliens and Indians not taxed, and shall remain unaltered until the return of another enumeration, and shall at all times consist of contiguous territory; and no county shall be divided in the formation of a Senate district, unless such county shall be equitably entitled to two or more Senators.

SEC. 5. The House of Representatives shall be composed of one hundred and twenty Representatives, biennially chosen by ballot, to be elected by the counties respectively, according to their population, and each county shall have at least one representative in the House of Representatives, although it may not contain the requisite ratio of representation. This apportionment shall be made by the General Assembly at the respective times and periods when the districts of the Senate are hereinbefore directed to be laid off.

Regulations in relation to apportionment of representatives.

SEC. 6. In making the apportionment in the House of Representatives, the ratio of representation shall be ascertained by dividing the amount of the population of the State, exclusive of that comprehended within those counties which do not severally contain the one hundred and twentieth part of the population of the State, by the number of Representatives, less the number assigned to such counties, and in ascertaining the number of the population of the State, aliens and Indians not taxed shall not be included. To each county containing the said ratio and not twice the said ratio, there shall be assigned one Representative; to each county containing two but not three times the said ratio, there shall be assigned two Representatives, and so on progressively, and then the remaining Representatives shall be assigned severally to the counties having the largest fractions.

Ratio of representation.

SEC. 7. Each member of the Senate shall not be less than twenty-five years of age, shall have resided in the State as a citizen two years, and shall have usually resided in the district for which he is chosen one year immediately preceding his election.

Qualifications for senators.

SEC. 8. Each member of the House of Representatives shall be a qualified elector of the State, and shall have resided in the county for which he is chosen for one year immediately preceding his election.

Qualifications for representatives.

SEC. 9. In the election of all officers whose appointment shall be conferred upon the General Assembly by the Constitution, the vote shall be *viva voce*.

Election of officers.

SEC. 10. The General Assembly shall have the power to pass general laws regulating divorce and alimony, but shall not have power to grant a divorce or secure alimony in any individual case.

Powers in relation to divorce and alimony.

SEC. 11. The General Assembly shall not have power to pass any private law to alter the name of any person, or to legitimate any person not born in lawful wedlock, or to restore to the rights of citizenship any person convicted of an infamous crime, but shall have power to pass general laws regulating the same.

Private laws in relation to names of persons, etc.

- Thirty days' notice shall be given anterior to passage of private laws. SEC. 12. The General Assembly shall not pass any private law, unless it shall be made to appear that thirty days' notice of application to pass such a law shall have been given, under such direction and in such manner as shall be provided by law.
- Vacancies. SEC. 13. If vacancies shall occur in the General Assembly by death, resignation or otherwise, writs of election shall be issued by the Governor under such regulations as may be prescribed by law.
- Revenue. SEC. 14. No law shall be passed to raise money on the credit of the State, or to pledge the faith of the State, directly or indirectly, for the payment of any debt, or to impose any tax upon the people of the State, or allow the counties, cities or towns to do so, unless the bill for the purpose shall have been read three several times in each house of the General Assembly and passed three several readings, which readings shall have been on three different days, and agreed to by each house, respectively, and unless the yeas and nays on the second and third readings of the bill shall have been entered on the Journal.
- Entails. SEC. 15. The General Assembly shall regulate entails in such manner as to prevent perpetuities.
- Journals. SEC. 16. Each house shall keep a journal of its proceedings, which shall be printed and made public immediately after the adjournment of the General Assembly.
- Protest. SEC. 17. Any member of either house may dissent from and protest against any act or resolve which he may think injurious to the public, or any individual, and have the reasons of his dissent entered on the Journal.
- Officers of the House. SEC. 18. The House of Representatives shall choose their own Speaker and other officers.
- President of the Senate. SEC. 19. The Lieutenant Governor shall preside in the Senate, but shall have no vote unless it may be equally divided.
- Other senatorial officers. SEC. 20. The Senate shall choose its other officers and also a Speaker (*pro tempore*) in the absence of the Lieutenant Governor, or when he shall exercise the office of Governor.
- Style of the acts. SEC. 21. The style of the acts shall be: "The General Assembly of North Carolina do enact."
- Powers of the General Assembly. SEC. 22. Each house shall be judge of the qualifications and election of its own members, shall sit upon its own adjournment from day to day, prepare bills to be passed into laws; and the two houses may also jointly adjourn to any future day or other place.
- Bills and resolutions to be read three times, etc. SEC. 23. All bills and resolutions of a legislative nature shall be read three times in each house before they pass into laws, and shall be signed by the presiding officers of both houses.
- Oath of members. SEC. 24. Each member of the General Assembly, before taking his seat, shall take an oath or affirmation that he will support the Constitution and laws of the United States, and the Constitution of the State of North Carolina, and will faithfully discharge his duty as a member of the Senate or House of Representatives.

SEC. 25. The terms of office for Senators and members of the House of Representatives shall commence at the time of their election. Terms of office.

SEC. 26. Upon motion made and seconded in either house by one-fifth of the members present, the yeas and nays upon any question shall be taken and entered upon the journals. Yeas and nays.

SEC. 27. The election for members of the General Assembly shall be held for the respective districts and counties, at the places where they are now held, or may be directed hereafter to be held, in such manner as may be prescribed by law, on the first Thursday in August, in the year one thousand eight hundred and seventy, and every two years thereafter. But the General Assembly may change the time of holding the elections. Election for members of the General Assembly.

SEC. 28. The members of the General Assembly for the term for which they have been elected shall receive as a compensation for their services the sum of four dollars per day for each day of their session, for a period not exceeding sixty days; and should they remain longer in session they shall serve without compensation. They shall also be entitled to receive ten cents per mile, both while coming to the seat of government and while returning home, the said distance to be computed by the nearest line or route of public travel. The compensation of the presiding officers of the two houses shall be six dollars per day and mileage. Should an extra session of the General Assembly be called, the members and presiding officers shall receive a like rate of compensation for a period not exceeding twenty days. Pay of members and officers of the General Assembly.
Extra session.

ARTICLE III.

EXECUTIVE DEPARTMENT.

SECTION 1. The Executive Department shall consist of a Governor, in whom shall be vested the supreme executive power of the State; a Lieutenant Governor, a Secretary of State, an Auditor, a Treasurer, a Superintendent of Public Instruction, and an Attorney-General, who shall be elected for a term of four years by the qualified electors of the State, at the same time and places and in the same manner as members of the General Assembly are elected. Their term of office shall commence on the first day of January next after their election, and continue until their successors are elected and qualified: *Provided*, that the officers first elected shall assume the duties of their office ten days after the approval of this Constitution by the Congress of the United States, and shall hold their offices four years from and after the first day of January. Officers of the Executive Department.
Terms of office.

SEC. 2. No person shall be eligible as Governor or Lieutenant Governor unless he shall have attained the age of thirty years, shall have been a citizen of the United States five years, and shall have been a resident of this State for two years next before the election; nor shall the person elected to either of these two offices be eligible to the same office more than four years in any term Qualifications of Governor and Lieutenant Governor.

of eight years, unless the office shall have been cast upon him as Lieutenant Governor or President of the Senate.

Returns of elections.

SEC. 3. The return of every election for officers of the Executive Department shall be sealed up and transmitted to the seat of government by the returning officers, directed to the Speaker of the House of Representatives, who shall open and publish the same in the presence of a majority of the members of both houses of the General Assembly. The persons having the highest number of votes respectively shall be declared duly elected; but if two or more be equal and highest in votes for the same office, then one of them shall be chosen by joint ballot of both houses of the General Assembly. Contested elections shall be determined by a joint ballot of both houses of the General Assembly in such manner as shall be prescribed by law.

Oath of office for Governor.

SEC. 4. The Governor, before entering upon the duties of his office, shall, in the presence of the members of both branches of the General Assembly, or before any Justice of the Supreme Court, take an oath or affirmation that he will support the Constitution and laws of the United States, and of the State of North Carolina, and that he will faithfully perform the duties appertaining to the office of Governor, to which he has been elected.

Duties of Governor.

SEC. 5. The Governor shall reside at the seat of government of this State, and he shall, from time to time, give the General Assembly information of the affairs of the State, and recommend to their consideration such measures as he shall deem expedient.

Reprieves, commutations and pardons.

SEC. 6. The Governors shall have power to grant reprieves, commutations, and pardons, after conviction, for all offenses (except in cases of impeachment), upon such conditions as he may think proper, subject to such regulations as may be provided by law relative to the manner of applying for pardons. He shall biennially communicate to the General Assembly each case of reprieve, commutation, or pardon granted, stating the name of each convict, the crime for which he was convicted, the sentence and its date, the date of the commutation, pardon, or reprieve and the reasons therefor.

Annual reports from officers of Executive Department and of public institutions.

SEC. 7. The officers of the Executive Department and of the public institutions of the State shall, at least five days previous to each regular session of the General Assembly, severally report to the Governor, who shall transmit such reports with his message to the General Assembly; and the Governor may, at any time, require information in writing from the officers in the Executive Department upon any subject relating to the duties of their respective offices, and shall take care that the laws be faithfully executed.

Commander in chief.

SEC. 8. The Governor shall be commander in chief of the militia of the State, except when they shall be called into the service of the United States.

Extra sessions of General Assembly.

SEC. 9. The Governor shall have power, on extraordinary occasions, by and with the advice of the Council of State, to convene

the General Assembly in extra session by his proclamation, stating therein the purpose or purposes for which they are thus convened.

SEC. 10. The Governor shall nominate and, by and with the advice and consent of a majority of the Senators-elect, appoint all officers whose offices are established by this Constitution and whose appointments are not otherwise provided for.

Officers whose appointments are not otherwise provided for.

SEC. 11. The Lieutenant Governor shall be President of the Senate, but shall have no vote unless the Senate be equally divided. He shall, whilst acting as President of the Senate, receive for his services the same pay which shall, for the same period, be allowed to the Speaker of the House of Representatives; and he shall receive no other compensation except when he is acting as Governor.

Duties of the Lieutenant Governor.

SEC. 12. In case of the impeachment of the Governor, his failure to qualify, his absence from the State, his inability to discharge the duties of his office, or, in case the office of Governor shall in any wise become vacant, the powers, duties and emoluments of the office shall devolve upon the Lieutenant Governor until the disability shall cease or a new Governor shall be elected, and qualified. In every case in which the Lieutenant Governor shall be unable to preside over the Senate, the Senators shall elect one of their own number President of their body; and the powers, duties and emoluments of the office of Governor shall devolve upon him whenever the Lieutenant Governor shall, for any reason, be prevented from discharging the duties of such office as above provided, and he shall continue as acting Governor until the disabilities are removed, or a new Governor or Lieutenant Governor shall be elected and qualified. Whenever, during the recess of the General Assembly, it shall become necessary for the President of the Senate to administer the government, the Secretary of State shall convene the Senate, that they may select such President.

In case of impeachment of Governor, or vacancy caused by death or resignation.

SEC. 13. The respective duties of the Secretary of State, Auditor, Treasurer, Superintendent of Public Instruction, and Attorney-General shall be prescribed by law. If the office of any of said officers shall be vacated by death, resignation or otherwise, it shall be the duty of the Governor to appoint another until the disability be removed or his successor be elected and qualified. Every such vacancy shall be filled by election at the first general election that occurs more than thirty days after the vacancy has taken place, and the person chosen shall hold the office for the remainder of the unexpired term fixed in the first section of this article.

Duties of other executive officers.

SEC. 14. The Secretary of State, Auditor, Treasurer, and Superintendent of Public Instruction shall constitute, *ex officio*, the Council of State, who shall advise the Governor in the execution of his office, any three of whom shall constitute a quorum. Their advice and proceedings in this capacity shall be entered in a journal to be kept for this purpose exclusively, and signed by the

Council of State.

members present, from any part of which any member may enter his dissent; and such journal shall be placed before the General Assembly when called for by either house. The Attorney-General shall be, *ex officio*, the legal adviser of the Executive Department.

Compensation of executive officers.

SEC. 15. The officers mentioned in this article shall, at stated periods, receive for their services a compensation to be established by law, which shall neither be increased nor diminished during the time for which they shall have been elected, and the said officers shall receive no other emolument or allowance whatever.

Seal of State.

SEC. 16. There shall be a seal of the State, which shall be kept by the Governor, and used by him as occasion may require, and shall be called "The Great Seal of the State of North Carolina." All grants and commissions shall be issued in the name and by the authority of the State of North Carolina, sealed with "The Great Seal of the State," signed by the Governor and countersigned by the Secretary of State.

Department of Agriculture, Immigration and Statistics.

SEC. 17. The General Assembly shall establish a Department of Agriculture, Immigration, and Statistics, under such regulations as may best promote the agricultural interests of the State, and shall enact laws for the adequate protection and encouragement of sheep husbandry.

ARTICLE IV.

JUDICIAL DEPARTMENT.

Abolishes the distinction between actions at law and suits in equity.

SECTION 1. The distinctions between actions at law and suits in equity, and the forms of all such actions and suits, shall be abolished; and there shall be in this State but one form of action for the enforcement or protection of private rights or the redress of private wrongs, which shall be denominated a civil action; and every action prosecuted by the people of the State as a party against a person charged with a public offense, for the punishment of the same, shall be termed a criminal action. Feigned issues shall also be abolished, and the fact at issue tried by order of court before a jury.

Feigned issues abolished.

Division of judicial powers.

SEC. 2. The judicial power of the State shall be vested in a Court for the Trial of Impeachments, a Supreme Court, Superior Courts, Courts of Justices of the Peace, and such other courts inferior to the Supreme Court as may be established by law.

Trial Court of Impeachment.

SEC. 3. The Court for the Trial of Impeachments shall be the Senate. A majority of the members shall be necessary to a quorum, and the judgment shall not extend beyond removal from, and disqualification to hold office in this State; but the party shall be liable to indictment and punishment according to law.

Impeachment.

SEC. 4. The House of Representatives solely shall have the power of impeaching. No person shall be convicted without the concurrence of two-thirds of the Senators present. When the Governor is impeached, the Chief Justice shall preside.

SEC. 5. Treason against the State shall consist only in levying war against it, or adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court. No conviction of treason or attainder shall work corruption of blood or forfeiture.

Treason against the State.

SEC. 6. The Supreme Court shall consist of a Chief Justice and four Associate Justices.

Supreme Court Justices.

SEC. 7. The terms of the Supreme Court shall be held in the city of Raleigh, as now, unless otherwise provided by the General Assembly.

Terms of the Supreme Court.

SEC. 8. The Supreme Court shall have jurisdiction to review, upon appeal, any decision of the courts below, upon any matter of law or legal inference. And the jurisdiction of said court over "issues of fact" and "questions of fact" shall be the same exercised by it before the adoption of the Constitution of one thousand eight hundred and sixty-eight, and the court shall have the power to issue any remedial writs necessary to give it a general supervision and control over the proceedings of the inferior courts.

Jurisdiction of Supreme Court.

SEC. 9. The Supreme Court shall have original jurisdiction to hear claims against the State, but its decisions shall be merely recommendatory; no process in the nature of execution shall issue thereon; they shall be reported to the next session of the General Assembly for its action.

Claims against the State.

SEC. 10. The State shall be divided into nine judicial districts, for each of which a Judge shall be chosen; and there shall be held a Superior Court in each county at least twice in each year, to continue for such time in each county as may be prescribed by law. But the General Assembly may reduce or increase the number of districts.

Judicial districts for Superior Courts.

SEC. 11. Every Judge of the Superior Court shall reside in the district for which he is elected. The Judges shall preside in the courts of the different districts successively, but no Judge shall hold the courts in the same district oftener than once in four years; but in case of the protracted illness of the Judge assigned to preside in any district, or of any other unavoidable accident to him, by reason of which he shall be unable to preside, the Governor may require any Judge to hold one or more specified terms in said district, in lieu of the Judge assigned to hold the courts of the said district.

Residences of judges, rotation in judicial districts and special terms.

SEC. 12. The General Assembly shall have no power to deprive the Judicial Department of any power or jurisdiction which rightfully pertains to it as a coördinate department of the Government; but the General Assembly shall allot and distribute that portion of this power and jurisdiction which does not pertain to the Supreme Court among the other courts prescribed in this Constitution or which may be established by law, in such manner as it may deem best; provide, also, a proper system of appeals,

Jurisdiction of courts inferior to Supreme Court.

and regulate by law, when necessary, the methods of proceeding, in the exercise of their powers, of all the courts below the Supreme Court, so far as the same may be done without conflict with other provisions of this Constitution.

In case of waiver of trial by jury.

SEC. 13. In all issues of fact, joined in any court, the parties may waive the right to have the same determined by a jury, in which case the finding of the Judge upon the facts shall have the force and effect of a verdict by a jury.

Special courts in cities.

SEC. 14. The General Assembly shall provide for the establishment of special courts, for the trial of misdemeanors, in cities and towns where the same may be necessary.

Clerk of Supreme Court.

SEC. 15. The Clerk of the Supreme Court shall be appointed by the Court, and shall hold his office for eight years.

Election of Superior Court clerk.

SEC. 16. A Clerk of the Superior Court for each county shall be elected by the qualified voters thereof, at the time and in the manner prescribed by law for the election of members of the General Assembly.

Term of office.

SEC. 17. Clerks of the Superior Courts shall hold their offices for four years.

Fees, salaries and emoluments.

SEC. 18. The General Assembly shall prescribe and regulate the fees, salaries and emoluments of all officers provided for in this article; but the salaries of the Judges shall not be diminished during their continuance in office.

What laws are and shall be in force.

SEC. 19. The laws of North Carolina, not repugnant to this Constitution, or the Constitution and laws of the United States, shall be in force until lawfully altered.

Disposition of actions at law and suits in equity pending when this Constitution shall go into effect, etc.

SEC. 20. Actions at law, and suits in equity, pending when this Constitution shall go into effect, shall be transferred to the courts having jurisdiction thereof, without prejudice by reason of the change; and all such actions and suits commenced before, and pending at the adoption by the General Assembly of the rules of practice and procedure herein provided for, shall be heard and determined according to the practice now in use, unless otherwise provided for by said rules.

Justices Supreme Court, election of.

SEC. 21. The Justices of the Supreme Court shall be elected by the qualified voters of the State, as is provided for the election of members of the General Assembly. They shall hold their offices for eight years. The judges of the Superior Courts, elected at the first election under this amendment, shall be elected in like manner as is provided for Justices of the Supreme Court, and shall hold their offices for eight years. The General Assembly may, from time to time, provide by law that the Judges of the Superior Courts, chosen at succeeding elections, instead of being elected by the voters of the whole State, as is herein provided for, shall be elected by the voters of their respective districts.

Judges of Superior Courts, election of.

Transaction of business in the Superior Court.

SEC. 22. The Superior Courts shall be at all times open for the transaction of all business within their jurisdiction, except the trial of issues of fact requiring a jury.

SEC. 23. A Solicitor shall be elected for each judicial district by the qualified voters thereof, as is prescribed for members of the General Assembly, who shall hold office for the term of four years, and prosecute on behalf of the State, in all criminal actions in the Superior Courts, and advise the officers of justice in his district. Solicitors for each judicial district.

SEC. 24. In each county a sheriff and coroner shall be elected by the qualified voters thereof, as is prescribed for members of the General Assembly, and shall hold their offices for two years. In each township there shall be a constable elected in like manner by the voters thereof, who shall hold his office for two years. When there is no coroner in a county, the Clerk of the Superior Court for the county may appoint one for special cases. In case of a vacancy existing for any cause in any of the offices created by this section, the commissioners of the county may appoint to such office for the unexpired term. Sheriffs and coroners.

SEC. 25. All vacancies occurring in the offices provided for by this article of the Constitution shall be filled by the appointment of the Governor, unless otherwise provided for, and the appointees shall hold their places until the next regular election for members of the General Assembly, when elections shall be held to fill such offices. If any person, elected or appointed to any of said offices, shall neglect and fail to qualify, such offices shall be appointed to, held and filled as provided in case of vacancies occurring therein. All incumbents of said offices shall hold until their successors are qualified. Vacancies.

SEC. 26. The officers elected at the first election held under this Constitution shall hold their offices for the terms prescribed for them respectively, next ensuing after the next regular election for members of the General Assembly. But their terms shall begin upon the approval of this Constitution by the Congress of the United States. Terms of office of first officers under this Constitution.

SEC. 27. The several justices of the peace shall have jurisdiction, under such regulations as the General Assembly shall prescribe, of civil actions, founded on contract, wherein the sum demanded shall not exceed two hundred dollars, and wherein the title to real estate shall not be in controversy; and of all criminal matters arising within their counties where the punishment cannot exceed a fine of fifty dollars or imprisonment for thirty days. And the General Assembly may give to justices of the peace jurisdiction of other civil actions wherein the value of the property in controversy does not exceed fifty dollars. When an issue of fact shall be joined before a justice, on demand of either party thereto, he shall cause a jury of six men to be summoned, who shall try the same. The party against whom judgment shall be rendered in any civil action may appeal to the Superior Court from the same. In all cases of a criminal nature, the party against whom judgment is given may appeal to the Superior Court, where the matter shall be heard anew. In all cases Jurisdiction of justices of the peace.

brought before a justice, he shall make a record of the proceedings and file same with the Clerk of the Superior Court for his county.

Vacancies in
office of justices.

SEC. 28. When the office of justice of the peace shall become vacant otherwise than by expiration of the term, and in case of a failure by the voters of any district to elect, the Clerk of the Superior Court for the county shall appoint to fill the vacancy for the unexpired term.

Vacancies in
office of Superior
Court clerk.

SEC. 29. In case the office of Clerk of a Superior Court for a county shall become vacant otherwise than by the expiration of the term, and in case of a failure by the people to elect, the Judge of the Superior Court for the county shall appoint to fill the vacancy until an election can be regularly held.

Officers of other
courts inferior to
Supreme Court.

SEC. 30. In case the General Assembly shall establish other courts inferior to the Supreme Court, the presiding officers and clerks thereof shall be elected in such manner as the General Assembly may from time to time prescribe, and they shall hold their offices for a term not exceeding eight years.

Removal of
judges of the
various courts for
inability.

SEC. 31. Any Judge of the Supreme Court, or of the Superior Courts, and the presiding officers of such courts inferior to the Supreme Court as may be established by law, may be removed from office for mental or physical inability, upon a concurrent resolution of two-thirds of both houses of the General Assembly. The Judge or presiding officer, against whom the General Assembly may be about to proceed, shall receive notice thereof, accompanied by a copy of the causes alleged for his removal, at least twenty days before the day on which either house of the General Assembly shall act thereon.

Removal of
clerks of the va-
rious courts for
inability.

SEC. 32. Any Clerk of the Supreme Court, or of the Superior Courts, or of such courts inferior to the Supreme Court as may be established by law, may be removed from office for mental or physical inability; the Clerk of the Supreme Court by the Judges of said Court, the Clerks of the Superior Courts by the Judge riding the district, and the clerks of such courts inferior to the Supreme Court as may be established by law by the presiding officers of said courts. The clerk against whom proceedings are instituted shall receive notice thereof, accompanied by a copy of the causes alleged for his removal, at least ten days before the day appointed to act thereon, and the clerk shall be entitled to an appeal to the next term of the Superior Court, and thence to the Supreme Court as provided in other cases of appeals.

Amendments not
to vacate existing
offices.

SEC. 33. The amendments made to the Constitution of North Carolina by this Convention shall not have the effect to vacate any office or term of office now existing under the Constitution of the State and filled or held by virtue of any election or appointment under the said Constitution and the laws of the State made in pursuance thereof.

ARTICLE V.

REVENUE AND TAXATION.

SECTION 1. The General Assembly shall levy a capitation tax on every male inhabitant in the State over twenty-one and under fifty years of age, which shall be equal on each to the tax on property valued at three hundred dollars in cash. The commissioners of the several counties may exempt from capitation tax in special cases, on account of poverty and infirmity, and the State and county capitation tax combined shall never exceed two dollars on the head.

Capitation tax.

Exemptions.

SEC. 2. The proceeds of the State and county capitation tax shall be applied to the purposes of education and the support of the poor, but in no one year shall more than twenty-five per cent thereof be appropriated to the latter purpose.

Application of proceeds of State and county capitation tax.

SEC. 3. Laws shall be passed taxing, by a uniform rule, all moneys, credits, investments in bonds, stocks, joint-stock companies, or otherwise; and, also, all real and personal property, according to its true value in money. The General Assembly may also tax trades, professions, franchises, and incomes: *Provided*, that no income shall be taxed when the property from which the income is derived is taxed.

Taxation shall be by uniform rule and ad valorem.

SEC. 4. Until the bonds of the State shall be at par, the General Assembly shall have no power to contract any new debt or pecuniary obligation in behalf of the State, except to supply a casual deficit, or for suppressing invasion or insurrection, unless it shall in the same bill levy a special tax to pay the interest annually. And the General Assembly shall have no power to give or lend the credit of the State in aid of any person, association or corporation, except to aid in the completion of such railroads as may be unfinished at the time of the adoption of this Constitution, or in which the State has a direct pecuniary interest, unless the subject be submitted to a direct vote of the people of the State, and be approved by a majority of those who shall vote thereon.

Restrictions upon the increase of the public debt, except in certain contingencies.

SEC. 5. Property belonging to the State, or to municipal corporations, shall be exempt from taxation. The General Assembly may exempt cemeteries and property held for educational, scientific, literary, charitable or religious purposes; also wearing apparel, arms for muster, household and kitchen furniture, the mechanical and agricultural implements of mechanics and farmers, libraries and scientific instruments, or any other personal property, to a value not exceeding three hundred dollars.

Property exemptions from taxation.

SEC. 6. The taxes levied by the commissioners of the several counties for county purposes shall be levied in like manner with the State taxes, and shall never exceed the double of the State tax, except for a special purpose, and with the special approval of the General Assembly.

Taxes levied by county commissioners.

Acts levying taxes shall state object, etc.

SEC. 7. Every act of the General Assembly levying a tax shall state the special object to which it is to be applied, and it shall be applied to no other purpose.

ARTICLE VI.

SUFFRAGE AND ELIGIBILITY TO OFFICE.

Qualifications of elector.

SECTION 1. Every male person born in the United States, and every male person who has been naturalized, twenty-one years of age, and possessing the qualifications set out in this article, shall be entitled to vote at any election by the people in the State, except as herein otherwise provided.

Qualifications of elector.

SEC. 2. He shall have resided in the State of North Carolina for two years, in the county six months, and in the precinct, ward or other election district in which he offers to vote, four months next preceding the election: *Provided*, that removal from one precinct, ward, or other election district, to another in the same county, shall not operate to deprive any person of the right to vote in the precinct, ward or other election district from which he has removed until four months after such removal. No person who has been convicted, or who has confessed his guilt in open court upon indictment, of any crime, the punishment of which now is or may hereafter be imprisonment in the State's Prison, shall be permitted to vote unless the said person shall be first restored to citizenship in the manner prescribed by law.

Qualifications of elector.

SEC. 3. Every person offering to vote shall be at the time a legally registered voter as herein prescribed and in the manner hereafter provided by law, and the General Assembly of North Carolina shall enact general registration laws to carry into effect the provisions of this article.

General Assembly to provide registration laws.

Qualifications of elector to register and vote.

SEC. 4. Every person presenting himself for registration shall be able to read and write any section of the Constitution in the English language; and before he shall be entitled to vote he shall have paid, on or before the first day of May of the year in which he proposes to vote, his poll tax for the previous year as prescribed by Article V, section 1, of the Constitution. But no male person who was on January 1, 1867, or at any time prior thereto, entitled to vote under the laws of any State in the United States wherein he then resided, and no lineal descendant of any such person, shall be denied the right to register and vote at any election in this State by reason of his failure to possess the educational qualifications herein prescribed: *Provided*, he shall have registered in accordance with the terms of this section prior to December 1, 1908. The General Assembly shall provide for the registration of all persons entitled to vote without the educational qualifications herein prescribed, and shall, on or before November 1, 1908, provide for the making of a permanent record of such registration, and all persons so registered shall forever thereafter have the right to vote in all elections by the people in this State, unless

Registration of persons entitled to vote without educational qualification.

Permanent record.

disqualified under section 2 of this article: *Provided*, such person shall have paid his poll tax as above required.

SEC. 5. That this amendment to the Constitution is presented and adopted as one indivisible plan for the regulation of the suffrage, with the intent and purpose to so connect the different parts and to make them so dependent upon each other that the whole shall stand or fall together. Amendment indivisible.

SEC. 6. All elections by the people shall be by ballot, and all elections by the General Assembly shall be *viva voce*. Elections by people and General Assembly.

SEC. 7. Every voter in North Carolina, except as in this article disqualified, shall be eligible to office, but before entering upon the duties of the office he shall take and subscribe the following oath:

"I,, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as. So help me, God." Oath of office.

SEC. 8. The following classes of persons shall be disqualified for office: *First*, all persons who shall deny the being of Almighty God. *Second*, all persons who shall have been convicted or confessed their guilt on indictment pending, and whether sentenced or not, or under judgment suspended, of any treason or felony, or of any other crime for which the punishment may be imprisonment in the penitentiary, since becoming citizens of the United States, or of corruption or malpractice in office, unless such person shall be restored to the rights of citizenship in a manner prescribed by law. Disqualification for office.

SEC. 9. That this amendment to the Constitution shall go into effect on the first day of July, nineteen hundred and two, if a majority of votes cast at the next general election shall be cast in favor of this suffrage amendment. When amendment to take effect.

ARTICLE VII.

MUNICIPAL CORPORATIONS.

SECTION 1. In each county there shall be elected biennially by the qualified voters thereof, as provided for the election of members of the General Assembly, the following officers: A treasurer, register of deeds, surveyor, and five commissioners. County officers.

SEC. 2. It shall be the duty of the commissioners to exercise a general supervision and control of the penal and charitable institutions, schools, roads, bridges, levying of taxes, and finances of the county, as may be prescribed by law. The register of deeds shall be, *ex officio*, clerk of the board of commissioners. Duty of county commissioners.

SEC. 3. It shall be the duty of the commissioners first elected in each county to divide the same into convenient districts, to determine the boundaries and prescribe the name of the said dis-

tricts, and to report the same to the General Assembly before the first day of January, 1869.

Said districts shall have corporate powers as townships.

SEC. 4. Upon the approval of the reports provided for in the foregoing section by the General Assembly, the said districts shall have corporate powers for the necessary purposes of local government, and shall be known as townships.

Officers of townships.

SEC. 5. In each township there shall be biennially elected by the qualified voters thereof a clerk and two justices of the peace, who shall constitute a board of trustees, and shall, under the supervision of the county commissioners, have control of the taxes and finances, roads and bridges of the townships, as may be prescribed by law. The General Assembly may provide for the election of a larger number of the justices of the peace in cities and towns and in those townships in which cities and towns are situated. In every township there shall also be biennially elected a school committee, consisting of three persons, whose duty shall be prescribed by law.

Trustees shall assess property.

SEC. 6. The township board of trustees shall assess the taxable property of their townships and make return to the county commissioners for revision, as may be prescribed by law. The clerk shall be, *ex officio*, treasurer of the township.

No debt or loan except by a majority of voters.

SEC. 7. No county, city, town or other municipal corporation shall contract any debt, pledge its faith or loan its credit, nor shall any tax be levied or collected by any officers of the same except for the necessary expenses thereof, unless by a vote of the majority of the qualified voters therein.

Drawing of money.

SEC. 8. No money shall be drawn from any county or township treasury except by authority of law.

Taxes to be ad valorem.

SEC. 9. All taxes levied by any county, city, town or township shall be uniform and *ad valorem* upon all property in the same, except property exempted by this Constitution.

When officers enter on duty.

SEC. 10. The county officers first elected under the provisions of this article shall enter upon their duties ten days after the approval of this Constitution by the Congress of the United States.

Governor to appoint justices.

SEC. 11. The Governor shall appoint a sufficient number of justices of the peace in each county, who shall hold their places until sections four, five and six of this article shall have been carried into effect.

Charters to remain in force until legally changed.

SEC. 12. All charters, ordinances and provisions relating to municipal corporations shall remain in force until legally changed, unless inconsistent with the provisions of this Constitution.

Debts in aid of the rebellion not to be paid.

SEC. 13. No county, city, town or other municipal corporation shall assume to pay, nor shall any tax be levied or collected for the payment of any debt, or the interest upon any debt, contracted directly or indirectly in aid or support of the rebellion.

Powers of General Assembly over municipal corporations.

SEC. 14. The General Assembly shall have full power by statute to modify, change or abrogate any and all of the provisions of this article, and substitute others in their place, except sections seven, nine and thirteen.

ARTICLE VIII.

CORPORATIONS OTHER THAN MUNICIPAL.

SECTION 1. Corporations may be formed under general laws, but shall not be created by special act except for municipal purposes and in cases where, in the judgment of the Legislature, the object of the corporations cannot be attained under general laws. All general laws and special acts passed pursuant to this section may be altered from time to time or repealed. Corporations under general laws.

SEC. 2. Dues from corporations shall be secured by such individual liabilities of the corporations and other means as may be prescribed by law. Debts of corporations, how secured.

SEC. 3. The term "corporation," as used in this article, shall be construed to include all associations and joint-stock companies having any of the powers and privileges of corporations, not possessed by individuals or partnerships. And all corporations shall have the right to sue and shall be subject to be sued in all courts in like cases as natural persons. What corporations shall include.

SEC. 4. It shall be the duty of the Legislature to provide for the organization of cities, towns and incorporated villages, and to restrict their power of taxation, assessment, borrowing money, contracting debts and loaning their credit, so as to prevent abuses in assessments and in contracting debts by such municipal corporations. Legislature to provide for organizing cities, towns, etc.

ARTICLE IX.

EDUCATION.

SECTION 1. Religion, morality, and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged. Education shall be encouraged.

SEC. 2. The General Assembly, at its first session under this Constitution, shall provide by taxation and otherwise for a general and uniform system of public schools, wherein tuition shall be free of charge to all the children of the State between the ages of six and twenty-one years. And the children of the white race and the children of the colored race shall be taught in separate public schools; but there shall be no discrimination in favor of or to the prejudice of either race. General Assembly shall provide for schools.
Separation of the races.

SEC. 3. Each county of the State shall be divided into a convenient number of districts, in which one or more public schools shall be maintained at least four months in every year; and if the commissioners of any county shall fail to comply with the aforesaid requirements of this section they shall be liable to indictment. Counties to be divided into districts.

SEC. 4. The proceeds of all lands that have been or hereafter may be granted by the United States to this State and not otherwise appropriated by this State or the United States, also all moneys, stocks, bonds, and other property now belonging to any State fund for purposes of education, also the net proceeds of all What property shall be devoted to educational purposes.

sales of the swamp lands belonging to the State, and all other grants, gifts, or devises that have been or hereafter may be made to the State and not otherwise appropriated by the State or by the terms of the grant, gift, or devise, shall be paid into the State Treasury, and, together with so much of the ordinary revenue of the State as may be by law set apart for that purpose, shall be faithfully appropriated for establishing and maintaining in this State a system of free public schools, and for no other uses or purposes whatsoever.

County school fund.

SEC. 5. All moneys, stocks, bonds and other property belonging to a county school fund, also the net proceeds from the sale of estrays, also the clear proceeds of all penalties and forfeitures and of all fines collected in the several counties for any breach of the penal or military laws of the State, and all moneys which shall be paid by persons as an equivalent for exemption from military duty, shall belong to and remain in the several counties, and shall be faithfully appropriated for establishing and maintaining free public schools in the several counties of this State: *Provided*, that the amount collected in each county shall be annually reported to the Superintendent of Public Instruction.

Proviso.

Election of trustees, and provisions for maintenance of the University.

SEC. 6. The General Assembly shall have power to provide for the election of trustees of the University of North Carolina, in whom, when chosen, shall be vested all the privileges, rights, franchises and endowments thereof in any wise granted to or conferred upon the trustees of said University; and the General Assembly may make such provisions, laws and regulations from time to time as may be necessary and expedient for the maintenance and management of said University.

Benefits of the University.

SEC. 7. The General Assembly shall provide that the benefits of the University, as far as practicable, be extended to the youth of the State free of expense for tuition; also that all the property which has heretofore accrued to the State or shall hereafter accrue from escheats, unclaimed dividends or distributive shares of the estates of deceased persons, shall be appropriated to the use of the University.

Board of Education.

SEC. 8. The Governor, Lieutenant Governor, Secretary of State, Treasurer, Auditor, Superintendent of Public Instruction, and Attorney-General shall constitute a State Board of Education.

President and secretary.

SEC. 9. The Governor shall be president and the Superintendent of Public Instruction shall be secretary of the Board of Education.

Power of board.

SEC. 10. The Board of Education shall succeed to all the powers and trusts of the president and directors of the literary fund of North Carolina, and shall have full power to legislate and make all needful rules and regulations in relation to free public schools and the educational fund of the State; but all acts, rules and regulations of said board may be altered, amended or repealed by the General Assembly, and when so altered, amended or repealed they shall not be reenacted by the board.

SEC. 11. The first session of the Board of Education shall be held at the capital of the State within fifteen days after the organization of the State Government under this Constitution; the time of future meetings may be determined by the board.

First session of board.

SEC. 12. A majority of the board shall constitute a quorum for the transaction of business.

Quorum.

SEC. 13. The contingent expenses of the board shall be provided by the General Assembly.

Expenses.

SEC. 14. As soon as practicable after the adoption of this Constitution the General Assembly shall establish and maintain in connection with the University a department of agriculture, of mechanics, of mining, and of normal instruction.

Agricultural Department.

SEC. 15. The General Assembly is hereby empowered to enact that every child of sufficient mental and physical ability shall attend the public schools during the period between the ages of six and eighteen years for a term of not less than sixteen months, unless educated by other means.

Children must attend school.

ARTICLE X.

HOMESTEADS AND EXEMPTIONS.

SECTION 1. The personal property of any resident of this State to the value of five hundred dollars, to be selected by such resident, shall be and is hereby exempted from sale under execution or other final process of any court issued for the collection of any debt.

Exemption.

SEC. 2. Every homestead, and the dwellings and buildings used therewith, not exceeding in value one thousand dollars, to be selected by the owner thereof, or in lieu thereof, at the option of the owner, any lot in a city, town or village, with the dwelling and buildings used thereon, owned and occupied by any resident of this State, and not exceeding the value of one thousand dollars, shall be exempt from sale under execution or other final process obtained on any debt. But no property shall be exempt from sale for taxes or for payment of obligations contracted for the purchase of said premises.

Homestead.

SEC. 3. The homestead, after the death of the owner thereof, shall be exempt from the payment of any debt during the minority of his children or any one of them.

Homestead exempted from debt.

SEC. 4. The provisions of sections one and two of this article shall not be so construed as to prevent a laborer's lien for work done and performed for the person claiming such exemptions, or a mechanic's lien for work done on the premises.

Laborer's lien.

SEC. 5. If the owner of a homestead die, leaving a widow but no children, the same shall be exempt from the debts of her husband, and the rents and profits thereof shall inure to her benefit during her widowhood, unless she be the owner of a homestead in her own right.

Benefit of widow.

Property of a married female secured to her.

SEC. 6. The real and personal property of any female in this State acquired before marriage, and all property, real and personal, to which she may, after marriage, become in any manner entitled, shall be and remain the sole and separate estate and property of such female, and shall not be liable for any debts, obligations or engagements of her husband, and may be devised and bequeathed, and, with the written assent of her husband, conveyed by her as if she were unmarried.

Husband may insure his life for the benefit of wife and children.

SEC. 7. The husband may insure his own life for the sole use and benefit of his wife and children, and in case of the death of the husband the amount thus insured shall be paid over to the wife and children, or to the guardian if under age, for her or their own use, free from all the claims of the representatives of her husband or any of his creditors.

How deed for homestead may be made.

SEC. 8. Nothing contained in the foregoing sections of this article shall operate to prevent the owner of a homestead from disposing of the same by deed; but no deed made by the owner of a homestead shall be valid without the voluntary signature and assent of his wife, signified on her private examination according to law.

ARTICLE XI.

PUNISHMENTS, PENAL INSTITUTIONS AND PUBLIC CHARITIES.

Punishments.

SECTION 1. The following punishments only shall be known to the laws of this State viz., death, imprisonment with or without hard labor, fines, removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under this State. The foregoing provision for imprisonment with hard labor shall be construed to authorize the employment of such convict labor on public works or highways, or other labor for public benefit, and the farming out thereof, where and in such manner as may be provided by law; but no convict shall be farmed out who has been sentenced on a charge of murder, manslaughter, rape, attempt to commit rape, or arson: *Provided*, that no convict whose labor may be farmed out shall be punished for any failure of duty as a laborer except by a responsible officer of the State; but the convicts so farmed out shall be at all times under the supervision and control, as to their government and discipline, of the penitentiary board or some officer of this State.

Convict labor.

Proviso.

Death punishment.

SEC. 2. The object of punishments being not only to satisfy justice, but also to reform the offender, and thus prevent crime, murder, arson, burglary, and rape, and these only, may be punishable with death, if the General Assembly shall so enact.

Penitentiary.

SEC. 3. The General Assembly shall, at its first meeting, make provision for the erection and conduct of a State's prison or penitentiary at some central and accessible point within the State.

Houses of correction.

SEC. 4. The General Assembly may provide for the erection of houses of correction, where vagrants and persons guilty of misdemeanors shall be restrained and usefully employed.

SEC. 5. A house or houses of refuge may be established when- Houses of refuge.
 ever the public interest may require it, for the correction and in-
 struction of other classes of offenders.

SEC. 6. It shall be required by competent legislation that the structure and superintendence of penal institutions of the State, the county jails and city police prisons secure the health and comfort of the prisoners, and that male and female prisoners be never confined in the same room or cell. The sexes to be separated.

SEC. 7. Beneficent provision for the poor, the unfortunate and orphan being one of the first duties of a civilized and Christian State, the General Assembly shall, at its first session, appoint and define the duties of a board of public charities, to whom shall be entrusted the supervision of all charitable and penal State institutions, and who shall annually report to the Governor upon their condition, with suggestions for their improvement. Provisions for the poor and orphans.

SEC. 8. There shall also, as soon as practicable, be measures devised by the State for the establishment of one or more orphan houses, where destitute orphans may be cared for, educated, and taught some business or trade. Orphan houses.

SEC. 9. It shall be the duty of the Legislature, as soon as practicable, to devise means for the education of idiots and inebriates. Inebriates and idiots.

SEC. 10. The General Assembly may provide that the indigent deaf mute, blind, and insane of the State shall be cared for at the charge of the State. Deaf-mutes, blind and insane.

SEC. 11. It shall be steadily kept in view by the Legislature and the Board of Public Charities, that all penal and charitable institutions should be made as nearly self-supporting as is consistent with the purposes of their creation. Self-supporting.

ARTICLE XII.

MILITIA.

SECTION 1. All able-bodied male citizens of the State of North Carolina, between the ages of twenty-one and forty years, who are citizens of the United States, shall be liable to duty in the militia: *Provided*, that all persons who may be averse to bearing arms, from religious scruples, shall be exempt therefrom. Who are liable to militia duty. Proviso.

SEC. 2. The General Assembly shall provide for the organizing, arming, equipping and discipline of the militia, and for paying the same when called into active service. Organizing, etc.

SEC. 3. The Governor shall be commander in chief, and shall have power to call out the militia to execute the law, suppress riots or insurrection, and to repel invasion. Governor commander in chief.

SEC. 4. The General Assembly shall have power to make such exemptions as may be deemed necessary, and to enact laws that may be expedient for the government of the militia. Exemptions.

ARTICLE XIII.

AMENDMENTS.

Convention, how called.

SECTION 1. No convention of the people of this State shall ever be called by the General Assembly, unless by the concurrence of two thirds of all the members of each house of the General Assembly, and except the proposition, Convention, or No Convention, be first submitted to the qualified voters of the whole State, at the next general election in a manner to be prescribed by law. And should a majority of the votes cast be in favor of said convention, it shall assemble on such day as may be prescribed by the General Assembly.

How the Constitution may be altered.

SEC. 2. No part of the Constitution of this State shall be altered unless a bill to alter the same shall have been agreed to by three-fifths of each house of the General Assembly. And the amendment or amendments so agreed to shall be submitted at the next general election to the qualified voters of the whole State, in such manner as may be prescribed by law. And in the event of their adoption by a majority of the votes cast, such amendment or amendments shall become a part of the Constitution of the State.

ARTICLE XIV.

MISCELLANEOUS.

Indictments.

SECTION 1. All indictments which shall have been found, or may hereafter be found, for any crime or offense committed before this Constitution takes effect, may be proceeded upon in the proper courts, but no punishment shall be inflicted which is forbidden by this Constitution.

Penalty for fighting duel.

SEC. 2. No person who shall hereafter fight a duel, or assist in the same as a second, or send, accept, or knowingly carry a challenge therefor, or agree to go out of the State to fight a duel, shall hold any office in this State.

Drawing money.

SEC. 3. No money shall be drawn from the Treasury but in consequence of appropriations made by law; and an accurate account of the receipts and expenditures of the public money shall be annually published.

Mechanic's lien.

SEC. 4. The General Assembly shall provide, by proper legislation, for giving to mechanics and laborers an adequate lien on the subject-matter of their labor.

Governor to make appointments.

SEC. 5. In the absence of any contrary provision, all officers of this State, whether heretofore elected or appointed by the Governor, shall hold their positions only until other appointments are made by the Governor, or if the officers are elective, until their successors shall have been chosen and duly qualified according to the provisions of this Constitution.

Seat of government.

SEC. 6. The seat of government in this State shall remain at the city of Raleigh.

SEC. 7. No person who shall hold any office or place of trust or profit under the United States, or any department thereof, or under this State, or under any other State or Government, shall hold or exercise any other office or place of trust or profit under the authority of this State, or be eligible to a seat in either house of the General Assembly: *Provided*, that nothing herein contained shall extend to officers in the militia, justices of the peace, commissioners of public charities, or commissioners for special purposes. Holding office.

SEC. 8. All marriages between a white person and a negro, or between a white person and a person of negro descent to the third generation, inclusive, are hereby forever prohibited. Intermarriage of whites and negroes prohibited.



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PUBLIC LAWS

OF THE

State of North Carolina

SESSION 1915

PUBLIC LAWS
OF THE
STATE OF NORTH CAROLINA

SESSION 1915

CHAPTER 1.

AN ACT TO AMEND SECTION 3740 OF THE REVISAL OF 1905 OF NORTH CAROLINA, BEING CHAPTER 391, PUBLIC LAWS OF 1905 AS AMENDED BY CHAPTER 1012, PUBLIC LAWS OF 1907, RELATING TO THE PUNISHMENT FOR VAGRANCY.

The General Assembly of North Carolina do enact:

SECTION 1. That section three thousand seven hundred and forty (3740) of the Revisal of one thousand nine hundred and five, being chapter three hundred and ninety-one, Public Laws of one thousand nine hundred and five as amended by chapter one thousand and twelve, Public Laws of one thousand nine hundred and seven, be and the same is hereby amended by inserting immediately after the word "days" in line three thereof, the words "*Provided, however, that this limitation of punishment shall not be binding except in cases of a first offense, and in all other cases such person may be fined or imprisoned, or both, in the discretion of the court.*"

Proviso:
Limitation only on
first offense.

SEC. 2. That all laws and clauses of laws in conflict with this act be and same are hereby repealed.

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 22d day of January, 1915.

CHAPTER 2.

AN ACT TO AMEND CHAPTER 80 OF THE PUBLIC LAWS OF THE EXTRA SESSION OF 1913, RELATING TO THE SALE OF VEAL CALVES IN CABARRUS, GUILFORD, HOKE, MOORE, ROWAN AND WARREN COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter eighty of the Public Laws of the extra session of one thousand nine hundred and

Counties taken from act.

thirteen be amended by striking out in line two of said section the word "Cabarrus," in line four the words "Guilford" and "Hoke," in line five the words "Rowan" and "Moore" and in line six the word "Warren."

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 22d day of January, 1915.

CHAPTER 3.

AN ACT TO AMEND SECTION 2363 OF THE REVISAL OF 1905, VALIDATING CERTAIN OATHS HERETOFORE TAKEN.

The General Assembly of North Carolina do enact:

Law extended.

SECTION 1. That section twenty three hundred and sixty-three of the Revisal of one thousand nine hundred and five be amended by striking out the words "one thousand eight hundred and ninety-nine" in lines two and three and inserting the words "nineteen hundred and fifteen."

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 22d day of January, 1915.

CHAPTER 4.

AN ACT TO PROVIDE FOR THE TRIAL OF PROCEEDINGS IN CONTEMPT IN CERTAIN CASES.

The General Assembly of North Carolina do enact:

Return of rule.

SECTION 1. That in all proceedings for contempt and in proceedings as for contempt, the judge or other judicial officer who issues the rule or notice to the respondent may make the same returnable before some other judge or judicial officer.

Return where personal conduct or fitness of judge involved.

SEC. 2. That in all such proceedings referred to in the preceding section, when the personal conduct of the judge or other judicial officer or his fitness to hold his judicial position is involved, it shall be the duty of such judge or officer to make the rule or notice returnable before some other judge or officer:

Proviso: Acts committed in presence of court and disobedience of judicial order.

Provided, that nothing herein contained shall apply to any act or conduct committed in the presence of the court and tending to hinder or delay the due administration of the law nor to proceedings for the disobedience of a judicial order rendered in any pending action.

SEC. 3. That this act shall not apply to pending proceedings.

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 25th day of January, 1915.

CHAPTER 5.

AN ACT TO AMEND THE RESOLUTION PROVIDING FOR A STATUE OF GOVERNOR VANCE TO BE PLACED IN STATUARY HALL.

The General Assembly of North Carolina do enact:

SECTION 1. The resolution ratified on the eleventh day of March, A. D., one thousand nine hundred and seven, and printed on page one thousand four hundred and thirty-three of the Public Laws of North Carolina, session of one thousand nine hundred and seven, entitled: "A Joint Resolution in reference to a statue of Governor Vance, to be placed in Statuary Hall," be, and the same is hereby amended by striking out the word "marble" in line two of said resolution.

Material of statue.

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

In the General Assembly read three times and ratified this the 25th day of January, 1915.

CHAPTER 6.

AN ACT TO AMEND SECTION 2598 OF THE REVISAL OF 1905 AS AMENDED BY CHAPTER 160 OF PUBLIC LAWS OF 1911, RELATING TO LUMBER COMPANIES HAVING LOGGING ROADS.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and sixty of the Public Laws of one thousand nine hundred and eleven, amending section two thousand five hundred and ninety-eight of the Revisal of one thousand nine hundred and five, be amended by inserting in line three of the proviso after the word "own" and before the word "and" the words "and passengers."

Roads may carry passengers.

SEC. 1. That this act shall be in force from and after its ratification.

In the General Assembly read three times and ratified this the 26th day of January, 1915.

CHAPTER 7.

AN ACT TO AMEND CHAPTER 196 OF PUBLIC LAWS OF 1913,
RELATIVE TO THE HOLDING OF THE SUPERIOR COURTS
OF GRANVILLE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and ninety-six of the Public Laws of one thousand nine hundred and thirteen be amended by striking out lines ten, eleven, twelve, thirteen and fourteen on page three hundred and twenty-six, reative to holding the courts of Granville County, and inserting in lieu thereof the following:

Terms of Gran-
ville County.

“Granville County—Third Monday before the first Monday in March; fifth Monday after the first Monday in March; tenth Monday after the first Monday in September, each to continue for two weeks; sixth Monday before the first Monday in September, to continue for one week.”

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 27th day of January, 1915.

CHAPTER 8.

AN ACT TO AMEND CHAPTER 100, SUB-CHAPTER 15, OF
THE REVISAL OF NORTH CAROLINA, RELATING TO
LOANS BY INSURANCE COMPANIES.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred, sub-chapter fifteen of the Revisal be amended as follows: By adding after section four thousand eight hundred and six the following:

“SECTION 4806-A. That where any insurance company, as a condition for a loan by such company, of money upon mortgage or other security, shall require that the borrower insure either his life or that of another, or his property, with such company, and assign to such company, or cause to be assigned to it, any policy of insurance as security for such loan, and agree to pay premiums thereon during the continuance of such loan, whether such premium be paid annually, semi-annually, quarterly, or monthly, such premiums shall not be considered as interest on such loans, nor shall any loan be rendered usurious by reason of any such requirements, where the rate of interest charged for the loan does not exceed the legal rate and where the premiums charged for the insurance do not exceed the premiums charged to other persons for similar policies who do not obtain loans.”

Premiums not
interest.

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

In the General Assembly read three times and ratified this the 29th day of January, 1915.

CHAPTER 9.

AN ACT TO AMEND SUB-SECTION 6 OF SECTION 1556 OF THE REVISAL OF 1905, RELATIVE TO DESCENTS.

The General Assembly of North Carolina do enact:

SECTION 1. That sub-section six of section one thousand five hundred and fifty-six of the Revisal of one thousand nine hundred and five be, and the same is hereby amended by striking out in lines six and seven of said sub-section the words: "if living, and if not, then in the mother if living" and inserting in lieu thereof the words "and mother, as tenants in common if both are living, and if only one of them is living, then in such survivor."

Mother to inherit equally.

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

In the General Assembly read three times and ratified this the 29th day of January, 1915.

CHAPTER 10.

AN ACT TO AMEND CHAPTER 555 OF THE PUBLIC LAWS OF 1909, IN REFERENCE TO SIZE OF PACKAGES CONTAINING MEAL.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and fifty-five of the Public Laws of one thousand nine hundred and nine be amended by adding to section three of said chapter the following: "*Provided, further,* that sections one and two of this act shall not apply to the packing or selling of meal or flour in packages containing less than one-eighth of a bushel."

Proviso: Packages excepted.

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 29th day of January, 1915.

CHAPTER 11.

AN ACT TO REGULATE THE NUMBER AND PROVIDE THE COMPENSATION OF PAGES AND LABORERS IN ATTENDANCE UPON THE GENERAL ASSEMBLY.

The General Assembly of North Carolina do enact:

- Pages for Senate. SECTION 1. The number of pages to be hereafter appointed for attendance upon the Senate shall be limited to six in number; a chief page and five assistants.
- Pages for House of Representatives. SEC. 2. The number of pages to be hereafter appointed for attendance upon the House of Representatives shall be limited to nine in number; a chief page and eight assistants.
- Pages to act as special messengers. SEC. 3. The chief page and his assistants shall hereafter perform the duties of special messengers of their respective bodies.
- Pay of chief pages. SEC. 4. The chief page of each body shall receive two dollars and a half (\$2.50) per day for each day of service and the same mileage that members of the House of Representatives receive; all assistant pages shall receive one dollar and a half (\$1.50) per day for each day of service and like mileage.
- Pay of assistants. SEC. 5. The laborers hereafter appointed for attendance upon the General Assembly shall be limited in number to ten—four for the Senate and six for the House of Representatives. Their compensation shall not exceed two dollars (\$2.00) per day and no mileage shall be allowed them.
- Number of laborers. SEC. 6. All laws and clauses of laws in conflict with this act are hereby repealed.
- Pay of laborers. SEC. 7. That this act shall be in force and effect from and after the first day of April, one thousand nine hundred and fifteen.
- Repealing clause. In the General Assembly read three times and ratified this the 1st day of February, 1915.
- When act effective.

CHAPTER 12.

AN ACT TO AUTHORIZE WOMEN TO BE APPOINTED NOTARIES PUBLIC.

The General Assembly of North Carolina do enact:

- Appointment of women authorized. SECTION 1. That the Governor is hereby authorized to appoint women as well as men to be notaries public, and this position shall be deemed a place of trust and profit and not an office.
- SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed.
- 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, 1915.

CHAPTER 13.

AN ACT TO AMEND SECTION 981, REVISAL OF 1905, AS AMENDED BY CHAPTER 116 OF THE PUBLIC LAWS OF 1913, CHANGING DATE FROM 1883 TO 1885 AS TO REGISTRATION OF ANCIENT DEEDS.

The General Assembly of North Carolina do enact:

SECTION 1. That section nine hundred and eighty-one, Revisal of one thousand nine hundred and five, be and is hereby amended as follows: Strike out in the title, and also in the body, the words "eighty-three," and insert in lieu thereof, the words "eighty-five." Time extended.

SEC. 2. This act shall not apply to actions pending at the time of its ratification. Pending actions not affected.

SEC. 3. This act shall take effect from and after its ratification. In the General Assembly read three times and ratified this the 2d day of February, 1915.

CHAPTER 14.

AN ACT TO AMEND CHAPTER 399, LAWS OF 1891, CHANGING THE CORPORATE NAME OF THE NORTH CAROLINA SCHOOL FOR THE DEAF AND DUMB TO THE NORTH CAROLINA SCHOOL FOR THE DEAF.

The General Assembly of North Carolina do enact:

SECTION 1. That section one, chapter three hundred and ninety-nine, Public Laws of one thousand eight hundred and ninety-one, be amended as follows: In line two after the word "deaf" strike out the words "and dumb" and in line three of said section, after the word deaf, strike out the words "and dumb."

SEC. 2. That wherever the words "and dumb" appear in any laws or clauses of laws affecting the North Carolina School for the Deaf, the same shall be stricken out.

SEC. 3. That the North Carolina School for the Deaf shall be classed and defined as an educational institution.

SEC. 4. That all laws and clauses of laws in conflict with this act are hereby repealed.

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 3d day of February, 1915.

CHAPTER 15.

AN ACT TO DIVIDE THE STATE INTO TWO JUDICIAL DIVISIONS.

The General Assembly of North Carolina do enact:

Judicial divisions. SECTION 1. That the State shall be divided into two judicial divisions, the Eastern and the Western Judicial Divisions.

Eastern division. SEC. 2. That the counties which are now or hereafter may be included in the Judicial Districts from one to ten, both inclusive, shall constitute the Eastern Division, and the counties which are now or hereafter may be included in the Judicial Districts from eleven to twenty, both inclusive, shall constitute the Western Division. That the Judicial Districts shall retain their numbers from one up to twenty, and all such other districts as may from time to time be added by the creation of new districts.

Western division. SEC. 3. That the judges now assigned by law shall hold the spring terms of the courts to which they are now assigned, unless changes are made as now provided by law.

Judicial districts. SEC. 4. That the fall term one thousand nine hundred and fifteen of the courts shall be held as follows: The judge of the First Judicial District shall hold the courts of the Fifth Judicial District; the judge of the Second the courts of the Sixth; the judge of the Third the courts of the Seventh; the judge of the Fourth the courts of the Eighth; the judge of the Fifth the courts of the Ninth; the judge of the Sixth the Courts of the Tenth; the judge of the Seventh the courts of the First; the judge of the Eighth the courts of the Second; the judge of the Ninth the courts of the Third, and the judge of the Tenth the courts of the Fourth, and the judges of the First Judicial Division shall thereafter successively hold the courts of the First Judicial Division, but may make exchange of the courts as now provided by law.

Spring terms. That the judges resident in the Western Division shall hold the fall term one thousand nine hundred and fifteen of the court as follows: The judge of the Seventeenth Judicial District shall hold the courts of the Eleventh; the judge of the Eighteenth the courts of the Twelfth; the judge of the Nineteenth the courts of the Thirteenth; the judge of the Twentieth the courts of the Fourteenth; the judge of the Eleventh the courts of the Fifteenth; the judge of the Twelfth the courts of the Sixteenth; the judge of the Thirteenth the courts of the Seventeenth; the judge of the Fourteenth the courts of the Eighteenth; the judge of the Fifteenth the courts of the Nineteenth, and the judge of the Sixteenth the courts of the Twentieth, and the judges resident in the Western Division shall successively thereafter hold the courts of the Western Division subject to such exchanges of courts as are now provided by law; and the judges resident in the Western Division and judges resident in the Eastern Division may exchange courts or circuits with the consent of the governor,

Fall terms—
western division.

Exchanges.

provided such exchanges shall not cause a judge to hold all the courts in one Judicial District oftener than once every four years.

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 3d day of February, 1915.

CHAPTER 16.

AN ACT ALLOWING FULL COMPENSATION TO THE SOLICITOR OF THE SECOND JUDICIAL DISTRICT, AND THE TENTH JUDICIAL DISTRICT WHEN DEFENDANTS ARE ASSIGNED TO WORK ON PUBLIC ROADS.

The General Assembly of North Carolina do enact:

SECTION 1. That Public Laws one thousand nine hundred and eleven, chapter two hundred and two, be amended by inserting, Law extended. in section two thereof, after the words "Eleventh Judicial District," the words "Second Judicial District" and the "Tenth Judicial District."

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 5th day of February, 1915.

CHAPTER 17.

AN ACT TO REPEAL SECTION 9, CHAPTER 20, PUBLIC LAWS, EXTRA SESSION OF 1913, CONCERNING LONG AND SHORT HAUL PROVISION OF THE JUSTICE ACT, AND SUBSTITUTING THEREFOR THE LONG AND SHORT HAUL PROVISION, BEING SECTION 1107 OF THE REVISAL OF 1905.

The General Assembly of North Carolina do enact:

SECTION 1. That section nine (9) of chapter twenty (20) Public Laws, special session of one thousand nine hundred and thirteen, entitled "An act to fix and provide machinery for fixing rates to be charged by railroads for transporting freight within the State of North Carolina" be and the same is hereby repealed, and section eleven hundred and seven (1107) of the Revisal of one thousand nine hundred and five (1905) is hereby substituted therefor, and declared to be in full force. Section repealed. Section substituted and declared in force.

SEC. 2. 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 5th day of February, 1915.

CHAPTER 18.

AN ACT TO AMEND SECTIONS 2024 AND 2025, SUB-DIVISION 3 OF CHAPTER 48 OF THE REVISAL OF 1905, CONCERNING LIENS ON COLTS, CALVES, AND PIGS.

The General Assembly of North Carolina do enact:

SECTION 1. That section two thousand and twenty-four of the Revisal of one thousand nine hundred and five be, and the same is, hereby amended so that said section, as amended, shall read: "Two thousand and twenty-four, season of sire a lien on. In all cases where the owner or any agent for, or employee of the owner of any mare, jennet, cow, or sow, shall turn the same to a stud-horse, jack, bull, or boar, for the purpose of raising colts, calves, or pigs, the price charged for the season of the stud-horse, jack, bull, or boar shall constitute a lien on the colt, calf, or pigs, until the price so charged for the season is paid."

Season of sire a
lien on produce.

SEC. 2. That section two thousand and twenty-five, chapter forty-eight of the Revisal of one thousand nine hundred and five be, and the same is, hereby amended so that said section shall read: "Two thousand and twenty-five. Not exempt from execution. The colt, calf, or pigs, shall not be exempt from execution for the payment of said season price by reason of the operation of the personal property exemption: *Provided*, that the person claiming such lien shall institute an action to enforce the same within six months from the foaling of the colt, dropping of the calf, or farrowing of the pigs."

Produce not enti-
tled to exemption.

Proviso:
Action within six
months.

SEC. 3. That all laws and parts of laws in conflict herewith are hereby repealed.

Repealing clause.

SEC. 4. That this act shall be in force from and after one thousand nine hundred and fifteen.

When act in
force.

In the General Assembly read three times and ratified this the 5th day of February, 1915.

CHAPTER 19.

AN ACT TO RESTRICT THE RUNNING OF THE PROCESS OF COURTS INFERIOR TO THE SUPERIOR COURTS.

The General Assembly of North Carolina do enact:

Process to run as
of courts of jus-
tices of the peace.

SECTION 1. That the process of any recorder's court, county court, or other court inferior to the superior courts of the State

of North Carolina, when said court is exercising the jurisdiction of a justice of the peace in civil matters, shall run only as does the process of the court of a justice of the peace for the county in which said court is located.

SEC. 2. That all laws and clauses of laws in conflict with this act be and the same are repealed. Repealing clause.

SEC. 3. That this act shall not affect actions pending at the date of its ratification.

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

In the General Assembly read three times and ratified this the 6th day of February, 1915.

CHAPTER 20.

AN ACT TO AMEND CHAPTER 109 PUBLIC LAWS OF 1913, RELATING TO VITAL STATISTICS.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and nine of the Public Laws of one thousand nine hundred and thirteen be amended as follows: That after the word "office" in section four, line thirty-four, the following shall be added: "That each local registrar shall be a bona fide resident of the township, city or precinct for which they are appointed and that removal from said township, city or precinct shall terminate said office." Residence of local registrars. Removal to terminate office.

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 8th day of February, 1915.

CHAPTER 21.

AN ACT TO AMEND CHAPTER 444 OF THE PUBLIC LAWS OF 1909, RELATIVE TO THE REGULATION OF THE PRACTICE OF OPTOMETRY.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter four hundred and forty-four of the Public Laws of one thousand nine hundred and nine be and the same is hereby amended by striking out the words "North Carolina State Optical Society" in lines six and seven thereof and inserting in lieu thereof the words "North Carolina Optometric Society;" and by striking out the words "shall be administered by the Secretary of State and filed in his" Name changed. Administration of oaths.

office" in lines sixteen and seventeen thereof and inserting in lieu thereof the following words: "In the manner provided by law and which shall be filed in the office of the Secretary of State."

Applicants must be of full age and good character.

Proviso: Applicants from other states.

SEC. 2. That section five of chapter four hundred and forty-four of the Public Laws of one thousand nine hundred and nine be and the same is hereby amended by inserting before the words "shall pay" in line six thereof the following: "Must be at the time twenty-one (21) years of age, shall file with the secretary of said board a certificate of good moral character, signed by two reputable citizens of this State: *Provided*, that an applicant from another State may have such certificate signed by any State officer of the State from which he comes, and."

Requirements for admission to examination.

Proviso: Present students.

SEC. 3. That chapter four hundred and forty-four of the Public Laws of North Carolina of one thousand nine hundred and nine be and the same is hereby further amended by adding at the end of section five thereof a new section to be numbered section five-a, which is as follows: "Sec. 5-a. That every applicant presenting himself for examination to the State board of examiners in optometry shall, before beginning such examination, satisfy said board that he has been in actual attendance at some recognized optical college for a period of not less than two years, or that he has had two years of continuous optometrical practice under a registered optometrist, or by reason of a registered certificate of any State: *Provided, however*, that all citizens of this State who have begun the study of optometry before the passage of this act shall be exempt from the operation of this sub-section until the regular July meeting of the State board of examiners in optometry to be held in the year one thousand nine hundred and seventeen."

Future requisites for admission to examination.

SEC. 4. That chapter four hundred and forty-four of the Public Laws of one thousand nine hundred and nine be and the same is further amended by adding at the end of section five-a. the following section to be known as five-b. "Sec. 5-b. That on and after the first day of June, one thousand nine hundred and seventeen each applicant presenting himself before the State board of examiners in optometry for examination shall, before he is examined, satisfy said board that he is a graduate of a high-school, or that his literary attainments are equivalent to that of a high school education."

SEC. 6. All laws and clauses of laws in conflict with this act are hereby repealed.

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

In the General Assembly read three times and ratified this the 8th day of February, 1915.

CHAPTER 22.

AN ACT IN REGARD TO PETITIONS TO HOLD ELECTIONS
IN REGARD TO ASSESSMENTS.

The General Assembly of North Carolina do enact:

SECTION 1. That in all cases where a petition by a specified number of freeholders is required as a condition precedent to ordering an election to provide for the assessment or levy of taxes upon realty, all residents of legal age owning realty for life or a longer term, irrespective of sex, shall be deemed freeholders within the meaning of such requirement. Freeholders irrespective of sex.

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 10th day of February, 1915.

CHAPTER 23.

AN ACT TO LEGALIZE THE STANDARDS OR GRADES OF
COTTON ESTABLISHED UNDER ACT OF CONGRESS BY
THE SECRETARY OF AGRICULTURE IN PURCHASE AND
SALES BY CITIZENS OF THIS STATE.

The General Assembly of North Carolina do enact:

SECTION 1. That the standards or grades of cotton established or which may be hereafter established by the Secretary of Agriculture by virtue of acts of Congress, shall be recognized as the standards in transactions by and between citizens of this State in transactions relating to cotton. Standards to be recognized.

SEC. 2. The Commissioner of Agriculture shall obtain from the Secretary of Agriculture a duplicate of each of these samples as represent cotton produced in this State for the use of the citizens of the State who may desire to use them in settlement of any disputed transaction. Commissioner of Agriculture to obtain samples.

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

In the General Assembly read three times and ratified this the 11th day of February, 1915.

CHAPTER 24.

AN ACT TO REPEAL CHAPTER 10, PUBLIC LAWS OF NORTH CAROLINA, EXTRA SESSION OF 1913, RELATIVE TO STATEMENT OF FEES TO BE MADE BY OFFICERS OF DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

Law repealed.

SECTION 1. That chapter ten, of the Public Laws of North Carolina, enacted at the extra session of the General Assembly in the year one thousand nine hundred and thirteen, be and the same is hereby repealed.

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 11th day of February, 1915.

CHAPTER 25.

AN ACT TO AMEND CHAPTER 196 OF THE PUBLIC LAWS OF 1913, OF NORTH CAROLINA, AND THE AMENDMENTS THERETO, RELATIVE TO THE COURTS OF ONSLOW COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and ninety-six of the Public Laws of one thousand nine hundred and thirteen of North Carolina, section one, and the amendments thereto, be and the same are hereby amended by adding to that part of said section and the amendments thereto, as related to the courts of Onslow County on page three hundred and twenty-three, and the amendments thereto: the following:

County commis-
sioners may abro-
gate terms.

“The commissioners of Onslow County, whenever in their discretion, the best interests of the county demand it, shall have and are hereby granted the power and authority, by order, to abrogate, in any year, the holding of those terms of the courts of Onslow County, which convene on the sixth Monday after the first Monday in March, and the seventh Monday before the first Monday in September, and on the thirteenth Monday after the first Monday in September, all or either of said terms, and when said term or terms are so abrogated, thirty days notice of the same shall be given by said commissioners, in each instance by the publication of same in a newspaper published in said county, and at the courthouse door and at four other public places in said county.”

Notice.

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

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 12th day of February, 1915.

CHAPTER 26.

AN ACT FOR THE RELIEF OF SHERIFFS AND TAX COLLECTORS.

The General Assembly of North Carolina do enact:

SECTION 1. That all sheriffs and tax collectors who by virtue of their office have had the tax lists for the purpose of collecting the taxes of their respective counties and towns and school districts in their hands for the years one thousand nine hundred and eleven, one thousand nine hundred and twelve, one thousand nine hundred and thirteen and one thousand nine hundred and fourteen, and in cases of death or default their personal representatives, bondsmen, or any agent they may designate, are hereby authorized and empowered to collect arrears of taxes for each of the years aforesaid, under such rules and regulations as are now or may hereafter be provided for collectorship of taxes.

Collection of arrears authorized.

Years for which arrears may be collected.

SEC. 2. That no person shall be compelled to pay any tax under the provisions of section one of this act, who will make affidavit before any person authorized to administer oaths that the tax attempted to be collected has been paid, nor shall any executor or guardian be compelled to pay any tax under the provisions of this act after he shall have made final settlement: *Provided*, that this act shall not authorize the sale of any land for taxes which has been conveyed to a purchaser for value and without actual notice of the nonpayment of the taxes.

Persons not compelled to pay.

Proviso: Purchasers of land.

SEC. 3. That nothing herein contained shall be construed to relieve sheriffs, tax collectors, their representatives or bondsmen, from the liability imposed by law to pay the State, county and other taxes at the time and place required by law.

Officers not relieved of liabilities.

SEC. 4. That the authority herein given shall cease and determine on the first day of January, nineteen hundred and sixteen.

Termination of authority.

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 12th day of February, 1915.

CHAPTER 27.

AN ACT TO APPOINT A BOARD OF DIRECTORS FOR THE
CULLOWHEE NORMAL AND INDUSTRIAL SCHOOL.

The General Assembly of North Carolina do enact:

Directors and
terms of office.

SECTION 1. That the following named citizens of the State, for the terms indicated below, are hereby appointed directors of the Cullowhee Normal and Industrial School, to wit: C. C. Cowan, J. Robert Long, A. L. Martin, J. P. Patton, and M. D. Billings for the term of six years; D. D. Davies, W. D. Wike, Walter E. Moore, J. C. Martin and D. R. Noland for the term of four years; Thomas A. Cox, Felix E. Alley, T. C. Henderson and J. D. Coward for the term of two years from the ratification hereof, and the Superintendent of Public Instruction of the State is hereby made ex officio a member and chairman of said board; that the successors of this board are to be elected as their respective terms expire, by the General Assembly, but vacancies occurring by death, resignation, or otherwise, may be filled by this board.

Successors.

Vacancies.

SEC. 2. That all laws and clauses of laws in conflict herewith are hereby repealed.

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 12th day of February, 1915.

CHAPTER 28.

AN ACT TO FACILITATE THE PROCURING OF LICENSE TO
PRACTICE MEDICINE.

The General Assembly of North Carolina do enact:

Preliminary
examination.

SECTION 1. That it shall be the duty of the State Board of Medical Examiners to examine any applicant for license to practice medicine on the subjects of anatomy, histology, physiology, and chemistry: *Provided*, said applicant shall furnish to the board satisfactory evidence from a medical school in good standing and supplying such facilities for anatomical and laboratory instruction as shall meet with the approval of the said board, that he has completed the course of study in said school upon said subjects. Said board shall set to the credit of said applicant upon the record books of said board the grade made upon said examination by said applicant, which shall stand to the credit of such applicant; and when he has subsequently completed the full course in medicine and presents a diploma of graduation from a medical college in good standing, requiring a four years course of study

Proviso:
Certificate of
completion of
course.

of medicine for graduation, and when he has completed the examination upon the further branches of medicine, to wit: medical hygiene, pharmacy, materia medica, therapeutics, obstetrics, pathology, practice of medicine and surgery, he shall have accounted to his credit the grade made upon the former examination, and if then upon such completed examination he be found competent, said board shall grant him a license to practice medicine, and surgery, and any of the branches thereof.

Completion of examination.

License on complete examination.

SEC. 2. That said applicant shall pay seven and one-half dollars for each of the two examinations as herein provided for: *Provided*, that the whole of said sums shall be refunded to him if he fails to procure a license.

Examination fee.

Proviso:
Return of fee.

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 12th day of February, 1915.

CHAPTER 29.

AN ACT TO ADVANCE CERTAIN CONFEDERATE WIDOWS ON THE PENSION ROLL

The General Assembly of North Carolina do enact:

SECTION 1. That all blind Confederate widows who are now on the pension roll will be advanced to first class and will get same pay as is now given that class.

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 12th day of February, 1915.

CHAPTER 30.

AN ACT TO AMEND CHAPTER 977 OF THE PUBLIC LAWS OF 1907.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter nine hundred and seventy-seven of the Public Laws of nineteen hundred and seven be and the same is hereby amended by inserting the word "Tyrrell," between the words "Pamlico" and the word "and" in the last line of section fourteen of said act.

Law extended.

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

In the General Assembly read three times and ratified this the 15th day of February, 1915.

CHAPTER 31.

AN ACT TO AMEND CHAPTER 97, LAWS OF 1907, TO SECURE MORE COMPLETE RETURNS OF REPORTS OF SALES OF TOBACCO BY WAREHOUSES.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter ninety-seven, public laws of nineteen hundred and seven, be amended by repealing section four and substituting the following, viz.:

Penalty for failure to report.

“SEC. 4. That any warehouse failing to make the report as required by section two, shall be subject to a penalty of twenty-five dollars and the costs in the case, to be recovered by any person suing for same in any court of a justice of the peace; and the magistrate in whose court the matter is adjudicated shall include in the cost of each case where the penalty is allowed, one dollar to be paid to the department of agriculture for expense of advertising.”

Allowance to department of agriculture.

Publication.

SEC. 2. The Commissioner shall on the twelfth day of each month publish in some newspaper the names of the tobacco warehouses that have failed to comply with this act.

Certificate of commissioner evidence.

SEC. 3. The certificate of the Commissioner under seal of the department shall be admissible as evidence the same as if it were his deposition taken in form as provided by law.

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

In the General Assembly read three times and ratified this the 15th day of February, 1915.

CHAPTER 32.

AN ACT TO AUTHORIZE THE SECRETARY OF STATE TO ISSUE A GRANT FOR CERTAIN LANDS IN CHEROKEE COUNTY TO L. L. WITHERSPOON.

Preamble.

WHEREAS, on the twelfth day of March, eighteen hundred and fifty-three, Campbell Taylor entered a certain tract of one hundred acres of land, being entry number two hundred and thirty-eight, in Cherokee County, and executed his bonds therefor payable to the State of North Carolina, as provided by law, being section . . . of chapter . . . of the Code, which said bonds were fully paid to the agent of the State, as evidenced by the bond book in the office of the register of deeds of Cherokee County; and,

WHEREAS, said lands were duly and properly surveyed as provided by law, and plots thereof made, but no grant was issued by the State therefor; and, Preamble.

WHEREAS, said Campbell Taylor conveyed said lands by deed dated the third day of December, eighteen hundred and eighty, and duly recorded, to David Taylor, and said David Taylor devised said lands to his wife, who conveyed the same to L. L. Witherspoon by deed dater October sixteenth, nineteen hundred and thirteen, and duly recorded in Cherokee County, and said L. L. Witherspoon by the several deeds and conveyances is now the owner of all the interest of said original enterer and is entitled to a grant from the State; now, therefore, Preamble.

The General Assembly of North Carolina do enact:

SECTION 1. That the Governor and Secretary of State are hereby authorized and empowered to issue to the said L. L. Witherspoon a grant for said tract of land, the same being described as follows: Issue of grant authorized.

“Lying and being in Cherokee County, containing one hundred acres; beginning on a chestnut the N. E. corner of No. 226, and runs N. 25 E. 142 poles to a large white oak near a branch; then S. 45 E. 118 poles to a small pine; then N. 20 W. 142 poles to a stake and white oak in the line of No. 226; then with that line N. 20 E. 142 poles to the beginning.” Description of land.

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 15th day of February, 1915.

CHAPTER 33.

AN ACT TO CHANGE THE TIME OF HOLDING THE CIVIL TERM OF THE SUPERIOR COURT OF ORANGE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. Strike out the words “fourteenth Monday” in chapter one hundred and ninety-six of the Public Laws of nineteen hundred and thirteen, line fifteen of page three hundred and twenty-six, sub-heading “Orange County,” and substitute in lieu thereof the words “ninth Monday.” Spring term.

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

In the General Assembly read three times and ratified this the 15th day of February, 1915.

CHAPTER 34.

AN ACT TO CHANGE THE BOUNDARY LINE BETWEEN THE COUNTIES OF ASHE AND WATAUGA.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter twenty-five of the laws of North Carolina, ratified the twenty-seventh day of January, one thousand eight hundred and forty-nine, creating the county of Watauga, be and the same is hereby amended, by striking out the eleventh line of said act, which reads as follows: "to the mouth of Elk Creek on the south fork of New River" and inserting in lieu thereof the following: "to the ford of Elk Creek near Alex. Blackburn's residence; thence down and with the meanders of Elk Creek to the south fork of New River."

Old line.

Amended line.

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

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 15th day of February.

CHAPTER 35.

AN ACT TO AMEND CHAPTER 196, PUBLIC LAWS OF 1913, RELATING TO THE SUPERIOR COURTS OF CALDWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and ninety-six, Public Laws of one thousand nine hundred and thirteen, be and the same is hereby amended by striking out all of paragraph in section one on page three hundred and thirty-one of the printed laws relating exclusively to the holding of the courts of Caldwell County, from and including the words "Caldwell County" in the first line of the paragraph down to and including the word "exclusively" in the sixth line thereof, and inserting in lieu thereof the following: "Caldwell County, first Monday before the first Monday in March; second Monday before the first Monday in September, each to continue two weeks; eleventh Monday after the first Monday in March, to continue two weeks for the trial of civil cases exclusively; tenth Monday after the first Monday in September to continue three weeks."

Schedule of courts.

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 15th day of February, 1915.

CHAPTER 36.

AN ACT TO VALIDATE THE PROBATE AND REGISTRATION OF CERTAIN DEEDS AND OTHER CONVEYANCES.

The General Assembly of North Carolina do enact:

SECTION 1. In all cases where the acknowledgment, private examination, or other proof of the execution of any deed, mortgage, or other instrument authorized or required to be registered has been taken or had by or before any commissioner of affidavits and deeds of this State, or clerk or deputy clerk of a court of record, or notary public of this or any other State, territory or district, and such deed, mortgage, or other instrument has heretofore been recorded in any county in this State, but such commissioner, clerk, deputy clerk, or notary public has omitted to attach his or her official or notarial seal thereto, or it does not appear of record that such seal was attached to the original deed, mortgage, or other instrument, or such commissioner, clerk, deputy clerk, or notary public has certified the same as under his or her "official seal," "notarial seal," or words of similar import, and no such seal appears of record, then all such acknowledgments, private examinations or other proofs of such deeds, mortgages, or other instruments, and the registration thereof, are hereby made in all respects valid and binding: *Provided*, this act shall not apply to any pending litigation.

Omission of seal cured.

Probates and registrations validated.

Proviso: Pending litigation not affected.

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

In the General Assembly read three times and ratified this the 16th day of February, 1915.

CHAPTER 37.

AN ACT TO REPEAL SUBSECTION 6 OF SECTION 132, OF THE REVISAL OF 1905, AS AMENDED BY CHAPTER 172, LAWS OF 1911, AND TO AMEND SECTION 1 OF CHAPTER 166 OF THE PUBLIC LAWS OF 1913, RELATIVE TO DISTRIBUTION.

The General Assembly of North Carolina do enact:

SECTION 1. That sub-section six of section one hundred and thirty-two of the Revisal of one thousand nine hundred and five, as amended by chapter one hundred and seventy-two, Laws of one thousand nine hundred and eleven, be, and the same is

Parents to share equally.

hereby repealed, and the following substituted therefor: "If in the lifetime of its father and mother, a child shall die intestate, without leaving husband, wife or child, or the issue of a child, its personal property shall be equally divided between said father and mother. If one of said parents should be dead at the time of the death of such child, the surviving parent shall be entitled to the whole of said personal property: *Provided*, the terms "father" and "mother," herein used, shall not apply to a step-parent, but shall apply to a parent by adoption: *Provided, further*, this repeal shall not effect vested rights."

Surviving parent sole inheritor.

Proviso: Step parents not entitled.

Inheritance of husband from wife.

SEC. 2. That section one of chapter one hundred and sixty-six of the Public Laws of one thousand nine hundred and thirteen be, and the same is hereby amended by striking out the "proviso" in said section.

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 16th day of February, 1915.

CHAPTER 38.

AN ACT TO AMEND SUBSECTION 2 OF SECTION 157 OF THE REVISAL OF 1905, RELATIVE TO THE ABATEMENT OF ACTIONS.

The General Assembly of North Carolina do enact:

Actions for injury to person.

SECTION 1. That subsection two of section one hundred and fifty-seven of the revisal of one thousand nine hundred and five, be amended by inserting the word "and" between the words "imprisonment" and "assault" in line one of the same, and by striking out all of said subsection after the word "battery" in said line one.

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

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 17th day of February, 1915.

CHAPTER 39.

AN ACT TO CORRECT LAND GRANT No. 7551, ISSUED TO M. T. DAVIS, IN GRAHAM COUNTY, FEBRUARY 6, 1886.

The General Assembly of North Carolina do enact:

Grant corrected.

SECTION 1. That land grant number seven thousand five hundred and fifty-one in Graham County, issued to M. T. Davis on February sixth, one thousand eight hundred and eighty-six, be,

and the same is, hereby corrected so that the calls will be as follows: Beginning on a chestnut tree, the S. E. corner of number sixty-three and N. E. corner of number four thousand four hundred and thirty-five, and runs S. with number four thousand four hundred and thirty-five sixty-eight poles to a large chestnut tree standing on top of the ridge between Sweetwater Creek and Long Branch; then N. fifty-seven E. up said ridge as it meanders sixty-two poles to a black oak on the line of number one thousand and eighty-seven; thence N. forty-five W. with said number seventy-three poles to a large poplar on the line of number sixty-three; thence S. with said line twenty-two poles to the beginning.

Courses and distances.

SEC. 2. That it shall be the duty of the Secretary of State and the register of deeds of Graham County to make the following entry upon the margins of the records in their respective offices wherever the said grant is recorded: "This grant corrected by act of the general assembly, session of one thousand nine hundred and fifteen."

Entries to be made on records.

SEC. 3. That nothing herein shall be construed so as to interfere with the rights of any person which have vested prior to the ratification of this act.

Vested rights not affected.

SEC. 4. 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 17th day of February, 1915.

CHAPTER 40.

AN ACT TO AMEND CHAPTER 543, PUBLIC LAWS OF NORTH CAROLINA, OF 1909.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and forty-three of the Public Laws of one thousand nine hundred and nine, be amended by striking out all of section number two, of said chapter.

Authority for settlement of judgment.

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 18th day of February, 1915.

CHAPTER 41.

AN ACT TO AMEND CHAPTER 35 OF THE PUBLIC LAWS OF 1913, RELATING TO FEMALE TELEPHONE OPERATORS.

The General Assembly of North Carolina do enact:

Misdemeanor.

SECTION 1. That section two of chapter thirty-five of the Public Laws of one thousand nine hundred and thirteen shall be stricken out and the following be substituted therefor: "Any person violating this act, upon conviction, shall be guilty of a misdemeanor."

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

In the General Assembly read three times and ratified this 18th day of February, 1915.

CHAPTER 42.

AN ACT TO AMEND CHAPTER 120, SECTION 5439, OF THE REVISAL OF 1905, ESTABLISHING WRECK DISTRICTS.

The General Assembly of North Carolina do enact:

New Hanover and Brunswick district.

SECTION 1. That chapter one hundred and twenty, section five thousand four hundred and thirty-nine of the Revisal of one thousand nine hundred and five, be and the same is hereby amended by striking out the description of the New Hanover County wreck district and the Brunswick County wreck district, and inserting in lieu thereof the following, thereby consolidating the two districts, New Hanover and Brunswick district: To extend from the Onslow County line to the South Carolina line.

SEC. 2. That all laws and clauses of laws in so far as they may be in conflict with the provisions of this act, are hereby repealed.

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

In the General Assembly read three times and ratified this 18th day of February, 1915.

CHAPTER 43.

AN ACT TO AMEND CHAPTER 442 OF THE PUBLIC LAWS
OF 1909, RELATING TO DRAINAGE.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and forty-two of the Public Laws of one thousand nine hundred and nine be amended by inserting after the word "land" in line five of section thirty, and before the word "is" the following: "be of such elevation that the owner cannot secure proper drainage through and over his own land, or if said land." Outlet for lateral drains.

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 18th day of February, 1915.

CHAPTER 44.

AN ACT TO AMEND CHAPTER 486 OF THE PUBLIC LAWS OF
THE GENERAL ASSEMBLY OF 1909, IN RELATION TO
CLERICAL AND STENOGRAPHIC ALLOWANCE TO THE
JUSTICES OF THE SUPREME COURT.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and eighty-six of the Public Laws of the session of one thousand nine hundred and nine be amended as follows: By striking out the words "four hundred" in the fifth line of section one of said act, and wherever those words occur in said act, and inserting in lieu thereof the words "nine hundred." Pay of stenographers.

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 20th day of February, 1915.

CHAPTER 45.

AN ACT TO CHANGE THE TIME OF HOLDING THE JANUARY
TERM OF WILSON COUNTY SUPERIOR COURT.

The General Assembly of North Carolina do enact:

SECTION 1. That the January term of the superior court for Wilson County shall convene and be held on the seventh Monday Term of court.

before the first Monday in March, in lieu of the eighth Monday before the first Monday in March, as is now provided by law.

SEC. 2. That all laws and clauses of laws in conflict herewith are hereby repealed.

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 20th day of February, 1915.

CHAPTER 46.

AN ACT TO VALIDATE ANY SUPPOSED ERROR OF OMISSION OR COMMISSION IN THE ELECTION HELD IN BARBECUE TOWNSHIP, HARNETT COUNTY, ON OCTOBER 3, 1914, TO AUTHORIZE THE ISSUANCE OF TEN THOUSAND DOLLARS OF BONDS FOR ROAD IMPROVEMENT IN SAID TOWNSHIP.

The General Assembly of North Carolina do enact:

Bond issue authorized.

Amount and interest.
Maturity.

Special tax.

Election ratified.

SECTION 1. That the road commission of Barbecue Township, Harnett County, be and they are hereby authorized and empowered to issue ten thousand dollars (\$10,000.00) of six per cent coupon bonds, payable twenty years after date of issue, the proceeds to be expended for the improvement of the public roads of said township, as provided by chapter four hundred and twenty-seven (427) of the Public Local Laws of North Carolina, session nineteen hundred and thirteen (1913).

SEC. 2. That the board of commissioners of Harnett County be and they are hereby authorized and directed to levy upon the taxable property and polls of Barbecue Township, Harnett County, in the manner provided in chapter four hundred and twenty-seven (427) of the Public Local Laws of North Carolina, session nineteen hundred and thirteen (1913) taxes for the payment of the principal and interest of bonds referred to in section one of this act.

SEC. 3. That the election held in Barbecue Township, Harnett County, on October third, one thousand nine hundred and fourteen, for the purpose of authorizing the issuance of ten thousand dollars of road bonds for said township, in pursuance to an election called by the board of commissioners of Harnett County, on August third, one thousand nine hundred and fourteen, be and the same is affirmed and ratified and declared to be a compliance with all of the requirements for elections as provided in chapter four hundred and twenty-seven (427) of Public Local Laws of North Carolina, session of nineteen hundred and thirteen (1913), notwithstanding any omission or commission in the call of said

election, the publication of notice thereof, or the conduct of the same.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this act, in so far as they conflict therewith, are hereby repealed.

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 20th day of February, 1915.

CHAPTER 47.

AN ACT TO AMEND CHAPTER 196 OF THE PUBLIC LAWS OF 1913, CHANGING THE SECOND WEEK OF CIVIL COURT IN JUNE AND THE LAST WEEK OF CIVIL COURT IN DECEMBER IN GUILFORD COUNTY SO THAT THE SAME SHALL BE FOR THE TRANSACTION OF CRIMINAL BUSINESS EXCLUSIVELY.

The General Assembly of North Carolina do enact:

SECTION 1. That that portion of section one of chapter one hundred and ninety-six of the Public Laws of one thousand nine hundred and thirteen providing for the holding of courts of the twelfth judicial district and for Guilford County be amended by adding after the words "eighth Monday after the first Monday in March" in line two the words "fifteenth Monday after the first Monday in March," and after the word "September" in line four, the words "fifteenth Monday after the first Monday in September," and by striking out the words in line nine "fourteenth Monday after the first Monday in March" and by adding after the words "March" in line fourteen the words "fourteenth Monday after the first Monday in March;" and by striking out the words "fifteenth Monday after the first Monday in September" in lines sixteen and seventeen thereof.

Terms defined.

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 20th day of February, 1915.

CHAPTER 48.

AN ACT TO AUTHORIZE THE SERVICE OF SUBPOENAS AND SUMMONSES FOR JURORS BY TELEPHONE.

The General Assembly of North Carolina do enact:

Process served
by telephone.

SECTION 1. That sheriffs, constables and other officers charged with the service of such process may serve subpoenas and summonses for jurors by telephone, and such service shall be valid and binding on the person served. When such process is served by telephone, the return of the officer serving it shall state it is served by telephone.

Return to state
method.

SEC. 2. 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 22d day of February, 1915.

CHAPTER 49.

AN ACT FOR THE RELIEF OF JOSEPH TIPTON, SHERIFF OF MITCHELL COUNTY.

Preamble.

WHEREAS, a proclamation was issued by His Excellency, Governor W. W. Kitchin, offering a reward of one hundred and seventy-eight dollars and forty cents for the apprehension and delivery of one Jeter Barnett, who was indicted for the murder of one Bryant and who fled the State; and, whereas, the said Joseph Tipton, sheriff of Mitchell County, at his own expense, left the State of North Carolina, having taken with him one man and at Maryville, Tennessee, having secured the assistance of three other men and having traveled thirty-five miles into the Smoky Mountains, and having paid the sum of sixty-three dollars and the expenses of his assistants in Tennessee, together with his own expenses including livery bills, hotel bills, railroad fare for himself and the prisoner, together with his guard, all of which amounted to about one hundred and fifty dollars; and whereas, under the law as now exists, no compensation can be allowed for the sheriff: Now, therefore,

Preamble.

The General Assembly of North Carolina do enact:

Payment author-
ized.

SECTION 1. That the State treasurer of North Carolina be, and he is hereby authorized, empowered and directed to issue his voucher in favor of Joseph Tipton, sheriff of Mitchell County, North Carolina, in the sum of one hundred and seventy-eight dollars and forty cents, in full compensation to the said sheriff of Mitchell County for the arrest and delivery of the said Jeter Barnett to the common jail of Mitchell County.

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 24th day of February, 1915.

CHAPTER 50.

AN ACT TO AMEND CHAPTER 1 OF THE PUBLIC LAWS OF 1913, IN REGARD TO SALARIES FOR CLERKS IN THE GOVERNOR'S OFFICE.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter one of the Public Laws of one thousand nine hundred and thirteen, be repealed, and in lieu thereof the following inserted:

The salaries of the employees of the executive department shall be as follows; and no more: The private secretary of the governor shall receive an annual salary of two thousand dollars. There shall also be to the governor an executive secretary, who shall receive a salary of twelve hundred dollars per annum and who shall not be required to do clerical work for or allowed to receive pay from the adjutant general's office for which three hundred dollars has heretofore been allowed; and for additional clerical assistance the executive department shall be allowed a sum not exceeding nine hundred dollars per annum.

Private secretary.

Executive secretary.

Additional clerical assistance.

SEC. 2. That the salaries for secretaries and clerks in the governor's office be, and they are hereby provided as they were by chapter ninety-five of the Public Laws of one thousand nine hundred and eleven.

Salaries for secretaries and clerks.

SEC. 3. That the compensation herein provided for the executive secretary shall operate and relate from the beginning of the fiscal year, December first, one thousand nine hundred and fourteen.

Compensation of executive secretary.

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 25th day of February, 1915.

CHAPTER 51.

AN ACT TO APPOINT AN ARBOR DAY FOR NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That the Friday following the first day of November in each year shall be known as Arbor Day, to be appropriately observed by the public schools of the State.

Date to be observed.

Proclamation by
governor.

SEC. 2. That the governor is herewith authorized to make proclamation setting forth the provisions of this act and recommending that Arbor Day be appropriately observed by the school children of the State, in order that they may be brought up to appreciate the true value of trees and forests to their State.

Supervision of
observance.

SEC. 3. That it shall be the duty of the State superintendent of public instruction to take the matter of the observance of Arbor Day by the public schools of the State, under his general supervision, to issue each year a program for its observance to cover such part of the day as he may prescribe, and to transmit suitable instructions to the county school authorities under his charge for an appropriate observance of Arbor Day.

Program.

Instructions.

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 25th day of February, 1915.

CHAPTER 52.

AN ACT TO AMEND CHAPTER 65 OF THE PUBLIC LAWS OF 1913 (EXTRA SESSION), REQUIRING THE DIRECTORS OF THE STATE'S PRISON TO AID IN THE CONSTRUCTION OF A CERTAIN PUBLIC ROAD IN HALIFAX TOWNSHIP, HALIFAX COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter sixty-five of the Public Laws of nineteen hundred and thirteen, extra session, be and the same is hereby amended so as to read as follows:

Direction of work.

"That this work shall be done in accordance with and under the direction of the highway commission of Halifax township, and said directors of the State's Prison shall place on said road not later than August first, nineteen hundred and fifteen, a force of convicts not less than thirty in number, with suitable teams, and so forth, not less than forty mules, with wagons and tools, and keep the same there until said work is completed: *Provided*, that the directors of the State's Prison may not be required to build a more expensive type of road than the roads built under the bond issue by the highway commission of said township."

Convicts and
teams furnished.

Proviso:
Type of roads.

SEC. 2. That all laws in conflict with this act are hereby repealed.

SEC. 3. This act shall be in force from its ratification.

In the General Assembly read three times and ratified this the 25th day of February, 1915.

CHAPTER 53.

AN ACT TO AMEND CHAPTER 63 OF THE PUBLIC LAWS OF 1913, AND CHAPTER 196 OF THE PUBLIC LAWS OF 1913, IN REGARD TO THE TERMS OF THE SUPERIOR COURT TO BE HELD IN ALAMANCE COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That under the title "Tenth" in section two of chapter sixty-three of the Public Laws of one thousand nine hundred and thirteen, there be an amendment as follows: That opposite the word "Alamance" the words "twelve weeks" be stricken out and the words "eight weeks" be inserted in lieu thereof. Weeks of court.

SEC. 2. That section one of chapter one hundred and ninety-six, of the Public Laws of one thousand nine hundred and thirteen, be amended as follows: That the words succeeding the words "Alamance County" in said section and down to the words "Durham County" in said section be stricken out and that the following be inserted in lieu thereof, to wit: "The first Monday in March; the second Monday before the first Monday in September; the twelfth Monday after the first Monday in September, each term to continue for one week and each for the trial of criminal cases only; the sixth Monday before the first Monday in March (to continue for one week); the twelfth Monday after the first Monday in March (to continue for two weeks); the first Monday after the first Monday in September (to continue for two weeks), each of said terms for the trial of civil cases exclusively. Schedule of terms.

SEC. 3. That all laws and parts of laws in conflict with the provisions of 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 26th day of February, 1915.

CHAPTER 54.

AN ACT TO CHANGE THE TIME FOR HOLDING THE MARCH TERM OF THE SUPERIOR COURT OF ORANGE COUNTY AND THE OCTOBER TERM OF THE SUPERIOR COURT OF PERSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter one hundred and ninety-six of the Public Laws of one thousand nine hundred and thirteen, fixing the time for holding the courts of Orange County, be and the same is hereby amended by striking out (on page three hundred and twenty-six, line seventeen from the top) the word Term for Orange County.

“fourth” and inserting in lieu thereof the word “third,” so that the language thereof shall be “third Monday after the first Monday in March” instead of “fourth Monday after the first Monday in March.”

Term for
Person County.

SEC. 2. That section one of chapter one hundred and ninety-six of the Public Laws of one thousand nine hundred and thirteen, fixing the time for holding the courts of Person County, be and the same is hereby amended by striking out (on page three hundred and twenty-six, line twenty-two from the top) the word “seventh” and inserting in lieu thereof the word “sixth” so that the last clause in reference to Person County shall read “sixth Monday after the first Monday in September” instead of “seventh Monday after the first Monday in September.”

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 26th day of February, 1915.

CHAPTER 55.

AN ACT TO PERMIT COUNTIES, TOWNSHIPS AND CERTAIN SCHOOL DISTRICTS TO ISSUE BONDS TO BUILD SCHOOL-HOUSES.

The General Assembly of North Carolina do enact:

County commis-
sioners to order
election.

Petition for elec-
tion.

Notice of election.

Territory af-
fected.

Question to be
voted on.

Specifications to
be set out in
petition and in
order for election.

Limit on amount
of bonds.

SECTION 1. The board of county commissioners of any county in the State shall, upon the petition of the county board of education, order an election after thirty days notice at the courthouse door and a publication of four weeks in some newspaper published in the county, to be held in any county, township or school district which embraces an incorporated town or city or in which there is maintained a public high school, to ascertain whether the voters in said county, township or school district are in favor of issuing bonds for the purpose of building, rebuilding and repairing schoolhouses and furnishing the same with suitable equipment. The amount of bonds to be issued and the rate of interest they are to bear which shall not be more than six per cent per annum, payable semi-annually, and the length of time the bonds are to run, which shall not be more than twenty years, and the maximum tax that may be levied, which shall not exceed thirty cents on the one hundred dollars and ninety cents on the poll, shall be set forth in the petition of the county board of education and in the order for the election made by the board of county commissioners. In no case shall the bonds authorized under this act for an entire county exceed the sum of one hundred thousand dollars nor for a township or school district the sum of twenty-five thousand dollars, but the bonds

for a township or school district may be in addition to the bonds for the entire county.

SEC. 2. The election for an entire county shall be held under the rules and regulations governing general elections as near as may be, and if for a township or school district then under the rules and regulations governing elections in special tax districts as prescribed in section four thousand one hundred and fifteen of the Revisal of one thousand nine hundred and five; but whether the election be for a county or for a township or school district a new registration shall be ordered. At said election those favoring the issuance of bonds and the levying of a special tax shall vote a ballot on which shall be printed the words "For Schoolhouse Bonds," and those who are opposed shall vote a ballot on which shall be printed the words "Against Schoolhouse Bonds." The expenses of holding such elections shall be paid out of the general school fund of the county.

Law governing elections.

New registration.

Ballots.

Expense of elections.

SEC 3. If a majority of the qualified voters shall vote "For Schoolhouse Bonds" then it shall be the duty of the county board of commissioners to issue bonds not exceeding the amount specified in the order of election as the county board of education may request, and shall thereafter annually levy a sufficient tax not exceeding the amount specified in the order of election to pay the interest on said bonds and create a sinking fund sufficient to pay the principal and interest on said bonds when they fall due.

Special tax.

SEC. 4. The said bonds when so issued shall be delivered to the county board of education who shall sell the same for not less than par and hold the proceeds for the benefit of the county building fund if the election be for the entire county or for the benefit of the township or school district in which the election was held. The said fund shall be paid out upon the order of the committee or trustees of the township or school district to which the fund belongs, and upon order of the board of education if the fund belongs to the entire county. The sinking fund provided for by this act shall be invested by the county board of education in safe securities or may be deposited in the bank that will pay as much as four per cent per annum compounded quarterly, and will give a sufficient bond for the safety of such deposit.

Delivery and sale of bonds.

Orders for payment of funds.

Investment of sinking fund.

SEC 5. That the taxes levied hereunder shall be collected by the sheriff or other officer charged with the collection of other taxes, and they shall in respect thereto be liable officially as well as personally to all requirements of the law now or hereafter to be prescribed for the faithful collection and payment of other county taxes.

Collection of taxes.

Liability of officers.

SEC. 6. This act shall be in effect from and after its ratification.

In the General Assembly read three times and ratified this the 26th day of February, 1915.

CHAPTER 56.

AN ACT RELATING TO LOCAL IMPROVEMENTS IN MUNICIPALITIES.

The General Assembly of North Carolina do enact:

Definition of terms:
"Municipality."

SECTION 1. In this act the term "municipality" means any city or town in the State of North Carolina now or hereafter incorporated;

"Governing body."

"Governing body" includes the board of aldermen, board of commissioners, council, or other chief legislative body of a municipality;

"Street improvement."

"Street improvement" includes the grading, regrading, paving, repaving, macadamizing and remacadamizing of public streets and alleys, and the construction, re-construction and altering of curbs, gutters and drains in public streets and alleys;

"Sidewalk improvement."

"Sidewalk improvement" includes the grading, construction, re-construction and altering of sidewalks in public streets or alleys, and may include curbing and gutters;

"Local improvement."

"Local improvement" means any work undertaken under the provisions of this act, the cost of which is to be specially assessed, in whole or in part, upon property abutting directly on the work;

"Frontage."

"Frontage" when used in reference to a lot or parcel of land abutting directly on a local improvement, means that side or limit of the lot or parcel of land which abuts directly on the improvement.

Application of act.
Effect as to special or local laws.

SEC. 2. This act shall apply to all municipalities. It shall not, however, repeal any special or local law or affect any proceedings under any special or local law, for the making of street, sidewalk or other improvements hereby authorized, or for the raising of funds therefor, but shall be deemed to be additional and independent legislation for such purposes and to provide an alternative method of procedure for such purposes, and to be a complete act, not subject to any limitation or restriction contained in any other public or private law or laws, except as herein otherwise provided.

Resolutions pursuant to act.

SEC. 3. Every resolution passed pursuant to this act shall be passed in the manner prescribed by other laws for the passage of resolutions. Whenever a resolution or notice is required by this act to be published, it shall be published at least once in a newspaper published in the municipality concerned, or, if there be no such newspaper, such resolution or notice shall be posted in three public places in the municipality for at least five days.

Publications required by act.

Powers of municipalities as to local improvements on petitions.

SEC. 4. Every municipality shall have power, by resolution of its governing body, upon petition made as provided in the next succeeding section, to cause local improvements to be made and to defray the expense of such improvements by local assessment, by general taxation, and by borrowing, as herein provided. No petition shall be necessary, however, for the ordering or

making of private water, sewer and gas connections as herein-after provided. Nor shall a petition be necessary for the making of sidewalk improvements in those municipalities in which by other law or laws sidewalk improvements are authorized to be made without petition.

Cases where petitions not necessary.

SEC. 5. The petition for a local improvement shall be signed by at least a majority in number of the owners, who must represent at least a majority of all the lineal feet of frontage of the lands (a majority in interest of owners of undivided interests in any piece of property to be deemed and treated as one person for the purpose of the petition), abutting upon the street or streets or part of a street or streets proposed to be improved. The petition shall cite this act and shall designate by a general description the local improvement to be undertaken and the street or streets or part thereof whereon the work is to be effected. The petition shall be lodged with the clerk of the municipality, who shall investigate the sufficiency thereof, submit the petition to the governing body, and certify the result of his investigation. The determination of the governing body upon the sufficiency of the petition shall be final and conclusive.

Requirements of petitions for local improvements.

Description of improvement.

Investigation of petition.

Determination as to sufficiency.

SEC. 6. The preliminary resolution determining to make a local improvement shall, after its passage, be published. Such resolution shall designate by a general description the improvement to be made, and the street or streets or part or parts thereof whereon the work is to be effected, and the proportion of the cost thereof to be assessed upon abutting property and the terms and manner of the payment. If such resolution shall provide for a sidewalk improvement, it may, in those municipalities in which the owners of the abutting property are required to make payment of the entire cost thereof, without petition direct that the owners of the property abutting on the improvement shall make such sidewalk improvement, and that unless the same shall be made by such owners on or before a day specified in the resolution, the governing body may cause such sidewalk improvement to be made. If the resolution shall provide for a street improvement, it shall direct that any street railway company or other railroad company having tracks on the street or streets or part thereof to be improved shall make such street improvement with such material and of such a character as may be approved by the governing body, in that part of such street or streets or part thereof which the governing body may prescribe, not to exceed, however, the space between the tracks, the rails of the tracks, and eighteen inches in width outside of the tracks of such company, and that unless such improvement shall be made on or before a day specified in such resolution, the governing body will cause such improvement to be made: *Provided, however,* that where any such company shall occupy such street or streets under a franchise or contract which otherwise provided, such franchise or contract shall not be affected

Preliminary resolution to be published.

Description of improvement.

Proportion of cost.

Resolution for sidewalk improvements.

Resolutions for improvements of streets carrying car tracks.

Proviso: Franchises carrying use of streets.

by this act, except in so far as this act may be consistent with the provisions of such franchise or contract. If the resolution shall provide for a street or sidewalk improvement, it may, but need not, direct that the owners of all property, abutting on the improvement shall connect their several premises with water mains, gas and sewer pipes located in the street adjacent to their several premises in the manner prescribed in such resolution, and that unless such owners shall cause such connection to be made on or before a day specified in such resolution, the governing body will cause the same to be made.

Water, gas and sewer connections.

Character of construction and material.

SEC. 7. The governing body shall have power to determine character and type of construction and of material to be used in making a local improvement, and whether the work, where not done by owners of abutting property or by a street or other railroad company, shall be done by the forces of the municipality or by contract: *Provided*, that for the purposes of securing uniformity in the work the governing body shall always have the power to have all street paving done by the forces of the municipality or by contract under the provisions of this act.

Method of work.

Proviso: Uniformity of work.

Assessments for streets and sidewalks on abutting property.

SEC. 8. One-half of the total cost of a street or sidewalk improvement made by a municipality, exclusive of so much of the cost as is incurred at street intersections and the share of railroads or street railways, shall be specially assessed upon the lots and parcels of land abutting directly on the improvements, according to the extent of their respective frontages thereon, by an equal rate per foot of such frontage, unless the petition for such street or sidewalk improvement shall request that a larger proportion of such cost, specified in the petition, be so assessed, in which case such larger proportion shall be so assessed, and the remainder of such cost shall be borne by the municipality at large. The cost of that part of a street improvement required to be borne by a railroad or street railway company, and made by the municipality after default by a railroad or street railway company in making the same, as hereinbefore provided, shall be assessed against such company, and shall be collected in the same manner as assessments are collected from abutting property owners, and such assessment shall be a lien on all of the franchises and property of such railroad or street railway company. The entire cost of a sidewalk improvement required to be made by owners of property abutting thereon, and made by the municipality after default by such property owners in making the same, as hereinbefore provided, shall be assessed against the lots and parcels of land abutting on that side of the street upon which the improvement is made and directly on the improvement, according to their respective frontages thereon, by an equal rate per foot of such frontage. The entire cost of each water, gas and sewer connection, required to be made by the owner of the property for or in connection with which such connection was made,

Costs assessed on railroad and street railway companies.

Lien of assessment.

Assessments for sidewalk improvements.

Assessments for water, gas and sewer connections.

but made by the municipality after default by such property owner in making the same, as hereinbefore provided, shall be specially assessed against the particular lot or parcel of land for or in connection with which it was made. No lands in the municipality shall be exempt from local assessment.

No lands exempt from local assessments.

Ascertainment of cost.

Interest included in estimate.

Assessment of total cost.

Assessment roll.

Deposit for inspection.

Notice of completion of roll and of time for hearing.

Hearing on objections to assessments.

Action on assessments.

Assessments a lien from confirmation.

Delivery of roll for collection.

Notice of appeal.

SEC. 9. Upon the completion of any local improvement the governing body shall compute and ascertain the total cost thereof. In the total cost shall be included the interest paid or to be paid on notes or certificates of indebtedness issued by the municipality to pay the expense of such improvement pursuant to section twelve of this act incident to the improvement and the assessment therefor. The governing body must thereupon make an assessment of said total cost pursuant to the provisions of section eight of this act, and for that purpose must make out an assessment roll in which must be entered the names of the persons assessed as far as they can ascertain the same, and the amount assessed against them, respectively, with a brief description of the lots or parcels of land assessed. Immediately after such assessment roll has been completed, the governing body shall cause it to be deposited in the office of the clerk of the municipality for inspection by parties interested, and shall cause to be published a notice of the completion of the assessment roll, setting forth a description in general terms of the local improvement, and the time fixed for the meeting of the governing body for the hearing of allegations and objections in respect of the special assessment, such meeting not to be earlier than ten days from the first publication or posting of said notice. Any number of assessment rolls may be included in one notice. At the time so appointed, or at some other time to which it may adjourn, for that purpose, the governing body or a committee thereof, must hear the allegations and objections of all persons interested, who appear, and may make proof in relation thereto. The governing body may thereupon correct such assessment roll, and either confirm the same or may set it aside, and provide for a new assessment. Whenever the governing body shall confirm an assessment for a local improvement the clerk of the municipality shall enter on the minutes of the governing body the date, hour, and minutes of such confirmation, and from the time of such confirmation the assessments embraced in the assessment roll shall be a lien on the real property against which the same are assessed, superior to all other liens and incumbrances. After the roll is confirmed a copy of the same must be delivered to the tax collector or other officer charged with the duty of collecting taxes. If a person assessed is dissatisfied with the amount of the said charge he may give notice within ten days after such confirmation that he takes an appeal to the next term of superior court of the county in which said municipality is located, and shall within five days thereafter, serve a statement of facts upon which he bases

Appeal ot to delay work.

Trial on appeal.

Powers of governing body defined.

Interest included in costs.

Payment of assessments.

Interest on assessments.

Maturity of assessment on failure to pay installment.

Sale of property for assessments.

Payment in full.

Notice for payment of assessment.

his appeal, but said appeal shall not delay or stop the said improvements. The said appeal shall at the said term of court be tried as other actions at law. The governing body may correct, cancel or remit any assessment for a local improvement, and may remit, cancel or adjust the interest or penalties on any such assessment. The governing body has the power, when in its judgment there is any irregularity, omission, error or lack of jurisdiction in any of the proceedings relating thereto, to set aside the whole of the local assessment made by it, and thereupon to make a re-assessment. In such case there shall be included as a part of the costs of the public improvement involved, all interest paid or accrued on notes or certificates of indebtedness, or assessment bonds issued by the municipality to pay the expenses of such improvement, and the proceeding shall be in all respects as in cases of local assessment and such re-assessment shall have the same valid and binding force as if it had originally been properly made.

SEC. 10. The property owner or railroad or street railway company hereinbefore mentioned shall have the option and privilege of paying for said improvements hereinbefore provided for in cash, or if they should so elect and give notice of the fact in writing to the municipality within thirty days after the notice mentioned in next succeeding section, they shall have the option and privilege of paying said assessments in not less than five nor more than ten equal annual installments as may have been determined by the governing body in the original resolution authorizing such improvement. Said installments shall bear interest at the rate of six per centum per annum from the date of the confirmation of the assessment roll, and in case of the failure or neglect of any property owner or railroad or street railway company to pay said installment when the same shall become due and payable, then and in that event all of said installments remaining unpaid shall at once become due and payable and said property and franchises shall be sold by said municipality under the same rules, regulations, rights of redemption and savings as are now prescribed by law for the sale of land for unpaid taxes. The whole assessment may be paid at the time of paying any installment by payment of the principal and all interest accrued to that date.

SEC. 11. That after the expiration of twenty days from the confirmation of an assessment roll the tax collector or such other officer of the municipality as the governing body may direct so to do shall cause to be published in a newspaper published in the municipality, or if there be no such newspaper, shall cause to be posted in at least three public places therein, a notice that any assessment contained in said assessment roll, naming and describing it, may be paid to him at any time before the expiration of thirty days from the first publication of said notice without any addition. In the event said assessment be

not paid within said time the same shall bear interest at the rate of six per cent per annum from the date of the confirmation of the assessment roll and shall become due and payable on the date on which taxes are payable: *Provided*, that where an assessment is divided into installments one installment shall become due and payable each year on the date on which taxes are due and payable. If any assessment or installment thereof is not paid when due, it shall be subject to the same penalties as are now prescribed for unpaid taxes, in addition to the interest herein provided for.

Interest in default of payment.

Proviso: Annual installments.

Penalties for non-payment.

SEC. 12. At any time before the cost of any local improvement shall be computed and ascertained as provided in section nine of this act, the governing body may from time to time by resolution authorize the treasurer to borrow money to the extent required to pay the cost of any such improvement or to repay any money borrowed under this section with interest thereon. The resolution authorizing any such loan or loans may provide for the issue of notes or certificates of indebtedness of the municipality, or both, payable either on demand or at a fixed time, not more than six months from the date thereof and bearing interest not exceeding six per centum per annum. Said notes or certificates may be sold at public or private sale, or pledged as security for temporary loans, as the governing body may by such resolution direct. Any temporary indebtedness incurred under the authority of this section, with the interest thereon, may be paid out of moneys raised by the issue and sale of "local improvement bonds" or "assessment bonds," or both, to be issued and sold as hereinafter provided, or may be included in the annual tax levy.

Power to borrow money.

Issue of notes.

Maturity.

Interest.

Sale or pledge of notes.

Payment of temporary indebtedness.

SEC. 13. After the governing body of said municipality shall have levied said assessment against the property abutting upon said street or streets, the city clerk or person designated, shall have prepared from such assessment roll and deliver to the tax collector or person designated, a well bound book styled "Special Assessment Book," which shall be so ruled as to conveniently show:

Special assessment book.

1. Name of owner of such property.
2. The number of lot or part of lot and the plan thereof if there be a plan.
3. The frontage of said lot.
4. The amount that has been assessed against such lot.
5. The amount of such installments and the day on which installments shall become due.

Matters to be shown.

Such book shall be indexed according to the name of the owners of the property and entries of all payments or partial payments shall be immediately entered upon said book when made, and said book shall be open to the inspection of any citizen of the municipality.

Index.

Entries of payments.

Book open to inspection.

Local improve- ment bonds.	<p>SEC. 14. Whenever an assessment for any local improvement shall have been confirmed, the governing body may by resolution direct that the amount and proportion of the expense of such improvement which shall be borne by the municipality at large shall be raised by the issuance of bonds of the municipality to be known as "Local Improvement Bonds." Such bonds shall be payable at such time or times, not exceeding thirty years from their date, as the governing body shall determine. There shall be raised annually by tax upon all the taxable property of the municipality, after the issuance of any such bonds, a sum sufficient to meet and pay the interest thereon, as the same becomes due, and a sum to be paid into a sinking fund which will, together with the accumulations thereof, provide a fund sufficient to meet and pay the principal of said bonds at maturity: <i>Provided, however</i>, that if such bonds be made payable in annual installments substantially equal in amount, the first of which installments shall be payable within two years from the date of such bonds and the last within twenty years of such date, the governing body authorizing such bonds, in lieu of providing for a sinking fund to meet the principal of such bonds, shall cause to be raised by taxation in each year in which an installment of principal shall be payable, or in the next preceding year, an amount sufficient to meet said installment, in addition to the annual tax during the life of the bonds to provide for the payment of the interest accruing thereon. The municipality's share of two or more improvements may be included in a single issue of local improvement bonds.</p>
Maturity of bonds.	
Tax for interest and sinking fund.	
Proviso: Payment of bonds in installments.	
Bonds for pay- ment of amounts assessed on lands.	<p>SEC. 15. Whenever an assessment for any local improvement shall have been confirmed, and twenty days shall have elapsed since the first publication of notice of such confirmation, the governing body may by resolution direct that the amount and proportion of the expense of such improvement which shall have been assessed upon the abutting property, or any part of such expense, shall be raised by the municipality by the issuance of its bonds, to be known as "assessment bonds." Such bonds shall be made payable in not less than five and not more than ten substantially equal annual installments, the last of which shall become due not less than five nor more than ten years after the issuance of the bonds. All moneys derived from the collection of assessments upon which assessment bonds are predicated, collected after the passage of the resolution authorizing such bonds, shall be placed in a special fund, to be used only for the payment of the principal and interest of assessment bonds issued under this act; and if at the time of the annual tax levy for any year in such municipality it shall appear that such fund will be for any cause insufficient to meet the principal and interest of such bonds maturing in such year, the amount of the deficiency shall be included in such tax levy. The amount of the assess-</p>
Official entitle- ment.	
Maturity in installments.	
Collections on assessments to be used for paying bonds.	
Tax for deficiency.	

ments for two or more improvements may be included in a single issue of assessment bonds.

SEC. 16. Bonds authorized to be issued by this act shall be of such denomination, bear such rate of interest, not exceeding six per centum per annum, and be payable at such places, and be in such form as the governing body may by resolution provide. Such bonds shall be signed by the mayor or other chief executive officer, and the clerk of the municipality issuing them, and shall bear the seal of such municipality. Coupons attached to such bonds shall bear the facsimile signature of one or more of said officers. Such bonds may be either coupon bonds or registered bonds, or coupon bonds with the privilege of registration as to principal only, or of conversion into bonds registered as to both principal and interest. They may be sold at public or private sale, but for not less than their par value. They shall recite that they are issued pursuant to the authority of this act and of the resolution authorizing the issuance thereof which shall be conclusive evidence of their validity, and of the regularity of their issuance.

Denominations of bonds.

Interest.

Authentication.

Bonds, coupon or registered.

Sale not below par.

Evidence of validity.

SEC. 17. The full faith and credit of a municipality shall be pledged for the payment of the principal and interest of all of its local improvement bonds, assessment bonds, notes and other obligations issued under this act. For the purpose of paying such principal and interest the governing body shall have power to levy sufficient taxes upon all the taxable property in the municipality and to borrow money temporarily upon notes of the municipality in anticipation of taxes of the same or the succeeding fiscal year.

Obligation of bonds.

Power to levy taxes.

Power to borrow money.

SEC. 18. That this act shall be in force from and after its ratification.

In the General Assembly read three times and ratified this the 27th day of February, 1915.

CHAPTER 57.

AN ACT TO EMPOWER THE STATE TREASURER TO TRANSFER FUNDS FROM THE STATE HOSPITAL COMMISSION ACCOUNT TO THE GENERAL FUNDS OF THE STATE AND TO CLOSE THE ACCOUNT OF SAID STATE HOSPITAL COMMISSION.

The General Assembly of North Carolina do enact:

SECTION 1. That Hon. B. R. Lacy, State Treasurer, be, and he is hereby, authorized, directed and empowered to withdraw and transfer the balance to the credit of the account of the State Hospital Commission on the books of said State Treasurer, to wit: Three hundred and fifty-four and eighty-two one hundredths

Fund transferred to general fund.

dollars, and to deposit said sum to the account of the general funds of the State, to be used for general State purposes.

Account closed.

SEC. 2. That when said funds have been so withdrawn and deposited to the general fund that the account of the State hospital commission be closed and dropped from the actual accounts of the treasurer's office.

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 27th day of February, 1915.

CHAPTER 58.

AN ACT TO AMEND CHAPTER 569 OF THE PUBLIC LAWS OF 1909, RELATIVE TO THE TERMS OF SUPERIOR COURT OF HERTFORD COUNTY AND TIME FOR HOLDING SAME.

The General Assembly of North Carolina do enact:

Terms of court.

SECTION 1. That section one, chapter five hundred and sixty-nine of the Public Laws of one thousand nine hundred and nine, be and the same is hereby amended by striking out all after the word "week" in line six and down to the word "sixth" in line eight and inserting in lieu thereof, "sixth Monday after the first Monday in March, to continue for two weeks, unless sooner adjourned by the court; fifth Monday before the first Monday in September, to continue for one week, for the trial of criminal cases, and for civil cases as hereinafter provided."

SEC. 2. That section two, of said chapter five hundred and sixty-nine be and the same is hereby amended by striking out the words "two weeks term" in line one and inserting in lieu thereof "two week terms."

Causes and actions heard at July term.

SEC. 3. That all causes and actions not requiring a jury trial may be heard and determined at the July term heretofore created, just as at any other regular term of said court.

Jury trials by consent.

SEC. 4. That jury cases on the civil docket of said court may be tried by consent of all parties at said July term.

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 full force and effect from and after its ratification.

In the General Assembly read three times and ratified this the 1st day of March, 1915.

CHAPTER 59.

AN ACT TO REGULATE FISHING IN HYDE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons to set or use any pound or Dutch net south of the dividing line between Dare and Hyde Counties on the west side of Pamlico Sound along the shores of Hyde County, more than two thousand yards from a line drawn from point to point along said shore.

Use of pound or dutch nets forbidden.
Territory affected.

SEC. 2. That any person violating section one of this act shall be deemed guilty of a misdemeanor and upon conviction shall remove said nets at once: *Provided*, that any person failing to remove said nets after conviction shall be subject to a fine of not less than ten nor more than fifty dollars.

Misdemeanor.
Removal of nets.
Proviso:
Punishment on failure to remove nets.

SEC. 3. 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 March, 1915.

CHAPTER 60.

AN ACT TO AMEND CHAPTER 196 OF THE PUBLIC LAWS OF 1913, RELATIVE TO THE TIME OF HOLDING COURTS IN NEW HANOVER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. Amend section one of chapter one hundred and ninety-six of the Public Laws of one thousand nine hundred and thirteen as follows: Strike out in line twelve, on page three hundred and twenty-four of said laws, under the paragraph beginning with the words "New Hanover County," the word "eighth" and insert in lieu thereof the word "seventh;" strike out the words "two weeks" in line thirteen on said page and in said paragraph and insert in lieu thereof, the words "for one week for the trial of criminal cases exclusively;" strike out the word "each" in line fifteen on said page in said paragraph; strike out the words "and civil" in line sixteen on said page in said paragraph; strike out the word "fifteenth" in line nineteen on said page in said paragraph and insert in lieu thereof the word "sixteenth;" strike out beginning with the word "to" in line nineteen on said page in said paragraph down to and including the word "cases" in line twenty-one on said page in said paragraph and insert in lieu thereof the following: "to continue one week for the trial of criminal cases exclusively;"

Schedule of terms

strike out the words "and civil" in line twenty-one on said page in said paragraph.

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

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 1st day of March, 1915.

CHAPTER 61.

AN ACT TO PROVIDE FOR CURTAILMENT OF EXPENDITURES FOR PUBLIC PRINTING.

The General Assembly of North Carolina do enact:

Commissioner may disallow expenditure.

SECTION 1. That whenever, in the judgment of the Commissioner of Labor and Printing any requisition received by him from any state officer or department goes beyond the intent of the laws allowing printing, he may decline to allow the expenditure required to cover the cost of the printing or other similar matter required: *Provided*, that the officer or department making such requisition shall have the right of appeal from the decision of the Commissioner of Labor and Printing to the printing commission, whose finding shall be final: *Provided, further*, that a full account of such appeal shall be filed with the Joint Committee on Printing of the General Assembly at the succeeding session.

Proviso:
Appeal to printing commission.

Proviso:
Report of appeal to General Assembly.

SEC. 2. That all laws and clauses of laws in conflict herewith be and the same are repealed.

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 March, 1915.

CHAPTER 62.

AN ACT TO PROMOTE ECONOMY IN THE PUBLIC PRINTING, AND FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

Printing allowance for bureau.

SECTION 1. That section twenty-three of chapter one hundred and nine of the Public Laws of one thousand nine hundred and thirteen, relative to printing of the Bureau of Vital Statistics, be amended by striking out all of said section after the word "health" in line five of said section.

SEC. 2. That chapter six hundred and thirty-four of the Public Laws of one thousand nine hundred and nine, relative to publication of bulletins for the agricultural experiment station be and the same is repealed. Publication of bulletins.

SEC. 3. That section four thousand seven hundred of the Revisal of one thousand nine hundred and five, relative to reports of insurance commissioner to clerks of court, be and the same is amended by striking out in line six of said section the words "an abstract of each annual statement" and inserting in lieu thereof the words "a copy of each volume of his annual report." Insurance reports.

SEC. 4. That section four thousand nine hundred and eighty-five of the Revisal of one thousand nine hundred and five be and the same is hereby amended by adding at the end of said section the following:

"He may have printed once in each two years, but not oftener, a list of the pensioners on the pension roll, providing on each biennial published list space for correcting the list for the years in which the list is not printed." Lists of pensioners.

SEC. 5. That the following institutions, and all others sustained by appropriations from the state treasury be and they are required to furnish to the Commissioner of Labor and Printing not later than December fifteenth of each biennial period a duplicate of the report required to be furnished to the governor for his use and for the records of his office, for inclusion in the public documents. Not to exceed two hundred copies of such report may be furnished to the executive head of such institutions; Institutions to furnish duplicates of reports.

The University of North Carolina, Chapel Hill; The North Carolina College of Agriculture and Mechanic Arts, Raleigh; The North Carolina Agricultural Experiment Station, Raleigh; The Agricultural and Mechanical College for the Colored Race, Greensboro; The North Carolina Institution for the Blind and the Deaf, Raleigh; The Normal Department of Cullowhee High School, Painter; The Appalachian Training School, Boone; The North Carolina School for the Deaf and Dumb, Morganton; The Central Hospital, Raleigh; The State Hospital, Morganton; The State Hospital (colored), Goldsboro; The State Prison, Raleigh; The Eastern Carolina Teachers' Training School, Greenville; The State Board of Health, including the Bureau of Vital Statistics, the State Laboratory of Hygiene and the State Sanatorium for the Treatment of Tuberculosis, Montrose; Number printed for institutions.

Provided, that these reports shall carry only such matters as are essential to a proper understanding of the work and purposes of the institution, together with a financial statement covering the previous biennial period ending December first. List of institutions.

SEC. 6. That all laws and clauses of laws in conflict with this act are hereby repealed. Proviso: Matters carried in reports.

In the General Assembly read three times and ratified this the 1st day of March, 1915.

CHAPTER 63.

AN ACT PROVIDING FOR AN ADDITIONAL TERM OF COURT
FOR NASH COUNTY.

The General Assembly of North Carolina do enact:

Term established.

SECTION 1. In addition to the courts now established by law, there shall be held in and for the County of Nash, at the courthouse in Nashville, on the twelfth Monday after the first Monday in March, a term of the superior court, by the judge thereof, to continue one week for the trial of civil cases only.

SEC. 2. That all laws and clauses of laws in conflict herewith are hereby repealed.

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 March, 1915.

CHAPTER 64.

AN ACT RELATIVE TO THE HOLDING OF COURTS IN
MOORE COUNTY.

The General Assembly of North Carolina do enact:

Schedule of terms.

SECTION 1. The terms of the superior court for Moore County shall be as follows, and not otherwise: A term beginning the sixth Monday before the first Monday in March of each year for the trial of criminal cases only; a term beginning the third Monday before the first Monday in March for the trial of civil cases exclusively; a term beginning on the eleventh Monday after the first Monday in March, for the trial of civil cases exclusively; a term beginning the third Monday before the first Monday in September, for the trial of criminal cases exclusively; a term beginning the second Monday after the first Monday in September for the trial of civil cases exclusively; a term beginning the fourteenth Monday after the first Monday in September for the trial of civil cases exclusively. Each of said terms of court shall continue in session one week, unless the business thereof shall be sooner disposed of. Each of the aforesaid terms designated for the trial of criminal cases shall also be a return term for civil process and for the hearing of motions in civil causes; and civil cases requiring a jury may, by consent of parties thereto, be tried at such terms.

Return term for civil process. Civil cases by consent.

SEC. 2. All laws and clauses of laws in conflict herewith are hereby repealed.

SEC. 3. This act shall be in force and effect from and after the twenty-eighth day of February, one thousand nine hundred and fifteen.

In the General Assembly read three times and ratified this the 1st day of March, 1915.

CHAPTER 65.

AN ACT TO AMEND CHAPTER 196 OF THE PUBLIC LAWS OF NORTH CAROLINA, 1913, CHANGING THE TIME FOR HOLDING THE AUGUST TERM OF THE SUPERIOR COURT OF HALIFAX COUNTY; AND TO CHANGE THE TIME FOR HOLDING THE TERMS OF THE SUPERIOR COURT OF BERTIE COUNTY, TO ABOLISH TWO WEEKS THEREOF AND TO PROVIDE FOR A CIVIL TERM OF SAID COURT.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter one hundred and ninety-six of the Public Laws of North Carolina, session one thousand nine hundred and thirteen, be amended by striking out the words "second Monday before the first Monday in September" in line five of subsection under the heading "Halifax County," applicable to Halifax County, on page three hundred and twenty of the printed Public Laws of North Carolina, session one thousand nine hundred and thirteen, and inserting in lieu thereof the following words: "third Monday before the first Monday in September." Term changed.

SEC. 2. That on and after the passage of this act there shall be held in the county of Bertie terms of the superior court on the following days: Schedule of terms.

On the third Monday before the first Monday in March to continue one week.

On the ninth Monday after the first Monday in March to continue one week.

On the seventeenth Monday after the first Monday in March to continue one week, and to be exclusively for trial of civil causes.

On the first Monday before the first Monday in September to continue two weeks.

On the tenth Monday after the first Monday in September to continue one week.

SEC. 3. That all process issued before the passage and ratification of this act, returnable to the eighth Monday after the first Monday in March of Bertie County superior court, shall continue and be returnable to the ninth Monday after the first Monday in March of said court. Return of outstanding process.

SEC. 4. That all laws and clauses of laws in conflict with this act, and all other acts relative to the holding of the terms of the superior court for Bertie County, be and the same are hereby repealed.

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 March, 1915.

CHAPTER 66.

AN ACT TO AMEND CHAPTER 196 OF THE PUBLIC LAWS OF NORTH CAROLINA OF 1913, RELATING TO THE TIME FOR HOLDING COURTS OF TRANSYLVANIA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter one hundred and ninety-six of the Public Laws of North Carolina of one thousand nine hundred and thirteen, in so far as the same on page three hundred and thirty-one relates to the times for holding the courts of Transylvania County, be amended by striking out what is contained on page three hundred and thirty-one under the heading Eighteenth District, and in lieu thereof there be inserted the following:

TRANSYLVANIA COUNTY.

Schedule of terms. Sixth Monday after the first Monday in March; sixth Monday before the first Monday in September; twelfth Monday after the first Monday in September; each to continue for two weeks.

SEC. 2. The board of commissioners of Transylvania County, may, for good cause, decline to draw the grand jury for the July term of court provided for in this chapter.

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 March, 1915.

CHAPTER 67.

AN ACT ABOLISHING ONE OF THE TERMS OF SUPERIOR COURT FOR BURKE COUNTY.

The General Assembly of North Carolina do enact:

Amendment. SECTION 1. That section one of chapter one hundred and ninety-six (196) of the Public Laws of one thousand nine hundred and thirteen (1913), sub-chapter entitled "Sixteenth District," be amended by striking out in the paragraph entitled "Burke County," after the word "weeks," in line three of said paragraph, and before the word "fourth" in line four of said paragraph, the

words "thirteenth Monday after the first Monday in March," the intent and effect of this act being to abolish the term of the superior court heretofore held for Burke County commencing on the thirteenth Monday after the first Monday in March. Term abolished.

SEC. 2. That all laws in conflict with this act are hereby repealed.

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 3d day of March, 1915.

CHAPTER 68.

AN ACT TO AUTHORIZE THE RETURN OF PROCESS AND TAKING OF JUDGMENTS FINAL AND BY DEFAULT AND INQUIRY AT ALL TERMS OF THE SUPERIOR COURT OF DURHAM COUNTY, AND TO PROVIDE AN ADDITIONAL TERM OF THE SUPERIOR COURT FOR SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. Civil process shall be returnable to and pleadings filed at all terms of the superior court provided by law for Durham County, whether the same are designated in the act establishing them as for the trial of criminal cases or civil cases exclusively, or for both, and at all of said terms judgments may be rendered by default final or by default and inquiry; motion in civil actions may be heard upon due notice at all terms designated for the trial of criminal cases and trial of civil actions may be heard at such criminal terms by consent. Civil process returnable.
Judgments by default and motions.
Trials by consent.

SEC. 2. That a term of the superior court for the trial of civil cases exclusively shall be held for Durham County by the judge riding the tenth judicial district and holding the courts thereof, on the fifteenth Monday after the first Monday in March of each year, to continue for one week. Term for civil cases exclusively.
Date.

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 3d day of March, 1915.

CHAPTER 69.

AN ACT TO AMEND SECTION 2768 OF THE REVISAL OF 1905, RELATING TO COMPENSATION OF SOLICITORS WHEN DEFENDANTS ARE ASSIGNED TO WORK ON PUBLIC ROADS.

The General Assembly of North Carolina do enact:

Full fees.

SECTION 1. That section two thousand seven hundred and sixty-eight of the Revisal of one thousand nine hundred and five be amended by inserting after the word "conspiracy" and before the word "when" in line twenty-one thereof the following: and when defendants are convicted and assigned to work on the public roads of any county in the State.

Application of act.

SEC. 2. That this act shall only apply to the nineteenth judicial district.

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 3d day of March, 1915.

CHAPTER 70.

AN ACT FOR THE RELIEF OF S. A. DEHART, EX-SHERIFF OF SWAIN COUNTY.

The General Assembly of North Carolina do enact:

Collection of arrears authorized.

SECTION 1. That S. A. Dehart be and he is hereby authorized and empowered to collect back taxes for the years one thousand nine hundred and thirteen and one thousand nine hundred and fourteen.

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

In the General Assembly read three times and ratified this the 3d day of March, 1915.

CHAPTER 71.

AN ACT FIXING THE TIME FOR HOLDING TERMS OF THE SUPERIOR COURT OF YANCEY COUNTY.

The General Assembly of North Carolina do enact:

Schedule of courts.

SECTION 1. That the terms of the superior court for Yancey County shall be held on the following times and for the number of weeks herein provided, and no other, to-wit: the third Monday

after the first Monday in March, the eighth Monday after the first Monday in September, each to continue for two weeks and the second Monday in August to continue for one week for the trial of civil causes only.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

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 3d day of March, 1915.

CHAPTER 72.

AN ACT RELATIVE TO THE HOLDING OF COURTS IN RICHMOND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and ninety-six, Public Laws, one thousand nine hundred and thirteen be amended by striking out the words "Fifteenth Monday after the first Monday in March, Fifteenth Monday after the first Monday in September" in line nine, and by striking out the word "five" in line eleven, and adding in lieu thereof the word "three" in section showing the time of the holding of the superior court of Union County, Thirteenth Judicial District. Terms abolished.

SEC. 2. That the time for the holding of the superior courts of Richmond County shall be as follows, and not otherwise. Eighth Monday before the first Monday in March; fifth Monday after the first Monday in March; seventh Monday before the first Monday in September; third Monday after the first Monday in September, each for the trial of criminal cases exclusively; third Monday after the first Monday in March; fifteenth Monday after the first Monday in March; twelfth Monday after the first Monday in March; ninth Monday before the first Monday in September; first Monday in September; thirteenth Monday after the first Monday in September; fifteenth Monday after the first Monday in September, each for the trial of civil cases exclusively. Each of the aforesaid terms designated for the trial of criminal cases shall also be the return term for civil process and for the hearing of motions in civil actions; and civil cases requiring a jury, may by consent of the parties thereto, be tried at such term. Schedule of terms.

SECTION 1. That the terms of the superior court for Yancey are hereby repealed.

SEC. 4. This act shall be in force from and after the twenty-eighth day of February, one thousand nine hundred and fifteen.

In the General Assembly read three times and ratified this the 3d day of March, 1915.

CHAPTER 73.

AN ACT RELATING TO THE HOLDING OF THE SUPERIOR COURTS OF ROBESON COUNTY, FIXING A CALENDAR THEREOF AND REGULATING THE JURISDICTION OF THE SAME.

Preamble.

WHEREAS, on account of the efficiency of the several recorders' courts heretofore established in Robeson County, it is necessary to reduce the number of criminal courts, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and ninety-six of the Public Laws of North Carolina of one thousand nine hundred and thirteen, relating to the holding of the superior courts of Robeson County, be and the same is hereby amended so as to read as follows:

Schedule of terms.

"Robeson County—That the terms of the superior court for the trial of criminal cases in Robeson County shall be begun and held as follows:

"Fifth Monday before the first Monday in March;

"Eighth Monday before the first Monday in September;

"Ninth Monday after the first Monday in September, for a period of one week each, and the following terms for the trial of civil cases:

"Fourth Monday before the first Monday in March, one week;

"First Monday before the first Monday in March, two weeks;

"Fourth Monday after the first Monday in March, two weeks;

"Tenth Monday after the first Monday in March, two weeks;

"First Monday in September, two weeks;

"Fourth Monday after the first Monday in September, two weeks;

"Thirteenth Monday after the first Monday in September, two weeks."

Civil jurisdiction of criminal terms.

SEC. 2. That the provisions of chapter twenty-eight of the Public Laws of one thousand nine hundred and thirteen shall apply to all of the terms of court designated in section one hereof for the trial of criminal cases.

Repealing clause.

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

Secretary of State to furnish copy of act.

SEC. 4. That the Secretary of State is hereby directed to send to the clerk of the superior court of Robeson County a certified copy of this act immediately upon its ratification.

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 3d day of March, 1915.

CHAPTER 74.

AN ACT TO AMEND CHAPTER 33 OF THE PUBLIC LAWS, EXTRA SESSION OF 1913, SO AS TO MAKE THE \$500 APPROPRIATION TO THE TRUSTEES OF THE STATE LIBRARY FOR ADDITIONAL CLERICAL HELP PAYABLE ANNUALLY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter thirty-three, Public Laws, extra session of one thousand nine hundred and thirteen be amended by inserting the word "annually" after the word "allowed" in line five of section one. Law amended.

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 3d day of March, 1915.

CHAPTER 75.

AN ACT WITH REFERENCE TO DEEDS EXECUTED PRIOR TO THE YEAR 1835 TO THE PEOPLE OF THE STATE OF NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That in any and all actions hereafter instituted in which the title or ownership of any lands situated in North Carolina is at issue or in dispute, any deed or release, or a duly certified copy thereof, in which the people of the State of North Carolina are grantees and bearing date prior to the year one thousand eight hundred and thirty-five and purporting to have been filed and recorded in the office of the Secretary of State of North Carolina prior to said year and now on file and of record in said office and executed, or purporting to have been executed, by any person or persons as the representatives or agents or for or on behalf of any society, tribe, nation or aggregation of persons, whether signed or executed individually or in their representative capacity, and any such deed or release having been authorized to be executed by an act of the General Assembly of North Carolina by the properly authorized agents of such Prima facie evidence of proper execution.

society, tribe, nation or aggregation of persons, shall be prima facie evidence that the person or persons signing or executing any such deed or release were the properly authorized agent or agents of such society, tribe, nation or aggregation of persons.

Recitals prima facie true.

SEC. 2. That any recitals, or statements of fact in any such deed or release shall be prima facie evidence of the truth thereof in any such action or actions.

Pending actions.

SEC. 3. That this act shall not apply to pending actions.

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 3d day of March, 1915.

CHAPTER 76.

AN ACT TO APPOINT A COMMISSION TO ACQUIRE A PORTION OF MOUNT MITCHELL, INCLUDING THE SUMMIT, AND TO PROVIDE FOR THE CREATION OF A PUBLIC PARK FOR THE USE OF THE PEOPLE OF THE STATE OF NORTH CAROLINA.

Preamble.

WHEREAS, the summit of Mount Mitchell in Yancey County is the greatest altitude east of the Rocky Mountains; and whereas, the headwaters of many of the important streams of the State are at or near the said summit and the forest is being cleared which tends to damage and injure the streams flowing through the said State from the mountains to the Atlantic ocean; and whereas, it is deemed desirable that this beautiful and elevated spot shall be acquired and permanently dedicated as a State park for the use of the people of the entire State seeking health and recreation; and, whereas, unless the said land is acquired by the State at this time, the cost of acquiring it at a later date will be greatly increased and the water courses may be damaged and the beauty of the scenery destroyed by removing the growth therefrom, and irreparable damage accrue; now, therefore,

Preamble.

Preamble.

The General Assembly of North Carolina do enact:

Commission created.

SECTION 1. That a commission is hereby created to consist of five practical business men who shall be appointed by the Governor and which shall carry out the provisions of this act and shall be known as the "Mitchell Peak Park Commission."

Official title.

Incorporation.

SEC. 2. That said commission shall be and is hereby created a body politic and corporate under the name and style of the "Mitchell Peak Park Commission."

Corporate name.

Meetings of commission.

SEC. 3. That the said commission shall have the power to fix the time and place of its meeting. Said commissioners shall hold office until the property hereinafter described shall have

Term of office.

been purchased and a deed made to the State of North Carolina and until they shall have made a report of the same to the General Assembly and shall have been discharged. In the event of the death or resignation of any member of said commission, his successor shall be appointed by the Governor. The said commissioners shall receive no compensation but their traveling expenses, including hotel bills, while actively engaged in the work of said commission and these expenses shall be paid out of the funds hereinafter provided for: *Provided*, that the said commission shall under no circumstances expend or contract to expend a greater amount than that named in this act for the purchase of said land.

Vacancies.

Pay of commission.

Proviso:
Limit of expenditure.

SEC. 4. The said commission shall convene as soon as practicable and elect a chairman. The said chairman shall from time to time draw a warrant or warrants upon the treasurer of the State, which, after being approved and countersigned by the Governor and two other members of the commission besides the chairman, shall be paid by the said treasurer to the owner of said lands purchased for the said purpose out of any funds not otherwise appropriated.

Commission to meet and elect chairman.

Warrants for payment for lands purchased.

SEC. 5. The total amount to be expended under this act shall not exceed twenty thousand dollars and the said sum of twenty thousand dollars is hereby designated as a maximum amount to be expended in the acquisition of the said properties, and the said commission is especially charged with the duty of acquiring as much of the lands as is possible for the purpose intended, not exceeding the maximum amount hereinbefore designated.

Maximum amount.

Land to be acquired.

SEC. 6. Out of the funds so appropriated the said Mitchell Peak Park Commission shall have power as soon as practicable, to acquire either by purchase or condemnation so much of Mount Mitchell including the peak thereof as they shall deem necessary as a suitable site for the purpose intended, and in the event of the purchase of said land or lands privately from the owner or owners thereof, the said commission shall take a deed to the State of North Carolina therefor.

Land to be purchased.

Deed to State.

SEC. 7. Whenever from any cause the said commission cannot agree with the owner or owners of the land which they shall select for the purpose of the park as aforesaid, as to the price to be paid for the same or for any part thereof, said land or lands may be taken at a valuation to be made by three competent and disinterested freeholders of the County of Yancey, one of whom, after due notice to the landowner of such proceedings, shall be chosen by the said commission, one selected by the landowner and these two shall select a third; and in case the landowner refuses to select, then said commission shall select two and these two shall select a third, and said freeholders after being duly sworn by a justice of the peace of the County of Yancey, shall at once go on said land and proceed to condemn

Arbitration for valuation of land.

Procedure for condemnation.

said land or lands and ascertain the sum which shall be paid the owner or owners of said properties and report the same to the said commission, under their hands and seals, which report on being confirmed by the said commission and spread upon their minutes, shall have the effect of a judgment against the said Mitchell Peak Park Commission and upon paying said sum to the landowner or in the event of an appeal, upon paying said sum to the chairman of said commission to await the result of such appeal, shall pass title to the State of North Carolina of the land so taken: *Provided*, that if any person whose land is taken for the said purpose or the said commission be dissatisfied with the valuation thus made, then and in that case either party may appeal to the next term of the superior court of Yancey county within ten days from the filing of such report: *Provided, further*, that such appeal shall not hinder the commission from taking possession of said property.

Effect as of judgment.

Title to pass to State on payment of award.

Proviso: Right of appeal.

Proviso: Possession pending appeal.

Governor may remove commissioners.

Commissioners not officers.

Reports to Governor.

SEC. 8. The Governor shall have power upon complaint or upon his own motion, to remove any of said commissioners for negligence of duty or for any conduct unbecoming said commission and inconsistent with his duties under this act. The position of commissioner under this act shall not be construed to be an office within the meaning of section seven, article fourteen, of the Constitution of North Carolina. The said Mitchell Peak Park Commission shall make report to the Governor setting forth all purchases, condemnations and expenditures of every kind under this act.

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

In the General Assembly read three times and ratified this the 3d day of March, 1915.

CHAPTER 77.

AN ACT TO AMEND CHAPTER 679, PUBLIC LOCAL LAWS OF NORTH CAROLINA, SESSION 1913, ENTITLED AN ACT RELATING TO THE PUBLIC ROADS OF CERTAIN COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That section seven, chapter six hundred and seventy-nine of the Public Local Laws of North Carolina, session one thousand nine hundred and thirteen be amended as follows: after the word "used" and before the word "for" in line seven of said section strike out the words "by the supervisors of said township," and insert in lieu thereof the words "by a committee composed of J. E. Finley, L. Vyne, and R. N. Hackett," after the word "by" in line twelve and before the word "for" in line thirteen of said section, strike out the

Expenditures for North Wilkesboro.

words "the supervisors of said township," and insert in lieu thereof the words "a committee composed of C. F. Morrison, J. L. Hemphell and B. J. Kennedy." After the period at the end of said section seven, insert the following: "In case of death, resignation or removal of any member of either of above named committees, the remaining members of such committee shall elect his successor: *Provided*, the moneys hereinbefore set apart for use in North Wilkesboro shall be used first for completing the permanent improvement of the road from the bridge between the towns of North Wilkesboro and Wilkesboro to the depot of the Southern Railway in North Wilkesboro; that said funds shall next be used for the permanent improvement of the road from the intersection of Tenth and "D" streets to the Reddies River Bridge in North Wilkesboro; that said funds shall next be used for the permanent improvement of a road through North Wilkesboro toward Fair Plain as soon as the Town of North Wilkesboro shall construct such road on a grade which will justify permanent improvement, according to the rules of expert road engineering: *Provided, further*, that the funds hereinbefore set apart for use in Wilkesboro, shall be used first for permanently improving the road from the bridge between Wilkesboro and North Wilkesboro, along Main street of Wilkesboro, to the forks of the Jefferson and Elksville roads in front of J. M. Welborn's residence; afterwards said funds shall be used as the committee for Wilkesboro shall deem proper."

Vacancies.

Proviso:
System of work
for North Wilkes-
boro.

Proviso:
System of work
for Wilkesboro.

SEC. 2. That the treasurer of Wilkes County shall hold all funds as hereinbefore set apart and pay them out on the order of respective committees above named, or their successors.

Funds kept
separate.
Orders on fund.

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 3d day of March, 1915.

CHAPTER 78.

AN ACT TO AMEND CHAPTER 196 OF THE PUBLIC LAWS OF NORTH CAROLINA, 1913, CHANGING THE TIME FOR HOLDING THE AUGUST TERM OF THE SUPERIOR COURT OF HALIFAX COUNTY; AND TO CHANGE THE TIME FOR HOLDING THE TERMS OF THE SUPERIOR COURT OF BERTIE COUNTY, TO ABOLISH TWO WEEKS THEREOF, AND TO PROVIDE FOR A CIVIL TERM OF SAID COURT.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter one hundred and ninety-six of the Public Laws of North Carolina, session one thousand

Term for Halifax
County.

nine hundred and thirteen, be amended by striking out the words "second Monday before the first Monday in September" in line five of subsection under the heading "Halifax County," applicable to Halifax County, on page three hundred and twenty of the printed Public Laws of North Carolina, session one thousand nine hundred and thirteen, and inserting in lieu thereof the following words; "third Monday before the first Monday in September."

Schedule of terms
for Bertie County.

SEC. 2. That on and after the passage of this act there shall be held in the county of Bertie terms of the superior court on the following days:

On the third Monday before the first Monday in March to continue one week.

On the ninth Monday after the first Monday in March to continue one week.

On the seventeenth Monday after the first Monday in March to continue one week, and to be exclusively for trial of civil causes.

On the first Monday before the first Monday in September to continue two weeks.

On the tenth Monday after the first Monday in September to continue one week.

Return of out-
standing process.

SEC. 3. That all process issued before the passage and ratification of this act, returnable to the eighth Monday after the first Monday in March in Bertie County superior court, shall continue and be returnable to the ninth Monday after the first Monday in March of said court.

SEC. 4. That all laws and clauses of laws in conflict with this act, and all other acts relative to the holding of the terms of the superior court for Bertie County, be and the same are hereby repealed.

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 3d day of March, 1915.

CHAPTER 79.

AN ACT FOR THE RELIEF OF C. C. CORNWELL, CLERK OF THE SUPERIOR COURT OF GASTON COUNTY.

The General Assembly of North Carolina do enact:

Issue of warrant.

SECTION 1. That the State auditor be authorized and directed to issue his warrant to C. C. Cornwell, clerk of the superior court of Gaston County, for the sum of thirty-two (\$32.00) dollars to reimburse him the amount paid on pension check number three thousand two hundred and thirteen (3213) in

favor of Nathan Guin, a Confederate soldier, dated December first, one thousand nine hundred and thirteen.

SEC. 2. That the State treasurer is hereby authorized and Payment. directed to pay said warrant out of any moneys in the treasury not otherwise appropriated.

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 3d day of March, 1915.

CHAPTER 80.

AN ACT TO AMEND CHAPTER 108 OF THE PRIVATE LAWS, EXTRA SESSION 1913, AUTHORIZING OLD FORT GRADED SCHOOL DISTRICT, McDOWELL COUNTY, TO BORROW MONEY FOR THE ERECTION AND EQUIPMENT OF A GRADED SCHOOL BUILDING AND TO HOLD AN ELECTION TO LEVY A TAX FOR PAYMENT THEREOF, AND AUTHORIZING THE ISSUING OF BONDS INSTEAD OF NOTES.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and eight of the Private Bonds issued. Laws, extra session of one thousand nine hundred and thirteen, be and the same is hereby amended by striking out the word "note" or "notes" and inserting in lieu thereof, wherever they occur, the words "bond" or "bonds."

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

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 3d day of March, 1915.

CHAPTER 81.

AN ACT TO AUTHORIZE THE BOARD OF ALDERMEN OR OTHER GOVERNING BODY OF TOWNS AND CITIES TO ISSUE UPON APPROVAL BY VOTE OF THE PEOPLE BONDS FOR PURCHASING SITES, ERECTING BUILDINGS ETC., FOR SCHOOL PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. That whenever it shall be necessary in the judgment Bond issues by municipalities. of the board of aldermen or other duly constituted authority

of any incorporated town or city in the State, which is in charge of its finances to purchase lands or buildings or to erect additional buildings for school purposes, said board of aldermen or other authority is authorized and empowered to issue for said purposes in the name of said town or city, bonds of such amounts as said board of aldermen or other authority may deem necessary in such denominations and forms as said board of aldermen or other authority may determine: *Provided*, that the time of the payment of the principal of such bonds shall not be more than thirty years from the date thereof: and, *Provided, further*, that said bonds shall be serial bounds, the proportionate parts thereof being payable annually during the term for which they are issued.

Proviso:
Maturity of
bonds.

Interest.

SEC. 2. That said bonds shall bear interest at no greater rate of interest than six per cent per annum, payable semi-annually. In no case shall the bonds be sold, hypothecated or otherwise disposed of for less than their par value.

Sale below par
forbidden.

Authentication.

SEC. 3. That said bonds shall be signed by the mayor, attested by the town or city clerk or treasurer, and sealed with the corporate seal of said town or city, and shall bear the signature of the town or city clerk and treasurer written, engraved or lithographed. The purchaser of said bonds shall not be bound to see to the application of the purchase money. Said bonds and their coupons shall be exempt from town or city taxation until after they become due, and the coupons shall be receivable in payment of town or city taxes. The said bonds shall be sold at either public or private sale with or without notice, as the said board of aldermen or other authority may determine.

Purchasers not
bound for applica-
tion of proceeds.

Exempt from city
tax.

Coupons receive-
able for tax.

Sale of bonds.

Special tax.

SEC. 4. That the board of aldermen or other proper authority of said towns and cities is hereby authorized to levy and collect each year, in addition to all other taxes in said city, an ad valorem tax upon all the taxable property in said city, sufficient to pay the interest on said school bonds as the same become due, and also at or before the time when the principal of the said bonds become due, a further uniform ad valorem tax upon all taxable property in said city, sufficient to pay the same or provide for the payment thereof; such taxes shall be levied and collected at the same time and in the same manner as other taxes are levied and collected upon property in said city: *Provided*, that the taxes collected under this act for the payment of said bonds and coupons, shall be used for no other purpose, and it shall be the duty of the clerk and treasurer of said town or city, as said coupons are paid off and taken up, to cancel the same and report not less than twice a year to the board of aldermen or other proper authority the numbers and amounts of the coupons so cancelled.

Proviso:
Specific appro-
priation.

Payment and
report of coupons.

Bond issue sub-
mitted to election.

SEC. 5. That the question of the issue of said bonds shall be submitted to a vote of the qualified voters of each town or city at such time as the board of aldermen or other proper authority

of the town or city shall determine under the rules and regulations prescribed for the election of the mayor and members of the board of aldermen of said city; the said board of aldermen or other authority shall cause a notice of said election and the purpose of same to be published in some newspaper of said town or city for thirty days before said election and the clerk of the superior court of the county in which said town or city is located shall cause to be prepared and distributed at the various polling places in the said town or city a sufficient number of printed ballots favoring the issue of said bonds and a like number against the same; the said board of aldermen or other authority shall cause to be prepared and delivered at each polling place in the said town or city a ballot box indicating the purpose of the bond issue to be voted therein, as follows; "School Bonds \$....." (stating the amount authorized by the said board of aldermen or other authority). All qualified voters wishing to vote in favor of the issuing of said bonds and levying the taxes herein provided for, shall vote a written or printed ticket with the words "For School Bonds," and those wishing to vote against issuing said bonds and the levying of the taxes herein provided for shall vote a printed or written ticket with the words thereon "Against School Bonds." If a majority of said qualified voters shall vote "For School Bonds" on the proposition submitted for issuing bonds for the purpose aforesaid, then it shall be deemed and held that the proposition receiving a majority of such qualified votes is favored and approved by the majority of the qualified voters of such town or city, and the said board of aldermen or other authority of such town or city shall cause to be prepared and issued for the purpose so approved of by a majority of the qualified voters of said town or city and levy taxes in accordance with the provisions of this act.

Notice of election.

Printing and distribution of ballots.

Ballot box.

Ballots.

Effect of election.

Issue of bonds and levy of taxes.

Registration.

SEC. 6. That the registration for the election shall be, if the said board of aldermen or other authority shall so order, the same as that which is or may be provided for the election of the mayor or other officers of said town or city, or the said board of aldermen or other authority may, in their discretion, order a new registration in the manner provided by law for new registration for election of said mayor and other officers, which said new registration may be especially for said bond election.

SEC. 7. That this act shall apply to towns or cities which have powers under special acts or charters as well as to those who derive their powers from the general law.

Application of act.

SEC. 8. That this act shall not be deemed or construed to repeal or abridge any powers, rights or privileges heretofore or hereafter granted by any special acts to any town or city, but shall be construed to grant additional powers where no such powers have been granted or coordinate powers where such powers have been already or shall be granted.

Construction of act.

SEC. 9. That all laws and clauses of laws in conflict with this act, except as hereinbefore set out, shall be and are hereby repealed.

SEC. 10. 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 4th day of March, 1915.

CHAPTER 82.

AN ACT TO MAKE IT UNLAWFUL TO GIVE INTOXICATING DRINKS TO MINORS.

The General Assembly of North Carolina do enact:

Giving liquors to minors forbidden.

Aiding, assisting or abetting gifts.

Misdemeanor; punishment.
Proviso:
Parents and physicians.

Proviso:
Wine in sacrament.

SECTION 1. That if any person shall give intoxicating drinks or liquors to any unmarried minor under the age of seventeen years; or if any person shall aid, assist or abet any person in giving such drinks or liquors to such minor, he shall be guilty of a misdemeanor, and upon conviction shall be punished by fine or imprisonment in the discretion of the court: *Provided, however,* that nothing in this act shall prevent any parent or other person standing in *loco parentis* from giving or administering any such drinks or liquors to his minor child for medicinal purposes, nor any physician from giving or administering said drinks or liquors to any minor patient under his care: *Provided, further,* this act shall not apply to the giving or using of wine in the administration of the Sacrament.

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

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

In the General Assembly read three times and ratified this the 4th day of March, 1915.

CHAPTER 83.

AN ACT RELATING TO THE WORKING OF CONVICTS ON THE HIWASSEE VALLEY RAILROAD IN CLAY AND CHEROKEE COUNTIES.

Preamble.

WHEREAS, the Hiwassee Valley railway company was chartered by chapter two hundred and fifty-four of the Private Laws of nineteen hundred and thirteen, and under the provisions of said act seventy-five thousand dollars of bonds were voted by Clay County and seventy-five thousand dollars of bonds were voted by Valletown Township in Cherokee County, for the purpose of

constructing a railroad from Andrews in Cherokee County to Hayesville in Clay County; and

WHEREAS, by chapter three hundred and forty of the Laws of nineteen hundred and eleven, it was provided that with the approval of the governor fifty convicts from the State penitentiary might be used to aid in the construction of said railroad upon the terms provided in said act; and

WHEREAS, said bonds were voted by said Clay County and Valletown Township, relying upon the use of convicts as provided for in said chapter three hundred and forty of the Laws of nineteen hundred and eleven; and

WHEREAS, said Clay County and Valletown Township have issued and sold their said bonds and have subscribed for and received par value thereof in stock in said Hiwassee Valley railroad company and the proceeds of said bonds are now in hand and being expended in the construction of said road, and

WHEREAS, all the stock of the said Hiwassee Valley railway company is owned by said Clay County and Valletown Township and there is no individual ownership of stock in said company, and the same is managed and controlled entirely by directors representing said Clay County and Valletown Township, as provided for in chapter one hundred and twenty-three of the Private Laws of the extra session of nineteen hundred and thirteen: Now therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That chapter thirty-seven of the Public Laws of the extra session of nineteen hundred and thirteen shall not be construed to repeal said chapter three hundred and forty of the Private Laws of nineteen hundred and eleven, and the governor, or other authorities having control of the State penitentiary are authorized to carry out and perform the provisions of said act last mentioned: *Provided*, that not more than fifty convicts shall be permitted to be used in constructing said Hiwassee Valley railroad and for a period not exceeding six months.

SEC. 2. That the State shall be entitled to representation on the board of directors of said Hiwassee Valley railroad company in proportion to the amount of stock it shall receive in payment for the work of said convicts, and no mortgage or encumbrances shall be placed on the property of said Hiwassee Valley railroad company without the consent of the directors representing the State or a majority thereof.

SEC. 3. That when the work by said convicts shall have been finished the said Hiwassee Valley railroad company shall immediately issue to the State shares of stock in said company equal in par value to the amount of work done and performed by said convicts, and the governor shall thereupon appoint directors to represent the State, in number as nearly as may be in the proportion that the amount of the stock held by the

Preamble.

Preamble.

Preamble.

Preamble.

Construction of act.

Performance of services authorized.

Proviso: Not more than fifty convicts.

Representation of State.

No mortgage but by consent of State.

Issue of stock to State.

Governor to appoint directors.

Term of office. State shall bear to the whole stock, but in no case less than five directors and they shall hold office until the first day of June next following such appointment; and their successors shall be appointed by the governor to hold for a term of two years, successively: *Provided*, that if the State shall sell or transfer its stock, its right to representation on the board of directors of said company shall cease and determine.

Proviso:
Sale of stock by State.

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 4th day of March, 1915.

CHAPTER 84.

AN ACT TO ESTABLISH A FISHERIES COMMISSION AND TO PROTECT THE FISHERIES OF NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Commission created. SECTION 1. That for the purpose of enforcing the laws relating to all commercial fish there is hereby created a fisheries commission, which shall consist of five members appointed by the Governor, at least three of whom shall be from the several fishing districts of the State, who shall be denominated the "Fisheries Commission Board." The members shall be appointed as follows, viz.: two, whose terms of office shall expire on the first day of June, one thousand nine hundred and seventeen, and three, one of which shall be a member of the minority party, whose terms of office shall expire on the first day of June, one thousand nine hundred and nineteen; and their successors shall be appointed by the Governor for a term of four years each thereafter. The five members shall receive four dollars per day each and traveling expenses while attending meetings of the board: *Provided*, that the per diem and expenses shall not exceed two hundred and fifty dollars each per annum.

Number and appointment of members.

Official entitlement.

Terms of office.

Successors.

Pay of commissioners.

Proviso:
Limitation.

Appointment of fish commissioner.

Responsibility of commissioner.

Semi-annual reports.

Term of office.

Vacancy.

Assistant commissioners.

Pay of commissioner and assistants.

That said board shall appoint a fish commissioner within thirty days after the passage of this act, and the said commissioner shall be responsible to the fisheries commission board for carrying out the duties of his office, and shall make semi-annual reports to them at such time as they may require. The term of office of said commissioner and his successors in office shall be four years, or until their successors are appointed and qualified, and in case of vacancy in the office the appointment shall be to fill the vacancy. The said commissioner shall appoint two assistant commissioners, by and with the consent of the fisheries commission board, one of whom shall be designated as assistant fish commissioner and the other as shellfish commissioner. The aforesaid commissioner and assistant commissioners shall receive

- such pay as the fisheries commission board shall determine. During the absence of the commissioner, or his inability to act, the fisheries commission board shall appoint one of the assistant commissioners to have and exercise all the powers of the commissioner. The commissioner and assistant commissioners shall each execute and file with the Secretary of State a bond, payable to the State of North Carolina, in the sum of five thousand dollars for the commissioner and twenty-five hundred dollars for each of the assistant commissioners, with sureties to be approved by the Secretary of State, conditioned for the faithful performance of their duties and to account for and pay over pursuant to law all moneys received by them in their office. The fisheries commissioner and assistant commissioners shall take and subscribe an oath to support the constitution and for the faithful performance of the duties of his office, which oaths shall be filed with their bonds. The assistant commissioners may be removed for cause by the commissioner, who may appoint their successors.
- SEC. 2. *Inspectors.* The fisheries commissioner may appoint, with the approval of the fisheries commission board, inspectors in each county having fisheries under his jurisdiction, who will assist him at such times as he may require. The said inspector shall serve under the direction of the commissioner receiving compensation not to exceed three dollars per day and necessary expenses while in actual service.
- SEC. 3. *Office and clerical force.* The fisheries commissioner shall rent and equip an office, which will be adequate for the business of the commission, in some town conveniently located to the maritime fisheries, and he is authorized to employ such clerks and other employees as may be necessary for the proper carrying on of the work of his office, by and with the consent of the fisheries commission board.
- SEC. 4. *Equipment.* The fisheries commissioner is authorized, by and with the consent of the fisheries commission board, to purchase or rent such boats, nets, and other equipment as may be necessary to enable him and his assistants to fulfill the duties specified in this act.
- SEC. 5. *Duties.* The commissioner shall enforce all acts relating to the fish and fisheries of North Carolina; he shall, by and with the advice and consent of the fisheries commission board, make such regulations as shall maintain open for the passage of fishes all inlets and not less than one-third of the width of all sounds and streams, or such greater proportions of their width as may be necessary; he shall collect and compile statistics showing the annual product of the fisheries of the State, the capital invested and the apparatus employed, and any fisherman refusing to give these statistics shall be refused a license for the next year; and the fish commissioner shall prepare and have on file in his office maps based on the charts
- Assistant to act as commissioner in emergencies.
- Bond of commissioner and assistants.
- Commissioner and assistants to qualify.
- Removal of assistants for cause.
- Inspectors.
- Direction of commissioner. Compensation.
- Office and clerical force.
- Purchase or rental of boats, nets and other equipment.
- Enforcement of acts.
- Regulations for securing passage of fish.
- Collection and compilation of statistics.
- Refusal of license.
- Maps and charts.

Surveys and marks of protected territory.	of the United States coast and geodetic survey, of the largest scale published, showing as closely as may be the location of all fixed apparatus employed during each fishing season; he shall have surveyed and marked in a prominent manner those areas of waters of the State in which the use of any or all fishing appliances are prohibited by law or regulation, and those areas of waters in the State in which oyster tonging or dredging is prohibited by law; he shall prosecute all violations of the fish laws, and whenever necessary he may employ counsel for this purpose; wherever he shall find nets or other appliances being fished or used in violation of the fisheries laws of the State he shall remove same pending trial; he shall, in an official capacity, have power to administer oaths and to send for and examine persons and papers; he shall be responsible for the collection of all license taxes, fees, rentals, or other imposts on the fisheries, and shall pay same into the State treasury to the credit of the fisheries commission fund; he shall on or before the twenty-fifth day of each month, mail to the treasurer of the State a consolidated statement showing the amount of taxes and license fees collected during the preceding month, and by and from whom collected; he shall carry on investigations relating to the migration and habits of the fish in the waters of the State, also investigations relating to the cultivation of the oyster, clam and other mollusca, and of the terrapin and crab, and for this purpose he may employ such scientific assistance as may be authorized by the fisheries commission board.
Prosecutions.	
Counsel.	
Appliances removed pending trial.	
Powers in investigations.	
Collection and settlement of license tax, fees rentals.	
Monthly statements.	
Investigation of migration, habits and culture of marine life.	
Scientific assistance.	
Arrests without warrant.	SEC. 6. <i>Arrests without warrant; when and how made.</i> The fisheries commissioner, assistant commissioners and inspectors shall have power, with or without warrants, to arrest any person or persons violating any of the fishery laws, who shall be carried before a magistrate for trial according to section three thousand one hundred and eighty-two of the Revisal of one thousand nine hundred and five.
Trials.	
Taking fish for scientific purpose or for fish culture.	SEC. 7. <i>Power to take fish.</i> The fisheries commissioner and the United States bureau of fisheries may take and cause to be taken for scientific purposes or for fish culture any fish or other marine organism at any time from the waters of North Carolina, any law to the contrary notwithstanding; and may cause or permit to be sold such fishes or parts of fishes so taken as may not be necessary for purposes of scientific investigations or fish culture: <i>Provided,</i> that in taking fish for fish culture in the hatcheries of this State the fish shall only be taken while the hatcheries are in operation and only between the hours of four and eleven p. m.
Sale.	
Proviso: Time for taking fish.	
Officers not financially interested.	SEC. 8. <i>No interest in fisheries.</i> The members of the fisheries commission board, the fisheries commissioner, assistant commissioners, and inspectors shall not be financially interested in any fishing industry in North Carolina.

SEC. 9. *Revenue.* All license fees, taxes, rentals of bottoms for oyster or clam cultivation and other imposts upon the fisheries, in whatever manner collected, shall, except as otherwise provided in this act, be deposited with the State Treasurer to the credit of the fisheries commission fund, to be drawn upon as directed by the fisheries commission board.

License fees, taxes, rentals and other imposts to use of board.

SEC. 10. *License to fish and to catch oysters.* Each and every person, firm, or corporation, before commencing or engaging in any kind of fishing in the State, shall file with an inspector of the county in which he desires to fish, or with the fisheries commissioner or any of his assistant commissioners, a sworn statement as to the number and kind of nets, seines, or other apparatus intended to be used in fishing. Upon filing this sworn statement on oath the fisheries commissioner shall issue or cause to be issued to the said party or parties, a license as prescribed by law; said applicant shall pay a license fee equal in amount to the fee or tax prescribed by law for fishing different kinds of apparatus in the waters of the State of North Carolina, or for tonging or dredging for oysters, as the case may be. The fisheries commissioner shall keep in a book especially prepared for the purpose an exact record of all licenses, to whom issued, the number and kinds of nets, boats, and other apparatus licensed, and the license fees received. He shall furnish to each person, firm, or corporation in whose favor a license is issued a special tag which will show the license number and number of pound nets, or yards of seine, or yards of gill net that the licensee is authorized to use, and the licensee shall attach said tag to the net in a conspicuous manner satisfactory to the fisheries commissioner. All boats or vessels licensed to scoop, scrape, or dredge oysters shall display on the port side of the jib, above the reef and bonnet and on the opposite side of mainsail, above all reef points, in black letters, not less than twenty inches long, the initial letter of the county granting the license and the number of said license, the number to be painted on canvas and furnished by the fisheries commissioner, for which he shall receive the sum of fifty cents. Any boat or vessel used in catching oysters without having complied with the provisions of this section may be seized, forfeited, advertised for twenty days at the courthouse and two other public places in the county where seized, and sold at some public place designated in the advertisement, and the proceeds, less the cost of the proceedings, shall be paid into the school fund. The licenses to fish with nets shall all terminate on December thirty-first. Any person who shall willfully use for commercial fishing purposes any kind of net whatever, without having first complied with the provisions of this section, shall be guilty of a misdemeanor and, upon conviction, shall be fined twenty-five dollars for each and every offense.

Verified statement of apparatus.

Commissioner to issue license.

License fee.

Record of licenses.

Special tags.

Tags attached to net.

County initial and license number on sails.

Fee for numbers.

Seizure and sale of vessels.

Proceeds to school fund.

Termination of licenses.

Use of net without license a misdemeanor.

Punishment.

License for oyster boats.

SEC. 11. *License for boat used in catching oysters.* The fisheries commissioner, or shellfish commissioner, or inspector, may grant license for a boat to be used in catching oysters upon application made, according to law, and the payment of a license tax as follows: On any boat or vessel without cabin or deck, and under custom house tonnage, using scrapes or dredges, dredges, measuring over all twenty-five feet and under thirty, a tax of three dollars; fifteen feet and under twenty-five feet, a tax of two dollars; on any boat or vessel with cabin or deck and under custom house tonnage, using scrape or dredges, measuring over all thirty feet or under, a tax of five dollars; over thirty feet a tax of six dollars; on any boat or vessel using scoops, scrapes, or dredges required to be registered or enrolled in the custom house, a tax of one dollar and fifty cents a ton on gross tonnage. No vessel propelled by steam, gas or electricity, and no boat or vessel not the property absolutely of a citizen or citizens of this State, shall receive license or be permitted in any manner to engage in the catching of oysters anywhere in the waters of this State.

License tax.

Power vessels and vessels of non-residents not licensed.

SEC. 12. *Fishing for menhaden with purse nets.* Whenever any person or persons, corporation or corporations, may intend to take menhaden (fat-backs), porgies, herring or other fish in any waters within the jurisdiction of this State, including the waters of the Atlantic Ocean within three nautical miles of the coasts of said State, either on his own account and benefit or on account and benefit of his employer, with purse or shirred nets, such person or persons, corporation or corporations, shall make an application to the fisheries commissioner for a license, and, upon the receipt of such application, the fisheries commissioner shall, upon the receipt of a sum equal to two dollars for each ton of the net tonnage up to seventy-five tons, and one dollar per ton in excess thereof of each vessel employed in such fishing, said net tonnage to be determined by custom house measurement, as a license fee, issue to such person or persons, corporation or corporations, a license duly signed by the fisheries commissioner, which said license shall be valid and in force for the term of one year; all such licenses to be dated from January first, and no license shall be for a space of time less than one year. For every violation of this act the offending person or persons, corporation or corporations, shall be guilty of a misdemeanor and be fined two hundred dollars for each and every offense.

License for purse or shirred nets.

License tax.

Date and term of licenses.

Misdemeanor.

Punishment.

Tax on oyster dealers or canners.

Double tax forbidden.

Proviso: Oysters from private gardens.

SEC. 13. *Purchase tax.* All dealers in oysters and all persons who purchase oysters for canning, packing, shucking or shipping, shall pay a tax of two cents on every bushel of oysters purchased by them, or caught by them, or by any one of them: *Provided*, that no oyster shall be twice taxed, and *Provided further*, that no tax shall be imposed on oysters taken from private oyster gardens. This tax shall be paid to and collected by

the inspectors, and, when paid, a receipt shall be given therefor, Payment of and receipt for tax.
 Upon failure or refusal by any person, firm or corporation to pay said tax, his license as a dealer shall at once become null and void, and no further license shall be granted him during the current year; and it shall be the duty of the commissioner, assistant commissioner, or inspector, to institute suit for the collection of said tax. Such suit shall be in the name of the State of North Carolina on relation of the commissioner or of the inspector at whose instance such suit is instituted, and the recovery shall be for the benefit and to the use of the general fisheries commission fund. License revoked. Suit for collection of tax. Relator. Recovery.

SEC. 14. *License tax.* The following license tax is hereby levied annually upon the different fishing appliances used in the waters of North Carolina Schedule of license taxes.

Anchor gill nets, twenty cents per one hundred yards or fraction thereof. Anchor gill nets.

Stake gill nets, ten cents per one hundred yards or fraction thereof. Stake gill nets.

Drift gill nets, twenty cents per one hundred yards or fraction thereof. Drift gill nets.

Pound nets, one dollar each. Pound nets.

Seine, drag nets, and mullet nets under one hundred yards one dollar each. Seines, drag nets and mullet nets.

Seine, drag nets, and mullet nets over one hundred yards and under three hundred yards, one dollar per one hundred yards or fraction thereof. Seines, drag nets and mullet nets.

Seine, drag nets, and mullet nets over three hundred yards and under one thousand yards, one dollar and twenty-five cents per one hundred yards or fraction thereof. Seines, drag nets and mullet nets.

Seine, drag nets, and mullet nets over one thousand yards, one dollar and seventy-five cents per one hundred yards or fraction thereof. Seines, drag nets and mullet nets.

Fyke nets, twenty-five cents each. Fyke nets.

Tonging for oysters, the license tax shall be one dollar for each tonger. Tonging for oysters.

SEC. 15. *Reports.* The fisheries commission board shall cause to be prepared and submitted to each Legislature a report showing the operations, collections and expenditures of the fisheries commission; and it shall also cause to be prepared for publication such other reports, with necessary illustrations and maps, as will adequately set forth the results of the work and the investigations of the fisheries commission, all such reports, illustrations, and maps to be printed and distributed at the expense of the State, as are other public documents, as the fisheries commission board may direct. Reports to General Assembly. Reports for publication.

SEC. 16. *Appropriation.* There is hereby appropriated out of the general treasury as a supplementary fund the sum of ten thousand dollars annually for two years, or as much thereof as may be needed, to the fisheries commission to carry out the Appropriation.

- Repayment of appropriation. work of the commission in the protection and promotion of the fisheries of the State, this sum to be repaid to the general treasury by the fisheries commission when it shall be on a self-sustaining basis, said sum to be used and expended as directed by the fisheries commission board, and any part of it that may be required may be used for purchasing boats and other equipment necessary to carry out the work of the commission;
- Transfer of funds. and any money that may be in the State treasury to the credit of the fish commission and oyster commission fund on the day that this act becomes effective shall be transferred by the State treasurer to the credit of the fisheries commission fund, and the fisheries commission board is hereby authorized to pay out of the fisheries commission fund all just claims that may be outstanding against the fish or oyster commissions.
- Payment of outstanding claims. SEC. 17. *Transfer of equipment.* All boats, fishing and oyster tackle, office supplies, stationery, and all other supplies of whatever character belonging to the fish commission and oyster commission shall be transferred to the fisheries commissioner for the use of the fisheries commission.
- Transfer of equipment. SEC. 18. *Jurisdiction of State.* The State of North Carolina shall have exclusive jurisdiction and control over all the commercial fisheries of the State wherever located.
- Jurisdiction of commercial fisheries. SEC. 19. It shall be unlawful to place in any of the waters of this State any dynamite, giant or electric powder, or any explosive substance whatever, or any drug or poisoned bait, for the purpose of taking, killing, or injuring fish. And any one violating this section shall, upon conviction, be fined not less than one hundred dollars and imprisoned not less than thirty days.
- Use of explosives and drugs forbidden. SEC. 20. It shall be unlawful to discharge or to cause or permit to be discharged into the waters of the State any deleterious or poisonous substance or substances inimical to the fishes inhabiting the said waters; and any person, persons of corporation violating the provisions of this section shall be guilty of a misdemeanor, and, upon conviction, be fined or imprisoned in the discretion of the court: *Provided*, this section shall not apply to corporations chartered either by general law or special act before the ratification of this act.
- Punishment. SEC. 21. The fisheries commission board is hereby authorized to regulate, prohibit or restrict, in time, place, character and dimensions, the use of nets, appliances, apparatus or means employed in taking or killing fish; to regulate the seasons at which the various species of fish may be taken in the several waters of the State, and to prescribe the minimum sizes of fish which may be taken in the said several waters of the State; and such regulations, prohibitions, restrictions and prescriptions, after due publication, shall be of equal force and effect with the provisions of this act; and any person violating the provisions of this section shall be guilty of a misdemeanor, and upon con-
- Discharge of deleterious matters into waters forbidden. Misdemeanor. Punishment. Proviso: Corporations heretofore chartered. Enumeration of powers of board. Force and effect of regulations. Misdemeanor.

viction shall be fined or imprisoned at the discretion of the court: *Provided, however*, that if a petition signed by five or more voters of the district or community which will be affected by the proposed change is filed with the fisheries commission board through the fisheries commissioner, assistant commissioners, or inspectors, asking that they have a hearing before any proposed change in the territory, size of mesh, length of net or time of fishing shall go into effect, petitioning that they be heard regarding said change, the fisheries commission board shall in that event designate by advertisement for a period of thirty days at the courthouse and three other public places in the county affected, and also by publication in a newspaper of the county, if such is published in said county, for two consecutive weeks, a place at which said board will meet and hear argument for and against said change, and may ratify, rescind, or alter this previous order of change as may seem just in the premises; and, *Provided, further*, that in making regulations the fisheries commission board shall give due weight and consideration to all factors which will affect the value of the present investment in the fisheries, and that no changes in the existing laws which, if they should go into effect immediately would tend to cause fishermen to lose their property, shall go into effect until twelve months from the date that the change has been made by the fisheries commission board.

Punishment.
 Proviso:
 Petition for hearing.
 Advertisement of hearing.
 Order on hearing.
 Proviso:
 Considerations governing action.
 Changes not effective until twelve months.

SEC. 22. Any person or persons removing, injuring, defacing, or in any way disturbing the posts, buoys, or any other appliances used by the fisheries commission in marking the restricted areas relating to any and all fishing, or marking other areas in which oyster tonging or dredging is prohibited by law, and those marking oyster bottoms that are leased for oyster cultivation, shall be guilty of a misdemeanor and, upon conviction, shall be fined or imprisoned at the discretion of the court; and any person anchoring or mooring a boat to any of these buoys or posts shall, upon conviction, be fined not less than twenty-five or more than one hundred dollars, and imprisoned thirty days in jail at the discretion of the court.

Removal, defacing or disturbing posts, buoys or marks a misdemeanor.
 Punishment.
 Penalty for anchoring to buoys or posts.

SEC. 23. Any person, firm or corporation who shall catch or cause to be caught any edible fish in the waters of the State of North Carolina for any other purpose than as food, and any person, firm or corporation who shall use any edible fish for fertilizing purposes shall be guilty of a misdemeanor and fined not less than fifty dollars or imprisoned not less than thirty days.

Catching edible fish for any purpose but food and using edible fish for fertilizer misdemeanor.
 Punishment.

SEC. 24. Wherever the word "fish" or "fishes," used as a substantive, occurs in this act, it shall be construed to include porpoises and other marine mammals, fishes, mollusca and crustaceans, and wherever the word "fishing" or "fisheries" occurs it shall be construed to include all operations involved in using, setting or operating apparatus employed in killing or

Terms construed.

taking the said animals or in transporting and preparing them for market.

Former acts amended.

SEC. 25. That all acts relating to the commercial fisheries of North Carolina are hereby amended so that the words "Shellfish Commissioner," "Oyster Commissioner," or "Fish Commissioner" shall read "Fisheries Commissioner," and the words "Shellfish read "Fisheries Commission."

Repealing clause.

SEC. 26. All laws and clauses of laws in conflict with this act are hereby repealed.

When act effective.

SEC. 27. That this act shall be in force from and after the first day of May, nineteen hundred and fifteen.

In the General Assembly read three times and ratified this the 4th day of March, 1915.

CHAPTER 85.

AN ACT TO AMEND CHAPTER 109 OF THE PUBLIC LAWS OF 1913, RELATING TO CERTAIN SECTIONS OF THE VITAL STATISTICS LAW.

The General Assembly of North Carolina do enact:

Time for certificate of birth.

SECTION 1. That section thirteen, chapter one hundred and nine of the Public Laws of nineteen hundred and thirteen, be and the same is hereby amended by striking out the word "ten" wherever it appears, and insert in lieu thereof the word "five."

Index of death records.

SEC. 2. That section eighteen, chapter one hundred and nine of the Public Laws of nineteen hundred and thirteen, be and the same is hereby amended by striking out the words "as devised and supplied him by the State registrar" in lines thirty-three and thirty-four. Also by striking out the word "tenth" in lines thirty-six and forty and inserting the word "fifth" in lieu thereof.

Reports.

Certificates to counties.

SEC. 3. That section nineteen, chapter one hundred and nine of the Public Laws of nineteen hundred and thirteen, as amended, be and the same is hereby amended by striking out the word "three" in line thirteen and insert in lieu thereof the word "six."

SEC. 4. 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 4th day of March, 1915.

CHAPTER 86.

AN ACT TO AMEND SECTION 2768 OF THE REVISAL OF
1905, REGULATING THE FEES OF SOLICITORS.

The General Assembly of North Carolina do enact:

SECTION 1. The solicitors shall, in addition to the general compensation allowed them by the State, receive the following fees, and no other, namely:

For every conviction under an indictment charging a capital crime, whether by plea or verdict, twenty-five dollars.

For perjury, forgery, counterfeiting, passing or attempting to pass or sell any forged or counterfeited paper or evidence of debt; maliciously injuring or attempting to injure any railroad or railroad car, or any person traveling on such railroad car; stealing or obliterating records; stealing, concealing, destroying or obliterating any will; maliciously burning or attempting to burn houses or bridges, seduction, slander of an innocent woman, and embezzlement; breaking into houses otherwise than burglariously; misdemeanors of accessories after the fact to felonies; in each of the above cases, fifteen dollars.

For larceny, receiving stolen goods, frauds, maims, deceptions and escapes, eight dollars.

For all other offenses five dollars.

The fees in all the above cases are to be taxed in the costs against the party convicted; but where the party convicted is insolvent, the solicitor's fees shall be one-half, to be paid by the county in which the indictment was found, except that for convictions under an indictment charging a capital crime, whether by plea or verdict, forgery, perjury, conspiracy, seduction, slander of an innocent woman, embezzlement, breaking into houses otherwise than burglariously, and when defendants are convicted and assigned to work on the public roads of any county in this State, they shall receive full fees: Provided that no larger fee than ten dollars shall be taxed for the solicitor in an indictment against the justices of the peace of any county, as justices, when there are more than three justices who are found guilty.

The solicitors of the several judicial districts and criminal courts shall prosecute all penalties, and forfeited recognizances entered in their courts respectively, and as compensation for their services shall receive a sum to be fixed by the court, not more than five per centum of the amount collected upon such penalty or forfeited recognizance.

For performing his duty for the appointment of a receiver of an estate of a minor, they shall receive not to exceed ten dollars, to be fixed by the judge; and in passing on the returns of the receivers in such cases where the estate of the infant does not exceed five hundred dollars, the fee of the solicitor shall not exceed five dollars, and where the estate exceeds five

Fees allowed solicitors.

Capital cases, twenty-five dollars.

In cases enumerated, fifteen dollars.

Enumerated offenses, eight dollars.

All other offenses, five dollars.

Fees taxed as costs.

One-half fees paid by county.

Exceptions.

Penalties and forfeited recognizances.

Fee fixed by court.

For appointment of receiver.

Passing on returns of receiver.

- hundred dollars, his fee shall not exceed ten dollars, to be fixed by the judge, and in each case to be paid out of the fund. Each and every solicitor in the State of North Carolina shall keep an itemized account of all fees received hereunder from the first day of December, one thousand nine hundred and fifteen, to the first day of December, one thousand nine hundred and sixteen, and shall file such statement, duly verified, with the Governor of North Carolina on or before the first day of January, one thousand nine hundred and seventeen.
- Itemized account kept. SEC. 2. That any and all clauses of said section in conflict with this act be and the same are hereby repealed.
- Statement filed with Governor. SEC. 3. That this act shall be in force from and after the first Monday in April, nineteen hundred and fifteen.
- Repealing clause. In the General Assembly read three times and ratified this the 4th day of March, 1915.
- When act effective.

CHAPTER 87.

AN ACT TO MAKE AN APPROPRIATION FOR AGRICULTURAL EXTENSION WORK IN NORTH CAROLINA IN ORDER TO GET THE STATE'S SHARE IN THE SMITH-LEVER CONGRESSIONAL ACT.

The General Assembly of North Carolina do enact:

- Preamble. WHEREAS, the Congress of the United States has appropriated for agricultural extension work directly on the farms and in the farm homes of America the sum of twenty-three million, one hundred and twenty thousand dollars (\$23,120,000) for nine years and thereafter four million, five hundred and eighty thousand dollars (\$4,580,000) annually, based on the per cent of rural population, and
- Preamble. WHEREAS, Congress in this act defines agricultural extension work to be "the giving of instruction and practical demonstrations in agriculture and home economics to persons not attending or resident in the said colleges and imparting to such persons information on said subjects through field demonstrations and otherwise," and
- Preamble. WHEREAS, North Carolina, the seventh State in the Union in rural population, and therefore entitled to the seventh highest apportionment, must, to share in this appropriation, provide for the benefit of its large rural population an amount equal to that given by Congress, less ten thousand dollars, and as North Carolina's share in one thousand nine hundred and fifteen will be thirty-two thousand, nine hundred and fifty-three dollars, provided the State raises twenty-two thousand, nine hundred and fifty-three dollars, and

WHEREAS, the several counties sharing in the benefits of this Preamble.
 act can reasonably be expected to raise one-half of the State's
 share in this amount, which will be eleven thousand, four hun-
 dred and.....dollars,

Therefore, the General Assembly of North Carolina does Appropriation.
 hereby, out of moneys not otherwise used, appropriate the sum
 of eleven thousand, four hundred and seventy-seven dollars for
 one thousand nine hundred and fifteen, and the same sum for
 the year one thousand nine hundred and sixteen, and does hereby
 require the trustees of the North Carolina College of Agriculture Administration
 and Mechanic Arts to administer this fund through the agricul- of funds.
 tural extension department of that college.

Any and all laws conflicting with this act are hereby repealed:
 In the General Assembly read three times and ratified this
 the 5th day of March, 1915.

CHAPTER 88.

AN ACT TO ERADICATE HOG CHOLERA IN NORTH CARO-
 LINA AND REGULATE THE SALE AND PROMOTE THE
 USE OF "VIRUS."

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm or Distribution, sale
 corporation to distribute, sell or use in the State of North Caro- or use forbidden.
 lina virulent blood from hog cholera infected hogs, or "virus,"
 unless and until they have obtained written permission from
 the State veterinarian for such distribution, sale or use.

SEC. 2. That any person, firm or corporation guilty of violating Misdemeanor.
 the provisions of this act, or failing or refusing to comply with
 the requirements hereof, shall be guilty of a misdemeanor and
 upon conviction fined not less than fifty nor more than one Punishment.
 hundred dollars for each offense, and may be imprisoned, in the
 discretion of the court, not less than ten nor more than thirty
 days, and shall be liable to any person injured on account of such Liability for
 violation to the full amount of damages and all costs. damage.

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 full force and effect from
 and after its ratification.

In the General Assembly read three times and ratified this
 the 5th day of March, 1915.

CHAPTER 89.

AN ACT TO AMEND CHAPTER 160, PUBLIC LAWS 1913, TO CONTINUE FOR THE YEARS 1915 AND 1916 THE APPROPRIATION FOR ESTABLISHING A CARD INDEX SYSTEM FOR GRANTS, AND TO REARRANGE AND EXCHANGE THE METHOD OF FILING WARRANTS, PLATS AND SURVEYS IN THE OFFICE OF THE SECRETARY OF STATE.

The General Assembly of North Carolina do enact:

Appropriation.

SECTION 1. That chapter one hundred and sixty, Public Laws one thousand nine hundred and thirteen, be amended by striking out in lines eight, nine and ten the words, "for the years one thousand nine hundred and thirteen and one thousand nine hundred and fourteen," and inserting in lieu thereof the words, "for the years one thousand nine hundred and fifteen and one thousand nine hundred and sixteen."

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 5th day of March, 1915.

CHAPTER 90.

AN ACT TO AMEND SECTION 981 OF THE REVISAL OF 1905, AS AMENDED BY CHAPTER 116 OF THE PUBLIC LAWS OF 1913, RELATING TO THE REGISTRATION OF ANCIENT DEEDS.

The General Assembly of North Carolina do enact:

Law of this session repealed.

SECTION 1. That Senate bill number ninety-four, House bill number three hundred and forty-four, the same being a bill relating to the registration of ancient deeds, and which was ratified the second day of February, one thousand nine hundred and fifteen, be and the same is hereby repealed.

Time for registration.

SEC. 2. That section nine hundred and eighty-one of the Revisal of one thousand nine hundred and five, as amended by chapter one hundred and sixteen of the Public Laws of one thousand nine hundred and thirteen, be, and the same is hereby amended by striking out in the title and also in the body of the same the words "eighty-three" and inserting in lieu thereof the words "eighty-five."

SEC. 3. This act shall not apply to actions pending at the time of its ratification.

SEC. 4. This act shall take effect from and after its ratification.

In the General Assembly read three times and ratified this the 5th day of March, 1915.

CHAPTER 91.

AN ACT TO PROHIBIT THE MANUFACTURE AND SALE OF MALT, SUCH AS IS USED IN THE MANUFACTURE OF SPIRITUOUS LIQUORS.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm or corporation, or any agent, officer or employee thereof, to manufacture or sell malt, such as is used in the manufacture of spirituous liquors, in the State of North Carolina. Manufacture and sale forbidden.

SEC. 2. That all express companies, railroad companies, or other transportation companies, doing business in this State, are required to keep a separate record of all shipments of such malt, in which shall be entered immediately upon receipt thereof, the name of the person to whom shipped, the amount of each shipment, the date when received and the date when delivered, and by whom delivered and to whom delivered, which record shall be open for the inspection of any officer of the State, county or municipality any time during business hours of the company. Record to be kept by transportation companies.
Record open for inspection.

SEC. 3. That any person, firm or corporation violating any of the provisions of this act shall be guilty of a misdemeanor. Misdemeanor.

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 5th day of March, 1915.

CHAPTER 92.

AN ACT TO REGULATE THE PAYING OF EMPLOYEES OF RAILROADS IN NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That all persons, firms, companies, corporations or associations owning, leasing or operating any railroad, or railroads, wholly or partially within this State, shall pay and settle with their employees engaged or employed in shops, round-houses, or repair shops within this State at least twice in each month, which said settlements shall not be less than two weeks nor more than three weeks apart, and shall, in such settlements, pay said employees the full amounts due them for their work and services up to the date of the preceding settlement, and such payment shall be made in lawful money of the United States, or by check or cash order redeemable by the maker thereof for its face value in lawful money of the United States upon demand of or presentation by the lawful holder thereof: *Provided*, this act shall not apply to repair shops where less than ten employees are engaged. Semi-monthly payments.
Payment up to date.
Payment in currency or check.
Proviso: Repair shops.

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

SEC. 3. In the General Assembly read three times and ratified this the 5th day of March, 1915.

CHAPTER 93.

AN ACT TO REQUIRE COMMITTEEMEN OR BOARDS OF TRUSTEES OF SPECIAL TAX DISTRICTS TO ALLOW CREDIT ON THE TUITION OF CHILDREN OF PARENTS OR GUARDIANS RESIDING OUTSIDE OF THE DISTRICT OF THE AMOUNT OF THE SPECIAL SCHOOL TAX PAID BY SUCH PARENT OR GUARDIAN ON PROPERTY OWNED BY THEM IN SAID DISTRICT.

The General Assembly of North Carolina do enact:

Credits on tuition. SECTION 1. That any parent or person *in loco parentis* residing outside of any special tax district, urban or rural, chartered or otherwise, and owning property within said district whose child, children or wards shall attend school in said district, shall be entitled to receive as a credit on the tuition of said child, children or wards the amount of special school taxes paid on said property.

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

In the General Assembly read three times and ratified this the 5th day of March, 1915.

CHAPTER 94.

AN ACT TO AMEND SECTION 4993 OF CHAPTER 105, OF THE REVISAL OF 1905, RELATIVE TO PENSION OF CONFEDERATE SOLDIERS.

The General Assembly of North Carolina do enact:

Pensions to widows and partially disabled soldiers.

SECTION 1. That section four thousand nine hundred and ninety three of chapter one hundred and five, of the Revisal of one thousand nine hundred and five of North Carolina be amended by striking out the words "three-fourths" in line twenty-one (21) thereof.

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 5th day of March, 1915.

CHAPTER 95.

AN ACT TO APPOINT JUSTICES OF THE PEACE FOR THE SEVERAL COUNTIES OF THE STATE.

The General Assembly of North Carolina do enact:

SECTION 1. That the following named persons be, and they are hereby appointed justices of the peace for their respective counties and townships in North Carolina for a term of six years, except when a different length of time is named herein, said terms to begin the first day of April, one thousand nine hundred and fifteen, or when term of office expires, and they shall have sixty days in which to qualify from the ratification of this act, or from the expiration of their present term of office:

ALAMANCE COUNTY.

Alamance County.

Pleasant Grove Township—W. B. Sellers.

Burlington Township—J. B. Cheek, E. W. Atwater, H. M. Scott, H. M. Love, Walter L. Cates, A. M. Garwood, E. H. Murry.

Albright Township—A. G. Thompson, T. P. Nicholson (two years each.)

Newlin Township—John M. Foust.

Graham Township—T. P. Bradshaw, John R. Stout.

Patterson Township—R. J. Thompson.

Coble Township—C. F. Robertson, Charles Thomas, J. F. Homewood.

Constable for Patterson's Township—W. A. Stout.

Faucette Township—A. O. Huffman.

Morton Township—W. A. Paschal, John W. Garrison.

Boon Station Township—Jerry A. Whitesell.

ALEXANDER COUNTY.

Alexander County.

Sharpe Township—Thomas F. Murdock.

Little River Township—A. M. Chapman, J. N. Poole, Leander Sinclair.

Sugar Loaf Township—Edgar Deal, R. R. Kerley, F. C. Gwaltney.

ALLEGHANY COUNTY.

Alleghany County.

Whitehead Township—William Evans, W. B. Reeves.

Cherry Lane Township—J. J. Atwood.

Prathers Creek Township—J. T. Landreth, W. G. Sheppherd.

Cranberry Township—John A. Long, J. M. Blevins.

Gap Civil Township—C. W. Edwards, J. C. Roup, D. C. Reeves.

ANSON COUNTY.

Anson County.

Burnsville Township—J. D. Hyatt (for two years).

Lilesville Township—T. R. Liles, G. B. Birmingham (for two years).

Ashe County.

ASHE COUNTY.

Chestnut Hill Township—R. F. Edwards (four years from April 1st, 1915), W. W. McMillan two years from April 1st, 1915).

Clifton Township—W. H. Jones, Robt. Eller.

Crescent Township—W. J. McEwan (two years from April 1st, 1915), T. S. Maxwell (four years from April 1st, 1915), J. R. McMillan (four years from April 1st, 1915).

Grassy Creek Township—J. A. Pierce (four years from April 1st, 1915), J. M. Sawyer (two years from Dec. 1st, 1916), J. C. Pasley (two years from April 1st, 1915), W. P. Colvard (two years from April 1st, 1915), L. L. Pierce (two years from April 1st, 1915).

Helton Township—W. O. Dixon (two years from April 1st, 1915), F. M. Francis (two years from April 1st, 1915).

Horse Creek Township—Sidney Tucker (two years from April 1st, 1915), J. P. Hampton (four years from April 1st, 1915).

Jefferson Township—S. T. Sandfer (two years from April 1st, 1915), W. A. Dancy (two years from April 1st, 1915), F. L. Colvard (two years from Dec. 1st, 1916), Harry Proctor (two years from Dec. 1st, 1916), C. W. Ray (four years from April 1st, 1916).

Laurel Township—J. N. Martin (two years from April 1st, 1915), B. F. Kilby (two years from April 1st, 1915), A. W. Long (two years from April 1st, 1915), Hugh Hagaman (two years from April 1st, 1915).

Obids Township—D. C. Miller (two years from April 1st, 1915), Newton Bare (two years from April 1st, 1915), John C. Bowlin (two years from April 1, 1915), R. O. Boggs (two years from April 1, 1915).

Old Fields Township—R. H. Goodman (two years from Dec. 1, 1915).

Peak Creek Township—W. L. Miller (two years from April 1, 1915), J. F. Johnson (two years from April 1, 1915), J. D. Bare (two years from April 1, 1916), J. C. Miller (two years from April 1, 1915), W. R. Pennington (two years from April 1, 1915).

Pine Swamp Township—J. R. Johnson (two years from April 1, 1915), Charlie Hartzog (two years from April 1, 1915).

Piney Creek Township—H. C. Tucker (four years from April 1, 1915), W. J. Roberts (two years from April 1, 1915), H. A. Eller (two years from April 1, 1915), W. C. Powers (two years from April 1, 1916), I. H. Stuart (four years from April 1, 1915).

Walnut Hill Township—R. L. Reeves (two years from Dec. 1, 1916).

AVERY COUNTY.

Avery County.

Linville Township—M. L. Lewis.*Minneapolis Township*—W. W. Pyotte.

BEAUFORT COUNTY.

Beaufort County.

Richland Township—Fenner V. Stilley, Lemuel Leary, Lonnie Tripp.*Bath Township*—W. C. Kinion, T. N. Tyer.*Washington Township*—John C. Latham, John Corey, J. H. Simmons.*Long Acre Township*—H. C. Boyd, M. H. Cutler.

BERTIE COUNTY.

Bertie County.

Windsor Township—J. H. White, W. D. White, W. T. Heckstall, A. C. Mitchell, Chas. Gilliam, W. S. Pritchard, A. J. Dunning, Jr.*Roxobel Township*—E. C. Early, W. J. Watson, Arthur Bazemore.*Coleraine Township*—J. W. Rayner, W. S. Taylor, J. B. Mitchell, Jas. W. Brown.*Mitchells Township*—Moses R. Barnes, J. Lawrence Harrington, E. C. Harrell, Jesse Hoggard.*Merry Hill Township*—R. J. Shield, T. A. Smithwick, John T. Keeter, Geo. W. Capehart, E. L. Crumpler.*Snake Bite Township*—C. W. Spruell, Jr., John P. Slade.*White Township*—Frank W. Leary, J. H. Etheridge, J. H. Lawrence, W. L. Baker.*Woodville Township*—J. T. Veale, W. T. Griffin.*Indian Woods Township*—E. D. Woods.

BLADEN COUNTY.

Bladen County.

Hollow Township—Harry Fisher.*French's Creek Township*—E. H. Anders.*Carvers Creek Township*—Jas. D. DeVane.*Carvers Creek Township*—J. K. Nicholson.*Whites Creek Township*—C. Monroe.*Lane Creek Township*—H. M. Cortell.*Lane Creek Township*—D. McL. Shaw.*White Oak Township*—T. B. Melvin.*Abbottsburg Township*—W. J. McEwen.*Elizabethtown Township*—A. A. McKay.

BRUNSWICK COUNTY.

Brunswick County.

North West Township—D. D. Williams, Frank Russ, J. N. Skipper, James D. Harvill, G. B. Skipper.*Town Creek Township*—W. O. McKeithan, Jack Johnson.*Smithfield Township*—Frank Long, David Ward.

Lockwoods Folly Township—Eugene H. Gray, H. S. Robeson.
Waccamaw Township—J. H. Milliken.
Shallotte Township—Troy Hewett, L. D. Long, B. K. Gore
 (term of four years each).

Buncombe
County.

BUNCOMBE COUNTY.

Asheville Township—J. H. Shook, C. J. Woodey, A. L. Bright,
 J. L. Murphy, John U. Whiteside, J. W. Duckett, M. A. Creas-
 man.

Leicester Township—J. L. Williamson.

Reems Creek Township—J. M. Whittimore, James Whray.

Upper Hominy Township—J. C. Byrd.

Big Ivey Township—John J. Money, Thos. S. Dillingham, A.
 C. Dillingham.

Limestone Township—J. F. Cox.

Swannanoa Township—Robt. Arrowood, Marion Roberts, J.
 M. Patton.

Burke County.

BURKE COUNTY.

Morganton Township—W. J. Halliburton (four years), J.
 R. Howard, O. M. Avery.

Silvery Creek Township—Abel Carswell.

Icard Township—M. D. Earney (four years).

Lower Creek Township—Robert McCall.

Lovelady Township—D. P. Hudson, Joe Wilson.

Jonas Ridge Township—Joe Poar.

Lower Fork Township—Amos Huffman.

Upper Fork Township—J. P. Bumgarner, D. A. Watts, W. A.
 Cook.

Cabarrus County.

CABARRUS COUNTY.

Number Four Township—J. W. Winecoff.

Caldwell County.

CALDWELL COUNTY.

Lenoir Township—J. A. Bush, Sr.

Lovelady Township—Geo. W. Sherrill, A. Calvin Holler.

Hudson Township—Julius P. Bush.

Patterson Township—C. J. Dobbins.

Yadkin Valley Township—Frank A. Clinards.

Camden County.

CAMDEN COUNTY.

South Mills Township—John W. Sawyer (two years), Chas.
 Norris, Geo. Spencer.

Courthouse Township—S. E. Overby, T. S. Robertson.

Shiloh Township—G. C. Barco (two years).

Carteret County.

CARTERET COUNTY.

Straits Township—M. F. Willis.

Smyrna Township—Elmore Davis.

Newport Township—R. S. Tilden.

Beaufort Township—L. J. French.

Morehead Township—John Hall.

White Oak Township—W. L. Taylor.

Hunting Quarters Township—Harvey Hamilton, Z. J. Taylor.

CASWELL COUNTY.

Caswell County.

Anderson Township—T. A. Baswell, A. Y. Baynes.

Dan River Township—T. H. Hatchett, W. H. Allen, T. S. Harrison, W. M. Lea, Joe Sledges.

Leasburg Township—Geo. Oliver, B. F. Stanfield, L. P. Goodson.

Locust Hill Township—J. B. Worsham, Tom James.

Stoney Creek Township—W. J. Stadler, T. C. Neal, Geo. McKinney.

Hightowers Township—J. H. Smith, Luther Corbett, W. L. Compton, H. J. Hester, W. W. Murry.

Milton Township—S. M. James, A. H. Jarman, C. K. Thompson.

Pelham Township—J. B. Satterfield, L. S. Carter, J. D. Gatewood, H. B. Carter.

Yanceyville Township—N. C. Brandon, G. L. Williamson, P. K. Morgan, L. B. Page.

CATAWBA COUNTY.

Catawba County.

Hickory Township—N. A. Whitener.

CHATHAM COUNTY.

Chatham County.

Two years each.

Albright Township—S. P. Teague.

Bear Creek Township—B. A. Phillips.

Center Township—J. M. Keck.

Haddy Township—Manly Lindley.

New Hope Township—N. J. Wilson.

Cape Fear Township—J. H. Cotton.

Baldwin Township—W. A. Snipes.

CHEROKEE COUNTY.

Cherokee County.

Murphy Township—J. H. Woods.

Valleytown Township—W. L. Matheson (two years).

Nolta Township—J. W. Stiles.

Shoal Creek Township—R. R. Postell, W. L. Voyles.

Hot House Township—J. M. Moore.

CHOWAN COUNTY.

Chowan County.

Number One Township—S. E. Morris, John McGuire, John E. Waff (two years each).

Edenton Township—H. M. Dixon, R. W. Boyce, R. F. Tuttle (two years).

Number Two Township—L. R. Bunch, R. W. Leary, John Parks (for two years each).

Number Three Township—W. C. Ward, E. C. Welch, T. E. Ward (for two years each).

Number Four Township—I. J. Maran, Edward Jordan (for two years each).

Clay County.

CLAY COUNTY.

Brasstown Township—H. G. Hampton, T. C. Scroggs.

Cleveland County.

CLEVELAND COUNTY.

Number Two Township—J. M. Irvin, R. E. Harrell, R. V. Green.

Number Three Township—D. G. Webber.

Number Five Township—J. Y. Hord, C. Miller (two years), Zeb V. Cline.

Number Eight Township—Chancy Dalton (two years), P. S. Gettys.

Columbus County.

COLUMBUS COUNTY.

Fair Bluff Township—I. L. Green, William Strickland.

Bug Hill Township—G. L. Holmes.

Tatums Township—F. H. Britt, A. M. Benton.

Ransom Township—G. W. Applewhite, E. J. Grimsley, B. L. Daniel.

Welches Creek Township—W. O. Baldwin.

Williams Township—H. G. Harrelson, Willie Joyner, M. Wright, W. J. McPherson.

Bolton Township—A. T. Clark, D. W. Merrett, J. D. Strauss.

Bogue Township—R. I. Batten.

Craven County.

CRÁVEN COUNTY.

Number One Township—B. R. Warren, Z. W. Carrawan, J. C. Hill, J. B. Harvey, L. A. Spear, N. B. Spock, Wm. E. White.

Number Three Township—E. L. Rigs, U. W. Dougherty, A. W. Avery, T. J. Wethering.

Number Six Township—W. Z. Boyd, Jr.

Number Eight Township—D. S. Jones, T. F. McCarthey, J. C. Thomas, Jr.

Cumberland County.

CUMBERLAND COUNTY.

Beaverdam Township—D. H. Vinson, Frank Horne, J. S. Horne (for four years each).

Seventy-first Township—J. A. Graham, A. J. McKethan, Newlin H. Smith, W. E. McGill.

Rockfish Township—H. J. Hall, John Roslin Smith.

Currituck County.

CURRITUCK COUNTY.

Poplar Branch Township—W. H. Walker, S. H. Dutcher.

Crawford Township—J. L. DeCornis, L. Walker.

Atlantic Township—Olive O'Neal.

Moyock Township—C. G. Olds, A. D. Sawyer.

DARE COUNTY.

Dare County.

Nags Head Township—John W. Evans, John W. Casey, M. R. Daniels, L. D. Tarkington (two years).

Hatteras Township—George W. Farrow (two years).

Kinnekeet Township—U. G. O'Neal.

DAVIDSON COUNTY.

Davidson County.

Alleghany Township—J. F. Stokes, Brewer Harris.

Emmons Township—B. F. Lanier, Leach Lanier, C. H. Surratt.

Arcadia Township—Charles M. Zimmerman.

Conrad Hill Township—Edward Hedrick.

Cotton Grove Township—D. M. Feezor.

Hampton Township—W. L. Davis.

Healing Springs Township—W. P. Kinney, Robert Morgan.

Lexington Township—W. L. Scarboro.

Silver Hill Township—John L. Mance.

Thomasville Township—David B. White.

Boone Township—Adam Darr.

Midway Township—John P. Long, Numa C. Everhart.

Abbotts Creek Township—S. J. Frazier.

Jackson Hill Township—Geo. I. J. Elliott, J. M. Collett.

Tyro Township—D. C. Craver.

Yadkin College Township—Edward L. Greene.

DAVIE COUNTY.

Davie County.

Shady Grove Township—A. C. Wood (four years), H. T. Smithdeal, J. A. Davis.

Farmington Township—Duke F. Taylor, J. A. Sofley, L. A. Horn, L. L. Miller (four years), F. H. Bahnson.

Callahan Township—J. W. Byerly (four years), N. T. Anderson, N. S. Gaither, T. M. Anderson (four years).

Clarksville Township—D. R. Eaton, Gwynn Roberts (four years), W. S. Belk.

Jerusalem Township—W. A. Beaker, P. S. Stewart, T. I. Caudell, C. D. Lefler.

Fulton Township—L. H. Crouse (four years), J. R. Foster (four years), W. A. Sain.

Mocksville Township—W. F. Martin, Charley Seaford, J. W. Cartner.

DUPLIN COUNTY.

Duplin County.

Faison Township—E. F. Hicks (two years).

Rockfish Township—D. Stokes Williams, W. B. Register, C. C. James.

Cypress Township—R. N. Cole, W. R. Sholar, E. W. Brown (two years).

Island Creek Township—W. S. Teachey.

Limestone Township—A. G. Sloan, I. S. Davis, R. I. Miller, (two years).

Magnolia Township—F. L. Byrd.

Durham County.

DURHAM COUNTY.

Cedar Fork Township—Hugh Green (two years).

Durham Township—J. E. Parham (two years), J. F. Green (two years), E. J. Parrish (two years).

Edgecombe County.

EDGECOMBE COUNTY.

Number Two Township—David E. Cobb, R. C. Warren.

Number Three Township—W. W. Lucas.

Number Four Township—K. B. Bland, W. H. Pittman, L. M. Allsbrook, Z. V. Long.

Number Six Township—J. R. Etheridge.

Number Eight Township—W. G. Harrell.

Number Fourteen Township—L. W. Batchelor, C. E. Hinton.

Forsyth County.

FORSYTH COUNTY.

Vienna Township—W. H. Hicks, E. A. Pfaff.

Salem Chapel Township—Joe. F. Crubbs.

Abbotts Creek Township—Elmer Bodenhamer.

Bethania Township—J. N. Anderson, J. G. Clayton, J. A. Simmons.

South Fork Township—B. M. Calvill.

Old Town Township—A. J. Hanser.

Franklin County.

FRANKLIN COUNTY.

Franklinton Township—E. M. Edwards, B. F. Bullock.

Cedar Rock Township—George S. Earp.

Louisburg Township—W. E. Tucker.

Gaston County.

GASTON COUNTY.

Cherryville Township—Chester A. Black, A. B. Peeler, R. R. Mauney.

Crowders Mt. Township—Dr. O. G. Falls.

River Bend Township—J. R. Rogers.

Dallas Township—A. P. H. Rhyne, R. J. Durham.

South Point Township—L. H. Stowe, A. M. Suggs.

Gates County.

GATES COUNTY.

Gatesville Township—S. J. Hayes.

Hall Township—K. R. Carter, R. C. Cowper.

Holly Grove Township—L. S. Parker (two years).

Haslett Township—W. M. Matthews.

GRAHAM COUNTY.

Graham County.

Yellow Creek Township—William Phillips, A. Wall, Mack F. Farr.

Steoah Township—J. L. Calhoun, Nathan Buckhanan, W. G. Cobb.

Cheoah Township—Ernest Cooper, John H. Hyde, W. H. Eller, Jasper Rogers.

GRANVILLE COUNTY.

Granville County.

Fishing Creek Township—Natt. G. Brummitt.

Brassfield Township—Chas. N. Floyd.

Dutchville Township—S. A. Fleming.

Tally Ho Township—W. S. Gooch.

Sassafras Fork Township—D. A. Burwell.

Salem Township—N. G. Crews.

Oxford Township—S. V. Ellis.

GUILFORD COUNTY.

Guilford County.

Morehead Township—W. I. Underwood.

Friendship Township—M. L. Kendall.

Greene Township—G. M. Amick, L. W. Causey.

Gilmer Township—D. H. Collins, Robert E. Sims.

High Point Township—W. G. Brown.

Bruce Township—J. M. Burton.

North High Point Township—A. M. Idol.

Jamestown Township—J. L. Coletrane.

HALIFAX COUNTY.

Halifax County.

For two years each.

Butterwood Township—W. E. Nicholson.

Enfield Township—S. Meyer, Geo. R. Bennett, D. H. James, J. R. Halliday, T. S. Pettitt, J. Waldo Whitaker.

Weldon Township—D. E. Stainback, B. A. Pope, K. E. Kilpatrick.

Faucett Township—T. J. Barnes.

Palmyra Township—C. H. Roberson, W. G. Hedgepeth, W. H. Holland.

Brinkleyville Township—W. H. Hays, W. W. Rosser, J. E. Ayers, Sr., C. A. Williams, Sr., Dr. J. H. Norman, J. E. Ayers, Jr., Thos. H. Taylor, R. A. Hardy, E. J. Lee, J. J. Viverette, P. T. Odom.

Scotland Neck Township—G. S. White.

Rose Neath Township—Enoch Simmons, Andrew J. Whitehead, Jr.

HARNETT COUNTY.

Harnett County.

Anderson Creek Township—Alex. West.

Averasboro Township—J. W. Whitehead, E. Lee, M. T. Young, J. R. Goodwin, J. V. Barefoot, W. S. Jackson, J. B. Holland, J. H. Pope.

- Barbecue Township*—A. D. Waddell, D. A. Graham.
Black River Township—L. F. Adams, W. T. Campbell, Arthur Stephenson, Joseph Gardner, B. F. Williams.
Buckhorn Township—J. D. Champion, J. E. Holt, J. G. Spence.
Duke Township—O. R. Simpson, E. S. Yarborough.
Hectors Creek Township—Clem Matthews, D. H. Senter.
Grove Township—D. A. Holland, W. A. Johnson, J. A. Turlington, O. S. Young, Stewart Turlington, C. A. Daniels.
Johnsville Township—L. C. Seawell.
Lillington Township—H. T. Atkins, N. S. Green.
Stewarts Creek Township—M. L. Jones.
Upper Little River Township—T. A. Harrington, W. M. Patterson, Paul McKay.
Neills Creek Township—N. A. Stewart, J. F. McLeod.

Haywood County.

HAYWOOD COUNTY.

- Cattaloochee Township*—S. F. Wordy, Geo. Palmer.
Crabtree Township—N. F. Robinson, J. L. Walker, J. D. Talls.

Henderson
County.

HENDERSON COUNTY.

- Blue Ridge Township*—C. C. McCall, W. B. Wells, James L. Ward, T. E. Case.
Edneyville Township—A. S. Edney, E. E. Lawrence, M. L. Williams, M. N. Conner, W. F. Pryor.
Green River Township—G. E. Beddingfield, W. F. Pace, J. O. Bell, H. E. Erwin, J. A. Andrews.
Hoopers Creek Township—W. F. Byers, Frank Smith, J. P. Wilkie.
Clear Creek Township—Robert Harper.
Crab Creek Township—C. H. Ledford, J. E. Gibbs, V. C. Shepherd, R. J. Fletcher, John Brown.
Mills River Township—T. E. Osborne, L. L. Johnson, J. W. Morgan, J. H. Murray, M. S. Anderson, J. P. Whitaker.
Hendersonville Township—J. P. Patton, R. M. Oates, C. S. Whitaker, J. S. Patterson, J. L. Brookshire, A. C. Justus, P. H. Walker, Z. A. Shipman.

Hertford County.

HERTFORD COUNTY.

- Murfreesboro Township*—R. C. Nicholson, E. W. Waters, Edgar Brett, D. L. Parker, U. Watson, B. B. Winborne, Jr., Paul Britt, Jr., J. K. Parker, J. C. Chitty, I. Pipkin, E. B. Vaughan
Harrellsville Township—J. L. Smith, W. E. Miller, Edmond Jones, E. V. Grissom, W. A. Perry, John O. Askew, R. H. Jerrigan, B. F. Williams, John S. Winborne, B. N. Sykes, W. A. Thomas, A. B. Adkins.
Money's Neck Township—T. E. Nann, J. C. Taylor, G. C. Picot, W. S. Taylor, Endid Howell, R. A. Majett, M. J. Raily, J. B. Whitley, S. P. Winborne, R. E. Lee, J. D. Reddick, J. B. Worrell, J. Blount Ferguson, E. G. Sears.

Winton Township—T. D. Boone, H. H. Jones, J. A. Cowan, J. W. Boone, A. C. Vann, W. P. Shaw, A. I. Parker.

Ahoskie Township—J. H. Mitchell, J. A. Copeland, J. R. Garrett, J. W. Powell, R. J. Baker, C. N. Pruden, W. M. Mitchell, Charles C. Sessoms, J. J. Askew, Arthur C. Moore.

St. Johns Township—N. J. Minton, A. J. Vinson, J. C. Britt, Douglass Parker, J. T. Liverman, J. M. Eley, Ira J. Askew, T. J. Leaster, A. M. Brown, Jesse Matthews, J. A. Freeman, T. W. Sears, J. N. Holloman, J. T. Rawis, T. B. Cook.

HOKE COUNTY.

Hoke County.

Blue Spring Township—Alexander L. Purcell, four years.

Antioch Township—George C. Biggs, four years.

HYDE COUNTY.

Hyde County.

Swan Quarter Township—Wm. Watson, Eugene Bell.

Currituck Township—C. M. Watson, J. B. Deal.

Lake Landing Township—Henry Boomer, T. H. Jennett, George I. Watson, J. M. Hall Middleton.

Fairfield Township—Charles Williams.

Engelhard Township—George E. Roper.

IREDELL COUNTY.

Iredell County.

Concord Township—O. L. Woodside, W. T. Watt, S. Gross.

Chambersburg Township—W. S. Clendinin.

Davidson Township—W. H. Newton (six years), John B. Mayhew (six years).

Barringer Township—A. A. Murdock, H. C. Sloop, C. A. Westmoreland, two years each.

Bethany Township—T. L. Adams, N. F. Blackwelder.

Cool Springs Township—Arthur Beaver.

Eagle Mills Township—J. E. Critz, Marvin Smith, T. G. Wallace.

Fallstown Township—J. T. Smith.

Turnersburg Township—R. L. Kinden, R. J. Stroud, G. F. Dawnum.

New Hope Township—N. F. Templeton.

Union Grove Township—Z. R. Tharpe.

JACKSON COUNTY.

Jackson County.

Dillsboro Township—M. Y. Jarrett, James Fisher, Sr.

Webster Township—Jake Wilds, J. C. Moore.

Qualla Township—R. L. Hyatt (two years).

JOHNSTON COUNTY.

Johnston County.

Oneals Township—W. E. Parker (two years), C. C. Finch (four years).

Pine Level Township—W. F. Gerald.

Boon Hill Township—W. D. Phillips (two years).

Clayton Township—L. H. Champion.

Wilson's Mills Township—E. E. Parrish (four years), J. T. McLeod (four years).

Elevation Township—Julian Godwin (two years).

Bentonville Township—W. N. Rose, W. H. Upchurch, R. K. Britt.

Micro Township—Britton Smith, Joe D. Creech.

Jones County.

JONES COUNTY.

Tuckahoe Township—L. D. Fordham, W. J. Marshburn.

Lee County.

LEE COUNTY.

West Sanford Township—Alexander W. Wicker (two years), C. A. Pardo.

East Pocket Township—W. M. Lemon.

Lincoln County.

LINCOLN COUNTY.

North Brook Township—J. C. Beam, J. K. Wilson, Lee Beam, Clarence Carpenter, J. F. Beam, T. P. Jenks.

Lincoln Township—S. W. McKee, John E. Carpenter, Burgin Gates, W. L. Huntbrooks.

Howards Creek Township—E. I. Mosteller, Luther Houser, Milton Rudisille, W. W. Noland.

Ironton Township—J. M. Summey, J. P. Munday, S. J. Shrum, R. F. Goodson.

Catawba Springs Township—Pink A. Thompson, J. M. Nixon, R. H. Ballard, A. A. Keever, R. J. Nixon, D. C. K. Wilkerson.

Macon County.

MACON COUNTY.

Cartoogechaye Township—G. W. Moffitt.

Nantahala Township—J. H. Wilson (two years), E. G. Sams (two years).

Franklin Township—Robert Stamey.

Highland Township—William P. Wilson, P. C. Calloway.

Cowee Township—M. J. Mashburn.

Madison County.

MADISON COUNTY.

No. One Township—J. H. Haynie (six years), J. P. Miles (six years), J. H. Guthrie (two years), C. B. Rhinehardt (two years).

No. Two Township—Rufus Tweeds (six years), James Haynie (six years), J. W. Crow (two years).

No. Three Township—J. W. Wyatt (six years).

No. Four Township—W. E. Hamlin (six years), J. E. Radford (six years), William Clouse (six years), Robert Metcalf (six years).

No. Five Township—John Merrill (six years), J. B. Roberts (six years), J. D. Caldwell (two years).

No. Nine Township—D. H. Gardner (six years).

No. Eleven Township—Edgar Bryan (six years), G. W. Marshbanks (six years).

No. Twelve Township—James A. Worley (six years).

No. Thirteen Township—W. A. Norris (six years).

No. Fourteen Township—John Merrill (six years), Ben Wyatt (four years).

No. Fifteen Township—John Anderson (six years).

No. Sixteen Township—Jasper Shelton (six years).

MARTIN COUNTY.

Martin County.

Robersonville Township—William Powell (two years).

Goose Neck Township—J. W. Robinson (two years).

Jamesville Township—John A. Getsinger (two years).

MCDOWELL COUNTY.

McDowell County.

Glenwood Township—E. G. Goforth (four years), J. M. Haney (term expires at next general election).

Bracketts Township—W. C. Raburn (two years), W. P. Nanny (two years), George F. Rhone (two years).

Cedar Cove Township—Walter J. Brown (four years).

MECKLENBURG COUNTY.

Mecklenburg County.

Charlotte Township—J. Louis Spencer, I. W. Durham, D. M. Abernathy, W. M. Beatty, J. K. A. Alexander, F. D. Alexander, T. W. Dixon, Richard Stewart, Walter Brem.

Steel Creek Township—John L. Millwee, C. B. Choate.

Providence Township—L. H. Robinson.

Pincville Township—R. B. Johnston.

Clear Creek Township—J. A. Helms, W. H. Beaver, W. J. Craige.

Crab Orchard Township—C. B. Cross.

Lemleys Township—M. M. Blythe.

Mallard Creek Township—R. W. Earnhardt.

Paw Creek Township—N. A. Cathey, G. L. Neal, G. H. Campbell.

Deweese Township—Joe A. Sherrill, W. S. Blakeley, T. P. Howard.

Morning Star Township—W. L. Hood, E. M. Matthews.

MITCHELL COUNTY.

Mitchell County.

Fork Mountain Township—Windell Stagle, C. W. McInturf.

Snow Creek Township—T. A. Sparks.

Grassy Creek Township—W. W. Bailey, H. F. Lawrence, J. G. Buchanan.

Bakersville Township—Bascom M. Green, Henry Masters, Sr.
Bradshaw Township—Charley Byrd, Sr.
Cane Creek Township—M. T. Young, Aaron Buchanan.
Herrell Township—Ed. Garland, Sr., J. W. Bryant.
Little Rock Creek Township—Burk Woodey, Ched Green.
Poplar Township—Hiram Tipton.
Red Hill Township—J. B. Masters (for two years each).

Montgomery
County.

MONTGOMERY COUNTY.

Pee Dee Township—A. R. Moore, F. L. Andrews, D. F. Robinson.
Mt. Gilead Township—J. A. Harris.
Cheeks Creek Township—D. J. Poole, J. C. Thompson.
Biscoe Creek Township—Hiram Freeman, R. T. Morris, R. R. Ormond (two years).
Little River Township—R. D. Kerns.
Eldorado Township—J. F. Bruton, W. W. Hatley.
Wharrie Township—W. S. Thayer.
Rocky Springs Township—J. I. McIntyre, W. T. Usery, J. F. Whitlock, T. B. Rush, J. F. Meacham.

Moore County.

MOORE COUNTY.

Mineral Springs Township—Lonnie Blue.
Sheffield Township—Henry Melton, W. J. Baldwin, Calvin McNeill.
Bensalem Township—J. M. Deaton, E. M. Bost.
Carthage Township—A. D. Muse.
Ritters Township—N. I. Finnison.
Sand Hills Township—F. H. Weaver, John Campbell, T. J. Fletcher.
McNeill Township—Daniel McNeill, C. W. Shaw.
Greenwood Township—B. B. Phillips.

Nash County.

NASH COUNTY.

North Whitakers Township—W. T. Hearne.
Coopers Township—J. C. Taylor, J. R. Lindsay, W. C. Taylor.
Dry Wells Township—A. S. Carter, David Daniel.
Ferrells Township—W. O. Williams, W. B. Bergeron, D. E. Cone.
Bailey Township—G. R. Finch.
Castalia Township—Henry Arrington, C. F. Morse, G. D. Taylor.
Griffins Township—R. L. Avant, C. P. Harper, J. A. Williams.
Jackson Township—R. A. Ricks.
Oak Level Township—J. W. Joyner, K. E. Bone, J. E. R. Winstead.
Red Oak Township—R. L. May, W. H. Jones.
Stoney Creek Township—J. W. Culpepper, R. S. Brown.

South Whitakers Township—W. P. Davis, C. C. Braswell.

Rocky Mount Township—George R. Horn, H. C. Robbins.

NEW HANOVER COUNTY.

New Hanover
County.

Wilmington Township—W. A. McGowan (two years), Nathan J. Williams, Charles W. Woolard.

NORTHAMPTON COUNTY.

Northampton
County.

Kirby Township—W. J. Beale, W. T. Bridges, C. T. Parker.

Rich Square Township—Isaac Carter, W. E. Spivey.

Roanoke Township—Columbus Deloatch, Albert Vance, C. G. Conner.

Occonechee Township—D. T. Taylor.

Gaston Township—R. E. Cleaton, J. W. Grant.

Jackson Township—Edwin Wright.

Wiccacoon Township—J. H. Hogan, J. H. Deberry, J. T. Lanier.

Roanoke Township—C. Deloolet, J. H. Wood, J. R. Baugham, K. B. Scuel, P. T. Hicks.

Pleasant Hill Township—J. W. Crew.

Seaboard Township—C. P. Stephenson, J. G. Stancell, W. T. Novell, R. F. Barnes.

ONSLOW COUNTY.

Onslow County.

Richlands Township—S. B. Taylor, T. D. Shaw (four years each).

Stump Sound Township—Edgar Hines (two years).

White Oak Township—W. C. Conway (two years).

ORANGE COUNTY.

Orange County.

Bingham Township—Fred J. Eubanks.

Eno Township—Stephen A. Douglass, W. M. Stroud.

PAMLICO COUNTY.

Pamlico County.

Number Two Township—L. D. Spruill (two years).

Number One Township—J. L. McCotter.

PASQUOTANK COUNTY.

Pasquotank
County.

Providence Township—Spencer Carter, W. C. Riggs, M. P. Jennings, Grover Jennings.

Salem Township—F. H. Lowery, Seth Scott, George W. Cartwright, J. M. Wilson.

Newland Townships—W. J. Williams, George W. Harris, N. I. Williams, J. T. Spence.

Mt. Hermon Township—John Ludford, E. S. Scott, William Stanton (four years).

Nixonton Township—R. C. Sherlock, J. B. Walston, G. W. Cartwright, James Hollowell, W. B. Coppersmith, Walter L. Johnson.

Elizabeth City Township—J. C. Spence, E. F. Sawyer, G. D. B. Pritchard, M. B. Culpepper, J. G. Fearing, W. Ben Goodwin.

Pender County.

PENDER COUNTY.

Union Township—Theodore Rivenbark, Stephen English, Jonathan Johnson.

Caintuck Township—J. J. Pridgen, T. B. Long.

Grady Township—H. B. White.

Caswell Township—Alexander S. Johnson (for two years).

Burgaw Township—J. T. Cowan, B. C. Boney.

Holly Township—K. F. Powers, J. A. Lanier, J. W. Burton.

Long Creek Township—E. W. George, A. D. Scott, M. F. Scott.

Rocky Point Township—J. L. Casteen.

Topsail Township—G. W. Mallard.

Perquimans
County.

PERQUIMANS COUNTY.

New Hope Township—J. M. White, F. M. Wilson.

Parkville Township—James R. Miffin.

Hertford Township—W. L. F. Babb, R. B. Cox.

Bethel Township—I. J. Long.

Belvidere Township—W. C. Chappell.

Person County.

PERSON COUNTY.

Roxboro Township—W. J. Winstead.

Woodsdale Township—R. L. Hall, G. B. Williams, E. J. Robertson.

Flat River Township—S. A. R. Morton.

Brushy Fork Township—A. M. Long, W. C. Warren, N. D. Harris.

Allensville Township—J. W. Yancey, William T. Whitt, D. C. Moore, J. J. Dixon.

Mount Tirzah Township—L. J. Meadows.

Cunningham Township—J. M. Jones, L. B. Scott, W. B. Clay, Geo. L. Cunningham.

Holloways Township—J. B. Barrett, G. E. Woody, W. T. Humphries.

Olive Hill Township—F. D. Long, W. R. Wilkerson.

Pitt County.

PITT COUNTY.

Swift Creek Township—J. F. Smith, S. E. Moore (four years each).

Bethel Township—S. A. Jones.

Pactolus Township—Joshua L. Ross.

Falkland Township—F. G. Dupree.

Polk County.

POLK COUNTY.

Tryon Township—R. A. Leonard, G. A. Gash, Thomas C. Mills.

Coopers Gap Township—W. W. Cowart, G. L. Taylor, William Ledbetter, J. T. Edwards.

Saluda Township—H. L. Caps, J. C. Thompson, J. Hannon Pace, J. G. Holbert, J. C. Bushnell.

Greens Creek Township—Clyde Davidson, S. B. Weaver.

White Oak Township—J. R. Williams, W. P. Wortman, W. F. Blackwell, Jeff Holbert, J. R. Splawn, W. F. Blackwell, V. H. Huntsinger.

RANDOLPH COUNTY.

Randolph County.

(Each for four years.)

New Market Township—R. L. White, Joseph Wall, J. A. Wall.

Level Cross Township—R. L. Causey, S. A. Frazier.

Liberty Township—H. C. Causey, Wm. Brother, W. P. Fox.

Providence Township—W. A. Wood.

Tabernacle Township—J. A. Varner, Henry Younts, B. F. Morgan.

Franklinville Township—Frank York, W. C. Jones, D. Dove, P. L. Bostic, H. M. Free, C. Parks.

Concord Township—S. M. Lewis, A. Lee Delk, J. Marvin Yates.

Cedar Grove Township—R. L. Tant, B. L. Kearns, M. H. Laster.

Grant Township—A. S. Pugh, M. P. Cox, S. S. Cox.

Colridge Township—J. P. Burroughs, Looma Johnson, W. C. Craven, Thos. Bray.

Pleasant Grove Township—C. C. Purvis, Mathew Seawell, M. A. Ward.

New Hope Township—B. C. Carter, J. A. Hopkins, J. M. Shaw, M. L. Loftin, M. F. Talbert.

Union Township—Wiley A. Presnell, J. D. Welch, J. T. Strider.

Richland Township—M. J. Presnell, A. C. Lowdermilk, J. N. Cagle, D. A. Carnelison.

Brower Township—E. B. Leach, L. J. Hix, George W. Teague, B. F. Brown.

Randleman Township—M. E. Brown, N. T. Groce, E. F. Caudle, W. T. Bryant.

Asheboro Township—John C. Pearce, J. A. Neighbors, W. D. Spoon, M. W. Parrish, B. F. Newby.

Trinity Township—W. N. Elder, L. C. Andrews, Chas. W. Redding, John Brame.

Back Creek Township—A. C. Farlow, W. O. Bulla, W. H. Redding, Edward Walker.

Columbia Township—R. W. York, C. A. McMasters, George R. Williams, Y. M. C. Johnson.

RICHMOND COUNTY.

Richmond County.

Rockingham Township—H. L. Guthrie, W. F. Long, Wm. Little Steele (four years), G. M. Rainwaters (four years), J. A. Dunn (two years), A. B. Nicholson.

Marks Creek Township—For two years each—J. E. Milliken, J. M. McLaughlin, R. F. Scholl, J. J. Elliott, J. J. Peele, G. W. Rooker.

Steele's Township—S. F. Key.

Robeson County.

ROBESON COUNTY.

Alfordsville Township—N. J. McKinnon.

Lumberton Township—A. P. Cadewell, James Barnes, A. E. White.

Maxton Township—J. S. McRae.

Rowland Township—W. F. Bristow.

Saddle Tree Township—Grady S. Harrell.

Howelsville Township—Spurgeon Jones, N. A. Kinlow, Isham Kinlow.

Red Springs Township—A. B. Pearsol.

Rockingham
County.

ROCKINGHAM COUNTY.

New Bethel Township—W. I. Witty, T. B. Wilson, J. P. Wilson.

Wentworth Township—A. J. Whittlemore, J. J. Ratliffe, J. A. Gunn.

Price Township—W. J. Grogan, Jason Barnes, B. A. Price.

Ruffin Township—Robert C. Collie (two years).

Huntsville Township—J. Wirt Angel, T. I. Simpson, C. H. Dalton.

Williamsburg Township—Geo. T. Davis, John D. Pritchett.

Madison Township—J. S. King.

Simpsonville Township—J. H. Richardson.

Reidsville Township—W. F. Burton, P. H. Williamson.

Rowan County.

ROWAN COUNTY.

Litaker Township—G. H. Page, John D. A. Fisher.

Morgan Township—J. A. Miller, P. C. Bernhardt.

Atwell Township—A. L. Deal, W. M. Jamison.

Salisbury Township—E. H. Miller, J. D. Heilig, T. W. Summer-
sett, C. N. Brown, J. R. Thomas, J. A. Cooke, M. E. Miller, C. M.
Miller.

Cleveland Township—W. F. Thompson.

China Grove Township—E. L. Fleming, J. P. Linn.

Steele Township—J. S. Hall, B. Scott Krider.

Scotch Irish Township—C. A. Guffy, H. C. Turner, W. A. Steele.

Gold Hill Township—Z. A. Kluttz.

Rutherford
County.

RUTHERFORD COUNTY.

Golden Valley Township—J. H. Yelton.

Rutherfordton Township—H. S. Taylor.

Cool Springs Township—A. H. Long.

SAMPSON COUNTY.

Sampson County.

Honeycutt Township—A. E. Royal.*Dismal Township*—L. C. Spell.*North Clinton Township*—A. B. Crumpler.*Mingo Township*—D. M. Williford.*Little Coharie Township*—D. W. Culbreth.*Franklin Township*—W. F. Highsmith (appointed two years each).

SCOTLAND COUNTY.

Scotland County.

Laurel Hill Township—A. McNeill, Jr., J. McN. Patterson, J. L. Covington, S. A. Snead.*Williamson Township*—F. L. Rachels, D. T. Wright, R. D. Gibson, W. N. McKenzie, A. H. McDonald.*Stewartsville Township*—J. W. Jernigan, H. O. Covington, J. S. Thompson, L. W. McKinnon, S. J. Siler, F. A. Kendall, W. P. Benton, T. L. Henly.

STANLY COUNTY.

Stanly County.

Endy Township—D. P. McSwain, M. L. Harrington.*Furr Township*—R. W. Simpson, Vernon L. Mills.*Big Lick Township*—D. E. Efrd, E. R. Whitley, Q. E. C. Coble.*Almond Township*—D. Walter Sides, John L. Cauble, M. M. Furr.

All J. Ps. appointed for Stanly County shall hold office for two years only.

STOKES COUNTY.

Stokes County.

Quaker Gap Township—J. R. P. East, Robert W. Hill, Jesse A. George, W. A. Lilly.*Meadows Township*—Samuel C. Hill, I. G. Rose.*Danbury Township*—N. A. Martin, Joe M. Alley.*Yadkin Township*—J. P. Covington, W. A. Sullivan.*Peters Creek Township*—Jesse A. Lawson, W. P. Key.

SURRY COUNTY.

Surry County.

Westfield Township—W. B. Blair, John H. Chilton, H. C. Lawrence, A. F. Snoddy.*Pilot Township*—James H. Bennett.*Mt. Airy Township*—R. W. Redmons, Jas. C. Beamer, Thomas B. MacCargo, Sr., A. W. Dean, N. P. Short, R. A. Jarvis.*Dobson Township*—J. I. Edmonds.*Eldora Township*—G. W. Mills, C. E. Hutchens.*Rockford Township*—W. J. Evans.*Siloam Township*—D. M. Whitaker.*Marsh Township*—H. R. Key.*Pilot Mountain Township*—J. F. Kirkman.

Swain County.

SWAIN COUNTY.

Charleston Township—S. L. Teague, Gordon Crawford, P. P. McLean, R. H. Clark, L. B. Woodard, Walter Hughes, Cos Cochran.

Nantahala Township—A. S. Queen, J. T. Welch, John T. Cunningham.

Forney Creek Township—J. A. Crisp, Melvin Hayes, E. C. Monteith.

Oconalufy Township—William Bradley, D. C. Gass.

Transylvania
County.

TRANSYLVANIA COUNTY.

Catheys Creek Township—J. M. Zachay, W. R. Wilson.

Boyd Township—T. R. Duncan, L. F. Lyday, A. L. Lidletter.

Eastatoe Township—Ed. Gillispie, Charley Graveley, T. S. Caloway, Ernest Gillispie.

Little River Township—Los Allison, Wait Kilpatrick.

Dunns Rock Township—W. M. Maxwell.

Brevard Township—B. E. Paxton, J. J. Patton.

Highrock Township—T. B. Reid, W. B. Henderson.

Gloucester Township—Booth Price.

Tyrrell County.

TYRRELL COUNTY.

Columbia Township—Jos. E. Reynolds, Jerry Brickhouse, W. N. Norman, Stephen Brickhouse, J. B. Cohoon, David T. Holmes, Joel S. Brickhouse.

Gum Neck Township—W. S. Sykes, Dallas Cohoon, Robert J. Armstrong, Claude V. Armstrong.

Scuppernong Township—J. F. Davenport, W. W. Sawyer, McClelland Armstrong, James H. Twedy.

Union County.

UNION COUNTY.

Sandy Ridge Township—R. P. Ross, H. L. Price, G. W. Sutton, R. A. Hudson, C. O. Howard, J. D. Hemby, J. L. Polk, R. B. Cuthbertson, C. E. Parks.

New Salem Township—M. C. Austin, Ellis B. Pusser, H. T. Baucom, W. Hampton Brooks.

Monroe Township—M. L. Flow, William McCauley, J. S. Polk, H. K. Helms, Lee M. Howie, N. C. English, Geo. S. Lee, Jr., R. L. Gordon, Robert H. Hargett.

Lanes Creek Township—B. F. Parker, W. L. Thomas, G. Cleveland Smith.

Goose Creek Township—A. W. McManus, G. A. Long, W. A. Love, H. M. Furr, I. D. Crowell, E. E. Presson.

Marshville Township—Zeb McIntyre, W. H. Braswell, D. V. Griffin, Fisher A. Brooks.

Buford Township—W. P. Plyler, Jerre C. Laney, J. Pierce Rogers, W. A. Eubanks, James Latham, E. R. Starnes, John W. Belk.

Jackson Township—Gilmore Lynn Nisbet, J. E. Bigham, Henry McWhorter, W. J. Sims, J. E. Doster (two years), J. B. Godfrey, R. T. Sistare, W. A. Huey, T. M. Crown, S. P. Walkup, W. S. Walkup.

Vance Township—P. C. Stinson, S. H. Crowell, J. I. Orr, M. T. Stallings.

VANCE COUNTY.

Vance County.

Henderson Township—S. G. Walters, W. A. Newman.

Kittrell Township—A. A. Capehart, H. A. Woodlief, J. L. Stone.

Dabney Township—Amos Parrott, J. U. Fleming.

Williamsboro Township—D. L. Moody.

Townsville Township—S. R. Adams.

Nut Bush Township—A. P. Paschall.

Middleburg Township—T. B. Wiggins.

Sandy Creek Township—W. L. Duke.

WAKE COUNTY.

Wake County.

New Light Township—W. J. Simpson.

Wake Forest Township—J. H. Mitchell, E. S. Fort, P. E. Fowler, W. B. Horton, J. T. Naywood.

Raleigh Township—John B. Danieleley, John M. Davis, C. A. Separk, John U. Smith.

White Oak Township—B. H. Pate, William H. Penney.

Little River Township—J. T. Hogwood.

Buckhorn Township—O. K. Cowing, W. H. Goodwin, J. B. Ragan.

Holly Springs Township—J. R. Carter, R. F. Collins, E. H. Ballentine.

Swift Creek Township—D. C. Smith, John Stephens.

Cedar Fork Township—E. W. Clements.

Bartons Creek Township—R. L. Thompson, O. B. Harding.

WARREN COUNTY.

Warren County.

River Township—W. T. Carter, A. L. Pope.

Judkins Township—J. V. Shearin, D. L. Ryder.

Nutbush Township—R. L. Watkins, A. E. Paschall.

Roanoke Township—W. W. Rainey, J. S. Kidd.

Warrenton Township—J. C. Hardy, Hugh Reams.

Smith Creek Township—J. H. Rose.

Shocco Township—R. E. Aycock.

Fork Township—Otis Clark.

Sandy Creek Township—T. H. Aycock.

Fishing Creek Township—J. W. Powell.

Haw Tree Township—W. W. Cawthorne.

Six-Pound Township—S. S. Reeks, J. W. Duncan.

Washington
County.

WASHINGTON COUNTY.

Skinnerville Township—John T. Liverman.*Scuppernong Township*—T. F. Davenport.

Watauga County.

WATAUGA COUNTY.

Cove Creek Township—J. B. Miller.*Watauga Township*—Alex Townsend.*Meat Camp Township*—W. H. Norris.*Beaver Dams Township*—Raleigh Johnson.*Shawneehow Township*—R. L. Martin.

Wayne County.

WAYNE COUNTY.

Pikeville Township—W. T. Powell, H. G. Edmonson, T. Frank Hicks, P. B. Scott, Grey Collur (each for two years).*Goldsboro Township*—J. R. Hatch, N. B. Outlaw, E. H. Bain.*Brogden Township*—W. F. English, C. A. Smith.*Indian Spring Township*—W. F. Patrick, J. A. Herring, J. R. Murvin, S. H. Daly, T. W. Best.*Great Swamp Township*—W. A. Copeland.*Nahunta Township*—James H. Best, John D. Davis.*Fork Township*—T. R. Gurley, W. C. Hollowell, John A. Sasser, Leon D. Howell, John M. Mitchell.*Saulston Township*—B. A. Parks.*Granthams Township*—Wm. D. Herring, J. W. McCluney, S. D. Thornton.

Wilkes County.

WILKES COUNTY.

Brushy Mt. Township—J. M. Costner.*Lovlace Township*—Freeland Johnson, R. N. Garner.*Mulberry Township*—James M. Taylor, James M. Handy.*Union Township*—Carl Jones, A. M. Whittington.*Boomer Township*—James E. Howell.*Reddies River Township*—Ben Vannoy, C. C. Church, J. A. Pierce.*New Castle Township*—James W. Boyd.*Traphill Township*—C. M. Caudill, R. N. Johnson.*Lewis Fork Township*—L. V. Cardwell.*Antioch Township*—J. C. Hubbard.*Walnut Grove Township*—J. P. Church.*Wilkesboro Township*—Edward Foster.*Stanton Township*—J. C. Parsons.

All for six years from April first, one thousand nine hundred and fifteen.

Union Township—Geo. W. Burgess.*Edwards Township*—Wm. A. Sharpe, H. F. Carter.*Jobs Cabin Township*—W. H. Owens (four years).*Lewis Fork Township*—L. V. Cardwell (four years); Lee Walsh (four years).

Moravian Falls Township—J. R. Parlier.
Mulberry Township—James M. Taylor.
North Wilkesboro Township—Jas. L. Turner.
Trap Hill Township—M. J. Carico, M. A. Lyon, Newton Johnson.
Wilkesboro Township—J. C. Mitchell.
Stanton Township—W. E. Fletcher.

WILSON COUNTY.

Wilson County.

Black Creek Township—J. G. Mercer, Barnes Daniel, J. H. Thompson, W. R. Brooks.
Cross Roads Township—Z. R. Davis, W. P. Aycock, John D. Bain.
Saratoga Township—J. R. Eagles, Alex. Harrell.
Toisnot Township—J. T. Watson, J. W. Cox, J. H. Barkley, C. E. Land, Clearence Winstead.
Spring Hill Township—Ransom Kirby, John W. Watson.
Old Field Township—H. W. Barnes, W. H. Coleman, B. H. Boswell, T. J. Thompson, G. T. Lamm, T. R. Simpson, Leroy Stott.
Taylor's Township—H. T. Oneal, W. D. Dew.
Stantonsburg Township—E. S. Darden, R. M. Whitley.

YADKIN COUNTY.

Yadkin County.

Forbush Township—P. L. Kiger, Charlie Maynard.
Liberty Township—M. G. Myers, W. H. Williams.
Buck Shoals Township—R. L. Weatherman.
Deep Creek Township—J. W. Brandon, J. H. Steelman.
East Bend Township—W. H. Norman, F. A. Poindexter, T. A. Poindexter, H. W. Croft.
Fall Creek Township—A. B. Hobson, J. W. Wiseman.
Knobs Township—W. R. G. Martin, William Shugart, T. L. Swain.

YANCEY COUNTY.

Yancey County.

Brush Creek Township—O. C. Robinson, A. P. Randolph, Nelson Woody.
Burnsville Township—T. G. Dellinger, Chas. Young.
Jacks Creek Township—J. W. Horton, W. D. Peterson.
Ramseytown Township—J. A. Hannum, R. E. Holloway.
Prices Creek Township—S. C. Blankenship, W. H. Anderson, J. H. Hutchins.
Pensacola Township—R. R. Ray, J. C. Hutchins, James F. Wilson, Victor Reynolds.
South Toe Township—J. W. Hoover, Robert Ballew, A. M. Patton.
Egypt Township—James Renfro, J. M. King, Zeb Ledford, Mott Hensley, S. W. McIntosh.
Cane River Township—E. J. Angel, Raleigh Radford, Riley King.

Green Mountain Township—G. B. Deyton, I. T. Bailey, Cling Peterson, C. C. Bennett.

Crabtree Township—John L. Young, J. H. Hughes, A. B. Silver, Willard Young.

In the General Assembly read three times and ratified this the 8th day of March, 1915.

CHAPTER 96.

AN ACT TO SUPPLEMENT AND AMEND THE PUBLIC LAWS OF 1915, KNOWN AS THE "OMNIBUS ACT" APPOINTING JUSTICES OF THE PEACE, RATIFIED MARCH 8, 1915, RELATING TO LEE COUNTY.

The General Assembly of North Carolina do enact:

Name stricken out.

SECTION 1. That the words "C. A. Pardo" be stricken out of the Public Laws of one thousand nine hundred and fifteen, known as the "Omnibus Act," appointing justices of the peace, and occurring in connection with appointment for West Sanford Township, Lee County, and inserted in lieu thereof "James Pardo."

Name inserted.

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

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 97.

AN ACT TO RESTRICT THE RECEIPT AND USE OF INTOXICATING LIQUORS.

The General Assembly of North Carolina do enact:

Restriction on shipping, transporting, carrying, or delivering.

SECTION 1. That it shall be unlawful for any person, firm, or corporation, or any agent, officer or employee thereof, to ship, transport, carry or deliver, in any manner or by any means whatsoever, for hire or otherwise, in any one package or at any one time from a point within or without this State to any person, firm, or corporation in this State any spirituous or vinous liquors or intoxicating bitters in a quantity greater than one quart, or any malt liquors in a quantity greater than five gallons; and it shall be unlawful for any spirituous or vinous liquors or intoxicating bitters so shipped, transported, carried or delivered in any one package to be contained in more than one receptacle.

Liquors to be contained in one receptacle.

Restriction on receipt of liquors.

SEC. 2. That it shall be unlawful for any person, firm, or corporation at any one time, or in any one package to receive at a point within the State of North Carolina for his or her use or for

the use of any person, firm or corporation, or for any other purpose, any spirituous or vinous liquors or intoxicating bitters in a quantity greater than one quart or any malt liquors in a quantity greater than five gallons.

SEC. 3. That it shall be unlawful for any person, firm or corporation, during the space of fifteen consecutive days to receive any spirituous or vinous liquors or intoxicating bitters in a quantity or quantities totalling more than one quart, or any malt liquors in a quantity greater than five gallons: *Provided*, that the provisions of sections one, two and three shall not apply to the receipt by a common carrier for transportation to a point in another state where delivery is not forbidden by the laws of such state.

Further restriction on receipts.

Proviso: Receipts by carrier for delivery in State where delivery is lawful.

SEC. 4. The words "malt liquors" as used in this act shall be construed to include only such malt liquors as contain not to exceed five per centum of alcohol and any malt liquors containing more than five per centum of alcohol shall be held to be "spirituous liquors" within the meaning of this act.

Definition of "malt liquors."

SEC. 5. That it shall be unlawful for any person to order in a fictitious name or in the name of another any spirituous or vinous or malt liquors or intoxicating bitters or to receive for himself any spirituous or vinous or malt liquors or intoxicating bitters so ordered or shipped.

Order or receipt for liquor under false name forbidden.

SEC. 6. That it shall be unlawful for any person to allow or in any way permit the use of his name in the ordering for another or the delivery to another of any spirituous or vinous or malt liquors or intoxicating bitters.

Allowance of use of name forbidden.

SEC. 7. That it shall be unlawful for any person, firm or corporation to serve with meals, or otherwise, any spirituous, vinous, fermented or malt liquors or intoxicating bitters where any charge is made for such meal or service.

Service of liquors with meals forbidden.

SEC. 8. That all laws authorizing or allowing the sale of spirituous, vinous, or malt liquors or intoxicating bitters by any medical depository, druggist or pharmacist be and the same are hereby repealed, and it shall be unlawful for any medical depository, druggist or pharmacist to sell or otherwise dispose of for gain any spirituous, vinous, fermented or malt liquors or intoxicating bitters: *Provided*, that any medical depository now authorized by law shall be allowed to dispose of any liquors on hand at the time this act goes into effect by selling and shipping same to any person, firm or corporation in any state other than North Carolina where such sale would not be illegal.

Laws authorizing sales by medical depositories, druggists or pharmacists repealed and such sales forbidden.

Proviso: Sales by depositories of liquors now on hand.

SEC. 9. That the provisions of this act shall not apply to grain alcohol received by duly licensed physicians, druggists, dental surgeons, college, university and State laboratories, and manufacturers of medicine, when intended to be used in compounding, mixing, or preserving medicines or medical preparations, or for surgical purposes, when obtained as hereinafter pro-

Grain alcohol used in mixing medicines or for surgical purposes

Proviso:
Denatured alcohol
for use in indus-
try, manufactures,
and arts.

vided: *Provided, however,* that nothing contained in this act shall prohibit the importation into the State of North Carolina and the delivery and possession in said State for use in industry, manufactures, and arts of any denatured alcohol or other denatured spirits, which are compounded and made in accordance with formulae prescribed by acts of Congress of the United States and regulations made under authority thereof by the treasury department of said United States and the commissioner of internal revenue thereof, and which are not now subject to internal revenue tax levied by the government of said United States:

Proviso:
Hospitals or
sanatoria for cure
of liquor and
drug habits.

Provided, further, that this act shall not apply to wines and liquors required and used by hospitals or sanatoria *bona fide* established and maintained for the treatment of patients addicted to the use of liquor, morphine, opium, cocaine, or other deleterious drugs, when the same are administered to patients actually in such hospitals or sanatoria for treatment, and when the same are administered as an essential part of the particular system or method of treatment and exclusively by or under the direction of a duly licensed and registered physician of good moral character and standing.

Application for
permit for receipt
of grain alcohol.

SEC. 10. That manufacturers of medicine, duly licensed physicians, hospitals, dental surgeons, college, university, and State laboratories and druggists may make written application to the clerk of the superior court of the county for a permit to receive by transportation by a common carrier grain alcohol intended to be used for surgical purposes and in compounding, mixing, or preserving medicines and medical preparations. Such permit shall then be granted by the clerk or his duly appointed deputy, who shall affix the seal of his office thereto, and said permit shall contain the name of the applicant to whom the shipment is to be delivered, the place from which the shipment is to be made, the amount to be shipped, and the date of the granting of the permit. The said permit shall be executed in duplicate. The original shall be delivered to the applicant to be sent by him to the shipper, to be pasted on the outside of the package containing alcohol.

Grant of permit.

Details of permit.

Permit in dupli-
cate.
Original pasted
on package.

Delivery author-
ized by attach-
ment of permit.

SEC. 11. That a permit, issued as above, when attached to and plainly affixed in a conspicuous place to any package or parcel containing grain alcohol transported within this State shall authorize any common carrier within the State to transport the package or parcel to which such permit is attached or affixed, containing only alcohol mentioned in said permit, and to deliver the same to the person, firm, or corporation to which such permit was issued.

Regulations for
filing duplicate of
permit.

SEC. 12. That the duplicate copy of said permit, together with the application therefor, as hereinbefore provided shall be filed in the office of the clerk of the superior court chronologically and alphabetically with regard to the name of the applicant, and the application and permit shall at all times be subject to the inspec-

Application and
permit open for
inspection.

tion of any citizen or officer of the State, county, or municipality; and for his services the clerk of the superior court shall be entitled to a fee of fifty cents, to be paid by the applicant.

Fee of clerk.

SEC. 13. That any person, firm, or corporation violating any of the provisions of this act shall be guilty of a misdemeanor.

Violation of act a misdemeanor.

SEC. 14. That nothing in this act shall be construed to impair or repeal any laws prohibiting the sale of intoxicating liquors or any laws making the place of delivery the place of sale, nor shall it be construed to repeal any laws prohibiting the transportation, delivery, or receipt of intoxicating liquors in any county or counties in this State.

Construction of law as to repeal of other laws.

SEC. 15. That this act shall take effect on the first day of April, one thousand nine hundred and fifteen.

When act effective.

In the General Assembly read three times and ratified this the 8th day of March, 1915.

CHAPTER 98.

AN ACT TO MAKE APPROPRIATIONS FOR STATE INSTITUTIONS.

The General Assembly of North Carolina do enact:

SECTION 1. That the sum of one hundred and seventy-five thousand, three hundred and fifty dollars (\$175,350) is hereby annually appropriated for the support and maintenance of the State Hospital located at Raleigh, including the Epileptic Department. From the annual appropriation for maintenance for the year one thousand nine hundred and fifteen, there is to be deducted the sum of sixty-one thousand one hundred and fifty dollars and eighty-nine cents to the credit of the said hospital in the office of the State Treasurer on December first, one thousand nine hundred and fourteen. There is appropriated for said hospital the further sum of five thousand (\$5,000) dollars for a heating plant, the said sum to be available in the year one thousand nine hundred and fifteen, and there is appropriated the further sum of thirty-five thousand dollars (\$35,000) for a receiving building, this sum to be available in the year one thousand nine hundred and sixteen.

State Hospital at Raleigh.

For support and maintenance.

Deduction.

Heating plant.

Receiving building.

SEC. 2. The sum of one hundred thousand dollars (\$100,000) for the year one thousand nine hundred and fifteen, and the sum of one hundred and five thousand dollars (\$105,000) for the year one thousand nine hundred and sixteen, is hereby appropriated for the support and maintenance of the State Hospital for the colored race at Goldsboro, and there is appropriated the further sum of four thousand, four hundred and fifty-five dollars (\$4,455) for permanent improvements to be expended as follows: changes in fire department, three thousand five hundred (\$3,500) dollars;

State Hospital at Goldsboro; for support and maintenance.

Permanent improvements.

dry room for laundry, three hundred and seventy-five (\$375) dollars, and washer for laundry, five hundred and eighty (\$580) dollars. Any balance to the credit of this institution now in the hands of the Treasurer is to be used for maintenance.

Balance to be used for maintenance.

State Hospital at Morganton; for support and maintenance.

SEC. 3. There is appropriated for the support and maintenance of the State Hospital at Morganton for the year one thousand nine hundred and fifteen, two hundred thousand (\$200,000) dollars, for the year one thousand nine hundred and sixteen, two hundred and five thousand (\$205,000) dollars; for permanent improvements in installing additional water supply, sixty thousand (\$60,000) dollars. From the appropriation for support and maintenance for the year one thousand nine hundred and fifteen, there is to be deducted the sum of seventy-six thousand, three hundred and two dollars and forty-nine cents (\$76,302.49) to the credit of this institution on December first, one thousand nine hundred and fourteen.

Permanent improvements.

Deductions.

School for the Deaf at Morganton.

Support and maintenance.

For specialists.

Permanent improvements.

SEC. 4. That the sum of sixty-seven thousand five hundred dollars (\$67,500) be appropriated for the support and maintenance of the North Carolina School for the Deaf at Morganton for the year one thousand nine hundred and fifteen, and a like sum for the year one thousand nine hundred and sixteen. There is also appropriated annually five hundred (\$500) dollars for eye, ear, throat, nose and teeth specialists. The further sum of four thousand (\$4,000) dollars is appropriated for permanent improvements for this institution, to be expended as follows: for dairy and cow barn, two thousand (\$2,000) dollars; additions to carpenter shop and equipment, two thousand (\$2,000) dollars.

Caswell Training School; support and maintenance.

Permanent improvements.

SEC. 5. That the sum of thirty thousand (\$30,000) dollars be appropriated for the support and maintenance of the Caswell Training School at Kinston for the year one thousand nine hundred and fifteen, and for the year one thousand nine hundred and sixteen, the sum of forty thousand (\$40,000) dollars. That there be appropriated for permanent improvements of said institution the sum of sixteen thousand five hundred (\$16,500) dollars, to be expended as follows: girls' dormitory, fourteen thousand (\$14,000) dollars; reinforcing present foundation, two thousand five hundred (\$2,500) dollars.

Stonewall Jackson Training and Industrial School; for support and maintenance.

For permanent improvements.

SEC. 6. That the sum of eighteen thousand (\$18,000) dollars be appropriated annually for the support and maintenance of the Stonewall Jackson Manual Training and Industrial School, and that the further sum of eighteen thousand five hundred (\$18,500) dollars be appropriated for permanent improvements, to be expended as follows: digging a deep well, four thousand five hundred (\$4,500) dollars; improving lighting plant, three thousand (\$3,000) dollars; erection of cottage, eleven thousand (\$11,000) dollars. One-half of the eleven thousand (\$11,000) dollars appropriated for erecting the cottage is to be available in one thousand nine hundred and fifteen, and the other half available in one thousand nine hundred and sixteen.

- SEC. 7. That the sum of twenty-five thousand (\$25,000) dollars be annually appropriated for the support and maintenance of the North Carolina Sanitarium for the treatment of tuberculosis. There is appropriated for the benefit of said institution the further sum of ten thousand (\$10,000) dollars annually for extension work. There is also appropriated the further sum of sixty thousand (\$60,000) dollars for permanent improvements of said institution, one-half of which is to be available in one thousand nine hundred and fifteen, and one-half in one thousand nine hundred and sixteen. Out of the sixty thousand (\$60,000) dollars appropriated for permanent improvements there must be paid the outstanding debts of said institution, one-half of the same to be paid in one thousand nine hundred and fifteen, and one-half in one thousand nine hundred and sixteen.
- SEC. 8. That there be appropriated annually for the support and maintenance of the University of North Carolina the sum of one hundred and fifteen thousand (\$115,000) dollars, and the further sum of thirty thousand (\$30,000) dollars annually for permanent improvements. Out of the amount for permanent improvements there must be paid the land notes outstanding against the University to the amount of forty thousand (\$40,000) dollars, and the remaining twenty thousand (\$20,000) to be used in the discretion of the board of trustees.
- SEC. 9. That there be annually appropriated for the support and maintenance of the East Carolina Teachers' Training School at Greenville, the sum of fifty thousand (\$50,000) dollars. There is appropriated to pay the debts of this institution for permanent improvements the sum of eighteen thousand six hundred and ninety-seven dollars and twelve cents (\$18,697.12), one-half of which is to be paid in one thousand nine hundred and fifteen, and one-half in one thousand nine hundred and sixteen.
- SEC. 10. That there be appropriated annually for the support and maintenance of the Appalachian Training School at Boone the sum of twenty thousand (\$20,000) dollars to be used for the support and maintenance of the school and for permanent improvements in the discretion of the board of trustees of said school.
- SEC. 11. That there be appropriated annually for the support and maintenance of the Cullowhee Normal and Industrial School the sum of ten thousand (\$10,000) dollars. There is appropriated for permanent improvements and to pay outstanding debts the sum of fifteen thousand (\$15,000) dollars, one-half of this appropriation to be available in one thousand nine hundred and fifteen, and one-half in one thousand nine hundred and sixteen. Out of the appropriation for permanent improvements and debts there must be paid the sum of twelve thousand six hundred and eighty-four dollars and eighty-six cents (\$12,684.86), which the institution now owes.

North Carolina Sanatorium for Treatment of Tuberculosis; for support and maintenance.

For extension work.

For permanent improvements.

Payment of outstanding debt.

University of North Carolina; support and maintenance.

Permanent improvements.

Payment of land notes.

East Carolina Teachers Training School; for support and maintenance.

For payment of debts.

Appalachian Training School; for support and maintenance and for permanent improvements.

Cullowhee Normal and Industrial School; for support and maintenance.

Permanent improvements and outstanding debts.

North Carolina
Institution for
the Deaf and
Dumb and Blind.

SEC. 12. That there be appropriated annually for the North Carolina Institution for the Deaf and Dumb and Blind at Raleigh, the sum of seventy-two thousand, five hundred (\$72,500) dollars. This institution has to its credit the sum of twelve thousand nine hundred and ten dollars and fifty-seven cents (\$12,910.57) and this balance may be used for eye, ear, nose, throat and teeth specialists and the balance, if necessary, for maintenance.

Use of balance.

College of Agri-
culture and
Mechanic Arts.

Support and
maintenance.

Permanent
improvements.

SEC. 13. That there be appropriated annually for the support and maintenance of the College of Agricultural and Mechanic Arts located at Raleigh the sum of eighty-five thousand (\$85,000) dollars, and the further sum of ten thousand (\$10,000) dollars annually for permanent improvements.

State Normal and
Industrial School.
Support and
maintenance.

SEC. 14. That there be appropriated annually for the support and maintenance of the State Normal and Industrial School at Greensboro the sum of one hundred thousand (\$100,000) dollars, and there is appropriated the further sum of not exceeding fifteen thousand (\$15,000) dollars with which to pay outstanding debts of said institution.

Payment of debts.

Negro Agricultu-
ral and Technical
College.

Maintenance.

SEC. 15. That there be annually appropriated for the Negro Agricultural and Technical College at Greensboro the sum of fifteen thousand (\$15,000) dollars for maintenance and the sum of two thousand (\$2,000) dollars annually for the years one thousand nine hundred and fifteen and one thousand nine hundred and sixteen for improvements.

Improvements.

Oxford Orphan-
age for the white
race.

Support and
maintenance.

Oxford Orphan-
age for colored
race.

For support and
maintenance.

For payment of
debt.

SEC. 16. That the sum of twenty thousand (\$20,000) dollars annually is hereby appropriated for the support and maintenance of the Oxford Orphanage for the white race located at Oxford.

SEC. 17. That the sum of six thousand (\$6,000) dollars is hereby appropriated annually for the support and maintenance of the Oxford Orphanage for the colored race located at Oxford, and the further sum of two thousand five hundred dollars is appropriated for the year one thousand nine hundred and fifteen, for the purpose of paying off the debts of said institution.

Soldiers' Home.
Support.

SEC. 18. That the sum of thirty-five thousand (\$35,000) dollars is hereby appropriated annually for the support of the Soldiers' Home at Raleigh, and the further sum of seven thousand five hundred (\$7,500) dollars is appropriated for the purpose of installing a hot water plant. From the appropriation for one thousand nine hundred and fifteen, for support and maintenance there shall be deducted the sum of twenty-two thousand five hundred and twenty-two dollars and twenty-six cents (\$22,522.26), which the institution now has to its credit.

For hot water
plant.

Deduction.

Confederate
Museum.

SEC. 19. That the sum of two hundred (\$200) dollars is hereby annually appropriated for the support and maintenance of the Confederate Museum at Richmond, Virginia.

Confederate
Cemetery at
Raleigh.

SEC. 20. That the sum of two hundred and fifty (\$250) dollars is hereby annually appropriated for the maintenance of the Confederate Cemetery at Raleigh.

SEC. 21. That the sum of five hundred (\$500) dollars is hereby appropriated annually for the maintenance of the Guilford Battle Ground in Guilford County, and there is appropriated a further sum of two hundred (\$200) dollars annually for the years one thousand nine hundred and fifteen, and one thousand nine hundred and sixteen, for permanent improvements.

Guilford Battle Ground.
For maintenance.
For permanent improvements.

SEC. 22. That the sum of two thousand seven hundred and fifty (\$2,750) dollars is hereby appropriated annually for the support and maintenance of the Cherokee Indian School located in Robeson County, and there is appropriated the further sum of two (\$2,000) dollars for a dormitory.

Cherokee Indian School in Robeson County.
Support and maintenance.
For dormitory.

SEC. 23. That the sum of ten thousand five hundred (\$10,500) dollars be appropriated for the support and maintenance of the State Laboratory of Hygiene for the year one thousand nine hundred and fifteen, and for the year one thousand nine hundred and sixteen, the sum of fifteen thousand five hundred (\$15,500) dollars. That there be appropriated for the purpose of erecting buildings and equipment for the manufacture of antitoxins the further sum of fifteen thousand (\$15,000) dollars to be available in the year one thousand nine hundred and fifteen.

State Laboratory of Hygiene.
For support and maintenance.

For building and equipment for manufacture of antitoxin.

SEC. 24. That section four thousand one hundred and eighty-six of the Revisal of one thousand nine hundred and five and all laws amendatory thereto be and the same are hereby repealed.

Appropriation for normal schools for colored race.

That there be annually appropriated for the maintenance of the State normal schools for the colored race the sum of sixteen thousand (\$16,000) dollars, and the further sum of ten thousand (\$10,000) dollars annually for the years one thousand nine hundred and fifteen and one thousand nine hundred and sixteen, for permanent improvements.

State normal schools for colored race.
For maintenance.
For permanent improvements.

SEC. 25. That all laws heretofore enacted granting appropriations to any of the institutions named in this act, or making appropriations for their use and benefit are hereby repealed except section four thousand one hundred and eighty-five of the Revisal of one thousand nine hundred and five.

Laws repealed.
Appropriation to State schools.

SEC. 26. That this act shall be in force from and after its ratification.

In the General Assembly read three times and ratified this the 8th day of March, 1915.

CHAPTER 99.

AN ACT TO AMEND THE CONSTITUTION OF THE STATE OF NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Constitution amended.

SECTION 1. That the Constitution of the State of North Carolina be and the same is hereby amended in manner and form as follows:

New section Article II. Restriction of legislation.

I. By adding at the end of Article II a new section, to wit:

As to local, private or special legislation.

"SEC. 29. The General Assembly shall not pass any local, private or special act or resolution:

As to establishment of courts.

"Relating to the establishment of courts inferior to the superior court:

As to appointment of justices of the peace.

"Relating to the appointment of justices of the peace:

As to health, sanitation and abatement of nuisances.

"Relating to health, sanitation and abatement of nuisances:

As to changing names of municipalities.

"Changing the names of cities, towns and townships;

As to highways, streets and alleys.

"Authorizing the laying out, opening, altering, maintaining or discontinuing highways, streets or alleys;

As to ferries and bridges.

"Relating to ferries or bridges;

As to non-navigable streams.

"Relating to non-navigable streams;

As to cemeteries.

"Relating to cemeteries;

As to pay of jurors.

"Relating to the pay of jurors;

As to erection or changes in townships or school districts.

"Erecting new townships, or changing township lines, or establishing or changing the lines of school districts;

As to remitting fines, penalties and forfeitures and refunding money paid into State treasury.

"Remitting fines, penalties and forfeitures, or refunding moneys legally paid into the public treasury;

As to regulating labor, trade, mining and manufacturing.

"Regulating labor, trade, mining or manufacturing;

As to extension of time for assessment or collection of taxes or for relief of tax collectors.

"Extending the time for the assessment or collection of taxes or otherwise relieving any collector of taxes from the due performance of his official duties or his sureties from liability;

As to giving effect to informal wills or deeds.

"Giving effect to informal wills and deeds;

Enactment by partial repeal forbidden.

"Nor shall the General Assembly enact any such local, private or special act by the partial repeal of a general law, but the

Repeal of local, private or special laws.

General Assembly may at any time repeal local, private or special laws enacted by it.

"Any local, private or special act or resolution passed in violation of the provisions of this section shall be void.

Acts or resolutions passed in violation of section void.

"The General Assembly shall have power to pass general laws regulating matters set out in this section."

General laws on restricted matters.

II. By adding at the end of section eleven of Article IV the following: "and the General Assembly may by general laws provide for the selection of special or emergency judges to hold the superior courts of any county or district, when the judges assigned thereto by reason of sickness, disability, or other cause, is unable to attend and hold said courts, and when no other judge is available to hold the same. Such special or emergency judges shall have the power and authority of regular judges of the superior courts, in the courts which they are so appointed to hold; and the General Assembly shall provide for their reasonable compensation."

Power to provide for special or emergency judges.

Power and authority of emergency judges.

Compensation.

III. By striking out section one of Article VIII and substituting therefor the following:

"SECTION 1. No corporation shall be created nor shall its charter be extended, altered, or amended by special act, except corporations, for charitable, educational, penal, or reformatory purposes that are to be and remain under the patronage and control of the State; but the General Assembly shall provide by general laws for the chartering and organization of all corporations, and for amending, extending, and forfeiture of all charters, except those above permitted by special act. All such general laws and special acts may be altered from time to time or repealed; and the General Assembly may at any time by special act repeal the charter of any corporation."

Restriction of legislative powers as to corporations.

General laws for organization of corporations.

Alteration or repeal of general or special acts.

Special acts for repeal of charter.

IV. By striking out section four of Article VIII, and substituting therefor the following:

"It shall be the duty of the Legislature to provide by general laws for the organization of cities, towns, and incorporated villages, and to restrict their power of taxation, assessment, borrowing money, contracting debts, and loaning their credit, so as to prevent abuses in assessment and in contracting debts by such municipal corporations."

General laws for organization and government of municipalities.

SEC. 2. That the several amendments to the Constitution hereinafter set forth as numbered from one to four inclusive, respectively, shall be and are hereby submitted to the qualified voters of the whole State at the next general election as separate amendments to the Constitution, all amendments proposed under each number respectively being regarded as one amendment.

Amendments to be submitted at election.

Submitted as separate amendments.

Amendments under one number regarded as one.

SEC. 3. That the said several proposed amendments shall be designated on one ballot by their appropriate article and section numbers, and also by their appropriate descriptive titles, and as so designated on said ballot shall be consecutively numbered in the manner and form hereinafter set forth.

Designation of amendments on ballots.

Each amendment adopted or rejected in full.

SEC. 4. That the adoption of any amendment by its title by marking the said ballot as hereinafter indicated shall have the effect of adopting the amendment in full as agreed upon by this General Assembly; and the rejection of any amendments by its title, by marking the said ballot as hereinafter indicated, shall have the effect of rejecting the said amendment as a whole, but shall not affect any other amendment.

Form of ballot.

SEC. 5. The said ballot shall be in form substantially as follows:

OFFICIAL BALLOT.

AMENDMENTS TO THE CONSTITUTION OF NORTH CAROLINA AGREED UPON BY THREE-FIFTHS OF EACH HOUSE OF THE GENERAL ASSEMBLY AND THEREUPON SUBMITTED TO THE QUALIFIED VOTERS OF THE WHOLE STATE, GENERAL ELECTION, NOVEMBER,, ONE THOUSAND NINE HUNDRED AND SIXTEEN.

Directions to the Voters:

To vote for any amendment, place a cross mark in the blank space in which is the word "Yes," opposite the title of such amendment.

To vote against any amendment, place a cross mark in the blank space in which is the word "No," opposite the title of such amendment.

I.	Yes.	Amendment to Article II (new section). Restricting local, private and special legislation.
	No.	
II.	Yes.	Amendment to Article IV, Section 11. To prevent delays in trials by providing emergency judges.
	No.	
III.	Yes.	Amendment to Article VIII, Section 1. To prevent special charters to corporations by the General Assembly.
	No.	
IV.	Yes.	Amendments to Article VIII, Section 4. To prevent special charters to towns, cities and incorporated villages.
	No.	

And the said ballots shall be cast in boxes specially provided by the election officers charged with this duty in general elections, and said boxes shall be conspicuously labeled, "Ballot box for Constitutional Amendment Election."

SEC. 6. That, except as herein provided, the election upon the several amendments herein designated shall be conducted in the same manner and under the same rules and regulations as provided under the laws governing general elections and in force at the time of said general election at which these amendments shall be submitted. The said election shall be held and the votes returned, compared, counted and canvassed, and the result

Boxes.

Label for boxes.

Law governing election.

announced, under the same rules and regulations as are in force at the general election in the year of one thousand nine hundred and sixteen for returning, comparing, counting and canvassing the votes for Governor; and if the majority of the votes cast be in favor of any amendment, it shall be the duty of the Governor of the State to certify said amendment under the seal of the State to the Secretary of State, who shall enroll the said amendment so certified among the permanent records of his office.

Count and return of votes.
Amendment if adopted to be certified by Governor to Secretary of State.
Secretary of State to enroll adopted amendment.

SEC. 7. That at least six months prior to the said election the Secretary of State shall cause to be printed not less than five hundred thousand (500,000) copies of the amendments to be submitted at the said election, in one pamphlet, together with a copy of the Constitution as it now stands, and a form of ballot, including number, title, description, and instructions to voters as shown hereinbefore; and that at least one thousand (1,000) of said pamphlets shall be forwarded within thirty days after publication to the register of deeds of each county in the State for distribution; and that the remainder of said pamphlets shall be distributed under the supervision of the Governor and Secretary of State.

Secretary of State to print and distribute pamphlets.
Details of pamphlets.

Copies sent to counties.

Distribution by Governor and Secretary of State.

SEC. 8. Each amendment on which the number of affirmative votes shall exceed the number of negative votes shall become a part of the Constitution; and any amendment so adopted shall take effect on the second Wednesday after the first Monday in January in the year one thousand nine hundred and seventeen. Any provision of the amendments passed and submitted by this General Assembly and so adopted by the qualified voters inconsistent with or in conflict with any provisions of the present Constitution shall be held to prevail.

Amendments to become part of Constitution.

Date when amendments effective.

Amendments to prevail when conflict with other clauses.

SEC. 9. All laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 10. This act shall be in force from and after its ratification.

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 100.

AN ACT TO APPOINT MEMBERS OF THE COUNTY BOARDS OF EDUCATION.

The General Assembly of North Carolina do enact:

SECTION 1. That the following named persons are hereby appointed members of the county boards of education in and for their respective counties for a term of six years, except as otherwise provided herein, from the first Monday of July, one thousand nine hundred and fifteen, that is to say:

Appointment
Term.

- Alamance. *Alamance*—J. Wesley Whitehead, (six years).
 Alexander. *Alexander*—R. L. Downs, (six years).
 Alleghany. *Alleghany*—F. J. Weaver, (two years).
 Anson. *Anson*—J. P. Ratliff (two years), and W. P. Dunlap (six years).
- Ashe. *Ashe*—H. C. Tucker, (six years).
 Avery. *Avery*—A. P. Brinkley, (six years).
Beaufort—
- Bertie. *Bertie*—Estus White, (six years).
 Bladen. *Bladen*—C. P. Parker, (six years).
 Brunswick. *Brunswick*—J. B. Ruark, (six years).
 Burke. *Burke*—J. E. Coulter, (six years).
 Cabarrus. *Cabarrus*—W. R. Odell, (six years).
 Caldwell. *Caldwell*—Geo. T. Perkins, (six years), and James H. Blair, (four years).
- Camden. *Camden*—J. Logan, (two years), T. B. Godfrey, (six years), J. M. Burgess, (four years).
 Carteret. *Carteret*—Chas. P. Fey, (six years).
 Caswell. *Caswell*—J. B. Turner, (six years).
 Catawba. *Catawba*—Geo. E. Bisaner, (six years).
 Chatham. *Chatham*—J. C. Luther, (six years).
 Cherokee. *Cherokee*—S. W. Davidson, (six years), Dr. H. N. Wells, (two years), and John F. Palmer (four years).
- Chowan. *Chowan*—O. C. Byrum, (six years), R. W. Leary, (two years).
 Clay. *Clay*—R. C. Allison, (six years), R. W. Crawford, (four years).
 Columbus. *Columbus*—Andrew H. Lennen, Jr. (six years).
 Craven. *Craven*—T. D. Warren, (six years).
 Cumberland. *Cumberland*—A. D. McGill, (six years), W. L. Williams, (four years).
Currituck—
Dare—
- Davidson. *Davidson*—J. C. Ripple (six years), D. L. Brinkley (two years).
 Davie. *Davie*—P. W. Hairston, (six years).
 Duplin. *Duplin*—M. F. Westbrook, (six years).
 Durham. *Durham*—J. W. Umstead, (six years).
 Forsyth. *Forsyth*—J. F. Griffith (six years).
 Franklin. *Franklin*—J. C. Winston, (six years).
 Gaston. *Gaston*—S. N. Boyce, (six years).
 Gates. *Gates*—S. P. Cross, (six years), L. E. Cross, (two years).
 Graham. *Graham*—R. P. Haynes, (six years), P. A. Cable, (four years), S. P. Harwood, (two years).
 Granville. *Granville*—E. B. Meadows (six years), and B. F. Lassiter, (two years).
 Greene. *Greene*—L. V. Morill (six years), B. F. D. Albritton (two years).
- Guilford. *Guilford*—J. Van Lindley, (six years).
 Halifax. *Halifax*—Walter E. Daniel, (six years).
 Harnett. *Harnett*—T. W. Harrington, (six years).
 Haywood. *Haywood*—J. R. Morgan, (six years).

<i>Henderson</i> —J. Foy Justice, (six years).	Henderson.
<i>Hertford</i> —Dr. J. H. Mitchell, (six years).	Hertford.
<i>Hoke</i> —Dr. G. W. Brown, (six years).	Hoke.
<i>Hyde</i> —E. L. Gibbs, (six years).	Hyde.
<i>Jackson</i> —J. L. Boyles, (six years), J. N. Wilson, (four years), R. R. Fisher, (two years).	Jackson.
<i>Johnston</i> —J. W. Myatt, (six years).	Johnston.
<i>Jones</i> —T. A. Bell, (six years).	Jones.
<i>Lee</i> —J. C. Watson, (six years).	Lee.
<i>Lenoir</i> —Paul A. Hodges, (six years).	Lenoir.
<i>Lincoln</i> —K. B. Nixon, (six years).	Lincoln.
<i>Macon</i> —Dr. S. H. Lyle, (six years).	Macon.
<i>Madison</i> —Jasper Ebbs, (six years), J. R. Sams, (four years).	Madison.
<i>Martin</i> —W. H. Holliday, (six years).	Martin.
<i>McDowell</i> —T. W. Stacey, (six years), Geo. M. Carson, (two years).	McDowell.
<i>Mitchell</i> —Nathan H. Deyton (six years).	Mitchell.
<i>Montgomery</i> —Rev. R. S. Arrowood, (six years).	Montgomery.
<i>Moore</i> —Thos. B. King, (six years).	Moore.
<i>Nash</i> —W. S. Wilkinson (six years).	Nash.
<i>New Hanover</i> —	
<i>Northampton</i> —J. W. Weaver, (six years).	Northampton.
<i>Onslow</i> —David F. Howard, (six years).	Onslow.
<i>Orange</i> —Lyndon Patterson (six years).	Orange.
<i>Pamlico</i> —A. D. Haskins, (six years).	Pamlico.
<i>Pasquotank</i> —J. M. LeRoy, (six years).	Pasquotank.
<i>Pender</i> —W. A. Brown, (six years).	Pender.
<i>Perquimans</i> —J. C. Blanchard, (six years).	Perquimans.
<i>Person</i> —J. A. Long, Jr., (six years).	Person.
<i>Pitt</i> —M. O. Blount, (six years).	Pitt.
<i>Polk</i> —F. C. Jackson, (six years).	Polk.
<i>Randolph</i> —T. W. Ingram, (six years).	Randolph.
<i>Richmond</i> —Dr. H. F. Kinsman, (six years).	Richmond.
<i>Robeson</i> —Lucius McRae, (six years), C. T. Pate, (four years).	Robeson.
<i>Rockingham</i> —G. W. Martin, (six years).	Rockingham.
<i>Rowan</i> —J. S. Henderson, (six years).	Rowan.
<i>Sampson</i> —C. I. Robinson, (six years), John L. Hathcock, (four years).	Sampson.
<i>Scotland</i> —W. N. McKenzie, (six years).	Scotland.
<i>Stanly</i> —J. F. Shinn, (six years).	Stanly.
<i>Stokes</i> —N. A. Martin, (six years).	Stokes.
<i>Surry</i> —A. E. Snow, (six years).	Surry.
<i>Swain</i> —S. W. Black, (six years).	Swain.
<i>Transylvania</i> —T. H. Galloway, (six years).	Transylvania.
<i>Tyrrell</i> —J. C. Brickhouse, (six years).	Tyrrell.
<i>Union</i> —J. W. Laney, (six years).	Union.
<i>Vance</i> —R. J. Corbett, (six years), J. S. Royster, (four years).	Vance.
<i>Wake</i> —E. B. Crow, (six years).	Wake.
<i>Warren</i> —	

Washington.	<i>Washington</i> —C. J. Norman, (six years).
Watauga.	<i>Watauga</i> —T. P. Adams, (six years).
Wayne.	<i>Wayne</i> —J. E. Robinson, (six years).
Wilkes.	<i>Wilkes</i> —R. A. Spainhour, (six years).
Wilson.	<i>Wilson</i> —Nathan Bass, (six years), C. E. Brame, (four years).
Yadkin.	<i>Yadkin</i> —Chas. L. Godard (six years).
Yancey.	<i>Yancey</i> —D. C. Renfrow, (six years).

Secretary of State to certify appointments.

SEC. 2. That the Secretary of State shall within sixty days after the ratification of this act send a certified copy of the names of the members of the county boards of education appointed by this act for the respective counties to the clerk of the superior court of each county in the State; thereupon said clerk shall immediately notify each member of his appointment, and direct said members to appear at the court house on the first Monday of July thereafter, for the purpose of qualifying as directed by law.

Notice to appointees.

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

SEC. 4. 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 9th day of March, 1915.

CHAPTER 101.

AN ACT TO PROVIDE FOR PRIMARY ELECTIONS THROUGHOUT THE STATE.

The General Assembly of North Carolina do enact:

Date.

Offices affected.

Primary election.

United States Senator.

SECTION 1. That on the first Saturday in June next preceding each general election to be held in November for State officers, representatives in congress, district officers in districts composed of more than one county and members of the general assembly of North Carolina or any such officers, there shall be held in the several election precincts within the territory for which such officers are to be elected a primary election for the purpose of nominating candidates of each and every political party in the State of North Carolina for such offices as hereinafter provided; and at such primary election next preceding the time for the election of a senator for this State in the congress of the United States there shall likewise be nominated the candidate of each political party in this State for such office of United States senator.

Choice for candidates for President and Vice-President.

SEC. 2. That on the first Saturday in June of each year in which presidential electors are to be elected every person who may be entitled to register and vote in the general election

to be held in the State of North Carolina for presidential electors may by party primary ballot express his choice for the nominees of his party respectively for president and for vice-president of the United States; and all delegates at large from the State of North Carolina to the national convention of such political party and the delegates from each congressional district shall be bound by the majority of the votes which may be cast for any such persons for the respective nominations, and, in the event that there is no majority vote, the plurality of such votes shall govern in each of the congressional districts and in the State at large respectively so expressed by the respective political party primaries in the State and in the respective congressional districts; Provided, that the State board of elections shall make such other and necessary rules and regulations for carrying out the provisions of this act as may be proper, such rules and regulations not to be in conflict with the letter and spirit of this act.

SEC. 3. That said primary elections shall be conducted, as far as practicable, in all things and in all details in accordance with the general election laws of this State, unless otherwise provided by this act, and all the provisions of chapter ninety of the Revisal of one thousand nine hundred and five and amendments thereto, together with any other sections of said Revisal and amendments thereto and other laws now in force or hereafter enacted which govern elections not inconsistent with this act, shall apply as fully to such primary elections and the acts and things done thereunder as to general elections, unless different provision is made in this act; and that all acts made criminal if committed in connection with a general election shall likewise be criminal, with the same punishment, when committed in a primary election held hereunder.

SEC. 4. That on the tenth Saturday preceding each State or district primary election, the State board of elections shall meet in the city of Raleigh and appoint the county boards of elections for the several counties; and on the seventh Saturday preceding the time for holding each such primary election the county board of elections for each of the several counties shall meet at the courthouses of their respective counties and organize in the same manner as is now or may hereafter be provided by law; and on the sixth Saturday preceding such primary election the county boards of elections shall appoint a registrar and judges of election for each election precinct in the manner now or hereafter prescribed by law, and the registrars and judges so appointed shall likewise serve in the general election following their appointment, unless for good cause made to appear to the respective county boards of elections others shall be appointed by them: *Provided*, that said registrars and judges shall, before entering upon their duties, have the oath of office administered to them by some officer authorized to administer

Delegates to national convention.

Delegates bound by votes in primary.

Proviso: Rules and regulations by State Board of Elections.

Conduct of primaries in accord with general election law.

Laws applicable to primaries.

Acts criminal in general elections criminal in primaries.

Meeting of State Board of Elections and appointment of county boards.

Meeting and organization of county boards.

Appointment of registrars and judges.

Election officers to serve in general election.

Proviso: Election officers to qualify.

Payments to be made by candidates.

Congressional offices.

Judges, solicitors, and State officers.

Candidates for surveyor, coroner, and county commissioners.

Proviso: Constables and township officers.

Registration.

Registration for primary and general election.

Proviso: New registration for first primary.

Column for political affiliation.

Names formerly registered transcribed.

Voter to state political affiliation.

Political affiliation to be recorded.

Political affiliation to be stated on registration and recorded.

Persons qualified to register and vote in primary.

Notice of candidacy and pledges to abide result to be filed with State Board of Elections.

oaths. Candidates for the following named offices shall at the time of filing said notices of candidacy, pay the following named sums to the State board of elections, to be paid into the State treasury: for any congressional office, except as hereinafter named, the sum of fifty dollars; for judge of the superior court, solicitor of any judicial district or any State officer, the sum of twenty dollars; and for State senator, the sum of five dollars. Candidates for any county office shall at the time of filing their notices of candidacy pay to the county board of elections of the county in which they reside, to be paid into the treasury of such county, the sum of five dollars; except candidates for surveyor, coroner, and county commissioners, who shall pay into the county treasury the sum of one dollar; Provided constables and township officers shall not be required to pay any fee whatever.

SEC. 5. That the regular registration books shall be kept open before the primary election in the same manner and for the same time as is now or may be hereafter prescribed by law for general elections, and electors may be registered for both primary and general elections: *Provided*, that at the first primary election held under the provisions of this act new registration books shall be provided, in which on each page there shall be a column headed with the language, "With which political party are you affiliated?" and it shall be the duty of each registrar to transcribe the names of all formerly registered voters in his precinct on to such a book for such compensation as the State board of elections shall indicate, to be paid by the county; and when such voter, whose name has been thus transcribed, appears for the first time to vote in a primary provided for by this act, he shall answer such questions stated above, and it shall be the duty of the registrar and judges of elections to write opposite the name of each voter in such primary his answer to such question; and as to all other persons not already registered who shall register to vote in a party primary after the ratification of this act, it shall be the duty of the registrar, when such person registers, to propound to him the same question and to have the same answered, and write the answer of such elector on such book in such column.

That no person shall be entitled to participate or vote in the primary election of any political party unless he be a legal voter, or shall become legally entitled to vote at the next general election, and has first declared and had recorded on the registration book that he affiliates with the political party in whose primary he proposes to vote and is in good faith a member thereof, meaning that he intends to affiliate with the political party in whose primary he proposes to vote and is in good faith a member thereof.

SEC. 6. That every candidate for selection as the candidate of any political party for any office provided to be voted for in any primary election by this act other than candidates for nomina-

tion for the State senate in districts composed of only one county, for the house of representatives or for the county offices hereinafter referred to, shall file with the State board of elections, at least six weeks before such primary is to be held, a notice stating his party affiliation, the office for which he is a candidate, and a pledge to abide by the result of and to support the party candidate nominated in such primary by the political party with which he affiliates; and that every candidate for selection as the candidate of any political party in the State of North Carolina for the State senate in a district composed of only one county and for the house of representatives and the county offices hereinafter referred to, shall file with the appropriate county board of elections, at least two weeks before such primary election is to be held, a like notice and pledge.

Notices and pledges to be filed with county boards.

SEC. 61½. That it shall be the duty of every person who shall be a candidate in any primary election for the nomination of any political party for a State or district office or for the State senate in a district composed of more than one county to file under oath ten days before such primary election with the Secretary of State and of every candidate for nomination as a candidate for State senator in a district composed of only one county and for the house of representatives to so file with the clerk of the superior court of the county in which he is such candidate an itemized statement of all moneys spent by him and which he knows to have been spent by any one for him, as also to file under oath within twenty days after such primary with the Secretary of State or clerk of the superior court, as above provided, an itemized statement of all money or other things of value that he has spent and knows to have been spent by anyone else in his behalf, and all money that has been contributed to him directly or indirectly by any person or corporation and the names of the contributors; and further, that he has neither directly nor indirectly promised to give anything of value to any person for his support in such primary and that he has not promised to support any person in return for support. And it shall be the duty of every candidate for selection as a candidate for a county office to file a like statement under oath with the clerk of the superior court of the appropriate county at the time hereinbefore prescribed for notice to be filed by the candidates for nomination for State and other offices; and failure to file any statement prescribed by this section shall constitute a misdemeanor: *Provided*, that with respect to the selection of a candidate for the State senate the provisions of chapter one hundred and ninety-two, Public Laws of one thousand nine hundred and eleven, shall remain in force, except that such candidate shall be selected in a primary as authorized by this act in the county entitled to name the candidate for that election, and where such candidate is named by one county the same pro-

Sworn itemized statement to be filed before primary.

Sworn itemized statement to be filed after primary.

Like statements by county officers.

Failure to file statement a misdemeanor.

Proviso: Selection of candidate for State Senate.

vision as to notice and statement of moneys spent shall apply as if there were only one county in the district.

Expense paid by State.

SEC. 7. That the expense of printing and distributing the poll books, blanks, tickets for all State and district offices, and the per diem and expenses of the State board of elections while engaged in the discharge of the duties imposed by this act, shall be paid by the State; and the expense of printing and distributing the tickets for all county offices, including tickets for candidates for representative in the general assembly and the per diem and expenses of the county board of elections and the registrars and judges of election while engaged in the discharge of the duties imposed by this act, shall be paid by the counties, as is now provided by law to be paid for performing the duties imposed in connection with other elections.

Expense paid by counties.

SEC. 8. That when the time for filing said notices by candidates for nomination shall have expired, the chairman of the State board of elections shall within three days thereafter certify the facts as to such notices as have been filed with it to the Secretary of State; and at the same time he shall certify to the appropriate county boards of elections the facts as to such notices as have been filed with said State board of elections by candidates for nomination for the State senate in districts composed of two or more counties; and said chairman, acting under the direction of the State board of elections and under such rules and regulations as may be prescribed by it for the purpose of carrying out the provisions of this act, shall, without delay,

Certificate of filing notices of candidacy.

at the expense of the State, cause a sufficient number of official ballots to be printed for each political party having candidates to be voted for in the primary and distributed to the chairman of the county boards of elections in the several counties, upon which said ballot shall appear the names of candidates who shall, under the provisions of this act, have filed notice of their candidacy and otherwise complied with the requirements of this act, except candidates for offices ballots for which are herein provided to be printed by the several county boards of elections, so that such ballots shall be received by the respective county boards of elections at least ten (10) days before the date of holding such primaries. The expense of printing and distributing such official ballots shall be paid by the State treasurer out of funds not otherwise appropriated, upon the warrant of the chairman of the State board of elections. Said ballots so printed by the State board of elections shall be for each of the several political parties in the State, as hereinafter defined and described, and the names of the respective parties and the candidates shall be printed on the ballots prepared for the respective parties with which the candidates affiliate, and upon the ballots the office for which each aspirant is a candidate shall be indicated. At least six days before the primary election the chairman of the county boards of elections shall distribute the official ballots

Printing of ballots and distribution to counties.

Names to appear on ballots.

Expense of printing and distribution.

Distinct ballots for each political party.

Names of parties and candidates.

Office indicated.

Distribution of ballots in counties.

to the several registrars in their respective counties, and take a receipt therefor, and the registrars shall have them at the several polling places for the use of the electors at the time of holding the primary. Any election or other officer who shall accept appointment and who shall, without previously resigning, fail to perform in good faith the duties prescribed by this act, shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, in the discretion of the court.

Acceptance of appointment and failure to discharge duty as election officer a misdemeanor.

SEC. 9. That there shall be voted in primary elections only the official ballots furnished to the chairman of the county boards of election and by them to the registrars; and if other ballots be voted in a party primary, they shall not be counted. There shall be as many kinds of official ballots as there are political parties, members of which have filed notice of their candidacy for primary elections, and all ballots shall be printed on white paper in black ink and shall be of the same size and style of printing; and the name of the political party whose ballot it is shall be printed in bold face type at the top of the ballot.

Only official ballots voted.

Other ballots not counted.

Number of kinds of ballots.

Specifications for ballots.

SEC. 10. That each elector wishing to participate in such primary election shall be permitted to vote for his choice for the nomination for president of the United States by name, to be inserted in the ballot arranged therefor, and to vote for his choice of candidates for the nomination for all other offices provided for by and subject to the provisions of this act, including candidates for the United States senate, by making a cross mark in the small squares opposite the names of the respective candidates for whom he elects to vote. It shall be the duty of the board of elections having in charge the duty of printing the ballots for primary elections to be held under the provisions of this act to so print the ballots that the names of the opposing candidates for any office shall as far as practicable, alternate in position upon the ballot to the end that the name of each candidate shall occupy with reference to the name of every other candidate for the same office, first position, second position, and every other position, if any, upon an equal number of ballots and distribute the said ballots, when so printed impartially and without discrimination.

Name of choice for President inserted in ballot.

Manner of indicating choice.

Names of opposing candidates to alternate.

SEC. 11. That there shall be provided for each election precinct at the expense of the respective counties three ballot boxes, labeled respectively "National Primary Box," "State Primary Box," and "Legislative Primary Box" for each political party; in the first whereof shall be deposited all ballots for President and Vice-President of the United States and members of Congress; in the second whereof shall be deposited all ballots for State and district offices other than senatorial districts; and in the third whereof shall be deposited all ballots for members of the General Assembly. When an elector offers himself and expresses the desire to vote at a primary held under this act,

Ballot boxes.

Labels.

Declaration of political affiliation.

Ballots of party furnished by registrar. Voting ballot of other party not allowed. Challenge on ground of political affiliation. Determination of challenge. Proviso: Disclosure of party only required. Only names marked counted as voted for. Vote for only one candidate for each office. Deposit of ballot. Registration at election of political affiliation. Primary polling book. Entry of party ticket voted. Books filed for safe keeping. Polling booths. Officers to give information.	he shall declare the political party with which he affiliates and in whose primary he desires to vote, as hereinbefore provided, and he shall then be furnished by the registrar ballots, as desired by him, of the political party with which he affiliates, which he may vote, and he shall not in such primary be allowed to vote a ticket marked with the name of any political party of which he has not declared himself to be a member as defined in this act; but any one may at any time any elector proposes to vote challenge his right to vote in the primary of any party upon the ground that he does not affiliate with such party or does not in good faith intend to support the candidates nominated in the primary of such party, and it shall be the duty of the registrar and judges of election upon such challenge to determine whether or not the elector has a right to vote in said primary: <i>Provided</i> , that he may vote for candidates for all or any of the offices printed on such ballot, as he shall elect, and he shall be required to disclose the name of the political party printed thereon and no more. He may in the manner hereinbefore prescribed mark such names as he desires, and these and only these shall be counted as being voted for by him, and he shall have the right to so vote for only one candidate as his choice for each office. If he be a qualified elector and has elected to vote in the primary of a party of which he has declared himself to be a member, as provided in this act, he may deposit his ballots in the proper ballot boxes, or he may permit the registrar or a judge of election to so deposit them for him. Any person who has become of the age of twenty-one years between the time when the books closed for registration and the day of the primary election, and who is otherwise a qualified elector, and who desires to register and vote as a member of a political party, may do so in the manner herein provided. At the time of voting the name of the voter shall be entered on a primary polling book to be provided and kept for the purpose, under rules prescribed by the State Board of Elections, which said book shall be provided at the expense of the State for the first election held under this act and subsequently at the expense of the several counties, and upon said book shall be entered opposite the name of such voter and in proper column provided for the purpose the name of the political party whose ticket he shall have voted, and said books shall be filed for safe keeping until the next election in the clerk's office of the county in which the ballots are so cast. It shall be the duty of the county board of elections and of the judges and registrar in each precinct to make all necessary arrangements by providing a proper number of places in each precinct whereby each voter shall have an opportunity, both at all primary and all general elections, to arrange his ballot in secret and without interference from any other person whatsoever; and it shall be the duty of the judges of election and registrars holding primary and general elections
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to give any voter any information he may desire in regard to the kind of ballot which he may be entitled to vote and the names of the candidates thereon, and, in response to questions asked by him, they shall communicate to him any information which he may desire in regard to the kind of ballot which he may be entitled to vote and the names of the candidates thereon, and, in response to questions asked by him, they shall communicate to him any information necessary to enable him to mark his ballot as he desires. At the written request of the chairman of any political party of any county, the judges and registrar of any precinct shall designate the name of some elector in each precinct, if there be such elector who affiliates with such political party, who shall be furnished the opportunity to observe the method of holding such primary election; but such elector shall be no manner interfere with the method of holding such election or interfere or communicate with or observe any voter in casting his ballot, but shall make such observation and notes of the manner of holding such election and the counting of the ballots as he may desire: *Provided*, nothing herein contained shall be construed to prevent any elector from casting at the general election a free and untrammelled ballot for the candidate or candidates of his choice.

SEC. 12. That when the polls have been closed, the primary ballot boxes shall be opened in the presence of the registrars and both judges of election at the several precincts and such electors as may desire to be present: *Provided*, the registrars and judges may fix such space as they may consider reasonable and necessary to enable them to count the ballots. The ballots of each of the several parties in the boxes in each precinct shall be counted and bound in separate packages and the result shall be certified to the proper county board of elections and by them to the State Board of Elections upon blanks to be provided by the State Board of Elections at the expense of the State within the time and, as near as may be, in the manner provided for the certification of the result of general elections.

SEC. 13. That only those who have filed notice of their candidacy and who shall have complied with the requirements of law applicable to candidates before primaries with respect to such primary elections shall have their names printed on the official ballot of their respective political parties. In all cases where only one aspirant for nomination for a particular political office to be voted for by his political party on the State or district ballot or for the State Senate in districts composed of two or more counties shall have filed such notice, the board of elections of the State shall, upon the expiration of the time for filing such notices, declare him the nominee of his party, and his name shall not therefore be placed on the primary ballot, but shall be placed on the ballot to be voted at the general election as his party's candidate for such office.

Facilities for observing conduct of election.

Interference with election and communication with voter forbidden.

Observation and notes of election.

Proviso:
Freedom of voter at general election.

Opening of ballot boxes.

Proviso:
Space for count of ballots.
Ballots counted and bound.

Certificate of result.
Blanks.

Names printed on official ballot.

Sole candidate declared nominee.

Ballot for general election.

Primaries for county offices.

SEC. 14. That at the time of holding primary elections for State officers as hereinbefore provided there shall likewise be held primary elections for the nomination of the candidates of the several political parties in the State for county offices; and no one shall be voted for in such primary elections for the nomination of candidates for county offices unless he shall have filed a notice with the appropriate county board of elections and shall have taken the pledge required of candidates filing notice with the State Board of Elections. as hereinbefore provided, and shall have otherwise complied with the requirements applicable to such candidates for nomination for State offices, except in so far as such requirements are modified by the provisions of this act with reference to candidates for primary nominations for county offices.

Compliance with requirements for candidacy.

State Board to prescribe, print and furnish notices of candidacy.

SEC. 15. That the State Board of Elections, prior to the time fixed by law for the appointment of registrars and judges of primary elections, shall prescribe, print, and furnish to the several county boards of elections a sufficient number of notices to be filed by candidates desiring to be voted for for nomination for county offices, which said notices shall be substantially the same in form as those required to be filed by candidates for primary nomination for State offices as hereinbefore provided; and the several county boards of elections shall have printed and shall provide official ballots for county offices similar in form and otherwise to the ballots hereinbefore provided for for State officers, and shall distribute the same to the several precincts in the manner and at the time hereinbefore prescribed in the case of State offices.

Form of notices.

Official ballots for county offices.

Voting in primaries for county officers.

SEC. 16. That in primary elections for the selection of candidates for county offices the voting shall be done in the manner hereinbefore prescribed for primary elections for State offices, and all of the provisions herein contained governing primary elections for State offices shall apply with equal force to primary elections for county offices when not inconsistent with other provisions herein with reference to such primary elections for county officers; and that the returns in such primary elections for county officers shall be certified to the appropriate county board of elections, which shall declare and publish the results.

Provisions as of primary for State officers.

Returns.

Ballots for General Assembly and county officers.

SEC. 17. That the several county boards of elections shall prepare, print, and distribute the ballots for candidates for nomination as members of the General Assembly, and on the same ballot of each party shall be printed the names of the candidates for nomination for the several county offices, and such ballots shall be distributed to the several registrars and judges of elections at the same time that the ballots for State officers are required to be distributed under the provisions of this act; and said county boards of elections shall take receipts therefor, and the several registrars shall have such ballots at their

Distribution.

respective polling places for the use of the electors at the time of holding the primary.

SEC. 18. That all ballots for nominations for county officers shall be deposited in the box labeled "Legislative Primary Box," hereinbefore provided for, which box, in addition to bearing the label "Legislative Primary Box," shall also immediately thereunder be labeled "County Primary Box."

Box for county officers. Labeled.

SEC. 19. That in all cases where only one aspirant for nomination by the party with which he affiliates for the State Senate in districts composed of only one county or for the House of Representatives of the General Assembly or for a county office shall have filed the notice of candidacy in this act required, the county board of elections shall, upon the expiration of the time fixed for filing such notice, declare him the nominee of his party, and his name shall therefore not be placed on the primary ballot, but shall be placed upon the ballot to be voted at the general election as his party's candidate for such office.

Sole candidate declared nominee.

SEC. 20. That the several county boards of elections are hereby given authority to provide for holding in their respective counties primary elections for the choice of candidates for the nominations for township and precinct offices and to prescribe and fix the rules and regulations under which the same shall be held; and the expenses thereof shall be paid by the several counties.

Nominations for township and precinct officers.

SEC. 21. That the registrar and judges of election at each precinct in the State of North Carolina shall certify upon blanks prepared and printed by the State Board of Elections and distributed through the county board of elections to the election officers of each of the several precincts the result of the primary election of each precinct; and there shall be made by the judges of election and registrar at each precinct two copies of their returns, one copy of which shall be filed by them with the clerk of the court of their county for public inspection and one shall be filed with the county board of elections to be kept on file by it; and it shall be the duty of the judges and registrars to preserve and keep for six months after each election the original ballots cast at such election, which ballots, after being counted, shall be placed in bundles, a separate and distinct bundle to be made of the ballots of each and every political party cast in each of the boxes, and each box in which ballots were cast shall be carefully sealed up before the election officers shall separate, so that nothing put in may be taken from them, and the signatures of the registrar and judges of each precinct shall be inscribed at the same time on a seal placed on each box of the precinct, and no box shall be opened except upon the written order of the county board of elections or a proper order of court. The State Board of Elections, in preparing the printed form for returns to be made by the judges and registrars of the several precincts to the county boards of elections, and in preparing the forms for the returns to be made by

Rules and regulations. Expense paid by counties.

Precinct returns. Blanks.

Duplicate returns.

Copies filed.

Preservation of ballots.

Separate bundles.

Boxes sealed.

Order for opening boxes.

Specifications for form of return.

the county boards of elections to the State Board of Elections of the result of primary elections, shall prepare them in such form as will show the number of votes cast for each candidate for nomination for office.

Tabulation by county boards.

SEC. 21½. That the county boards of elections of the several counties shall tabulate the returns made by the judges and registrars of the several precincts in their respective counties with reference to candidates before the primaries, so as to show the total number of votes cast for each candidate of each political party for each office, and, when thus compiled on blanks to be prepared and furnished by the State Board of Elections for the purpose, these returns, in the case of officers other than the State Senate in districts composed of only one county, the House of Representatives and county offices, shall be made out for each county in duplicate and one copy shall be forwarded to the State Board of Elections and one copy shall be filed with the clerk of the superior court of the county from which such returns are made; in the case of member of the State Senate in district composed of only one county, member of the House of Representatives, and county officers, such returns shall be made out in duplicate, and one copy thereof filed with the clerk of the superior court and one copy retained by the county board of elections, which shall forthwith, as to such last mentioned offices, publish and declare the results.

Duplicate returns.

Copy to State Board.

Copy to clerk Superior Court.

Returns to clerk of Superior Court and county board.

State Board to compile and tabulate returns.

SEC. 22. That the State Board of Elections shall compile and tabulate the returns for each candidate for each office for each political party voted for in the primary except in cases in which it is in this act provided that the result shall be declared by the several county boards of election, and if a majority of the entire votes cast for all the candidates of any political party for a particular office shall be for one candidate, he shall be declared by the State Board of Elections the nominee of his political party for such office.

Candidate having majority of whole vote declared nominee.

Returns under oath.

SEC. 23. That the chairman or secretary of each of the county boards of elections and the chairman or secretary of the State Board of Elections shall file with all returns and declarations of results of election required by law to be filed by such boards an affidavit that the same are true and correct according to the returns made to them; and a judge of election or registrar shall accompany the precinct returns as to results of primary elections with an affidavit that the same are true and correct, according to the votes cast and correctly counted by them.

Nominations for President and Vice-President by majority.

Other officers by majority.

Second primary.

SEC. 24. That nominations for President and Vice-President of the United States in the several congressional districts shall be determined by a plurality of the votes cast, and in the case of all other officers mentioned in this act nominations shall be determined by a majority of the votes cast. If in the case of an office other than the offices of President and Vice-President no aspirant shall receive a majority of the votes cast, a second

primary, subject to the conditions hereinafter set out, shall be held in which only the two aspirants who shall have received the highest and next highest number of votes shall be voted for: *Provided*, that if either of such two shall withdraw and decline to run and shall file notice to the effect with the appropriate board of elections, such board shall declare the other aspirant nominated: *Provided, further*, that unless the aspirant receiving the second highest number of votes shall, within five days after the result of such primary election shall have been officially declared, file in writing with the appropriate board of elections a request that a second primary be called and held, the aspirant receiving the highest number of votes cast shall be declared nominated by such appropriate board. If a second primary be ordered by the State or a county board of elections, it shall be held four weeks after the first primary, in which case such second primary shall be held under the same laws, rules and regulations as are provided for the first primary, except that there shall be no further registration of voters other than such as may have become legally qualified after the first primary election, and such persons may register on the day of the second primary and shall be entitled to vote therein under the provisions of this act.

Aspirants voted for.

Proviso:
Notice of refusal to run.

Proviso:
Request for second primary.

Date for second primary.

Laws governing second primary.

SEC. 25. That in the preparation and distribution of ballots, poll books, forms of returns to be made by registrars and judges, and forms of the returns to be made by the county boards of elections to the State Board of Elections and to be made by the State Board of Elections, and all other forms to be prepared by Attorney-General of the State of North Carolina, and it shall be the duty of the State Board of Elections to call to its aid the Attorney-General of the State of North Carolina, and it shall be the duty of the Attorney-General to advise and aid in the preparation of all such ballots, books and forms.

Attorney-General to advise and aid.

SEC. 26. That the returns to be made by the registrars and judges as to the results of primary elections, and the canvassing by the county boards of elections of such results and declarations of such results, and the reports to be made by the county boards of elections to the State Board of Elections and other acts and things to be done in ascertaining and declaring the results of primary elections, unless otherwise provided herein, shall be done within the time before or after the primary election, and, as near as may be, under the circumstances prescribed for like acts and things done with reference to a general election, unless such acts and things prescribed to be done within certain times under the general election law shall, with respect to primary elections, be changed by general rules promulgated by the State Board of Elections for what may seem to them a good cause.

Returns, canvass, reports and other acts as under general election law.

SEC. 27. That when, on account of errors in tabulating returns and filling out blanks, the result of an election in any one or more precincts cannot be accurately known, the county

Access to ballot boxes to resolve doubts.

board of elections and the State Board of Elections shall be allowed access to the ballot boxes in such precincts to make a recount and declare the results which shall be done under such rules as the State Board of Elections shall establish to protect the integrity of the election and the rights of the voters.

SEC. 28. That it shall be the duty of the State Board of Elections, in the preparation of ballots for the general election, to prepare one official ballot for each political party for all State and district officers and distribute such ballots to the several county boards of elections in such time that they will be received at least ten (10) days before the date of the general election, whereupon the several county boards of elections shall distribute such ballots to the several registrars and judges of election in their respective counties, so that they will be received at least three (3) days before the date of the general election; and on the ballot of each political party which shall have nominated candidates in the primary shall be printed the name of such party and under the names of the respective political parties shall appear the offices to be filled by the election and the names of the nominees of each political party for such offices respectively; the expense whereof shall be paid by the State treasurer out of funds not otherwise appropriated, upon warrant of the chairman of the State Board of Elections.

SEC. 29. That it shall be the duty of the several county boards of elections, in the preparation of ballots for the general election, to prepare one official ballot for each political party for members of the general assembly and county offices and distribute such ballots to the several registrars and judges of election of their respective counties in such time that they will be received by such registrars and judges of election at least three (3) days before the date of the general election; and on the ballot of each political party which shall have nominated candidates in the primary shall be printed the name of such party; and under the names of the respective political parties shall appear the offices to be filled by the election and the names of the nominees; the expense whereof shall be paid by the several counties upon the warrant of the chairmen of the several county boards of elections.

SEC. 30. That no name other than the name of the person chosen in the primary shall be printed as a candidate of any political party for any office; but upon the petition of any elector, if filed within the time allowed by law for declaring the result of primary elections, when such petitioner is qualified by law to hold a particular office, that his name be placed on the official ballot for the general election as a non-partisan candidate for such office, said petition to contain a statement under oath that the person so applying does not affiliate with any political party, it shall be the duty of the State Board of Elections to print the name of such person as a non-partisan candidate for

Ballots for general election prepared by State Board.

Distribution to counties.

Distribution by counties.

Name of party printed on ballot.

Offices and names of nominees.

Expense paid by State.

Ballots prepared by county boards for general election.

Distribution.

Name of political party.

Offices and names of candidates.

Expense paid by counties.

Names of persons printed as nominees of party.

Name of non-partisan candidate.

Affidavit accompanying petition.

office: *Provided*, that in addition to said petition there shall be filed with the State Board of Elections and within the same time a petition duly signed by ten per cent of those entitled to vote for the candidate for such office, according to the vote cast in the last gubernatorial election in the political division in which such candidate may be voted for. The State Board of Elections shall prescribe general rules whereby it may be advised as to the authenticity and genuineness of the signatures of such petitioning persons.

Proviso:
Petition of voters.

Rules for determining authenticity of petition.

SEC. 31. That the term political party as herein used shall include all political parties having candidates who were voted for for State offices at the general election in nineteen hundred and fourteen and, in addition, any political party which may be declared to be such by a declaration signed by ten thousand legal voters and filed with the State Board of Elections thirty days before the time fixed for candidates for State offices to file notices with said board of their candidacy.

Political party defined.

SEC. 32. That opposite the name of each candidate on the general ticket to be voted at the general election shall be a small square, and a vote for any candidate shall be indicated by making a cross mark (thus X) in such square, and no voter shall vote for more than one candidate for any office; but there shall also be a large circle opposite the names of each party's candidates on each ticket and printed instructions on said ticket that a vote in such large circle will be a vote for each and all of the candidates for the various offices of the political party the names of whose candidates are opposite said large circle; and if a voter at the general election indicates by a cross mark in such large circle his purpose to vote the straight or entire ticket of any particular party, his vote shall be counted for all the candidates of such party for the offices for which they are candidates respectively, as indicated on such ticket.

Tickets and method of voting.

Votes for each candidate.

Vote for entire ticket.

SEC. 33. That in the event that any person who shall have been nominated in any primary election as the candidate of a political party for a State office shall die, resign, or for any reason become ineligible or disqualified between the date of such primary election and ensuing general election, the vacancy caused thereby may be filled by the action of the State executive committee of such political party; in the event of such vacancy in the case of a district office, the same may be filled by the action of the executive committee for such district of such political party; and in the event of such vacancy in the case of a county office, or the House of Representatives or the State Senate in a district composed of only one county, the same may be filled by the action of the executive committee of the party affected thereby in the county wherein such vacancy occurs.

Vacancies filled by executive committee.

SEC. 34. This act shall not apply to nominations for candidates for county offices and members of the House of Representatives, in the following counties providing for a primary with re-

Exceptions as to sundry counties.

List of counties.

spect to said county officers and members of the House of Representatives in the following counties, to wit: Mecklenburg, Ashe, Alleghany, Beaufort, Davidson, Catawba, Watauga, Sampson, Montgomery, New Hanover, Stanly, Wilkes, Yadkin, Davie, Cabarrus, Gaston, Craven, Halifax, Hyde, Graham, Jones, Lenoir, Hoke, Transylvania, Duplin, Brunswick, Alexander, Harnett, Martin, Northampton, Cherokee, Clay, Macon, Surry, Swain, Stokes, Tyrrell, Madison, Pamlico, Alamance, Gates, Dare, Currituck, Lee, Yancey, Union, Caldwell, Mitchell and Edgecombe: *Provided*, that in any county whose county offices are hereby exempted, if voters in number as great as one-fifth of the total vote cast for governor in such county at the preceding gubernatorial election shall petition the board of county commissioners of such county for an election thereon, it shall be the duty of said board to order an election at the next succeeding general election upon the method of nominating county officers, and member or members of the House of Representatives. At such election those favoring the nomination of county and legislative officers by primary shall cast ballots on which is written or printed "For County Primary"; those opposed shall cast ballots bearing the words "Against County Primary." If a majority of the votes cast in such election shall be "For County Primary," then the provisions of this act shall thereafter apply to such county, and it shall be no longer exempted. Otherwise, such exception shall remain in force.

Proviso:
Petition for
election.

Election at next
general election.

Ballots.
Effect of election.

Primary law for
Wake County.

Local laws for
counties repealed.

SEC. 34½. All laws and clauses of laws relating to primary elections in Wake County, in conflict with this act, be and the same are hereby repealed. All local laws regulating primaries as to county or legislative officers in those counties not excepted from the provisions in section thirty-four of this act are hereby repealed.

SEC. 35. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 36. That this act shall be in force from and after its ratification.

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 102.

AN ACT TO AMEND AN ACT TO PROVIDE FOR PRIMARY ELECTIONS THROUGHOUT THE STATE, RATIFIED ON THE NINTH DAY OF MARCH, 1915, BY EXEMPTING THE COUNTY OF LENOIR FROM THE PROVISIONS OF SECTION 34 THEREOF.

The General Assembly of North Carolina do enact:

Law applicable
to Lenoir County.

SECTION 1. That the act entitled "An act to provide for primary elections throughout the State," ratified the ninth day of

March, one thousand nine hundred and fifteen, be and it is hereby amended by striking from section thirty-four thereof the word or name "Lenoir."

SEC. 2. 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 9th day of March, 1915.

CHAPTER 103.

AN ACT TO AMEND STATE GRANT NO. 525 TO JAMES W. KING.

WHEREAS, it appears that in the issuance of said State grant number five hundred and twenty-five to James W. King on December the twenty-seventh, eighteen hundred and fifty-six, the Secretary of State has failed to follow the calls, courses and distances on a number of the said calls of said grant; and

WHEREAS, by reference to the plat and certificate of survey furnished by the original surveyor to the Secretary of State the said Secretary of State has made a number of errors; and

WHEREAS, it is desired to correct the patent errors in said grant; now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the Secretary of State be and he is hereby authorized to make the following corrections in said grant:

- (a) Change the first call from "S. 36° E." to "S. 35° W."
- (b) Change the second call from "78 poles" to "18 poles."
- (c) Insert the fifth call as follows: "N. 50° W. 168 poles to a stake."

Provided, nothing in this act shall in any way adversely affect any vested rights or affect in any way any litigation now pending or embrace within the corrected calls of the aforesaid grant any greater number of acres than called for in the original grant.

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 5th day of March, 1915.

CHAPTER 104.

AN ACT TO PREVENT FISHING WITH SEINES, DUTCH, POUND, PURSE NETS OR ANY KINDS OF NETS IN CERTAIN PARTS OF THE OCEAN IN NEW HANOVER COUNTY.

The General Assembly of North Carolina do enact:

Use of nets forbidden.

SECTION 1. That it shall be unlawful for any person, firm or corporation to fish with seines, purse, pod or pound nets, or with any kind of nets, except cast nets, in the waters of the Atlantic Ocean in New Hanover County within the following limits:

Limits of territory.

Beginning at a point on the beach on the north side of the mouth of Moore's Inlet and extending southwardly along the strand of the Atlantic Ocean to a point on the north of the mouth of Masonboro Inlet, and extending one mile out from the shore line.

Set nets.

SEC. 2. The above shall not apply to the use of set nets between the first day of November and the first day of May next following.

Misdemeanor.
Punishment.

SEC. 3. That any person violating this act shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than one hundred dollars and imprisoned not more than sixty days.

SEC. 4. 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 5th day of March, 1915.

CHAPTER 105.

AN ACT TO APPOINT THREE TRUSTEES FOR CERTAIN STATE PROPERTY IN THE VILLAGE OF HAYWOOD, CHATHAM COUNTY, NORTH CAROLINA.

Preamble.

WHEREAS, the State of North Carolina is the owner of about four acres of land in the village of Haywood, Chatham County, North Carolina, and, whereas, trustees heretofore appointed have died or their terms of office expired; now, therefore,

The General Assembly of North Carolina do enact:

Trustees.

SECTION 1. That E. E. Walden, W. C. Kimball, and T. W. Churchill are hereby appointed trustees for all of said property belonging to the State of North Carolina in the village of Haywood, Chatham County, North Carolina, for a term of six years from the ratification of this act.

Term of office.

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 5th day of March, 1915.

CHAPTER 106.

AN ACT TO APPOINT COMMISSIONERS TO RUN AND ESTABLISH THE DIVIDING LINE BETWEEN THE COUNTIES OF DUPLIN AND ONSLOW.

WHEREAS, the Legislature of one thousand eight hundred and nineteen passed an act appointing Commissioners to run and establish the dividing line between the counties of Duplin and Onslow and make report of their proceedings to the county courts of said counties; and, Preamble.

WHEREAS, the said Commissioners, if they ran said line, failed to make any report of their proceedings to the said courts of said counties, or if said reports were made, the said courts failed to spread the same upon their minutes, therefore, Preamble.

The General Assembly of North Carolina do enact:

SECTION 1. That Frank L. Potter of the county of Duplin and Jere I. Herritage of the county of Onslow, be and they are hereby appointed Commissioners to run and establish the dividing line between the counties of Duplin and Onslow, as soon as may be practicable after the passage of this act. Commissioners appointed.

SEC. 2. That the said Commissioners shall make report of their proceedings to the board of commissioners of the said counties of Duplin and Onslow, which report, after being recorded in the minutes of said boards shall be filed with the respective clerks of the superior courts of said counties, and a certified copy of the same shall be forwarded to the office of the Secretary of State to be filed with the recrds in said office, relating to the lands lying and being in said counties. Report to county commissioners.
Report recorded and filed.
Certified copy filed by Secretary of State.

SEC. 3. That the expenses of running and marking the said dividing line shall be borne equally by the said counties of Duplin and Onslow; and the board of county commissioners of said counties are authorized to pay said expenses when the said line shall have been run and marked the reports of the commissioners heretofore named, filed as directed in this act. Expense borne equally by counties.
Payment authorized.

SEC. 4. That the proceedings hereunder shall not affect the titles to lands adjoining or adjacent to the county line to be established hereunder. Land titles not affected.

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 5th day of March, 1915.

CHAPTER 107.

AN ACT TO GIVE THE COURT HELD FOR EDGECOMBE COUNTY, BEGINNING ON THE THIRTEENTH MONDAY AFTER THE FIRST MONDAY IN MARCH, THE RIGHT TO TRY CRIMINAL AS WELL AS CIVIL CAUSES; AND TO MAKE THE GRAND JURY DRAWN FOR THE MARCH CRIMINAL TERM SERVE AS THE GRAND JURY FOR BOTH OF SAID TERMS.

The General Assembly of North Carolina do enact:

Criminal and civil causes triable.

SECTION 1. That criminal and civil causes shall be triable at the court held for Edgecombe County beginning on the thirteenth Monday after the first Monday in March.

Grand jury to serve.

SEC. 2. That the grand jury drawn by the commissioners of Edgecombe County for the term of criminal court beginning on the first Monday in March of each year shall also serve as the grand jury for the term beginning on the thirteenth Monday after the first Monday in March; said grand jury shall be charged with the same duties and clothed with the same power at each of said terms and shall receive for each term such mileage and compensation as is now provided by law.

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 and effect from and after its ratification.

In the General Assembly read three times and ratified this the 5th day of March, 1915.

CHAPTER 108.

AN ACT TO PROVIDE FOR REGISTRATION OF FARM NAMES.

The General Assembly of North Carolina do enact:

Registration of name and description of land.

SECTION 1. That any owner of a farm in the State of North Carolina may have the name of his farm, together with a description of his lands to which said name applies, recorded in a register kept for that purpose in the office of the county register of deeds, of the county in which said farm is located, and such register of deeds shall furnish to such land owner a proper certificate setting forth said name and description of said lands. That when any name shall have been recorded as the name of any farm in such county, such name, or one so nearly like it as to produce confusion, shall not be recorded as the name of any other farm in the same county.

Similar form name not afterward given.

- SEC. 2. No name shall be registered as the name of a farm where such proposed name or one so nearly like it as to produce confusion has been so used in connection with another farm in the same county*as to become generally known prior to the ratification of this act, unless the name used has also prior to the ratification of this act become well known as the name of the farm proposed to be registered and in this event two or more farms in the same county may be registered with the same name with some prefix or suffix added to distinguish them.
- Before a name shall be registered the clerk shall have publication made at least once a week for four weeks in some secular newspaper published in the county, if one is so published, and if one is not so published, then in one having a general circulation in the county, giving the name of the applicant, the proposed name of registration and a sufficient description to identify the farm and the time of the return and if the owner or clerk knows of another farm in the county of the same or very similar name, a summons shall be served on the owner thereof at least ten days before the return day. On the return day any person, firm or corporation may file claim to the name and the clerk may pass upon the claim and award the name to any party with the right to appeal by the aggrieved party to the superior court within ten days, as in other cases, and on such appeal the judge shall decide the matters unless a jury be demanded by some party.
- SEC. 3. That any person having the name of his farm recorded as provided in this act, shall first pay to the register of deeds a fee of one dollar, which fee shall be paid to the county treasurer as other fees are paid to the county treasurer by such register of deeds: *Provided*, that in counties where the fee system obtains, the fees herein mentioned shall go to the register of deeds of such counties.
- SEC. 4. That when any owner of a farm, the name of which has been recorded as provided in this act, transfers by deed or otherwise, the whole of such farm, such transfer may include the registered name thereof; but if the owner shall transfer only a portion of such farm, then, in that event, the registered name thereof shall not be transferred to the purchaser unless so stated in the deed of conveyance.
- SEC. 5. That when any owner of a registered farm desires to cancel the registered name thereof, he shall state on the margin of the record of the register of such name, the following: "This name is cancelled and I hereby release all rights thereunder," which shall be signed by the person canceling such name, and attested by the county register of deeds; that for such latter service the county register of deeds shall charge a fee of twenty-five cents, which shall be paid to the county treasurer as other fees are paid to the county treasurer by him.
- SEC. 6. That this act shall not apply to counties of Surry, Stokes and Sampson.

Name to be distinctive.

Names with prefix or suffix.

Advertisement of application.

Summons to other landowners.

Judgment on hearing.

Right of appeal.

Registration fees.

Proviso: Counties having fee system.

Transfer of name with farm.

Cancellation of name.

Fee for cancellation.

Counties excepted.

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 5th day of March, 1915.

CHAPTER 109.

AN ACT TO ENLARGE THE POWERS OF THE DEPARTMENT OF INSURANCE OF THE STATE OF NORTH CAROLINA IN RESPECT TO PREMIUMS FOR FIRE INSURANCE, AND TO AMEND THE INSURANCE LAWS OF THE STATE.

The General Assembly of North Carolina do enact:

License to fire insurance companies.

SECTION 1. That the word "two" in line eight, section sixty-seven, chapter two hundred and one, Public Laws of one thousand nine hundred and thirteen, be stricken out, and word "one" be substituted therefor; and that the license tax imposed upon fire insurance companies shall be, as now, paid to the insurance commissioner, and by him shall be used for the purpose of investigating all fires occurring in the State, and those required by sections four thousand eight hundred and nineteen, four thousand eight hundred and twenty, four thousand eight hundred and twenty-one, Revisal of one thousand nine hundred and five, and for the employment of a competent man to give instructions to fire companies, and for the expense of a better inspection of buildings in cities and towns. The commissioner shall in his annual report make a statement of the fires investigated, the value of the property destroyed, the amount of insurance, if any, the origin of the fire, when ascertained, and the location of the property damaged or destroyed, whether in town, city or country; and shall also file annually an itemized statement under oath of all moneys received by him and disbursed hereunder.

Use of fees.

Statements to be contained in report of Commissioner.

Itemized statement of receipts and disbursements.

Tax for investigations stricken out.

SEC. 2. That section four thousand eight hundred and twenty-three, Revisal of one thousand nine hundred and five be amended by striking out all of said section following the word "sub-chapter" at the end of line four, and also add thereto the following: "Shall be defrayed by the insurance department out of the moneys directed to be collected by section one of this act."

Fund for investigations.

Items to be disclosed by policies.

SEC. 3. There shall be printed, stamped or written on each fire policy issued in this State, the basis rate, deficiency charge, the credit for improvements and the rate at which written, and whenever a rate is made or changed on any property situated in this State a full statement thereof showing in detail the basis rate, deficiency charges and credits as well as rate proposed to be made shall be delivered to the owner or his representative having the insurance on the property in charge, by the company, association, their agent or representative with a notice to the effect

Details of rate delivered to owner or representative.

that said rate is promulgated and filed with the insurance department. Every agent of a fire insurance company shall, before issuing a policy of insurance on property situated in a city or town, inspect the same informing himself as to its value and insurable condition.

Agents to inspect risks.

SEC. 4. No policy of insurance issued upon any property shall be held void because of the failure to give notice to the company of a mortgage or deed of trust existing thereon or thereafter placed thereon, except during the life of the mortgage or deed of trust.

Encumbrance not to avoid policy.

SEC. 5. No fire insurance company licensed to do business in this State may issue any policy or contract of insurance covering property in this State which shall contain any clause or provision requiring the assured to take out or maintain a larger amount of insurance than that expressed in such policy, nor in any way provide that the assured shall be liable as a co-insurer with the company issuing the policy for any part of the loss or damage which may be caused by fire to the property described in such policy, and any such clause or provision shall be null and void, and of no effect: *Provided*, the co-insurance clause or provision may be written in or attached to a policy or policies issued when the assured or his agent shall, in writing, request such co-insurance clause or provision, and in which case the rate for the insurance, with and without the co-insurance clause shall be furnished the owner, and where the owner elects to have his insurance property written with co-insurance, then all policies on said property shall be so written, and there shall be stamped on them the words "co-insurance contract."

Clauses for additional or co-insurance void.

Proviso:
Co-insurance at request of insured.

SEC. 6. That section one of chapter seventy-nine of the Public Laws of one thousand nine hundred and thirteen be amended by adding after the word "character" in line eight in said section the following: "Has sufficient knowledge of the insurance business proposed to be done."

Requirements for agent.

SEC. 7. That every person adjusting loss for any insurance company doing business in this State, commonly called adjusters, shall be licensed by the insurance commissioner of this State as agents of said companies are licensed; and before issuing license to any such person, the adjuster and the company or companies for which he desires to act as adjuster, shall apply for license on forms prescribed by the insurance commissioner, and the insurance commissioner shall satisfy himself that such person so applying for license as adjuster, is a person of good moral character, has sufficient knowledge of the business of insurance, and his duties as adjuster, that he has not violated any of the insurance laws of this State, and that he is a proper person for such position.

Adjusters to be licensed.

Application for license.

Requirements for adjuster.

SEC. 8. Whenever any person or corporation shall insure any property located in this State with an insurance company not licensed to do business in this State, it shall be the duty of such

Tax deducted on premiums to non-licensed companies.

person or corporation to deduct from the premium charged on the policy or policies issued for such insurance five per centum of said premium and remit the same to the insurance commissioner of the State, at the same time reporting to the insurance commissioner the name of the company or companies issuing the policy or policies, the location of the property insured and the premium charged. The insurance commissioner shall pay the said amounts to the treasurer of the State: *Provided*, that if such report is not made on or before the thirtieth days of July and January of each year for the business done prior to July first and January first preceding; there shall be added to the amount of taxes thereon the sum of one per centum on the first day of each month thereafter.

Report to Insurance Commissioner.

Tax paid to Treasurer.
 Proviso:
 Penalty for failure to report.

Standard form of policy.

SEC. 9. That the standard form of policy described in section four thousand seven hundred and sixty of the Revisal of one thousand nine hundred and five be and the same is hereby amended to read as follows:

[Space for insertion of name of company or companies issuing the policy and other matter permitted to be stated at the head of the policy.]

Amount \$..... Rate Premium \$.....
 In Consideration of the Stipulations herein named and of.....
Dollars Premium does insure

 and legal representatives, to the extent of the actual cash value (ascertained with proper deductions for depreciation) of the property at the time of loss or damage, but not exceeding the amount which it would cost to repair or replace the same with material of like kind and quality within a reasonable time after such loss or damage, without allowance for any increased cost of repair or reconstruction by reason of any ordinance or law regulating construction or repair and without compensation for loss resulting from interruption of business or manufacture, for the term of.....from the
day of.....19...
 at noon, to the.....day of.....
 19... at noon, against all *direct loss and damage by fire* and by removal from premises endangered by fire except as herein provided, to an amount not exceeding.....dollars to the following described property while located and contained as described herein, or pro rata for five days at each proper place to which any of the property shall necessarily be removed for preservation from fire, but not elsewhere, to wit:

[Space for description of property.]

This policy is made and accepted subject to the foregoing stipulations and conditions, and to the stipulations and conditions printed on the back hereof, which are hereby made a part of this policy, together with such other provisions, stipulations and conditions as may be endorsed hereon or added hereto as herein provided.

In Witness Whereof, this company has executed and attested these presents.

[Space for date and for signatures and titles of officers and agent.]

Fraud, misrepresentation, etc.—This entire policy shall be void if the insured has concealed or misrepresented any material fact or circumstance concerning this insurance or the subject thereof; or in case of any fraud or false swearing by the insured touching any matter relating to this insurance or the subject thereof, whether before or after a loss.

Property which can not be insured.—This policy shall not cover accounts, bills, currency, deeds, evidences of debt, money, notes or securities.

Hazards not covered.—This company shall not be liable for loss or damage caused directly or indirectly by invasion, insurrection, riot, civil war or commotion, or military or usurped power, or by order of any civil authority; or by theft; or by neglect of the insured to use all reasonable means to save and preserve the property at and after a fire or when the property is endangered by fire in neighboring premises.

This entire policy shall be void, unless otherwise provided by agreement in writing added hereto,

Ownership, etc.—(a) if the interest of the insured be other than unconditional and sole ownership; or (b) if the subject of insurance be a building on ground not owned by the insured in fee simple; or (c) if, with the knowledge of the insured, foreclosure proceedings be commenced or notice given of sale of any property insured hereunder by reason of any mortgage or trust deed; or (d) if any change, other than by the death of an insured, take place in the interest, title or possession of the subject of insurance (except change of occupants without increase of hazard); or (e) if this policy be assigned before a loss.

Unless otherwise provided by agreement in writing added hereto this company shall not be liable for loss or damage occurring,

Other Insurance.—(a) while the insured shall have any other contract of insurance, whether valid or not, on property covered in whole or in part by this policy; or

Increase of Hazard.—(b) while the hazard is increased by any means within the control or knowledge of the insured; or

Repairs, etc.—(c) while mechanics are employed in building, altering or repairing the described premises beyond a period of fifteen days; or

Explosives, gas, etc.—(d) while illuminating gas or vapor is generated on the described premises; or while (any usage or custom to the contrary notwithstanding) there is kept, used or allowed on the described premises fireworks, greek fire, phosphorus, explosives, benzine, gasoline, naphtha or any other product of petroleum of greater inflammability than kerosene oil, gunpowder exceeding twenty-five pounds, or kerosene oil exceeding five barrels; or

Factories.—(e) if the subject of insurance be a manufacturing establishment while operated in whole or in part between the hours of ten p. m. and five a. m., or while it ceases to be operated beyond a period of ten days; or

Unoccupancy.—(f) while a described building, whether intended for occupancy by owner or tenant, is vacant or unoccupied beyond a period of ten days; or

Excepted property.—(g) to bullion, manuscripts, mechanical drawings, dies or patterns; or

Explosion, lighting.—(h) by explosion or lighting, unless fire ensue, and, in that event, for loss or damage by fire only.

Chattel Mortgage.—Unless otherwise provided by agreement in writing added hereto this company shall not be liable for loss or damage to any property insured hereunder while incumbered by a chattel mortgage, and during the time of such incumbrance this company shall be liable only for loss or damage to any other property insured hereunder.

Fall of Building.—If a building, or any material part thereof, fall except as the result of fire, all insurance by this policy on such building or its contents shall immediately cease.

Added Clauses.—The extent of the application of insurance under this policy and of the contribution to be made by this company in case of loss or damage, and any other agreement not inconsistent with or a waiver of any of the conditions or provisions of this policy, may be provided for by rider added hereto.

Waiver.—No one shall have power to waive any provision or condition of this policy except such as by the terms of this policy may be the subject of agreement added hereto, nor shall any such provision or condition be held to be waived unless such waiver shall be in writing added hereto, nor shall any provision or condition of this policy or any forfeiture be held to be waived by any requirement, act or proceeding on the part of this company relating to appraisal or to any examination herein provided for; nor shall any privilege or permission affecting the insurance hereunder exist or be claimed by the insured unless granted herein or by rider added hereto.

Cancellation of policy.—This policy shall be cancelled at any time at the request of the insured, in which case the company shall, upon demand and surrender of this policy, refund the excess of paid premium above the customary short rates for the expired time. This policy may be cancelled at any time by the company by giving to the insured a five days' written notice of cancellation with or without tender of the excess of paid premium above the pro rata premium for the expired time, which excess, if not tendered, shall be refunded on demand. Notice of cancellation shall state that said excess premium (if not tendered) will be refunded on demand.

Pro rata liability.—This company shall not be liable for a greater proportion of any loss or damage than the amount hereby insured shall bear to the whole insurance covering the property, whether valid or not and whether collectible or not.

Noon.—The word "noon" herein means noon of standard time at the place of loss or damage. If loss or damage is made payable, in whole or in part, to a mortgagee, this policy may be cancelled as to such interest by giving to the mortgagee a ten days' written notice of cancellation. Upon failure of the insured to render proof of loss such mortgagee shall, as if named as insured hereunder, but within sixty days after such failure, render proof of loss and be subject to the provisions hereof as to appraisal and time of payment. On payment to a mortgagee of any sum for loss or damage hereunder, if this company shall claim that as to the mortgagor or owner, no liability existed, it shall, to the extent of such payment be subrogated to the mortgagee's right of recovery and claim upon the collateral to the mortgage debt, but without impairing the mortgagee's right to sue; or it may pay the mortgage debt and require an assignment thereof and of the mortgage. Except as stated in this paragraph, the agreement between a mortgagee and this company shall be only as stated by rider added hereto.

Requirements in case of loss.—The insured shall give immediate notice, in writing, to this company, of any loss or damage, protect the property from further damage, forthwith separate the damaged and undamaged personal property, put it in the best possible order, furnish a complete inventory of the destroyed, damaged and undamaged property, stating the quantity and cost of each article and the amount claimed thereon; and, *the insured shall, within sixty days after the fire, unless such time is extended in writing by this company, render to this company a proof of loss*, signed and sworn to by the insured, stating the knowledge and belief of the insured as to the time and origin of the fire; the interest of the insured and of all others in the property; the cash value of each item thereof and the amount of loss or damage thereto; all incumbrances thereon; all other contracts of insurance, whether valid or not, covering any of said property; and a copy of all the descriptions and schedules in all

policies; any changes in the title, use, occupation, location, possession, or exposures of said property since the issuing of this policy; and by whom and for what purpose any building herein described and the several parts thereof were occupied at the time of fire; and shall furnish, if required, verified plans and specifications of any building, fixtures or machinery destroyed or damaged. The insured, as often as may be reasonably required, shall exhibit to any person designated by this company all that remains of any property herein described, and submit to examinations under oath by any person named by this company, and subscribe the same; and, as often as may be reasonably required, shall produce for examination all books of account, bills, invoices, and other vouchers, or certified copies thereof, if originals be lost, at such reasonable time and place as may be designated by this company or its representative, and shall permit extracts and copies thereof to be made.

Appraisal.—In case the insured and this company shall fail to agree as to the amount of loss or damage, each shall, on the written demand of either, select a competent and disinterested appraiser. The appraisers shall first select a competent and disinterested umpire; and failing for fifteen days to agree upon such umpire then, on request of the insured or this company, such umpire shall be selected by a judge of a court of record in the State in which the property insured is located. The appraisers shall then appraise the loss and damage stating separately sound value and loss or damage to each item; and failing to agree, shall submit their differences only, to the umpire. An award in writing, so itemized, of any two when filed with this company shall determine the amount of sound value and loss or damage. Each appraiser shall be paid by the party selecting him and the expenses of appraisal and umpire shall be paid by the parties equally.

Company's options.—It shall be optional with this company to take all, or any part, of the articles at the agreed or appraised value, and also to repair, rebuild, or replace the property lost or damaged with other of like kind and quality within a reasonable time, on giving notice of its intention so to do within thirty days after the receipt of the proof of loss herein required; but

Abandonment.—There can be no abandonment to this company of any property.

When loss payable.—The amount of loss or damage for which this company may be liable shall be payable sixty days after proof of loss, as herein provided, is received by this company and ascertainment of the loss or damage is made either by agreement between the insured and this company expressed in writing or by the filing with this company of an award as herein provided.

Suit.—No suit or action on this policy, for the recovery of any claim, shall be sustainable in any court of law or equity unless the insured shall have complied with all the requirements of

this policy, nor unless commenced within twelve months next after the fire.

Subrogation.—This company may require from the insured an assignment of all right of recovery against any party for loss or damage to the extent that payment therefor is made by this company.

Standard Fire Insurance Policy of the State of

Expires	
Property	
Amount - - - - -	\$.....
Premium - - - - -	\$.....
No.....	

It is important that the written portions of all policies covering the same property read exactly alike. If they do not they should be made uniform at once.

SEC. 10. Amend section four thousand seven hundred and fifty-nine of the Public Laws of one thousand nine hundred and five by adding at the end thereof the following: "(f) the company may print on or in its policy with the approval of the insurance commissioner, if the same is not already included in such standard form, any provision which any such corporation is required by law to insert in its policies not in conflict with the provisions of such standard form. Such provisions shall be printed apart from the other provisions, agreements or conditions of the policy under a separate title as follows: Provisions Required by Law to be Inserted in This Policy." Provisions inserted in policy.

SEC. 11. Amend section four thousand seven hundred and sixty-one of the Revisal of one thousand nine hundred and five by striking out the following words beginning in line four: "And the word 'together' in line one hundred and forty-six (line one hundred and thirty-eight in this pamphlet) of the next preceding section shall not forbid the making of estimates by either of the appraisers when not in the presence of the other, but only to require that they shall come together for a final estimate and appraisal of the loss or damage," and by inserting in lieu thereof the following: "If notice in writing signed by the assured, or his agent, be given before loss or damage by fire to the agent of the company of any fact or condition stated in paragraphs (a), (b), (c), (d), (e), (f), of the foregoing form of policy, the same shall be equivalent to an agreement in writing added thereto, and shall have the force of the agreement in writing referred to in the foregoing form of policy with respect to the liability of the company and the waiver; but such notice shall not affect the right of the company to cancel the policy as therein stitulated." Title of provisions.

SEC. 11. Amend section four thousand seven hundred and sixty-one of the Revisal of one thousand nine hundred and five by striking out the following words beginning in line four: "And the word 'together' in line one hundred and forty-six (line one hundred and thirty-eight in this pamphlet) of the next preceding section shall not forbid the making of estimates by either of the appraisers when not in the presence of the other, but only to require that they shall come together for a final estimate and appraisal of the loss or damage," and by inserting in lieu thereof the following: "If notice in writing signed by the assured, or his agent, be given before loss or damage by fire to the agent of the company of any fact or condition stated in paragraphs (a), (b), (c), (d), (e), (f), of the foregoing form of policy, the same shall be equivalent to an agreement in writing added thereto, and shall have the force of the agreement in writing referred to in the foregoing form of policy with respect to the liability of the company and the waiver; but such notice shall not affect the right of the company to cancel the policy as therein stitulated." Right of appraisers to act separately.

SEC. 11. Amend section four thousand seven hundred and sixty-one of the Revisal of one thousand nine hundred and five by striking out the following words beginning in line four: "And the word 'together' in line one hundred and forty-six (line one hundred and thirty-eight in this pamphlet) of the next preceding section shall not forbid the making of estimates by either of the appraisers when not in the presence of the other, but only to require that they shall come together for a final estimate and appraisal of the loss or damage," and by inserting in lieu thereof the following: "If notice in writing signed by the assured, or his agent, be given before loss or damage by fire to the agent of the company of any fact or condition stated in paragraphs (a), (b), (c), (d), (e), (f), of the foregoing form of policy, the same shall be equivalent to an agreement in writing added thereto, and shall have the force of the agreement in writing referred to in the foregoing form of policy with respect to the liability of the company and the waiver; but such notice shall not affect the right of the company to cancel the policy as therein stitulated." Notices to have force of agreements.

SEC. 11. Amend section four thousand seven hundred and sixty-one of the Revisal of one thousand nine hundred and five by striking out the following words beginning in line four: "And the word 'together' in line one hundred and forty-six (line one hundred and thirty-eight in this pamphlet) of the next preceding section shall not forbid the making of estimates by either of the appraisers when not in the presence of the other, but only to require that they shall come together for a final estimate and appraisal of the loss or damage," and by inserting in lieu thereof the following: "If notice in writing signed by the assured, or his agent, be given before loss or damage by fire to the agent of the company of any fact or condition stated in paragraphs (a), (b), (c), (d), (e), (f), of the foregoing form of policy, the same shall be equivalent to an agreement in writing added thereto, and shall have the force of the agreement in writing referred to in the foregoing form of policy with respect to the liability of the company and the waiver; but such notice shall not affect the right of the company to cancel the policy as therein stitulated." Right to cancel property.

SEC. 11. Amend section four thousand seven hundred and sixty-one of the Revisal of one thousand nine hundred and five by striking out the following words beginning in line four: "And the word 'together' in line one hundred and forty-six (line one hundred and thirty-eight in this pamphlet) of the next preceding section shall not forbid the making of estimates by either of the appraisers when not in the presence of the other, but only to require that they shall come together for a final estimate and appraisal of the loss or damage," and by inserting in lieu thereof the following: "If notice in writing signed by the assured, or his agent, be given before loss or damage by fire to the agent of the company of any fact or condition stated in paragraphs (a), (b), (c), (d), (e), (f), of the foregoing form of policy, the same shall be equivalent to an agreement in writing added thereto, and shall have the force of the agreement in writing referred to in the foregoing form of policy with respect to the liability of the company and the waiver; but such notice shall not affect the right of the company to cancel the policy as therein stitulated." Resident judge to select umpire.

"The resident judge of the superior court of the district in which the property insured is located is fixed and designated as the judge of the court of record to select the umpire referred to in the foregoing form of policy."

Manufacture,
sale or gift of
matches regulated.

SEC. 12. I. That no person, association or corporation, shall manufacture, store, offer for sale, sell or otherwise dispose of, or distribute white phosphorous, single-dipped, strike-anywhere matches of the type popularly known as "parlor matches;" nor manufacture, store, sell, offer for sale, or otherwise dispose of, or distribute, white phosphorous, double-dipped, strike-anywhere matches or any other type of double-dipped matches, unless the bulb or first dip of such match is composed of a so-called safety or inert composition, non-ignitable on an abrasive surface; nor manufacture, store, sell, or offer for sale, or otherwise dispose of, or distribute matches which when packed in a carton of five hundred approximate capacity and placed in an oven maintained at a constant temperature of two hundred degrees F., will ignite in eight hours; nor manufacture, store, offer for sale, sell or otherwise dispose of, or distribute, blazer, or so-called wind matches, whether of the so-called safety or strike-anywhere type.

Regulation of
packages of
matches.

II. No person, association, or corporation shall offer for sale, sell or otherwise dispose of, or distribute, any matches, unless the package or container in which such matches are packed, bears plainly marked on the outside thereof, the name of the manufacturer and the brand or trade-mark under which such matches are sold, disposed of, or distributed, nor shall more than one case of each brand of matches of any type or manufacture be opened at any one time in the retail store where matches are sold or otherwise disposed of; nor shall loose boxes or paper-wrapped packages of matches be kept on shelves or stored in such retail stores at a height exceeding five feet from the floor; all matches when stored in warehouses, must be kept only in properly secured cases, and not piled to a height exceeding ten feet from the floor; nor be stored within a horizontal distance of ten feet from any boiler, furnace, stove or other like heating apparatus; nor within a horizontal distance of twenty-five feet from any explosive material kept or stored on the same floor; all matches shall be packed in boxes or suitable packages, containing not more than seven hundred matches in any one box or package: *Provided, however,* that when more than three hundred matches are packed in any one box or package, the said matches shall be arranged in two nearly equal portions, the heads of the matches in the two portions shall be placed in opposite directions, and all boxes containing three hundred and fifty or more matches, shall be placed over the matches a center-holding or protecting strip, made of chip board, not less than one and one-quarter inches wide; said strip shall be flanged down to hold the matches in position when the box is nested into the shuck or withdrawn from it.

Regulation of
sale and storage.

Proviso:
Arrangement of
matches in boxes.

Protecting strip.

Shipping con-
tainers.

III. All match boxes or packages shall be packed in strong shipping containers or cases; maximum number of match boxes

or packages contained in any one shipping container or case, shall not exceed the following number: Maximum of contents.

<i>Number of Boxes.</i>	<i>Nominal Number of Matches per Box.</i>
½ gross	700
1 gross	500
2 gross	400
3 gross	300
5 gross	200
12 gross	100
20 gross over 50 and under	100
25 gross under	50

No shipping container or case constructed of fiber board, corrugated fiber board, or wood, nailed or wirebound, shall exceed a weight, including its contents, of seventy-five (75) pounds; and no lock cornered wooden case containing matches shall have a weight, including its contents, exceeding eighty-five (85) pounds; nor shall any other article or commodity be packed with matches in any such container or case; and all such containers and cases in which matches are packed shall have plainly marked on the outside of the container or case the words "Strike-anywhere Matches" or "Strike-on-the-Box Matches." Weight of containers.
Sole contents.
Marks on containers.

IV. Any person, association or corporation, violating any of the provisions of this section of this act shall be fined for the first offense, not less than five dollars (\$5.00), nor more than twenty-five dollars (\$25), and for each subsequent violation, not less than twenty-five (\$25) dollars. Punishment for first offense.
Punishment for subsequent offenses.

V. All laws in conflict with the provisions of this section of this act are hereby repealed. Conflicting laws repealed.

VI. This section of this act shall become effective January first, one thousand nine hundred and sixteen. Section effective.

SEC. 13. That all laws and parts of laws in conflict with or inconsistent with this act are hereby repealed. Repealing clause.

SEC. 14. Sections nine, ten and eleven of this act, including and referring to the standard form of fire policy shall go into effect on and after January first one thousand nine hundred and sixteen; but the remainder of this act shall be in force from and after July first, one thousand nine hundred and fifteen. When act effective.

In the General Assembly read three times and ratified this the 5th day of March, 1915.

CHAPTER 110.

AN ACT TO REGULATE THE SEVERAL TERMS OF THE SUPERIOR COURT OF BLADEN COUNTY.

The General Assembly of North Carolina do enact:

Schedule of courts.

SECTION 1. That the regular terms of the superior court for Bladen County, in the ninth judicial district, for every year shall be held on the eighth Monday before the first Monday in March for the trial of civil cases and criminal cases where defendants are confined in jail only; the seventh Monday after the first Monday in March and the sixth Monday after the first Monday in September for the trial of civil cases only; the first Monday after the first Monday in March and the fourth Monday before the first Monday in September for the trial of criminal cases only.

Civil process return and pleadings filed at all terms.

SEC. 2. That all civil process may be returnable to and pleadings filed at all terms of the superior court of Bladen County which it now has or may be hereafter given, whether the same be designated civil or criminal terms. That at all terms that are now or may be hereafter designated as criminal terms, civil trials which do not require a jury, motions and divorce cases including jury trials in divorce cases may be heard and any other civil actions may be heard by consent at such terms.

Civil trials at criminal terms.

Judgments by default.

SEC. 3. Judgments by default, both final and interlocutory and with inquiry may be rendered at such criminal terms, and at any term of the superior court of Bladen County, without further notice than that contained in the summons.

Additional jurors.

SEC. 4. The presiding judge at any term of the superior court of Bladen County may, in his discretion, on the first day of the term, direct the sheriff of the County to summons such additional jurors for the term as may be necessary for the proper dispatch of the business before the court.

Repealing clause.

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

Act effective.

SEC. 6. That this act shall be in force on and after the fifteenth day of March, one thousand nine hundred and fifteen.

In the General Assembly read three times and ratified this the 5th day of March, 1915.

CHAPTER 111.

AN ACT TO PROVIDE FOR THE HOLDING OF COURTS IN
CRAVEN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and ninety-six of the Public Laws of one thousand nine hundred and thirteen, entitled "An act to provide for the division of the State into judicial districts and for the holding of the courts therein" ratified the twelfth day of March, one thousand nine hundred and thirteen, be and the same is hereby amended as follows: In section one in that part relating to Craven County strike out all of said paragraph, and insert in lieu thereof the following: Craven County—eighth Monday before the first Monday in March; thirteenth Monday after the first Monday in March; and the first Monday in September for the trial of criminal cases exclusively. Fifth Monday after the first Monday in March for the trial of civil cases and jail cases on the criminal docket. Fourth Monday before the first Monday in March; Fourth Monday after the first Monday in September; Eleventh Monday after the first Monday in September; each to continue for two weeks, for the trial of civil cases exclusively. Tenth Monday after the first Monday in March, twelfth Monday after the first Monday in March, each to continue for one week, for the trial of civil cases exclusively.

Schedule of
terms.

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

In the General Assembly read three times and ratified this the 5th day of March, 1915.

CHAPTER 112.

AN ACT TO REGULATE FISHING IN THE ALBEMARLE
SOUND NEXT TO THE TYRRELL COUNTY SHORE.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm or corporation to set or use for catching fish any anchor gill net within fourteen hundred yards of any stake gill net of from four and one-half inch to five and one-half inch mesh, in that part of the Albemarle Sound embraced in the following area: Commencing on the east shore of the Scuppernong river where said river empties into the Albemarle Sound, thence north to the middle of the Albemarle Sound, thence along the middle of the Albemarle Sound to a point in the Sound opposite Newberry Pier, thence to the shore at Newberry Pier, and along the Sound shore to the beginning.

Use of anchor
gill net.

Territory
affected.

Misdemeanor.
Punishment.

SEC. 2. Any person, firm or corporation violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not more than fifty dollars or be imprisoned for not more than thirty days.

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 5th day of March, 1915.

CHAPTER 113.

AN ACT TO CREATE A STATE HIGHWAY COMMISSION.

The General Assembly of North Carolina do enact:

State Highway
Commission estab-
lished.
Development of
system.

SECTION 1. That a State highway commission is hereby established, whose duties it shall be to assist the counties in developing a State and county system of highways as set forth most specifically hereinafter.

Members of
commission.

SEC. 2. The State highway commission shall consist of the governor, three citizens of the State of North Carolina to be appointed by the governor, one from the eastern, one from the central, and one from the western portion of the State, one of which shall be a member of the minority political party, the State geologist, a professor of civil engineering of the University of North Carolina, and a professor of the North Carolina Agricultural and Mechanical College, said professors to be designated by the governor. The members of the commission shall be appointed and serve for four years and until their successors are appointed; the members of the commission shall, when employed in any manner required of them under this act receive their actual expenses.

Minority
representation.

Term of office.

Expenses of mem-
bers allowed.

SEC. 3. The governor shall fill all vacancies in the commission caused by death or otherwise and he shall have the power to remove any member for due cause.

State highway
engineer.

SEC. 4. The commission shall appoint a civil engineer well versed in the science of road building and maintenance, who shall be the State highway engineer, whose compensation shall be fixed by the State highway commission. The term of office of the State highway engineer shall be six years from the date of his appointment unless removed from office for due cause by the highway commission.

Compensation.

Term of office.

Removal for
cause.

OFFICES.

Officers and office
expenses.

SEC. 5. The proper State authorities shall furnish and provide suitable offices for the State highway commission in the city of Raleigh, and shall provide it with the necessary office supplies, fixtures and stationery.

ASSISTANT CLERKS.

SEC. 6. The State highway commission may employ such assistants and clerks as in its opinion the needs of the State demand. The salaries paid such assistants and clerks shall be determined by the State highway commission.

Assistants and clerks.
Salaries.

DUTIES OF THE HIGHWAY ENGINEER.

SEC. 7. Upon the written request of the road officials of any County desiring to avail themselves of the services of the highway engineer on the terms of this act, for advice in regard to the improvement of any bridge, road, roads or section thereof, the highway engineer shall survey or have surveyed such bridge, road, roads, or sections of road, and shall prepare, or have prepared, such maps, profiles, plans and specifications as are necessary in his judgment to determine the cost of the proper improvement of such bridge, road, roads, or sections of road; and these, together with the estimated cost, shall be presented to the board of county commissioners or other officials in authority, who made the request for such information, at their next regular meeting held after the completion of such surveys and estimates. If such bridge, road, roads, or section of road should thereafter be built by the county officials it shall be constructed according to the plans and specifications as furnished by the highway engineer. In the event that the construction work on any such bridge, road, roads, or section of road is not started within twelve months after the highway engineer makes his report to the county officials, the county officials shall, and are hereby directed to, reimburse the State highway commission for the expense incurred by its office in obtaining the information furnished the county officials. Should, however, the construction be taken up at a later date, the highway engineer, when he takes charge of the actual construction shall return said amount to the county officials. The highway engineer, or his duly authorized assistants, shall have entire charge of the location, construction, and maintenance of all roads, bridges, etc., constructed under this section. The State highway engineer shall keep an accurate record of all costs and expenditures of his office. He shall supply technical information regarding roads to any citizen or officer in the State, and shall, from time to time, publish for public use such information as will be generally useful for road improvements. Such publications and his biennial report to the legislature shall be printed at the expense of the State, as other public documents.

Surveys for counties upon request.

Maps, profiles, plans, specifications and estimates.

Work in accordance with plans and specifications.

Reimbursement of expense if plans not used.

Return on construction of work.

Location, construction and maintenance of roads.

Technical information.

Publication of information.

Printing at expense of State.

STATE HIGHWAY SYSTEM.

SEC. 8. The State highway engineer shall from time to time make surveys, prepare plans, profiles, specifications, and estimates of the cost of a system of highways connecting by the most direct and practical route all the county seats and principal

Plans for highway system.

Detailed report. cities of the State. He shall make a detailed report to the State highway commission of the mileage and cost in each county.

Type and class of road. He shall state the type and class of road suitable for each section. He shall give the average number and class of teams which each section of road is at present accommodating and the probable increase in traffic which would follow improvements as recommended by him.

Traffic statistics.

LOCATION OF ROADS.

Location of roads. SEC. 9. In the location of roads provided for in sections seven and eight, the highway engineer shall so locate them as to serve the needs of the people in the immediate section in so far as this would not conflict with such roads being links in the system of highways provided for in section eight of this act.

CONSULTATION AND ASSISTANCE FROM MEMBERS OF COMMISSION.

Consultation with commission. SEC. 10. The State highway engineer may call into consultation, for any engineering problem confronting him, the State highway commission.

Meetings in counties. SEC. 11. The State highway commission shall upon written request of the county commissioners of any county, call an open meeting to be held at the office of the county commissioners within such county, for the purpose of affording instruction relative to matters pertaining to road and bridge construction, maintenance and repairs. Such meeting shall be conducted by the State highway engineer or one of his assistants designated for the purpose by the State highway engineer. Upon receipt of the notice of the date of such meeting from the State highway commission the county commissioners shall call such meeting on the date set by the State highway commission, and shall be present themselves and notify the county engineer, the commissioners of each township and the superintendent of each road district within the county to be present at such meetings, in person. Each of the county, township and road district officials above mentioned shall be paid the regular per diem allowance; in the usual manner, for the actual time in attendance at such meetings. The members of the commission when employed in any manner required of them under this act shall receive their actual expenses.

Call for and date of meeting.

Officers to be present.

Officers paid for time of attendance.

Payment of expenses of commissioners.

Coöperation.

SEC. 12. It shall also be the duty of the State highway commission, where possible, to cooperate with the State highway commissions of other States and with the federal government in the correlation of roads so as to form a system of inter-county, inter-state and national highways.

Appropriation.

SEC. 13. That the sum of ten thousand dollars annually or so much thereof as may be necessary, is hereby appropriated out of moneys in the State treasury not otherwise appropriated for the purpose of carrying out the provisions of this act.

Itemized statements semi-annually.

SEC. 14. That the State highway commission shall on the first day of January and the first day of July of each year, make

an itemized statement to the governor showing specifically for what purpose and to whom expended the moneys appropriated under this act.

SEC. 15. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 16. That this act shall be in force from and after its ratification.

In the General Assembly read three times and ratified this the 5th day of March, 1915.

CHAPTER 114.

AN ACT TO PERMIT DEFAULT JUDGMENTS TO BE TAKEN AT THE CRIMINAL TERMS OF GASTON COUNTY SUPERIOR COURT.

The General Assembly of North Carolina do enact:

SECTION 1. That judgments by default final and default and inquiry may be taken at any of the criminal terms of the superior courts of Gaston County, in accordance with sections five hundred and fifty-six, five hundred and fifty-seven and five hundred and fifty-eight of the Revisal of nineteen hundred and five. Judgments allowed.

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

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 6th day of March, 1915.

CHAPTER 115.

AN ACT RELATING TO THE INCORPORATION, MAINTENANCE AND SUPERVISION OF CREDIT UNIONS, AND CO-OPERATIVE ASSOCIATIONS.

The General Assembly of North Carolina do enact:

SECTION 1. There shall be established as a part of the division of markets and rural cooperation, which was established under "the joint committee for agricultural work" (provided in chapter sixty-eight, Public Laws of one thousand nine hundred and thirteen) in accordance with an action of the State board of agriculture in June one thousand nine hundred and thirteen, a superintendent of coöperative associations and credit unions, and such assistants as may be necessary, at salaries to be fixed Superintendent of Coöperative Associations and Credit Unions. Salaries

by the "joint committee for agricultural work" of the State board of agriculture and the State College of Agriculture and Mechanic Arts, whose duties shall be as follows:

Bureau of information.

(a) To organize and conduct in the division of markets and rural cooperation, a bureau of information in regard to co-operative associations and rural credits.

Information and forms furnished.

(b) That upon the application of three persons residing in the State of North Carolina, said superintendent shall furnish, without cost such printed information and blank forms as, in his discretion, may be necessary for the formation and establishment of any co-operative association, or any local credit union in the State of North Carolina.

Educational campaign.

(c) That it shall be the duty of such superintendent to maintain an educational campaign in the State of North Carolina looking to the promotion and organization of co-operative associations and credit unions, and upon the written request of twelve bona fide residents of any particular locality in North Carolina expressing a desire to form a co-operative association or local credit union at such locality, it shall be the duty of said superintendent, or one of his assistants, to proceed as promptly as convenient to said locality and advise and assist said organizers to establish the institution in question.

Advice and assistance to be furnished.

Unions and associations to be examined annually.

(d) That credit unions and co-operative associations formed under this act shall be examined at least once a year and oftener, if such examination be deemed necessary by said superintendent or his assistant, and a report of such examination shall be filed with the division of markets and rural co-operation and a copy thereof mailed to said credit union or co-operative associations at its proper address and to the county clerk of the superior court in which the principal office of said credit union or co-operative association shall be located, and said report shall be kept on file by said clerk of the superior court for public inspection.

Report of examinations.

Certificate of incorporation.

SEC. 2. *Incorporation and By-Laws.* Seven or more persons employed or residing in the State of North Carolina, may become a credit union by making, signing, and acknowledging a certificate which shall contain:

Name.

First. The name of the proposed credit union, which shall include the words, "Credit Union."

Statement of desire for incorporation.

Second. A statement that incorporation is desired under this article.

Conditions of membership.

Third. The conditions, whether of residence, of occupation, or otherwise, which shall qualify persons for membership.

Par value of shares.

Fourth. The par value of the shares, which shall not exceed twenty-five dollars.

Principal office.

Fifth. The city, village, or town in which its principal business office is to be located. If it is to be located in an incorporated city, the street address of the city shall be given. If the

condition of its membership is employment by a certain individual, co-partnership, or corporation, a statement that its office shall be with the said individual, co-partnership, or corporation may be substituted for said street address.

Sixth. The number of its directors, not less than five all of whom must be members of and shareholders in said corporation.

Seventh. The names and post office addresses of directors for the first year.

Eighth. The names and post office addresses of the subscribers to the certificate, and a statement of the number of shares of stock which each agrees to take in the corporation.

At the time of the making of said certificate the incorporators shall adopt by-laws which shall provide:

First. The name of the corporation.

Second. The purposes for which it is formed.

Third. Qualifications for membership.

Fourth. The date of the annual meeting; the manner in which members shall be notified of meetings; the manner of conducting said meetings; the number of members which constitute a quorum at said meetings, and regulations as to voting.

Fifth. The number of members of the board of directors; powers and duties, the compensation and duties of officers elected by the board of directors.

Sixth. The number of members of the credit committee; powers and duties.

Seventh. The number of members of the supervisory committee; powers and duties.

Eighth. The par value of the shares of capital stock.

Ninth. The conditions upon which shares may be issued, paid in, transferred, and withdrawn.

Tenth. The fines, if any, which shall be charged for failure to meet obligations to the corporation punctually.

Eleventh. The conditions upon which deposits may be received and withdrawn. Whether the proposed corporation shall in addition, have power to borrow funds.

Twelfth. The manner in which the funds of the corporation shall be invested.

Thirteenth. The conditions upon which loans may be made and repaid.

Fourteenth. The maximum rate of interest that may be charged upon loans, not to exceed, however, the legal rate.

Fifteenth. The method of receipting for money paid on account of shares, deposits, or loans.

Sixteenth. The manner in which the reserve fund shall be accumulated.

Seventeenth. The manner in which dividends shall be determined and paid to members.

Number of directors.

Names and addresses of directors.

Names and addresses of subscribers.

By-laws.

Subjects of by-laws.

Name.

Purpose.

Qualifications for membership.

Details as to annual meetings.

As to directors.

Number of credit committee.

Members of supervisory committee.

Par value of shares.

Conditions as to shares.

Fines.

Conditions of deposit.

Concerning borrowed funds.

Investments.

Conditions of loans.

Rate of interest

Receipting for money.

Reserve fund.

Dividends.

Dissolution.

Eighteenth. The manner in which a voluntary dissolution of the corporation shall be affected.

By-laws and certificate of incorporation filed with Superintendent.

Said by-laws acknowledged to have been adopted by all of the said incorporators, together with the certificate of incorporation, shall be filed in the office of the superintendent of co-operative associations and credit unions, who shall approve said certificate of incorporation if he is satisfied that it is in conformity with this act and shall approve said by-laws if he is satisfied as to the character of the incorporators and that said by-laws are reasonable and will tend to give assurance that the affairs of said prospective credit union will be administered in accordance with this act. Thereupon, the superintendent of co-operative associations and credit unions shall issue to the said corporation a certificate of approval, annexed to a duplicate of said certificate of incorporation and of said by-laws, which certificate of approval, together with said attached duplicate certificate of incorporation and duplicate by-laws, acknowledged by all of the incorporators to have been adopted by them, shall be filed in the office of the clerk of the superior court of the county in which the office of such credit union is situated, and upon such filing the said incorporators shall become and be a corporation. The county clerk shall charge the same filing fee for filing said certificate of approval, certificate of incorporation and by-laws, as he is now allowed to charge for filing a certificate of incorporation of a corporation organized under the business corporations law of the State of North Carolina.

Certificate of approval.

Papers filed with clerk of Superior Court.

Incorporation.

Fees of clerk.

Amendments to by-laws subject to approval.

SEC. 3. *Amendment to By-Laws.* The by-laws adopted by the incorporators and approved by the superintendent of co-operative associations and credit unions shall be the by-laws of the corporation, and no amendment to said by-laws shall become operative until such amendment shall have been approved by said superintendent of co-operative associations and credit unions, and a copy thereof certified by the superintendent of co-operative associations and credit unions, with a certificate of his approval, shall be filed in the office of the clerk of the superior court of the county where the office of the said credit union is located. Such approval may be given or withheld by the superintendent of co-operative associations and credit unions at his discretion. The county clerk shall receive the same fee for filing as provided in the preceding section.

Copy of by-law and approval filed with clerk of Superior Court.

Discretion of superintendent.

Fee of clerk.

Restriction on use of "credit" and "union."

SEC. 4. *Restriction of Term "Credit Union."* The use by any person, co-partnership, association, or corporation except corporations formed under the provisions of this act, of any name or title which contains the two words "credit" and "union," shall be a misdemeanor.

To sell shares or receive deposits.

To loan or invest money.

SEC. 5. *Powers.* A credit union may receive the savings of its members in payment for shares or on deposit; may loan to its members at reasonable rates of interest not exceeding the legal

rate, or may invest as hereinafter provided the funds so accumulated, and may undertake such other activities relating to the purpose of the corporation as its by-laws may authorize. Other activities.

SEC. 6. *Membership; Prohibition Against Payments for Members.* The membership of the corporation shall consist of those persons who have been duly elected to membership and who have subscribed for one or more shares and have paid for the same in whole or in part, together with the entrance fee as provided in the by-laws, and have complied with such other requirements as the by-laws may contain. No credit union shall ever pay any commission or offer compensation for the securing of members or on the sale of shares. Membership.
Paying for securing members forbidden.

SEC. 7. *Reports; Examinations; Supervision.* Corporations organized under the provisions of this act shall be subject to the supervision of the superintendent of co-operative associations and credit unions. Supervision of superintendent.

Every corporation organized under this act shall, in January of each year, make a report for the previous calendar year to the superintendent of co-operative associations and credit unions, giving such information as he shall require, which report shall be verified by the oath of the president, treasurer and secretary, as well as by the oath of a majority of the members of the supervisory committee, and it shall make such other and further reports under the like oath as the said superintendent shall demand at any time. Annual reports.
Verification.
Further reports.

Any such corporation which neglects to make an annual report within the month of January or any of the other reports required by the superintendent of co-operative associations and credit unions at the time fixed by the superintendent shall forfeit to the State five dollars for each day such neglect continues. Forfeit for failure to report.

The superintendent of co-operative associations and credit unions shall cause every such corporation to be examined once each year and whenever he deems it necessary; and the examiners appointed by him shall be given free access to all books papers, securities, and other sources of information in respect to said corporation, and for the purpose of such examination the superintendent of co-operative associations and credit unions shall have power and authority to subpoena and to examine personally, or by any one of his deputies or examiners, witnesses on oath and documents, whether such witnesses are members of the corporation or not, and whether said documents are documents of the corporation or not. Annual examinations.
Access to books and papers.
Powers in making examinations.

In the event that any such corporation shall neglect to make its annual report as hereinabove provided for more than fifteen days or in the event that any such corporation shall fail to pay such charges as herein required, including the fines for delay in filing reports, the superintendent of co-operative associations and credit unions shall give notice to such cor- Notice of intent to revoke incorporation.

Revocation. Possession of property and business.

poration of his intention to revoke the certificate of approval of said corporation for said neglect or failure, and if such neglect or failure continues for fifteen days after such notice, then the superintendent of co-operative associations and credit unions shall at his discretion revoke said certificate and he or through one of his deputies shall take possession of the property and business of such corporation and retain such possession until such times as he may permit it to resume business or its affairs be finally liquidated as provided in the banking laws of North Carolina.

Order to supply deficit or discontinuation of illegal methods.

In the event it shall appear to the superintendent of co-operative associations and credit unions by any examination or report that any such corporation is insolvent or that it has violated any of the provisions of this act or any other law of the State, he may, by an order made over his hand and official seal, after a hearing or an opportunity for a hearing given the said accused corporation, direct any such corporation to discontinue the illegal methods or practices mentioned in said order to make good any deficit. A deficit, in the discretion of the superintendent of co-operative associations and credit unions, may be made good by an assessment on the members in proportion to the shares held by each member. If any such corporation shall not comply with such order within sixty days after the same shall have been mailed to the last address filed by such corporation in the division of markets and rural co-operation, the superintendent shall thereupon take possession of the property and business of such corporation and retain such possession until such time as he may permit it to resume business or its affairs be finally liquidated, as provided in the banking law of North Carolina.

Deficit made good by assessment.

Action on non-compliance.

Fiscal year.

Annual meetings.

Special meetings.

Notice of meetings.

Each member to vote.

Vote by proxy. Limit of proxy vote.

Business at any meeting.

Vote to amend by-laws.

SEC. 8. *Fiscal Year and Meetings; Regulations as to Voting.* The fiscal year of every such corporation shall end at the close of business on the thirty-first day of December. The annual meeting of the corporation shall be held at such time and place as the by-laws prescribe. Special meetings may be held by order of the directors or of the supervisory committee, and shall be held upon request in writing of ten per cent of the members. Notice of all meetings of the corporation shall be given in the manner prescribed in the by-laws. At all meetings of members or shareholders a member shall have one vote and but one vote, irrespective of the number of shares that may be held by him, and in case of sickness or other unavoidable absence of a member he shall be allowed to vote by proxy in writing, but no member present shall vote more than one such proxy. At any meeting the members may decide upon any question of interest to the corporation, and overrule the board of directors, and by a three-fourths vote of those present and represented, provided the notice of the meeting shall have speci-

fied the question to be considered, may vote to amend the by-laws.

SEC. 9. *Elections.* At the annual meeting the members shall elect a board of directors of not less than five members, a credit committee and a supervisory committee of not less than three members each. However, in credit unions whose business office is located in places other than incorporated cities, the board of directors as such may also be the credit committee. Except as hereinafter specified, no member of said board shall be a member of either of said committees, nor shall one person be a member of more than one of said committees, and all members of committees and all directors, as well as all officers whom they may elect, shall be sworn, and shall hold their several offices for such term as may be determined by the by-laws.

Elections.

Directors may act as credit committee.

Membership of board and of committees.

Committeemen and officers sworn.

Term of office.

The oath required in this section of each director, officer, and member of committee shall be the oath of the individual taking the same that he will, so far as the duty devolves on him, diligently and honestly administer the affairs of such corporation and will not knowingly violate or willingly permit to be violated any of the provisions of law applicable to such corporation, and that he is the owner in good faith and in his own right on the books of the said corporation of at least one share therein. Such oath shall be subscribed by the individual making it and certified by the officer before whom it is taken and shall immediately be transmitted to the superintendent of co-operative associations and credit unions and filed and preserved in his office.

Oath defined.

Oath subscribed and certified to Superintendent.

SEC. 10. *Directors and Officers; Compensation.* At their first meeting and at each first meeting in the fiscal year, the board of directors shall elect from their number a president, vice-president, a secretary, and a treasurer who shall be the executive officers of the corporation. The offices of secretary and treasurer may, if the by-laws so provide, be held by one person. The board of directors shall have the general management of the affairs, funds and records of the corporation, and shall meet as often as may be necessary, unless the by-laws shall specifically reserve all or any of these duties to the members it shall be the special duty of the directors:

Directors to elect executive officers.

Secretary and treasurer may be one office.

Board of directors to have general management.

Special duties.

(a) To act upon all applications for membership and the expulsion of members.

As to: Applications for membership and expulsion of members.

(b) To fix the amount of the surety bond which shall be required of each officer having the custody of funds.

Amount of surety bonds.

(c) To determine from time to time the rate of interest which shall be allowed on deposits and charged on loans.

Rate of interest allowed and charged.

(d) To fix the maximum number of shares which may be held by and the maximum amount which may be lent to any one member; to declare dividends; and to recommend amendments to the by-laws.

Maximum of stock held and amount loaned to one member; Dividends; Amendments to by-laws.

Vacancies in board and in credit committee.

(e) To fill vacancies in the board of directors or in the credit committees until the election and qualification of successors.

Investment of funds, except loans to members.
Other duties.

(f) To have charge of the investment of the funds of the corporation except loans to members, and to perform such other duties as the members may from time to time authorize.

Directors and committeemen to receive no compensation.

No member of the board of directors or of the credit or supervisory committees shall receive any compensation for his services as a member of said board or committees. But the officers elected by the board of directors may receive such compensation as the members may authorize.

Credit committee to approve loans to members.

SEC. 11. *Credit Committee.* The credit committee shall approve every loan or advance made by the corporation to members.

Applications for loans.

Every application for a loan shall be made in writing and shall state the purpose for which the loan is desired and the security offered. No loan shall be made unless it has received the unanimous approval of those members of said committee who were present when it was considered, who shall constitute at least a majority of said committee, nor if any member of said committee shall disapprove thereof; but the applicant for a loan may appeal from the decisions of the credit committee to the board of directors. The credit committee shall meet as often as may be required after due notice has been given to each member.

Unanimous approval.

Appeal.

Meetings of committee.

SEC. 12. *Supervisory Committee; Audit and Report.* The supervisory committee shall inspect the securities, cash and accounts of the corporation and supervise the acts of its board of directors, credit committee, and officers. At any time the supervisory committee, by a unanimous vote, may suspend the credit committee or any member of the board of directors, or any officer elected by the board and by a majority vote may call a meeting of the shareholders to consider any violation of this act or of the by-laws, or any practice of the corporation which, in the opinion of said committee, is unsafe and unauthorized. Within seven days after the suspension of the credit committee the supervisory committee shall cause notice to be given of a special meeting of the members to take such action relative to such suspension as may seem necessary. The supervisory committee shall fill vacancies in their own number until the next regular meeting of the members.

Supervisory committee to inspect securities, cash and accounts.

Supervise acts of officers.

Power to suspend directors, committeemen and officers.

To call meeting of shareholders.

Notice of special meetings.

Vacancies.

Annual audit and report.

Report read at annual meeting and filed.

Capital stock.

SEC. 13. *Capital; Entrance Fee; Transfer Fee.* The capital of a credit union shall consist of the payments that have been

made to it by the several members thereof on the shares. Shares may be subscribed for and paid in such manner as the by-laws shall prescribe. The credit union shall have a lien on the shares of any member and upon any dividends payable thereon for and to the extent of any loan made to him and of any dues or fines payable by him. The credit union may, upon the resignation or expulsion of a member, cancel the shares of such member and apply the withdrawal value of such shares towards the liquidation of the said member's indebtedness.

Subscription and payment for shares.
Lien on stock and dividends.

Cancellation of shares.

A credit union may, if the by-laws so provide, charge an entrance fee for each share subscribed, to be paid by the shareholder upon his election to membership.

Entrance fee.

Fully paid shares of a credit union may be transferred to any person eligible for membership, upon such terms as the by-laws may provide, and the payment of a transfer fee shall not exceed twenty-five cents per share.

Transfer of shares.

Transfer fee.

SEC. 14. *Shares and Deposits of Minors and in Trust.* Shares may be issued and deposits received in the name of a minor, and such shares and deposits, may, in the discretion of the directors, be withdrawn by such minor or his parent or guardian, and in either case payments made on such withdrawals shall be valid. If shares are held or deposits made in trust, the name and residence of the beneficiary shall be disclosed and the account shall be kept in the name of such holder as trustee for such person. Such shares or deposits may, upon the death of the trustee, be withdrawn by the person for whom the shares were held or for whom such deposits were made, or by his legal representatives.

Shares and deposits of minors.

Withdrawals.

Shares and deposits in trust.

Withdrawals.

SEC. 15. *Fines and Penalties.* For failure by any member of a credit union to meet his payments on shares when due such fines and other penalties may be imposed upon the delinquent members as the by-laws provide. Such fines shall not exceed two per centum per month or a fraction thereof on amounts due, except that a minimum fine of five cents may be imposed.

Fines and penalties for non-payment of dues.

Limit.

SEC. 16. *Deposits.* A credit union may receive on deposit the savings of its members and also non-members in such amounts and upon such terms as the board of directors may determine and the by-laws shall provide.

Deposits.

SEC. 17. *Power to Borrow.* If the by-laws so provide, a credit union shall have power to borrow money from any source in addition to receiving deposits from its own members but the aggregate amount of such indebtedness at any one time shall not exceed the capital, surplus and reserve fund of a credit union.

Power to borrow money.

Limit of amount.

SEC. 18. *Investment of Funds.* The capital, deposits, undivided profits and reserve fund of the corporation may be invested in one of the following ways, and in such way only:

Authorized investments.

(a) They may be lent to the members of the corporation in accordance with the provisions of this act.

Loans to members.

Deposits in banks. (b) They may be deposited to the credit of the corporation in savings banks, State banks or trust companies, incorporated under the laws of the State of North Carolina, or in National banks located therein. Funds of credit unions deposited in a savings bank, State bank or trust company which may become insolvent, shall be preferred in the same way that funds of a "savings and loan association" so deposited are preferred under the banking law of the State of North Carolina.

Preference on failure of bank.

Deposits of reserve fund.

(c) After a credit union shall have been in existence for three fiscal years so much of the reserve fund thereof as shall equal twenty per centum of the total liabilities of the credit union shall be deposited on interest in banks incorporated under the laws of the State of North Carolina, and in the National banks therein.

Loans to members.

SEC. 19. *Loans.* A credit union may loan to its members for such purposes and upon such security and terms as the by-laws shall provide and the credit committee shall approve; but security must be taken for any loan in excess of fifty dollars. An endorsed note shall be deemed to be security within the meaning of this section.

Security on loans.

Loans in installments.

A member who needs funds with which to purchase necessary supplies for growing crops may receive a loan in fixed monthly installments instead of in one sum.

No director or committeeman to borrow but by majority vote of shareholders.

No member of the board of directors or of the credit committee or of the supervisory committee shall either directly or indirectly borrow from or become surety for any loan or advance made by the corporation, unless said loans shall have been approved at a regularly called meeting of the members of the corporation by a majority vote of those present and represented at said meeting and the consideration of said loans was mentioned in the call for the meeting.

Making loans to non-members a misdemeanor.

All officers and members of any committees in any way knowingly permitting or participating in making a loan of funds of a credit union to a non-member thereof shall be guilty of a misdemeanor. The credit union shall have the right to recover the amount of such illegal loans from the borrower or from any officers or members of committees who knowingly committed or participated in the making thereof, or from all of them jointly.

Recoveries of illegal loans.

Repayment.

A borrower may repay the whole or any part of his loan on any day on which the office of the corporation is open for the transaction of business.

Interest rate.

SEC. 20. *Interest Rate.* No corporation organized pursuant to this act shall directly or indirectly charge or receive any interest discount or consideration, other than the entrance fee, greater than the legal rate.

Misdemeanor.

Any corporation, any person, the several officers of any corporation and the members of committees who shall violate the foregoing prohibition shall be guilty of a misdemeanor. The

corporation shall also be subject to procedure by the superintendent of co-operative associations and credit unions as prescribed in section seven hereof. Further penalty.

SEC. 21. *Reserve Fund.* All entrance fees, transfer fees, and fines shall, after the payment of organization expenses, be known as reserve income, and shall be added to the reserve fund of the corporation. Reserve income.

At the close of each fiscal year there shall be set apart to the reserve fund twenty-five per centum of the net income of the corporation which has accumulated during the year. But upon the recommendation of the board of directors the members at an annual meeting may increase, and whenever said funds equal the amount of the capital may decrease, the proportion of profits which is required by this section to be set apart to the reserve fund. Nor shall the reserve fund in any case exceed the capital of the corporation plus fifty per centum of its other liabilities. Apportionment to reserve fund. Power to increase or decrease apportionment. Limit of reserve fund.

The reserve fund shall belong to the corporation and shall be held to meet contingencies, and shall not be distributed to the members except upon the dissolution of the corporation. Reserve fund to meet contingencies.

SEC. 22. *Dividends.* At the close of the fiscal year a credit union may declare a dividend not to exceed six per cent per annum from the income during the said year and which remains after the deduction of expenses, losses, interest on deposits, and the amount required to be set apart to the reserve fund. Dividends shall be paid on all fully paid shares outstanding at the close of the fiscal year, but shares which become fully paid during the year shall be entitled to a proportional part of said dividend calculated from the first day of the month following such payment in full. Dividends. Dividends on fully paid shares.

SEC. 23. *Expulsion and Withdrawal; Payments to Expelled and Withdrawing Members.* The board of directors may expel from the corporation any member who has not carried out his engagement with the corporation, or has been convicted of a criminal offense, or neglects or refuses to comply with the provisions of this act or of the by-laws, or who habitually neglects to pay his debts, or shall become insolvent or bankrupt. The members at a regularly called meeting may expel from the corporation any member who has become intemperate or in any way financially irresponsible; no member shall be expelled until he has been informed in writing of the charges against him and an opportunity has been given him after reasonable notice, to be heard thereon. Members subject to expulsion. Notice and hearing.

A member may withdraw from a credit union by filing a written notice of his intention to withdraw. Withdrawal.

The amounts paid in on shares or deposits by an expelled or withdrawing member, with any dividends credited to his shares and any interest accrued on his deposits to the date of expulsion or withdrawal; shall be paid to such member, but Payments on expulsion or withdrawal.

Liability not released.	in the order of expulsion or withdrawal and only as funds therefor become available, after deducting any amounts due to the corporation by said member. Said member shall have no other or further right in said credit union or to any of its benefits, but such expulsion or withdrawal shall not operate to relieve said member from any remaining liability to the corporation.
Voluntary dissolution.	SEC. 24. <i>Voluntary Dissolution.</i> At any meeting specially called to consider the subject, four-fifths of the entire membership of the corporation may vote to dissolve the corporation and upon such vote shall signify their consent to such dissolution
Consent filed with Superintendent.	in writing. Such corporation shall then file in the office of the superintendent of co-operative associations and credit unions such consent, attested by its secretary or treasurer and its president or vice-president, with a statement of the names and residences of the existing board of directors of said corporation and the names and residences of its officers duly verified. The superintendent of co-operative associations and credit unions, upon receipt of satisfactory proof of the solvency of the corporation, shall issue to such corporation, in duplicate, a certificate to the effect that such consent and statement have been filed and that it appears therefrom that such corporation has complied with this section. Such duplicate certificate shall be filed by such corporation in the office of the clerk of the superior court of the county in which said corporation has its place of business, and thereupon such corporation shall be dissolved and shall cease to carry on business except for the purpose of adjusting and winding up its affairs. The said corporation, by its board of directors, shall then proceed to adjust and wind up its business and affairs, with power to carry out its contracts, collect its accounts receivable, and to liquidate its assets and apply the same in discharge of debts and obligations of such corporation, and after paying and adequately providing for the payment of such debts and obligations each share according to the amount paid thereon shall be entitled to its proportion of the balance of the assets. Said corporation shall continue in existence for the purpose of paying, satisfying, and discharging any existing debts or obligations, collecting and distributing its assets, and doing all other acts required in order to adjust and wind up its business and affairs, and may sue and be sued for the purpose of enforcing such debts and obligations until its business and affairs are fully adjusted and wound up.
Certificate from Superintendent.	The superintendent of co-operative associations and credit unions, upon receipt of satisfactory proof of the solvency of the corporation, shall issue to such corporation, in duplicate, a certificate to the effect that such consent and statement have been filed and that it appears therefrom that such corporation has complied with this section. Such duplicate certificate shall be filed by such corporation in the office of the clerk of the superior court of the county in which said corporation has its place of business, and thereupon such corporation shall be dissolved and shall cease to carry on business except for the purpose of adjusting and winding up its affairs. The said corporation, by its board of directors, shall then proceed to adjust and wind up its business and affairs, with power to carry out its contracts, collect its accounts receivable, and to liquidate its assets and apply the same in discharge of debts and obligations of such corporation, and after paying and adequately providing for the payment of such debts and obligations each share according to the amount paid thereon shall be entitled to its proportion of the balance of the assets. Said corporation shall continue in existence for the purpose of paying, satisfying, and discharging any existing debts or obligations, collecting and distributing its assets, and doing all other acts required in order to adjust and wind up its business and affairs, and may sue and be sued for the purpose of enforcing such debts and obligations until its business and affairs are fully adjusted and wound up.
Certificate filed with clerk of court.	Such duplicate certificate shall be filed by such corporation in the office of the clerk of the superior court of the county in which said corporation has its place of business, and thereupon such corporation shall be dissolved and shall cease to carry on business except for the purpose of adjusting and winding up its affairs. The said corporation, by its board of directors, shall then proceed to adjust and wind up its business and affairs, with power to carry out its contracts, collect its accounts receivable, and to liquidate its assets and apply the same in discharge of debts and obligations of such corporation, and after paying and adequately providing for the payment of such debts and obligations each share according to the amount paid thereon shall be entitled to its proportion of the balance of the assets. Said corporation shall continue in existence for the purpose of paying, satisfying, and discharging any existing debts or obligations, collecting and distributing its assets, and doing all other acts required in order to adjust and wind up its business and affairs, and may sue and be sued for the purpose of enforcing such debts and obligations until its business and affairs are fully adjusted and wound up.
Corporation dissolved on filing certificate. Liquidation of business.	The said corporation, by its board of directors, shall then proceed to adjust and wind up its business and affairs, with power to carry out its contracts, collect its accounts receivable, and to liquidate its assets and apply the same in discharge of debts and obligations of such corporation, and after paying and adequately providing for the payment of such debts and obligations each share according to the amount paid thereon shall be entitled to its proportion of the balance of the assets. Said corporation shall continue in existence for the purpose of paying, satisfying, and discharging any existing debts or obligations, collecting and distributing its assets, and doing all other acts required in order to adjust and wind up its business and affairs, and may sue and be sued for the purpose of enforcing such debts and obligations until its business and affairs are fully adjusted and wound up.
Distribution of surplus.	Said corporation shall continue in existence for the purpose of paying, satisfying, and discharging any existing debts or obligations, collecting and distributing its assets, and doing all other acts required in order to adjust and wind up its business and affairs, and may sue and be sued for the purpose of enforcing such debts and obligations until its business and affairs are fully adjusted and wound up.
Powers continued in liquidation.	Said corporation shall continue in existence for the purpose of paying, satisfying, and discharging any existing debts or obligations, collecting and distributing its assets, and doing all other acts required in order to adjust and wind up its business and affairs, and may sue and be sued for the purpose of enforcing such debts and obligations until its business and affairs are fully adjusted and wound up.
Change of place of business.	SEC. 25. <i>Change of Place of Business.</i> A credit union may change its place of business on the written approval of the superintendent of co-operative associations and credit unions, which written approval shall be filed in the office of said superintendent of co-operative associations and credit unions and a duplicate of said approval in the office of the clerk of the

superior court of the county where its office was located and a second duplicate in the office of the clerk of the superior court of the county in which the new office is to be located. Such approval of the superintendent may be given or withheld at his discretion.

Discretion of Superintendent.

SEC. 26. The shareholders of any such corporation, unless the by-laws so provide shall not be individually liable for the payment of its debts for an amount in excess of the par value of the shares which he owns or for which he has subscribed. The corporation shall be deemed an institution for savings, and together with all accumulations therein shall not be taxable under any law which shall exempt savings banks or institutions for savings from taxation; nor shall any law passed hereafter taxing corporations in any form, or the shares thereof, or the accumulations therein, be deemed to include corporations doing business in pursuance of the provisions of this act, unless they are specifically named in such law. The shares of credit unions being hereby regarded as a system for saving, shall not be subject to any stock-transfer tax either when issued by the corporation or transferred from one member to another.

Shareholders not personally liable.

Institution for savings.

Restrictions on taxation.

Restriction on taxation of shares.

SEC. 27. This act shall take effect and be in force from and after its passage and publication.

In the General Assembly read three times and ratified this the 6th day of March, 1915.

CHAPTER 116.

AN ACT TO AMEND CHAPTER 196 OF THE PUBLIC LAWS OF NORTH CAROLINA, SESSION OF 1913, RELATING TO THE TERMS OF THE SUPERIOR COURT OF RUTHERFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter one hundred and ninety-six of the Public Laws of North Carolina, session of nineteen hundred and thirteen, be amended as follows: Strike out the words "fourteenth Monday after the first Monday in September, the last three terms for trial of civil cases exclusively," at the end of the paragraph entitled "Rutherford County" and insert in lieu thereof the following words: "the last two terms for trial of civil cases exclusively," it being the intention of this act to abolish the present December term of the superior court for Rutherford County.

Term abolished.

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

In the General Assembly read three times and ratified this the 6th day of March, 1915.

CHAPTER 117.

AN ACT TO FIX THE TIME OF HOLDING COURTS OF THE NINETEENTH JUDICIAL DISTRICT.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and ninety-six of the Public Laws of one thousand nine hundred and thirteen, in so far as the same affects the courts of the nineteenth judicial district of North Carolina, and all acts amendatory thereof, be and the same are hereby amended so as to read as follows:

NINETEENTH DISTRICT.

The nineteenth district shall be composed of the following counties, and the superior courts thereof shall be held at the following times, to wit:

Buncombe
County.

Buncombe County, fifth Monday before the first Monday in March, to continue for four weeks; first Monday in March, to continue for three weeks; eighth Monday after the first Monday in March, to continue for three weeks; twelfth Monday after the first Monday in March, to continue for four weeks; fifth Monday before the first Monday in September, to continue three weeks; first Monday before the first Monday in September, to continue for three weeks; seventh Monday after the first Monday in September, to continue for three weeks, and the eleventh Monday after the first Monday in September, to continue for four weeks, each of said terms for the trial of civil cases exclusively; eighth Monday before the first Monday in March, to continue for three weeks; fourth Monday after the first Monday in March, to continue for three weeks; eighth Monday before the first Monday in September, to continue for three weeks, and the third Monday after the first Monday in September, to continue for three weeks, each of said terms for the trial of both criminal and civil cases.

Madison County.

Madison County; third Monday after the first Monday in March; seventh Monday after the first Monday in March; eleventh Monday after the first Monday in March; second Monday after the first Monday in September; sixth Monday after the first Monday in September, and the tenth Monday after the first Monday in September, each to continue for one week for the trial of civil cases exclusively; first Monday before the first Monday in March; second Monday before the first Monday in September, each to continue for one week for the trial of both criminal and civil cases. The board of commissioners of Madison County may, upon request of a majority of the members of the Madison County bar, whenever the accumulation of business is insufficient or for other good cause, decline to draw a jury for either of said terms.

Jury not drawn
if business in-
sufficient.

SEC. 2. That this act shall be in effect from and after the first day of July, one thousand nine hundred and fifteen. When act effective.

In the General Assembly read three times and ratified this the 6th day of March, 1915.

CHAPTER 118.

AN ACT TO AMEND CHAPTER 110 OF THE PUBLIC LAWS OF 1911, RELATIVE TO THE SALARY OF THE ADJUTANT GENERAL.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and ten of the Public Laws of North Carolina, session of one thousand nine hundred and eleven, be and the same is hereby amended by striking out the words "two thousand" in line five of section one of said act and inserting in lieu thereof the words "three thousand." Salary of Adjutant General.

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 6th day of March, 1915.

CHAPTER 119.

AN ACT TO PROVIDE FOR LOCATING AND DEFINING THE BOUNDARY LINE BETWEEN THE COUNTY OF COLUMBUS AND THE COUNTY OF BRUNSWICK IN THE STATE OF NORTH CAROLINA.

WHEREAS, the boundary line between the counties of Brunswick and Columbus in the State of North Carolina is not distinct nor clearly established, particularly through Green Swamp; and Preamble.

WHEREAS, it is not known whether certain tracts of land are in Columbus County or Brunswick County; now, therefore, Preamble.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Columbus County and the board of commissioners of Brunswick County shall each appoint a competent engineer, which appointees shall constitute a committee for the purpose of locating, surveying, establishing, and defining the boundary line between the counties of Brunswick and Columbus; and that said engineers shall work jointly in locating and establishing the aforementioned boundary, and make a joint report in triplicate; one copy to be filed with Appointment of engineers.
Committee for defining boundary.
To work jointly.
Report in triplicate.
Copies filed.

the register of deeds of Brunswick County, one copy with the register of deeds of Columbus County, and one copy with the Secretary of State.

Apportionment of expense.

SEC. 2. The compensation of the engineers and expense of making the survey and report shall be paid jointly by the counties of Brunswick and Columbus, each county paying one-half of the total.

Time for appointment.

SEC. 3. That the above committee shall be appointed on or before the first Monday in June, one thousand nine hundred and fifteen, and that the work of the committee shall be completed and the report rendered as soon thereafter as practicable.

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 6th day of March, 1915.

CHAPTER 120.

AN ACT TO AMEND CHAPTER 969 OF THE PUBLIC LAWS OF 1907.

The General Assembly of North Carolina do enact:

Close season.

SECTION 1. That section four of chapter nine hundred and sixty-nine of the Public Laws of one thousand nine hundred and seven be, and the same is hereby amended as follows: By striking out the word "March" in line six of said section and inserting in lieu thereof the word "April"; amend further by striking out the words "first day of November" in line six of said section and insert in lieu thereof the words "fifteenth day of October."

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

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 6th day of March, 1915.

CHAPTER 121.

AN ACT TO AMEND SECTIONS 4345, 4351, 4352, 4354, 4363, 4364 AND 4367 OF THE REVISAL SO AS TO PROVIDE DETAILS AS TO ELECTING UNITED STATES SENATORS BY THE PEOPLE, AND TO REPEAL SECTION 4365 OF THE REVISAL.

The General Assembly of North Carolina do enact:

SECTION 1. That the Revisal of nineteen hundred and five be amended as follows:

Amend section four thousand three hundred and forty-five by Ballot. inserting after the word "court" in line five, the words "and United States senators."

Amend section four thousand three hundred and fifty-one by Return. adding to sub-section one the words "and United States senators."

Amend section four thousand three hundred and fifty-two by Abstracts. inserting after the word "solicitor" in line four the words "and for United States senators."

Amend section four thousand three hundred and fifty-four by Original returns. adding thereto the words "and for United States senators."

Amend section four thousand three hundred and sixty-three by Count of vote. by inserting after the word "officers" in line six the words "and United States senators."

Amend section four thousand three hundred and sixty-four by Abstract of votes. inserting after the word "officers" in line two the words "and United States senators."

Amend section four thousand three hundred and sixty-seven by Date of election. by inserting after second word "for" in line one the words "United States senators whose terms will expire before the next general election and."

SEC. 2. That section four thousand three hundred and sixty-five of the Revisal of one thousand nine hundred and five is hereby repealed.

In the General Assembly read three times and ratified this the 8th day of March, 1915.

CHAPTER 122.

AN ACT TO AMEND CHAPTER 359 OF PRIVATE LAWS OF 1909, IN REFERENCE TO GIVING CREDIT FOR CONVICT LABOR ON STATESVILLE AIR LINE RAILROAD.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and fifty-nine of the Private Laws of one thousand nine hundred and nine be amended by adding at the end of section two the following: "Provided, further, that upon delivery of certificates for said common stock Proviso:
Credit to State's
Prison.

to the State Treasurer, credit shall be given to the board of directors of the North Carolina State Prison, upon the said State Treasurer's books, for the par value of the shares of stock represented by certificate issued therefor."

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

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 8th day of March, 1915.

CHAPTER 123.

AN ACT TO FIX THE NAME OF THE RIVER THAT IS THE BOUNDARY LINE BETWEEN STANLY AND ANSON COUNTIES ON THE EAST AND MONTGOMERY AND RICHMOND COUNTIES ON THE WEST.

Preamble.

WHEREAS, there seems to be some confusion as to the proper name of the river that is the boundary line between Stanly and Anson counties on the east and Montgomery and Richmond counties on the west, which river has heretofore from the beginning of our State's history been called the Pee Dee, but in recent maps appears as the Yadkin River; now, therefore,

The General Assembly of North Carolina do enact:

Name fixed.

SECTION 1. That the river which is the eastern boundary of Stanly and Anson and the western boundary of Montgomery and Richmond, shall be known from its confluence with the Uwharrie and the Yadkin to the point at which it enters the State of South Carolina as the Pee Dee River.

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

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 8th day of March, 1915.

CHAPTER 124.

AN ACT TO PROHIBIT THE TRIAL OF PERSONS CHARGED WITH CRIME IN THE UNIFORM OF A PRISONER OR CONVICT OR WITH SHAVEN HEAD.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any sheriff, jailer or other officer, to require any person imprisoned in jail, to appear in any court for trial, or during trial, dressed in the uniform or dress of a prisoner or convict, or in any uniform or apparel other than ordinary civilian's dress, or with shaven or clipped head.

Prisoner not required to appear for trial in uniform or convict dress.

SEC. 2. That no person charged with a criminal offense shall be tried in any court while dressed in the uniform or dress of a prisoner or convict or in any uniform or apparel other than ordinary civilian's dress or with head shaven or clipped by or under the direction and requirement of any sheriff, jailer or other officer, unless such head was shaven or clipped while such person was serving a term of imprisonment for the commission of a crime.

Prisoner not to be tried in uniform or convict dress or with head shaven.

SEC. 3. That any sheriff, jailer or other officer who shall violate the provisions of this act shall be guilty of a misdemeanor.

Misdemeanor.

SEC. 4. That all laws and clauses of laws in conflict with this act are hereby repealed.

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 8th day of March, 1915.

CHAPTER 125.

AN ACT TO PROVIDE RELIGIOUS INSTRUCTION FOR PRISONERS CONFINED IN THE STATE'S PRISON AT THE CALEDONIA FARM.

WHEREAS, it is the purpose of the State when it imposes punishment for crime, to reform the criminal as well as to deter others; now, therefore,

Preamble.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of directors of the State Penitentiary is hereby authorized, empowered and directed in order to provide religious worship for the prisoners confined in the State's prison, known as the Caledonia Farm, to employ a resident minister of the gospel and to provide for his residence and support in such manner as the board may determine.

Directors to provide religious instruction.

Employment of minister.

Residence and support.

*

Minister to render services.

SEC. 2. That it shall be the duty of said resident minister of the gospel to render religious services to the said prisoners in accordance with such rules and regulations as the board of directors may prescribe.

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 8th day of March, 1915.

CHAPTER 126.

AN ACT TO PROVIDE AN ADDITIONAL TERM OF COURT FOR THE COUNTY OF HOKE.

The General Assembly of North Carolina do enact:

Term.

SECTION 1. That chapter one hundred and ninety-six (196) of the Public Laws of the General Assembly of North Carolina of one thousand nine hundred and thirteen be and the same is hereby amended by adding after the word "September" at the end of the section of said act which provides for the courts of Hoke County the following words: "fourteenth (14th) Monday after the first Monday in March."

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 8th day of March, 1915.

CHAPTER 127.

AN ACT TO AMEND SECTION 3753 OF THE REVISAL OF 1905, RELATING TO CATTLE GUARDS.

The General Assembly of North Carolina do enact:

Proviso:
Corporation Commission to select cattle guard.

SECTION 1. That section three thousand seven hundred and fifty-three of the Revisal of nineteen hundred and five, be amended by adding at the end of said section the following: *Provided*, that so far as said section relates to cattle guards that the Corporation Commission of North Carolina is hereby authorized, directed and empowered to adopt such good and sufficient make of cattle guard as is now upon the market best suit for turning stock, and when such guard is so selected by said commission, approved and authorized by them, that any railway company operating in this State which shall procure, install and maintain and keep in good and safe condition on its line of road such guard so selected by said commission, shall be deemed and held

Installation and maintenance of selected guards.

in all suits, actions or proceedings in all the courts of this State to have complied with the conditions of this section in installing a good and sufficient cattle guard: *Provided, further*, that any railroad operating in this State may make application to said commission to adopt for such road any particular brand or make of cattle guard, and if said commission shall authorize the use of such guard, and approve the same, then such guard so adopted, kept and maintained in good and sufficient condition at all times for such particular road shall be deemed and held in all actions, suits or proceedings in any court of this State a good and sufficient cattle guard.

Proviso:
Application for
selection of
guard.

Approval by Com-
mission.

Installation and
maintenance of
guard.

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

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 8th day of March, 1915.

CHAPTER 128.

AN ACT TO AMEND SECTION 7, CHAPTER 90, PUBLIC LAWS OF 1913, ENTITLED "AN ACT TO PROVIDE FOR THE ASSURANCE AND REGISTRATION OF LAND TITLES," SO AS TO REQUIRE EIGHT WEEKS PUBLICATION IN FUTURE PROCEEDINGS AND INCREASING COMPENSATION TO NEWSPAPERS FOR PUBLICATION ACCORDINGLY.

The General Assembly of North Carolina do enact:

SECTION 1. That section seven of chapter ninety of Public Laws of one thousand nine hundred and thirteen, entitled "An act to provide for the assurance and registration of land titles," be and the same is hereby amended by striking out in line eleven thereof the word "four" and substituting therefor the words "eight (8)," and striking out in lines twelve and thirteen thereof the words "two dollars and fifty cents," and inserting in lieu thereof the words "five dollars."

SEC. 2. This act shall be in full force and effect from and after its ratification, but shall only apply to proceedings brought after the first day of March, A. D. nineteen hundred and fifteen.

When act
effective.

In the General Assembly read three times and ratified this the 8th day of March, 1915.

CHAPTER 129.

AN ACT TO APPOINT COMMISSIONERS TO SURVEY AND ESTABLISH THE DIVIDING LINE BETWEEN THE COUNTIES OF ONSLOW AND PENDER.

Preamble.

WHEREAS, there is a dispute as to the location of the lines dividing the counties of Onslow and Pender; therefore,

The General Assembly of North Carolina do enact:

Commissioners appointed.

SECTION 1. That Rodolph Duffy of the county of Onslow and the chairman of board of county commissioners of Pender County be, and they are hereby appointed commissioners to survey and establish the dividing lines between the counties of Onslow and Pender, as soon as may be practicable after the passage of this act.

Umpire.

SEC. 2. That if the said commissioners shall fail to agree upon the location of any of said lines, Professor Wallace C. Riddick of the county of Wake, is hereby appointed umpire.

Report filed with counties.

SEC. 3. That if said commissioners shall agree they shall file their report with the boards of commissioners of said counties of Onslow and Pender, which reports, after being recorded in the minutes of the boards of commissioners of said two counties, shall be filed with the respective clerks of the superior courts of said counties, and certified copies of said reports shall be sent by the clerks of the superior courts of said counties to the Secretary of State to be recorded in his office and filed with the papers relating to lands.

Record of report.

Reports filed with clerk of court. Certified to Secretary of State.

Report by umpire and one commissioner.

SEC. 4. That in case said commissioners fail to agree, said Professor Wallace C. Riddick shall act as umpire, and a report signed by him and one of said commissioners shall have the same effect as if signed in the first instance by both of said commissioners and shall be disposed of as set out in section three hereof.

Expense divided equally.

SEC. 5. That the expenses of surveying and marking said lines shall be borne equally by the said counties of Onslow and Pender and the boards of commissioners of said counties are hereby authorized to pay said expenses.

Land titles not affected.

SEC. 6. That the proceedings hereunder shall not effect the titles to lands adjoining or adjacent to the county lines to be established hereunder.

SEC. 7. 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 8th day of March, 1915.

CHAPTER 130.

AN ACT TO PROTECT OYSTERS IN WATERS OF STUMP SOUND IN ONSLOW COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm or corporation to catch, take or carry away from the oyster beds in the waters of Stump Sound, in Onslow County, between Alligator Bay and the Pender County line any oysters except for home consumption between the first day of March and the twenty-fifth day of October in any year. Close season.
Home consumption.

SEC. 2. That any person, firm or corporation violating any provision in section one of this act shall, upon conviction, be fined not less than fifty dollars or imprisoned not less than thirty days in the discretion of the court. Punishment.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this act be and the same 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 8th day of March, 1915.

CHAPTER 131.

AN ACT TO AUTHORIZE ANY CITY OR TOWN TO ISSUE BONDS.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of securing money for any purpose or purposes involving a necessary expense, including the funding or refunding of obligations theretofore issued for any such purpose, the board of commissioners, council or other governing body of any city or town is hereby authorized to issue bonds of such municipality to such an amount as said board of commissioners, council or other governing body shall by resolution direct, said bonds to be of such form and tenor and denomination, and to bear interest at such rate not exceeding six per centum per annum, and the principal thereof to be payable at such time or times not exceeding thirty years from the date thereof, and such interest and principal to be payable at such place or places within or without this State as said board of commissioners, council or other governing body shall by resolution direct. Bond issues for municipalities by resolution of governing bodies.
Denomination.
Interest.
Maturity.

SEC. 2. That in order to secure money for any other municipal purpose or purposes including the funding or refunding of obligations theretofore issued in whole or in part for any other Bond issues for municipalities by majority of qualified voters.

- municipal purpose or purposes, such board of commissioners, council or other governing body is hereby authorized to issue bonds of such municipality in all respects as provided in the foregoing section, but before issuing said bonds the question of their issuance shall be submitted to the qualified voters of such municipality at a general or special election, notice of which shall be given by publication at least once a week for four weeks in a newspaper published in said municipality or by posting for thirty days in at least three public places if no newspaper is published therein. Such election shall be held, conducted and canvassed as other elections in said municipality.
- Notice of election. If a special election be held, the existing registration list shall be used unless a new registration shall be ordered by resolution. If at such election a majority of the registered voters shall vote in favor of the issuance of said bonds, then they shall be issued as aforesaid: *Provided*, that if said bonds are to be issued to fund or refund any notes, bonds or other obligations, the issuance of which shall have been approved by a majority of the qualified voters of such municipality, then no election for the issuance of the funding or refunding bonds shall be necessary.
- Law governing elections.
- Registration.
- Majority of registered voters to determine.
- Proviso:
Bonds to refund debt authorized by voters.
- Authentication. SEC. 3. Said bonds shall be numbered and shall be signed by two or more officers to be designated by resolution, including the chief executive officer, under the corporate seal. The delivery of such bonds so executed shall be valid notwithstanding any change in such officers or seal occurring within twenty days after such execution. If coupons be attached to said bonds the coupons may be executed by the facsimile signature of one or more of the officers who sign said bonds, to be designated by resolution. Such coupon bonds may at any time after their issuance be registered by the financial officer of such municipality who shall sign a statement endorsed thereon evidencing the destruction of all unmatured coupons and the registration of such bonds. Such bonds may also be registered as to principal only.
- Validity not affected by change of officers.
- Authentication of coupons.
- Registered bonds.
- Sale below par forbidden.
- Interest.
- Public sale. SEC. 4. Said bonds shall be sold at not less than par and shall bear such a rate of interest not exceeding six per cent, as the governing body of the municipality may determine. They shall be sold at public sale, after advertisement and competitive bidding.
- Limitation of taxing power rescinded.
- Proviso:
Limit of tax rate. SEC. 5. No limitation of the taxing power of any municipality issuing bonds under this act shall prevent the levy of a tax sufficient to pay the principal and interest of such bonds according to their terms: *Provided*, that such special tax shall not exceed twenty cents on the one hundred dollars of property, and sixty cents on the poll. Such municipality may, prior to the issuing of such bonds, or thereafter, provide and pledge a tax in a specific amount to pay the same, and said tax shall thereafter be levied and applied to the payment of such bonds and to no other purpose whatsoever, until the same are fully paid.
- Provision and pledge of tax.

SEC. 6. No bonds shall be issued under section two of this act which, together with all other bonded debt of the municipality shall exceed ten per centum of the assessed valuation of the real and personal property situated in said municipality provided that this prohibition shall not apply to the issuance of funding or refunding bonds.

Limit of bond issues.

Refunding bonds.

SEC. 7. Wherever in this act the word municipality is used it shall be construed to mean the city or town issuing bonds hereunder; wherever the word resolution is used it shall be construed to mean the resolution, ordinance or order of the board of commissioners, council or other governing body of such municipality.

Terms construed.

SEC. 8. This act shall be in addition to any and all other statutes authorizing or permitting the issuance of bonds, and shall not be construed to repeal or supersede any of such statutes.

Construction of 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 8th day of March, 1915.

CHAPTER 132.

AN ACT TO AMEND CHAPTER 58 OF THE PUBLIC LAWS OF 1911, RELATING TO THE CENTRAL HIGHWAY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter fifty-eight of the Public Laws of nineteen hundred and eleven be, and the same is hereby amended by inserting in line five after the word "Guilford" the words "or through Forsyth, Davie."

Route.
Additional trustees.

SEC. 2. That section four of chapter fifty-eight of the Public Laws of nineteen hundred and eleven be, and the same is hereby amended by inserting in line sixteen after the word "Guilford" the words "P. H. Hanes of Forsyth, A. T. Grant, Jr., of Davie."

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

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

In the General Assembly read three times and ratified this the 8th day of March, 1915.

CHAPTER 133.

AN ACT TO REGULATE STOP-NET FISHING IN CERTAIN WATERS IN ONSLOW COUNTY.

The General Assembly of North Carolina do enact:

Unlawful use of stop net.

SECTION 1. That it shall be unlawful for any person, firm or corporation to set, place, fix, establish or operate any stop net that will prevent or interrupt the passage of any fish in the water of any creek or sound in Onslow County, North Carolina, between New River and the Carteret County line in said county.

Territory defined.

Misdemeanor.

Punishment.

SEC. 2. That any person, firm or corporation violating the provisions of this act shall be guilty of a misdemeanor, and on conviction shall be fined not more than fifty dollars or imprisoned not more than thirty days.

SEC. 3. All laws and clauses of laws in conflict with the provisions of 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 8th day of March, 1915.

CHAPTER 134.

AN ACT FOR THE DISSOLUTION OF BANKRUPT CORPORATIONS.

The General Assembly of North Carolina do enact:

Action required of stockholders.

SECTION 1. That unless the stockholders of corporations, chartered under and by virtue of the laws of North Carolina, which have heretofore been adjudged bankrupt, under and as provided by the laws of the United States, shall determine, by appropriate resolutions, to continue the corporate existence of such bankrupt corporation, and furnish the Secretary of State with a duly certified copy of such resolutions, all within ninety days after the ratification of this act, the charter of such bankrupt corporation shall be forfeited, without further action, by reason of such bankruptcy and the failure of the stockholders to take action as hereinbefore provided.

Charter forfeited in case of non-action.

Action by stockholders in cases adjudicated hereafter.

SEC. 2. That unless the stockholders of corporations, chartered under and by virtue of the laws of North Carolina, which may hereafter be adjudged bankrupt, under and as provided by the laws of the United States, shall by appropriate resolutions, determine to continue the corporate existence of such bankrupt corporations, after the adjudication of such corporation in bankruptcy, and furnish the Secretary of State with a duly certified copy of such resolutions, all within six months after such adjudi-

cation in bankruptcy, the charter of such bankrupt corporation shall be forfeited, without further action. Charter forfeited.

SEC. 3. That the stockholders of any bankrupt corporations whose existence may be continued, as hereinbefore provided, shall pay all privilege taxes which have accrued against such bankrupt corporations since their adjudication, together with a fee of one dollar (\$1) allowed the Secretary of State for recording and filing each certificate provided for in sections one and two of this act. Payment of accrued taxes and of fees.

SEC. 4. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

SEC. 5. This act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified this the 8th day of March, 1915.

CHAPTER 135.

AN ACT TO CORRECT STATE GRANT NO. 592 TO ALEXANDER McRAY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Secretary of State is hereby empowered and directed to so correct State grant number five hundred and ninety-two, issued to Alevander McRay, dated November twenty-seventh, one thousand seven hundred and ninety-three, as to make such recorded grant correspond with the plot and surveyor's certificate on file in his office, upon which said grant number five hundred and ninety-two was issued, and is authorized to certify the correct grant, and the register of deeds of Richmond County is authorized to register the same. Correction authorized.
Certificate of correct grant.
Registration.

SEC. 2. That this act shall in no way affect any pending litigation or divest vested rights. Pending litigation and vested rights.

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 8th day of March, 1915.

CHAPTER 136.

AN ACT TO AMEND SECTIONS 2395, 2396 AND 2411 OF THE REVISAL OF NORTH CAROLINA, RELATIVE TO THE OYSTER INDUSTRY.

The General Assembly of North Carolina do enact:

Dealing without license.

SECTION 1. That section two thousand, three hundred and ninety-five of the Revisal of one thousand, nine hundred and five be amended by inserting after the word "oysters" in line three of said section, the words "taken or caught from the public grounds, or natural oyster beds of the State."

Dealer failing to keep record.

SEC. 2. That section two thousand, three hundred and ninety-six of the Revisal of one thousand, nine hundred and five be amended by inserting after the word "oysters" in line two of said section the words "taken or caught from the public grounds or natural oyster beds of the State."

License to dealers.

SEC. 3. That section two thousand four hundred and eleven of the Revisal of one thousand nine hundred and five be amended by inserting at the end thereof the following: "Nothing contained in this section shall be deemed to require any license of persons engaged in the business of buying, purchasing, canning, packing, shucking or shipping oysters which were not taken or caught from the public grounds or natural oyster beds of the State."

SEC. 4. That all laws and clauses of laws in conflict with this act be, and they are hereby repealed.

SEC. 5. 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 8th day of March, 1915.

CHAPTER 137.

AN ACT TO AMEND CHAPTER 147, PUBLIC LAWS OF 1913, RELATIVE TO THE RELIEF OF MINORITY STOCKHOLDERS OF CERTAIN CORPORATIONS.

The General Assembly of North Carolina do enact:

Petition based on non-payment of dividend.

SECTION 1. That chapter one hundred forty-seven of the Public Laws of one thousand nine hundred thirteen be and the same is hereby amended by inserting the phrase "or whenever stockholders owning one-tenth or more in amount of the paid up common stock of any such corporation shall apply to the judge of the superior court as aforesaid by petition containing a statement that said corporation has paid no dividend on the common stock for ten years preceding said application" between the

comma and the word "and" in line seventeen of section one of said act.

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

In the General Assembly read three times and ratified this the 8th day of March, 1915.

CHAPTER 138.

AN ACT TO PREVENT DESTRUCTION OF OYSTERS IN BRUNSWICK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it will be unlawful for any person or persons to build a fire upon any natural oyster bed or rock at a place where oysters are in a state of growth. That it shall be unlawful for any person or persons to rake with clam rake any oyster bed or oyster rock. Building fire on natural bed. Raking with clam rake.

SEC. 2. That any person violating the provisions of this act shall be guilty of a misdemeanor, and shall be fined not exceeding fifty (\$50) dollars, or imprisoned not exceeding thirty days. Misdemeanor. Punishment.

SEC. 3. That this act shall apply to the County of Brunswick. Application.

SEC. 4. That all laws and clauses of laws in conflict with this act are hereby repealed.

In the General Assembly read three times and ratified this the 8th day of March, 1915.

CHAPTER 139.

AN ACT TO FIX THE TIME FOR HOLDING THE SUPERIOR COURTS FOR GREENE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one, chapter one hundred and ninety-six, Public Laws of North Carolina of one thousand nine hundred and thirteen, be amended as follows: Strike out all of paragraph after words "Pitt County" following the words, "the first Monday in September," in line eleven of said paragraph and insert in lieu thereof the following: "The last six terms to be for the trial of civil cases exclusively." Terms for civil cases.

SEC. 2. That chapter nineteen, Public Laws of North Carolina of the Extra Session of one thousand nine hundred and thirteen, be amended as follows: Strike out all of line seven in section one and insert in lieu thereof the following: "The Term established for Greene.

fourteenth Monday after the first Monday in September to continue for two weeks."

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 8th day of March, 1915.

CHAPTER 140.

AN ACT TO PROVIDE FOR THE USE OF CONVICT LABOR ON THE COUNTY FARM.

The General Assembly of North Carolina do enact:

Lease or purchase of farm.

SECTION 1. That in the interest of all counties that are not provided with the same a county farm may be leased or purchased, and whenever such county or counties make proper provisions for securing and caring for the convicts such county or counties may work all convicts that are now subject to road duty upon the said farms, and may, in the discretion of the board of county commissioners, make the said farms experimental farms.

Convicts worked on farms.

Sentences to farm work.

SEC. 2. It shall be the duty of the judge holding the courts in the said counties to sentence prisoners convicted to the said farms or to the roads, within his discretion.

Counties having road systems.

SEC. 3. That in those counties that have a road system the county commissioners may provide and work on the county farms, which they may purchase or lease if they have not one, such convicts sentenced to the roads as they may deem proper from time to time on such county farms.

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

In the General Assembly read three times and ratified this the 8th day of March, 1915.

CHAPTER 141.

AN ACT TO ENCOURAGE THE RECLAMATION AND IMPROVEMENT OF SWAMP AND LOWLANDS.

The General Assembly of North Carolina do enact:

Agreement to give land in payment for drain-way.

SECTION 1. That whenever a majority of the land owners or the persons owning three-fifths of all the land in any well defined swamp or lowland shall by a written agreement agree to

give a part of the land situated in said swamp or lowland as compensation to any person, firm or corporation who may propose to cut or dig any main drainway through said swamp or lowland, then the person, firm or corporation so proposing to cut or dig said main drainway shall be and they are hereby authorized to proceed with the cutting or digging of the said drainway through any lands in its proposed course, whether the owners of the said land may have consented thereto or not, and the said person, firm or corporation so proposing to cut or dig said drainway shall have the proper and necessary right of way for that purpose and for all things incident thereto through any lands or timbers situated within said swamp or lowland.

Construction of drainway authorized.

Right of way.

SEC. 2. That after the said drainway herein provided for shall be completed, the person, firm or corporation cutting or digging the same shall be entitled to recover of the land owners owning that part of the land with reference to which no contract for compensating those cutting or digging the drainway may have been made an amount equal to the benefits to accrue to said lands by reason of the said drainway; *Provided*, that the recovery from any owner of the said land shall be limited to the benefits to accrue to that land owned by such person and situated in said swamp or lowland or adjacent thereto; and, *Provided*, *further* that the amount to be so recovered as herein provided for until fully paid shall be and constitute a lien upon said land, said lien to be in force regardless of who may own said land at the time the amount to be recovered as compensation for digging or cutting said drainway shall be determined.

Lands not in contract assessed for benefit.

Proviso: Limit of assessment.

Proviso: Assessment a lien on land.

SEC. 3. That after the completion of the said main drainway, upon the application of the person, firm or corporation or their heirs or assigns digging or cutting the said main drainway, the clerk of the superior court of the county in which any land through which said drainway may pass is situated shall issue a notice to be served by the sheriff upon any person who may have failed to agree with the person, firm or corporation digging or cutting said drainway upon a compensation to be paid by the land owner for the digging or cutting of said drainway, notifying said land owner that on a certain day, which shall be named in said notice and not less than twenty days from the date of the issuing of said notice, the said clerk of the superior court will appoint three competent and disinterested persons, one of whom may be a surveyor, and none of whom shall own land to be affected by said drainway, to view the land so drained and for which no compensation for the drainage may have been agreed upon as aforesaid, and report to the said clerk of the superior court what amount shall be paid therefor by the various land owners who may have failed to arrange for and agree upon the compensation for the said drainage as aforesaid. In making the appointment of the said viewers, the clerk of the superior court shall hear any objections which may be advanced

Application for assessment.

Notice to land owner.

Appointment of viewers.

by those interested to any of the persons the clerk may consider to be appointed as viewers, but the clerk shall name those whom he considers best qualified.

Report entered.

SEC. 4. A report signed by two of the said persons appointed as viewers shall be entered by the clerk as the report of said viewers, and from the said report any land owner affected thereby and the person, firm or corporation digging or cutting said drainway shall have the right of appeal and the right to have any issue arising upon said report tried by a jury, provided exceptions shall be filed to said report within twenty days after the filing of said report with the clerk, in which exceptions, so filed with them, may be a demand for a jury trial. If a jury trial be demanded the clerk shall transfer the proceedings to the civil issue docket and it shall be heard as other civil actions. If no jury trial be demanded the clerk shall hear the parties upon the exceptions filed and appeal may be had as in special proceedings, but no jury trial shall be had unless demanded as herein provided for.

Appeal.

Proviso:
Time for excep-
tions.

Transfer to Su-
perior Court.

Exceptions heard
by clerk.

Confirmation of
report.

SEC. 5. That unless an appeal shall be taken by any person affected by said report and a jury trial demanded within twenty days after the said report shall be filed with the clerk, in all of which appeals exceptions shall be filed, the clerk of the superior court shall confirm the report of the viewers, if exceptions shall be filed and no demand for a jury trial shall be made, the clerk shall hear the exceptions as in other cases of special proceedings and judgment entered accordingly. If the report of the viewers be confirmed by the clerk because no exceptions or demand for a jury trial were filed within twenty days the judgment of confirmation shall be the judgment of the court.

Judgment.

Assessment pay-
able in install-
ments.

SEC. 6. That the amount to be recovered from any person as compensation for digging or cutting the said drainway after said amount shall be definitely determined as herein provided for, shall be payable in five equal annual installments, the first payable one year from the filing of the report of the viewers with the clerk of the superior court; and one payment on the same day each year thereafter until the full amount be paid.

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

SEC. 8. 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 8th day of March, 1915.

CHAPTER 142.

AN ACT TO AMEND SECTION 4969 OF THE REVISAL OF 1905, RELATING TO PILOTING IN BEAUFORT HARBOR.

The General Assembly of North Carolina do enact:

SECTION 1. Amend section four thousand nine hundred sixty-nine of the Revisal of one thousand nine hundred and five, by adding after the word "thoroughfare" in line six these words, "and from the Neuse river side of the Inland Waterway through the said waterway and out of Beaufort Inlet. *Provided*, that this act and the amendment to said section four thousand nine hundred and sixty-nine of the Revisal of one thousand nine hundred and five, the same being chapter two hundred and fifty of the Public Laws of one thousand nine hundred and nine, shall be applicable to all vessels including barges in tow of tug boats." Territory extended. Proviso: Laws applicable to all vessels.

SEC. 2. After the first day of April, one thousand nine hundred and fifteen, each and every pilot vessel in Carteret County shall be numbered; and any pilot after that date piloting a vessel or barge in or out of said territory as set out in this act and section four thousand nine hundred and sixty-nine of the Revisal of one thousand nine hundred and five, without a number shall be guilty of a misdemeanor and be subject to a fine of not more than fifty dollars or imprisoned not more than thirty days, or both, in the discretion of the court. All said fines collected under this act to be applied to the public school fund of Carteret County. Pilot vessels numbered. Piloting without number a misdemeanor. Punishment.

SEC. 3. Each pilot shall forfeit his branch after fifteen days expiration of the same; however, such pilot may be reinstated, by securing two pilots in good standing, to sign his branch. *Provided further*, that the commissioners of navigation of Beaufort Harbor shall provide for numbers as provided for in this act. Expiration of branch. Reinstatement. Proviso: Commissioners to provide number.

SEC. 4. All laws and clauses of laws in conflict with this act are hereby repealed.

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

In the General Assembly read three times and ratified this the 8th day of March, 1915.

CHAPTER 143.

AN ACT TO COMPROMISE, ADJUST AND SETTLE THE INDEBTEDNESS OF THE UNIVERSITY OF NORTH CAROLINA TO DR. KEMP PLUMMER BATTLE.

Preamble.

WHEREAS, the University of North Carolina is indebted to Dr. Kemp Plummer Battle in the sum of three hundred dollars with interest thereon from first January, one thousand, eight hundred and sixty-seven, as evidenced by three notes or bonds signed by Jonathan Worth, Governor and ex-officio president of the board of trustees of the University and countersigned by Charles Manly, treasurer of said board of trustees, and

Preamble.

WHEREAS, Dr. Kemp Plummer Battle is ready and willing to settle said indebtedness by payment of the principal of said notes or bonds, Now, Therefore,

The General Assembly of North Carolina do enact:

Payment authorized.

SECTION 1. That upon the presentation and delivery to the treasurer of the State of North Carolina of three notes or bonds, numbered forty-two, forty-three and forty-four respectively, of the par value of one hundred dollars each, signed by Jonathan Worth, Governor and ex-officio president of the board of trustees, and countersigned by Charles Manly, treasurer of the board, said bonds or notes being dated first January, one thousand, eight hundred and sixty-seven, the auditor of the State of North Carolina is hereby authorized and empowered and directed to issue a warrant upon the treasurer of the State of North Carolina for the sum of three hundred (\$300) dollars, and the treasurer of the State of North Carolina is hereby authorized, empowered and directed to pay the sum of three hundred dollars to Dr. Kemp Plummer Battle or to whomsoever the said Dr. Kemp Plummer Battle may direct, out of any funds not otherwise specifically appropriated.

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

In the General Assembly read three times and ratified this the 8th day of March, 1915.

CHAPTER 144.

AN ACT TO PROVIDE FOR THE INCORPORATION AND MAINTENANCE OF CO-OPERATIVE ORGANIZATIONS.

The General Assembly of North Carolina do enact:

Association.

Business authorized.

SECTION 1. That any number of persons, not less than five, may associate themselves as a co-operative association, society, company or exchange, for the purpose of conducting any agri-

cultural, dairy, mercantile, mining, manufacturing or mechanical business on the coöperative plan. For the purposes of this act, the words association, company, corporation, exchange, society or union shall be construed to mean the same.

SEC. 2. That they shall sign and acknowledge written articles which shall contain the name of said association and the names and residences of the persons forming the same. Such articles shall also contain a statement of the purposes of the association and shall designate the city, town or village where its principal place of business shall be located. Said articles shall also state the amount of authorized capital stock, the number of shares subscribed and the par value of each. No shareholder in any corporation organized under this act shall be personally liable for any debt of the corporation.

SEC. 3. That the original articles of incorporation of corporations organized under this act, or a true copy thereof, verified as such by the affidavits of two of the signers thereof, shall be filed with the Secretary of State. A like verified copy of such articles and certificates of the Secretary of State, showing the date when such articles were filed with and accepted by the Secretary of State, within thirty days of such filing and acceptance, shall be filed with and recorded by the clerk of the superior court of the county in which the principal place of business of the corporation is to be located, and no corporation shall, until such articles be left for record, have legal existence. The clerk of court shall forthwith transmit to the Secretary of State a certificate stating the time when such copy was recorded. Upon a receipt of such certificate, the Secretary of State shall issue a certificate of incorporation.

SEC. 4. That for filing the articles of incorporation of corporations organized under this act, there shall be paid the Secretary of State ten dollars and his fees allowed by law, and for the filing of an amendment to such articles, five dollars and his fees allowed by law: *Provided*, that when the authorized capital stock of such corporations shall be less than one thousand dollars, such fee for filing either the articles of incorporation or amendments thereto shall be two dollars. For recording copy of such articles, the clerk of court shall receive a fee of fifty cents, to be paid by the person presenting such papers for record.

SEC. 5. That at the time of making said articles of incorporation, the incorporators shall make by-laws which shall provide:

- 1st. The name of the corporation.
- 2d. The purposes for which it is formed.
- 3d. Qualifications for membership.
- 4th. The date of the annual meeting; the manner in which members shall be notified of meetings; the manner of conducting said meetings; the number of members which shall constitute a quorum at said meetings, and regulations as to voting.

Terms defined.

Articles of agreement.

Details of articles.

Shareholders not personally liable.

Articles filed with Secretary of State.

Copy with clerk of Superior Court.

Certificate of record in county.

Certificate of incorporation.

Filing charges and fees.

Proviso: Reduced fee.

Fee for recording.

By-laws.

As to: Name.

Purpose.

Membership.

Meetings, quorum and voting.

Directors and officers.	5th. The number of members of the board of directors; powers and duties; the compensation and duties of officers elected by the board of directors.
Regulations for grading.	6th. In the case of selling agencies or productive societies, regulations for grading.
Sale of products.	7th. In the case of selling agencies or productive societies, regulations governing the sale of products by the members through the organization.
Par value of shares.	8th. The par value of the shares of capital stock.
Conditions as to shares.	9th. The conditions upon which shares may be issued, paid in, transferred and withdrawn.
Reserve fund.	10th. The manner in which the reserve fund shall be accumulated.
Dividends.	11th. The manner in which the dividends shall be determined and paid to members.
Five directors.	SEC. 6. That every such association shall be managed by a board of not less than five directors. The directors shall be elected by and from the stockholders of the association at such time and for such term of office as the by-laws may prescribe, and shall hold office for time for which elected and until their successors are elected and shall enter upon the discharge of such duties as are prescribed in the by-laws; but a majority of the stockholders shall have the power at any regular or special stockholders' meeting, legally called, to remove any director or officer for cause, and fill the vacancy, and thereupon the director, or officer so removed, shall cease to be a director or officer of said association. The officers of every such association shall be a president, one or more vice-presidents, a secretary and treasurer, who shall be elected annually by the directors, and each of said officers must be a director of the association. The office of secretary and treasurer may be combined, and when so combined the person filling the office shall be secretary-treasurer.
Election and term.	
Removal for cause.	
Officers elected by directors.	
Secretary-treasurer.	
Amendments.	SEC. 7. That the association may amend its articles of incorporation by a majority vote of its shareholders at any regular shareholders' meeting, or any special shareholders' meeting called for that purpose, on ten days' notice to the shareholders. Said power to amend shall include the power to increase or diminish the amount of capital stock and the number of shares: <i>Provided</i> , the amount of the capital stock shall not be diminished below the amount of the paid-up capital at the time the amendment is adopted. Within thirty days after the adoption of an amendment to its articles of incorporation, an association shall cause a copy of such amendment adopted to be recorded in the office of the Secretary of State and of the clerk of court of the county where the principal place of business is located.
Proviso: Limit of reduction.	
Record of amendment.	

SEC. 8. That an association created under this act shall have power to conduct any agricultural, dairy, mercantile, mining, manufacturing or mechanical business, on the co-operative plan.

Business authorized.

SEC. 9. That no shareholder in any such association shall own shares of a greater aggregate par value than twenty per cent of the paid-in capital stock, except as hereinafter provided, or be entitled to more than one vote. A co-operative association shall reserve the rights of purchasing the stock of any member whose stock is for sale and may restrict the transfer of stock to such persons as are made eligible to membership in the by-laws.

Limit of shares held by one stockholder.

Personal vote.

Right to purchase stock and restrict transfers.

SEC. 10. Whenever an association, created under this act, shall purchase the business of another association, person or persons, it may pay for the same in whole or in part by issuing to the selling association or persons shares of its capital stock to an amount which at par value would equal the fair market value of the business so purchased, and in such case the transfer to the association of such business at such valuation shall be equivalent to payment in cash for the shares of stock so issued.

Shares issued to purchase other enterprises.

SEC. 11. Certificates of stock shall not be issued to any subscriber until fully paid, but the by-laws of the association may allow subscribers to vote as shareholders: Provided, part of the stock subscribed for has been paid in cash.

Stock fully paid.
Votes of subscribers.

Proviso:
Partial payment on subscription.

SEC. 12. That at any regularly called general or special meeting of the shareholders, a written vote received by mail from any absent shareholder, and signed by him, may be read in such meeting, and shall be equivalent to a vote of such of the shareholders so signing: *Provided*, he has been previously notified in writing of the exact motion or resolution upon which such vote is taken, and a copy of same is forwarded with and attached to the vote so mailed by him. In case of sickness or other unavoidable absence of a member, he shall be allowed to vote by proxy in writing; but no member shall vote more than one such proxy.

Written votes of absent shareholders.

Proviso:
Notice and copy of proposition.

Vote by proxy.

SEC. 13. That the directors, subject to revision by the association at any general or special meeting, shall apportion the earnings by first paying dividends on the paid-up capital stock, not exceeding six per cent per annum, then setting aside not less than ten per cent of the net profits for a reserve fund, until an amount has been accumulated in said reserve fund equal to thirty per cent of the paid-up capital stock, and not less than two per cent thereof for an educational fund to be used in teaching co-operation, and the remainder of said net profits by uniform dividend upon the amount of purchases of shareholders and upon the wages and salaries of employees, and one-half of such uniform dividend to non-shareholders on the amount of their purchase, which may be credited to the account of such non-shareholders on account of capital stock of the association; but in selling agencies such as fruit, truck,

Dividends.

Reserve fund.

Educational fund.

Dividends to employees on purchasers.

- Dividends on raw materials. peanuts and cotton growers' associations, and in productive associations such as creameries, canneries, warehouses, factories and the like, dividends shall be pro-rated on raw materials delivered instead of on goods purchased. In case the association is both a selling and productive concern, the dividends may be on both raw material delivered and on goods purchased by patrons.
- Distribution of dividends. SEC. 14. That the profits or net earnings of such associations shall be distributed to those entitled thereto, at such times as the by-laws shall prescribe, which shall be as often as once in twelve months.
- Annual reports. SEC. 15. That every association organized under the provisions of this act shall annually, on or before the first day of March of each year, make a report to the Secretary of State; such report shall contain the name of the company, its principal place of business in this State, and generally a statement as to its business, showing total amount of business transacted, amount of capital stock subscribed for and paid in, number of shareholders, total expenses of operation, amount of indebtedness or liabilities, and its profits and losses. A copy of such report shall also be filed with the division of markets and rural organization conducted by the "Joint Committee for Agricultural Work" (provided for in chapter sixty-eight, Public Laws of one thousand nine hundred and thirteen) of the State Board of Agriculture and the State College of Agriculture and Mechanic Arts.
- Details of report. Copy to joint committee for agricultural work. SEC. 16. All co-operative corporations, companies, or associations heretofore organized and doing business under prior statutes, or which have attempted to so organize and do business, shall have the benefit of all of the provisions of this act, and be bound thereby on filing with the Secretary of State a written declaration, signed and sworn to by the president and secretary to the effect that said co-operative company or association has by a majority vote of its shareholders decided to accept the benefits of and to be bound by the provisions of this act. No association organized under this act shall be required to do or perform anything not specifically required herein, in order to become a corporation.
- Associations heretofore organized. SEC. 17. That all co-operative associations shall be maintained in accordance with the general corporation law, except as otherwise provided for in this act.
- General corporation law. SEC. 18. That no corporation or association hereinafter organized for doing business for profit in this State shall be entitled to use the term "co-operative" as part of its corporate or other business name or title, unless it has complied with the provisions of this act; and any corporation or association violating the provisions of this section may be enjoined from doing business under such name at the instance of any shareholders of any association legally organized under this act.
- Use of term "co-operative" by other associations. Remedy by injunction.

SEC. 19. That this act shall be in effect from and after its ratification.

In the General Assembly read three times and ratified this the 8th day of March, 1915.

CHAPTER 145.

AN ACT TO CORRECT THE CALLS OF STATE GRANT No. 1001 IN MACON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That State grant number one thousand and one, Grant corrected.
issued to Jane Kinsland on the ninth day of January, one
thousand eight hundred and fifty-two, be, and the same is hereby

corrected so that the calls in said grant shall be as follows: Courses and
distances.
Beginning at a stake in Young's east boundary line of section
one hundred and twenty-four, north twenty-five degrees west
four poles from the southeast corner of said section and runs
with Young's line north twenty-five degrees west seventy poles
to a stake at the northeast corner of section one hundred and
twenty-four; then with the northern boundary line of said
section south sixty-five degrees west eighty poles to a stake at
the beginning corner of grant number sixty-nine; thence with
the line of grant number sixty-nine north twenty-five degrees
west fifty poles to a stake; thence north sixty-five degrees east
one hundred and sixty poles to a stake; thence south twenty-five
degrees east one hundred and twenty poles to a stake; thence
south sixty-five degrees west ninety poles to the beginning.

SEC. 2. That the Secretary of State and the register of deeds Entry to be made
on records.
of Macon County are hereby authorized and directed to make the
following entry on the records of their respective offices where-
in said grant is recorded, to wit: "Corrected by act of the General
Assembly, session of one thousand nine hundred and fifteen."

SEC. 3. That this act shall not be construed so as to divest any Vested rights not
affected.
rights whatever which have accrued prior to the ratification of
this act.

SEC. 4. 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 8th day of March, 1915.

CHAPTER 146.

AN ACT TO REQUIRE A SECOND SALE OF REAL ESTATE BY MORTGAGEES, TRUSTEES AND THOSE MAKING SALE BY VIRTUE OF THE POWER CONTAINED IN WILLS.

The General Assembly of North Carolina do enact:

Sales not closed within ten days.

SECTION 1. That in the foreclosure of mortgages or deeds in trust on real estate, or in case of the public sale of real estate by an executor, executrix or by any person by virtue of the power contained in a will, in all such cases the sale shall not be deemed to be closed under ten days.

Increase of sale price.

SEC. 2. That if in ten days from the date of the first sale, the sale price shall be increased ten per cent where the first price does not exceed five hundred dollars, and five per cent where the first price exceeds five hundred dollars, and provided the same shall be paid to the clerk of the superior court, it shall be the duty of the mortgagee, trustee, executor, executrix or person offering said real estate for sale to re-open the sale of said property and advertise the same in the same manner as in the first instance; provided, that the clerk of the superior court may, in his discretion, also require the person making such advance bid to execute a good and sufficient bond in a sufficient amount to guarantee compliance with the terms of sale should the person offering the advance bid be declared the purchaser at said second sale.

Increase paid to clerk of superior court.

Reopening and advertisement.

Proviso: Clerk may require guarantee bond.

Amount to be paid to clerk of court.

SEC. 3. That in all cases where the bid shall be raised as prescribed in section two of this act, said amount shall be paid to the clerk of the superior court, whereupon said clerk shall issue an order to the mortgagee, or other person, and require him to advertise and re-sell said real estate: *Provided*, it shall only be required to give fifteen days notice of said second sale.

Order for advertisement and re-sale.

Proviso: Notice of second sale.

Not more than one sale.

SEC. 4. That not more than one sale shall be required under this act.

Order to make title.

SEC. 5. That upon the final sale of said real estate, the clerk of the superior court shall issue his order to the mortgagee or other person, and require him to make title to the purchaser. And the clerk shall make all such orders as may be just and necessary to safeguard the interest of all parties.

Other orders.

Record of sales.

SEC. 6. That the clerk of the superior court shall keep a record which will show in detail the amount of each bid, the purchase price, and the final settlement between the parties.

Mortgages and deeds of trust prior to 1 April, 1915.

SEC. 7. That this act shall not apply to the foreclosure of mortgages or deeds of trust executed prior to April the first, one thousand nine hundred and fifteen.

When act effective.

SEC. 8. That this act shall be in force from and after the first day of April one thousand nine hundred and fifteen.

In the General Assembly read three times and ratified this the 8th day of March, 1915.

CHAPTER 147.

AN ACT TO PROVIDE FOR THE CONSTRUCTION AND MAINTENANCE OF THE ASHEVILLE AND MURPHY SCENIC HIGHWAY.

The General Assembly of North Carolina do enact:

- SECTION 1. There shall be established in the manner hereinafter provided a public State highway extending from Asheville in the county of Buncombe to Murphy in the county of Cherokee and to the Georgia State line; that the said Asheville and Murphy scenic highway shall be composed as nearly as practicable of roads already existing, and the State Highway Commission, if same is created, and if not created then the Highway division of the North Carolina Geological and Economic Survey is hereby charged with the duty of selecting and designating the route of the State highway and to report the route so selected and the road so designated to the board of trustees hereinafter provided for; and shall also report to the boards of commissioners of each county through which the said highway shall pass, the route or line of road designated through such county. If the duties imposed by this act are carried by the highway division of the North Carolina Geological and Economic Survey such duties shall be considered as a part of its official duties without additional compensation.
- Public State highway. Termini and route.
- Selection, designation and report of route.
- Reports to county commissioners.
- Sec. 2. That for the purpose of putting said Asheville and Murphy scenic highway in order the boards of county commissioners of each county through which the said highway shall pass are hereby authorized and empowered to appropriate out of the general county funds a sum not exceeding fifty dollars for each and every mile of said highway in such county; and each city or town through which the said highway may pass is likewise empowered to appropriate out of its general funds a sum not exceeding one hundred dollars; but if such town shall have a population in excess of one thousand persons, as ascertained by the United States census of one thousand nine hundred and ten, such town may, for such additional one thousand inhabitants as shown by said census appropriate an additional sum of twenty-five dollars for each and every thousand of population in excess of one thousand. That all funds appropriated by any county shall be spent within said county and under the authority of the board of commissioners of said county; and any funds appropriated by any city or town shall be expended within the county in which said city or town shall be located, and under the authority of the board of aldermen or other governing body of such city or town.
- Appropriations by counties authorized.
- Limit.
- Appropriations by municipalities.
- Limit.
- Expenditure of appropriations.
- Sec. 3. That in addition to the appropriations hereinbefore authorized, the boards of commissioners of the counties through which the said Asheville and Murphy scenic highway shall pass
- Use of county road force.

are hereby authorized and empowered to use the road force of such county, whether it be hired or convict, upon the said highway to such an extent as, in the opinion of the board, may be practicable, and at the same time just and fair to the other portions of said county. And where there be no road force in a county the supervisor of roads shall, as far as possible, use the means available in constructing and maintaining the said Asheville and Murphy scenic highway, co-operating as far as practicable with the board of trustees hereinafter provided for.

Coöperation of county supervisors. Board of trustees. Counties appointing trustees. Term. Appointment within thirty days. Notification of appointment. Meeting for organization. Temporary chairman. Local committees or boards. Duties of local committees. Executive committee. Powers of executive committee. Vacancies.

SEC. 4. That there is hereby created a board of trustees of the Asheville and Murphy scenic highway, to be composed of two members from each of the following counties: Buncombe, Haywood, Jackson, Swain, Macon, Graham, Clay and Cherokee, who shall serve for a term of two years from and after the first Monday in April, one thousand nine hundred and fifteen and until their successors have been appointed and are qualified; that within thirty days after the ratification of this act the board of county commissioners of Buncombe, Haywood, Jackson, Swain, Macon, Graham, Clay and Cherokee counties shall appoint two citizens of their respective counties who are interested in the good road movement and in obtaining the construction and maintenance of said Asheville and Murphy scenic highway, to serve as such trustees; that the said trustees of the Asheville and Murphy scenic highway shall be notified of their appointment by the chairman of the board of county commissioners of their respective counties and shall meet in the city of Bryson in the county of Swain on the fifteenth day of April, one thousand nine hundred and fifteen for the purpose of organization; that the clerk of the court of Swain County shall act as temporary chairman in calling together the board of trustees and shall serve as such until a permanent chairman has been elected. And the said board of trustees at this meeting, or at any subsequent meeting, shall have the power to appoint such local committees or boards of directors for any or all of said counties as it may think proper, and impose upon such local committees or directors the duties of constructing and maintaining said highway in their respective counties; said board of trustees is hereby authorized to appoint an executive committee, of not less than three members, and this executive committee shall have all such powers as the said board of trustees may confer upon it; and the board of trustees is authorized to repose in said executive committee all, or any part, of the powers vested in said board of trustees by this act. The board of county commissioners of each of the counties through which said highway shall pass, is authorized and empowered to elect a successor to the member of the board of trustees from such county, in case a vacancy shall occur before the expiration of the term of office of the member from such county the board of county commissioners shall elect a successor who shall hold

office for the unexpired term of such retiring member. On the first Monday in March, one thousand nine hundred and seventeen and biennially thereafter, the board of county commissioners of each county through which the said Asheville and Murphy scenic highway shall pass shall select its members of the board of trustees of the said Asheville and Murphy scenic highway.

Election of successors.

SEC. 5. That the board of trustees of the Asheville and Murphy scenic highway, and their successors in office, shall constitute a body corporate and shall have power to solicit and accept gifts of money, machinery, road materials, labor, or other things of value to be used and expended by the said board of trustees in establishing, maintaining, and improving said Asheville and Murphy scenic highway as a public thoroughfare for the free and perpetual use of the public; and it shall have power to use all gifts and donations in improving the said Asheville and Murphy scenic highway without regard to the county or locality. It shall also encourage and stimulate public interest in the maintenance of said highway and send representatives before any board of commissioners or governing body of any county, city or town to ask for appropriations of money to be used in each county, and also to advise and recommend the holding of elections to vote special taxes to be used in the construction and maintenance of said Asheville and Murphy scenic highway. It shall also have power to arrange with and authorize the donation and testing upon the highway of any improved systems of road building or dressing. It shall also have power to designate one day in each year to be known as "Road Day," on which voluntary contributions in labor and other things of value shall be accepted, to the end that the funds regularly appropriated may be supplemented by the volunteer offerings of the people, and by the volunteer work of those who prefer to contribute labor rather than money. The said "Road Day" need not be uniform throughout the State, but shall be uniform throughout each county.

Incorporation.

Powers.

Encouragement of interest.

Representatives to ask for appropriations.

Elections for special taxes.

Test of systems of construction or dressing.

Road day.

SEC. 6. That the counties and municipalities authorized to appropriate funds for the construction and maintenance of said Asheville and Murphy scenic highway under section two of this act are hereby authorized to make an appropriation not exceeding the sums prescribed in said section each and every year hereafter, which sums shall be used in the improvement and maintenance of said Asheville and Murphy scenic highway.

Yearly appropriations.

SEC. 7. That the Secretary of State is authorized and directed to have printed one thousand copies of this act as soon as practicable after its ratification, and that twenty-five copies of the same shall be furnished to the register of deeds of Buncombe, Haywood, Jackson, Swain, Macon, Graham, Clay and Cherokee counties; ten copies of the same shall be furnished to each senator and representative from said counties; twenty-

Secretary of State to have act printed.

Distribution.

five copies shall be furnished to the chairman of the Board of State Highway Commissioners, and twenty-five copies to the State Geologist. The remaining copies shall be furnished to the board of trustees of the said Asheville and Murphy scenic highway and be kept for public distribution by them.

Trustees not officers.

Trustees to receive no compensation.

Payment of expenses by counties and municipalities.

Secretary and treasurer.

Accounts and reports.

SEC. 8. The members of the board of trustees shall not be considered to be public officers; shall not be required to take an oath of office, and shall receive no compensation for their services out of any funds arising under this act; but any county, city or town may provide for the payment of the necessary expenses only of its own members of said board of trustees.

SEC. 9. The said board of trustees shall elect a secretary and a treasurer, or it may combine those duties and impose them on one person. Accurate accounts of all proceedings and of all receipts and expenditures shall be kept and a report made to the Governor at the end of each calendar year.

SEC. 10. 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 8th day of March, 1915.

CHAPTER 148.

AN ACT TO AMEND CHAPTER 463 OF THE PUBLIC LAWS OF 1907, RELATING TO THE HOURS OF LABOR IN FACTORIES.

The General Assembly of North Carolina do enact:

Laws repealed.

SECTION 1. That section two of chapter four hundred and sixty-three, Public Laws of one thousand nine hundred and seven, and all acts amendatory thereof be repealed and in lieu thereof the following be inserted:

Week's work.

Minors and women held to limit.

Contracts by adult male.

Limit of day's work.

Proviso: Exceptions.

SEC. 2. That sixty hours shall constitute a week's work in all factories and manufacturing establishments of the State, and that no minor nor woman shall be worked in such factory or establishment a longer period than sixty hours in one week and no adult male shall be worked in such factory or establishment for a longer period than sixty hours in one week unless there shall be a written contract entered into between said adult male and his employer to that effect in which the employer shall agree to pay said adult male extra compensation for extra hours he may work. That no employee in any factory or manufacturer's establishment in this State shall be worked exceeding eleven hours in any one day: *Provided*, this section shall not apply to engineers, firemen, superintendents, overseers, section and yard hands, office men, watchmen or repairers of break-down.

SEC. 3. That section three of said chapter four hundred and sixty-three, Public Laws of one thousand nine hundred and seven be stricken out and that there be inserted in lieu thereof the following: "All parents or persons standing in the relation of parent upon hiring their children to any factory or manufacturing establishment, shall furnish such establishment a written statement of the age of such child or children being so hired, and certificates as to school attendance; and any parent or person standing in the relation of parent to such child or children, who shall in such written statement, misstate the age of such child or children, being so employed, or their school attendance, shall be guilty of a misdemeanor, and upon conviction shall be punished in the discretion of the court. Any mill owner, superintendent, boss or manufacturing establishment, who shall knowingly or wilfully violate the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be punished in the discretion of the court": *Provided*, that for a second conviction under this act within twelve months the fine shall not be less than five hundred dollars, or the imprisonment not less than ninety days.

Statements of age and school attendance of children.

Misstatement a misdemeanor.

Punishment.

Violation of act by employers a misdemeanor.

Punishment.

Proviso: Punishment on second conviction

SEC. 4. That all laws and clauses of laws in conflict with this act are hereby repealed.

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 8th day of March, 1915.

CHAPTER 149.

AN ACT TO AMEND SECTION 1, CHAPTER 22, OF THE PUBLIC LAWS OF 1907, THE SAME BEING AN ACT TO PERMIT BENEVOLENT SOCIETIES TO RECEIVE, PURCHASE, HOLD OR SELL REAL AND PERSONAL ESTATE.

The General Assembly of North Carolina do enact:

SECTION 1. That section one, chapter twenty-two, Public Laws of one thousand nine hundred and seven be and is hereby amended by inserting between the word "Elks" at the end of the third line of said section and the word "and" at the beginning of the fourth line of said section the words "Young Men's Christian Associations, Young Women's Christian Associations, societies for the care of orphan and indigent children, societies for the rescue of fallen women." And said section one of said chapter twenty-two Public Laws of one thousand nine hundred and seven is further amended by adding at the end of said section the following: "And in case there shall be no trustees, then any property, real or personal, which could be

Application of act extended.

Property to vest in association or society.

Proviso:
Vested rights and
pending actions.

held by said trustees, shall vest in and be held by said charitable, benevolent, religious, or fraternal orders and societies, respectively, according to such intent": *Provided*, this act shall not affect vested rights or apply to any pending action.

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 8th day of March, 1915.

CHAPTER 150.

AN ACT TO AMEND CHAPTER 969, SECTION 3, OF THE PUBLIC LAWS OF 1907, FIXING THE SALARY OF THE KEEPER OF THE CAPITOL.

The General Assembly of North Carolina do enact:

Amendment.

SECTION 1. That chapter nine hundred and eighty-nine of the Public Laws of one thousand nine hundred and seven be amended in section three, line eight, by striking out the word "nine" and inserting in lieu thereof the word "twelve," so that the salary of the Keeper of the Capitol shall be twelve hundred dollars per annum.

Salary.

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

In the General Assembly read three times and ratified this the 8th day of March, 1915.

CHAPTER 151.

AN ACT TO ALLOW THE BOARD OF DIRECTORS OF THE CONFEDERATE WOMEN'S HOME TO USE NOT EXCEEDING FIVE THOUSAND DOLLARS OF THE MAINTENANCE FUND FOR BUILDING PURPOSES, WHICH AMOUNT ONLY SHALL BE PAID OF THE TWELVE THOUSAND FIVE HUNDRED DOLLARS MAINTENANCE FUND THAT WOULD OTHERWISE ACCRUE UP TO JULY 1, 1915.

The General Assembly of North Carolina do enact:

Use of fund
authorized.
Amount.

SECTION 1. That the directors of the Confederate Women's Home are hereby authorized to use not exceeding five thousand dollars of the maintenance fund authorized under section five, chapter sixty-two of the Public Laws of one thousand nine hundred and thirteen, for the purpose of building and equipment as set out in said section, which said amount shall be in lieu of and in satisfaction of the twelve thousand five hundred

In lieu of main-
tenance fund.

dollars maintenance fund that would accrue up to July first, one thousand nine hundred and fifteen.

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 8th day of March, 1915.

CHAPTER 152.

AN ACT TO FURNISH ANTI-HOG CHOLERA SERUM TO THE CITIZENS OF THE STATE AT SEVENTY-FIVE CENTS PER HUNDRED CUBIC CENTIMETERS—ESTIMATED COST PER MINIMUM DOSE, FIFTEEN CENTS.

The General Assembly of North Carolina do enact:

SECTION 1. That the Department of Agriculture shall fix the price of anti-hog cholera serum at seventy-five cents per hundred cubic centimeters—estimated cost per minimum dose, fifteen cents, to citizens of this State. Price to be fixed.

SEC. 2. That if it is necessary in order to maintain the price, the Commissioner of Agriculture upon application of the State veterinarian is authorized to draw upon the State Treasurer for such amounts as may be necessary, not exceeding five thousand dollars in any one year. The treasurer shall keep a separate account of all moneys so paid under the title of "Hog Cholera." Appropriation.
Account.

SEC. 3. These warrants shall be marked "Hog Cholera" and upon the approval of the auditor shall be paid by the treasurer out of any money not otherwise appropriated. The commissioner shall render an itemized statement to the Board of Agriculture of all money spent and include a copy of it in his annual statement to the Governor. Hog cholera war-
rants.
Itemized state-
ment.

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

In the General Assembly read three times and ratified this the 8th day of March, 1915.

CHAPTER 153.

AN ACT TO AMEND CHAPTER 196 OF THE PUBLIC LAWS OF 1913, CONCERNING THE COURTS OF THE FOURTEENTH JUDICIAL DISTRICT.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and ninety-six of the Public Laws of nineteen hundred and thirteen be and the same Term for Gaston
County.

is hereby amended by inserting after the word "September" and before the word "each" in line eleven of page three hundred and twenty-nine, the following: "third Monday before the first Monday in September: *Provided*, that the term of court created by this section shall be a one week's term, and that all other terms of court provided for in the paragraph entitled 'Gaston County' on said page, shall continue and remain as provided in said paragraph: *Provided, further*, that the board of commissioners of Gaston County may, in their discretion, by an order at their regular meeting held on the first Monday in July in any year dispense with said term of court provided by this section."

Proviso:
One-week term.

Proviso:
County commis-
sioners may dis-
pense with term.

Mecklenburg
County.

SEC. 2. That the paragraph entitled "Mecklenburg County" on page three hundred and twenty-nine, chapter one hundred and ninety-six, Public Laws regular session of nineteen hundred and thirteen, be and the same is hereby amended by striking out in lines ten and eleven the words, "first Monday in March," and adding in line sixteen, after the word "weeks" the words, "first Monday before the first Monday in March, to continue three weeks."

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 8th day of March, 1915.

CHAPTER 154.

AN ACT TO AMEND THE FOOD LAW, CHAPTER 368, PUBLIC LAWS OF 1907, RELATING TO MISBRANDING FOODS.

The General Assembly of North Carolina do enact:

SECTION 1. That subdivision third, relating to foods, section seven of chapter three hundred and sixty-eight, Public Laws of one thousand nine hundred and seven, shall be and the same is hereby amended to read as follows:

Misbranded.

"Third. If in package form, the quantity of the contents be not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count so as to comply with the regulations on labeling prescribed by the board of agriculture, provided for by section ten, chapter three hundred and sixty-eight of the Public Laws of one thousand nine hundred and seven. The Board of Agriculture is hereby authorized to establish rules and regulations permitting reasonable variations when in their judgment exactness is impractical: *Provided*, that the provisions of this paragraph shall

Reasonable varia-
tions allowed by
department.

Proviso:
Exceptions.

not apply to articles in packages or containers when the retail price of such article is six cents or less: and, *Provided, further,* Proviso:
Products on hand. that it shall not apply to products on hand at the time of the passage of this act until after January first, one thousand nine hundred and sixteen."

SEC. 2. That all laws and clauses of laws in conflict with this act be, and the same are, hereby repealed. Repealing clause.

SEC. 3. Except as provided in section one this act shall be in force from and after June the first nineteen hundred and fifteen. When act effective.

In the General Assembly read three times and ratified this the 8th day of March, 1915.

CHAPTER 155.

AN ACT TO AMEND CHAPTER 80 OF PUBLIC LAWS OF SPECIAL SESSION OF 1913, SO AS TO STRIKE OUT THE WORD "DURHAM," AND RELATING TO THE SALE OF VEAL IN DURHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter eighty of Public Laws of one thousand and nine hundred and thirteen, special session be amended by striking out the word "Durham" in line three in section three. Durham stricken out.

SEC. 2. That it shall be unlawful for any person or persons, firm or corporation, to buy or sell, or engage in the business of buying, selling or shipping heifer calves for veal under the age of six months, either dead or alive; *Provided,* that this act shall not apply to persons buying or selling heifer calves to be raised for milk cows; *Provided,* this apply only to Durham County. Selling or buying heifer calves for veal forbidden.
Proviso:
Heifer calves for milk cows.
Application of act.

SEC. 3. That any person, firm or corporation violating the provisions of section two of this act shall be deemed guilty of a misdemeanor, and, upon conviction, shall pay a penalty of not less than five dollars nor more than twenty-five dollars. Misdemeanor.
Punishment

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 8th day of March, 1915.

CHAPTER 156.

AN ACT TO AMEND SECTION 10, CHAPTER 830, PUBLIC LAWS OF 1907, AND INCREASE THE SALARY OF THE BOOKKEEPER OF THE INSURANCE DEPARTMENT OF THE STATE OF NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Amendment.

SECTION 1. That section ten, chapter eight hundred and thirty, of the Public Laws of one thousand nine hundred and seven be and the same is hereby amended by striking out "seven hundred and fifty" in line six and inserting in lieu thereof the words "nine hundred."

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

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 8th day of March, 1915.

CHAPTER 157.

AN ACT RELATING TO THE SALARY OF THE ASSISTANT COMMISSIONER OF LABOR AND PRINTING.

The General Assembly of North Carolina do enact:

Salary increased.

SECTION 1. That the salary of the Assistant Commissioner of Labor and Printing be and the same is hereby increased from sixteen hundred dollars per annum to the sum of two thousand dollars per annum.

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 8th day of March, 1915.

CHAPTER 158.

AN ACT TO AMEND CHAPTER 194, PUBLIC LAWS OF 1913, RELATIVE TO SALARY OF CHIEF CLERK OF THE NORTH CAROLINA INSURANCE DEPARTMENT.

The General Assembly of North Carolina do enact:

Amendment.

SECTION 1. Amend chapter one hundred and ninety-four Public Laws of one thousand nine hundred and thirteen by striking out in line seven, section one the following words: "seventeen

hundred dollars (\$1,700)" and inserting in lieu thereof the words "two thousand dollars (\$2,000)."

SEC. 2. All acts or parts of acts in conflict with this act are hereby repealed.

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

In the General Assembly read three times and ratified this the 8th day of March, 1915.

CHAPTER 159.

AN ACT TO AUTHORIZE THE PURCHASE OF LOT ON SALISBURY STREET FACING THE CAPITOL SQUARE ADJOINING THE VACANT LOT NOW OWNED BY THE STATE.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Public Buildings and Grounds Purchase directed is authorized and directed to purchase from its owners the vacant lot fronting fifty-two and one-half feet on Salisbury street facing the Capitol Square adjoining the lot now owned by the State.

SEC. 2. That the sum of fourteen thousand dollars is hereby Appropriation for purchase. appropriated for said purchase to be paid by the State Treasurer upon warrant drawn by the State Auditor.

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

In the General Assembly read three times and ratified this the 8th day of March, 1915.

CHAPTER 160.

AN ACT TO PREVENT THE DISSEMINATION OF THE FOOT AND MOUTH DISEASE OF CATTLE IN NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That if the foot and mouth disease shall occur Appropriation. or seem likely to appear in this State and the Agricultural Department has no funds available to immediately meet the situation in co-operation with the United States Department of Agriculture, the State Treasurer upon the approval of the Governor shall set aside out of funds not otherwise appropriated such sum as the Governor shall deem necessary and who will notify the treasurer of the amount, to be known as the foot and mouth appropriation, to be used by the State Agricultural Department in the work of preventing or eradicating this disease.

Warrants approved by Commissioner of Agriculture.
Surplus returned to general fund.

Itemized statement.

Repayment by Department of Agriculture.

The same shall be paid only for work in this connection upon warrants approved by the Commissioner of Agriculture.

SEC. 2. If said disease shall have appeared and shall have been eradicated and work is no longer necessary in connection with it, the State Treasurer shall return such part of the appropriation as is not expended to the general fund, and the Commissioner of Agriculture shall furnish the Governor an itemized statement of the money expended, and all moneys set aside out of the State funds and used for the purpose of eradicating said disease under the provisions of this act shall be paid back to the State funds by the Department of Agriculture out of the first funds received by said Agricultural Department available for such purpose.

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

In the General Assembly read three times and ratified this the 8th day of March, 1915.

CHAPTER 161.

AN ACT TO AMEND CHAPTER 175, SECTION 1, PUBLIC LAWS OF 1913, RELATING TO THE EQUIPMENT AND OPERATION OF TRAVELING LIBRARIES BY THE LIBRARY COMMISSION.

The General Assembly of North Carolina do enact:

Appropriation.

SECTION 1. That section one of chapter one hundred and seventy-five of the Public Laws of one thousand nine hundred and thirteen be amended by striking out in line five the words "three thousand dollars (\$3,000)," and inserting in lieu thereof the words "four thousand dollars (\$4,000)."

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 8th day of March, 1915.

CHAPTER 162.

AN ACT TO CEDE EAGLES ISLAND BY THE COUNTY OF BRUNSWICK TO THE COUNTY OF NEW HANOVER, UPON CERTAIN CONDITIONS.

The General Assembly of North Carolina do enact:

Act repealed.

SECTION 1. That chapter fifty of the Public Laws of nineteen hundred and thirteen, same being entitled "An act to cede Eagles Island by the county of Brunswick to the county of New

Hanover, upon certain conditions," be and the same is hereby repealed.

SEC. 2. That all that portion of the territory which lies in the county of Brunswick and known as "Eagles Island," surrounded by the waters of the Cape Fear river and the Brunswick river, be and the same is hereby, ceded, transferred and annexed to New Hanover County, and that the boundary line between the two counties along said property be Brunswick river: *Provided, however*, that this session of said island shall not become operative until New Hanover County shall have acquired by purchase, or otherwise establish, a substantial roadway across Eagles Island and put in operation a free ferry across the Cape Fear River, or build and maintain a free bridge across said Cape Fear River; and *Provided, further*, that nothing herein contained shall be construed to preclude New Hanover County from entering upon Eagles Island for the purpose of complying with the conditions herein set out.

Territory ceded to New Hanover County.

Boundary line.

Proviso: Conditions precedent to cession.

Proviso: Right of entry for performance of conditions.

SEC. 3. In the event that New Hanover County should hereafter construct a steel bridge across Cape Fear River in lieu of the free ferry to be operated under the provisions of this act, then, and in that event, the obligation shall be upon Brunswick County to build and maintain, at its own expense, a first class bridge of iron, steel or concrete across Brunswick River, connecting with the causeway referred to in this act; and the board of commissioners of Brunswick County are hereby authorized, empowered, directed and instructed to at all times regard and fulfil this obligation.

Brunswick County to bridge Brunswick River upon conditions.

County commissioners to fulfil obligation.

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

In the General Assembly read three times and ratified this the 8th day of March, 1915.

CHAPTER 163.

AN ACT CREATING THE TRAINING SCHOOL FOR NURSES OF STATE SANATORIUM FOR THE TREATMENT OF TUBERCULOSIS.

The General Assembly of North Carolina do enact:

SECTION 1. The State Sanatorium for the Treatment of Tuberculosis, located at Sanatorium, North Carolina, is hereby authorized and power is hereby expressly given it to organize and conduct a training school for nurses in connection with the said sanatorium.

State Sanatorium to organize and conduct training school.

SEC. 2. The superintendent of the said, the North Carolina Sanatorium for the Treatment of Tuberculosis, shall be ex-officio dean of the training school for nurses, and he shall have

Superintendent ex officio dean.

Faculty.
Lectures, study
and clinical work.
Diplomas and
certificates.

power and authority to appoint such faculty, prescribe such course or courses of lectures, study and clinical work; and award such diplomas, certificates or other evidence of the completion of such course or courses as he may think wise and proper, and perform such other functions and do such other acts as he may think necessary in the conduct of the said training school.

SEC. 3. 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 8th day of March, 1915.

CHAPTER 164.

AN ACT TO AMEND CHAPTER 109 OF THE PUBLIC LAWS OF 1913, RELATING TO CERTAIN SECTIONS OF THE VITAL STATISTICS LAW.

The General Assembly of North Carolina do enact:

Burial permits.

SECTION 1. That section five, chapter one hundred and nine of the Public Laws of one thousand nine hundred and thirteen be and the same is hereby amended by striking out that part of section five, after the word "provided" in line twelve up to and including the word "required" in line eighteen, also the word "further" in line eighteen.

Index made and kept by register of deeds.

SEC. 2. Amend section eighteen same chapter, line thirty-three (33) by inserting between the word "shall" and the word "keep" the words "make and." Also amend in said line (33) by inserting between the word "index" and the word "as" the words "the form of which shall be." Amend said line (33) also by striking out the word "as." Also strike out the word "tenth" in lines thirty-six and fortieth and insert the word "fifth" in lieu thereof.

Returns.

SEC. 3. This act shall be in effect on and after its ratification. In the General Assembly read three times and ratified this the 8th day of March, 1915.

CHAPTER 165.

AN ACT TO AMEND CHAPTER 95 OF THE REVISAL OF 1905, RELATING TO PHARMACISTS.

The General Assembly of North Carolina do enact:

SECTION 1. That section four thousand four hundred and eighty of the Revisal of one thousand nine hundred and five be stricken out and the following inserted in lieu thereof:

"SECTION 14. That in order to become licensed as a pharmacist, within the meaning of this act, an applicant shall be not less than twenty-one years of age, he shall present to the Board of Pharmacy satisfactory evidence that he has had four years of experience in pharmacy under the instruction of a licensed pharmacist, and that he has attended a reputable school or college of pharmacy or medicine for not less than nine months and he shall also pass a satisfactory examination of the Board of Pharmacy; *Provided, however,* that the actual time of attendance at a reputable school or college of pharmacy, not to exceed two years, may be deducted from the time of experience required."

Requisites for license.

Proviso: Attendance at college.

SEC. 2. That the provisions of this act shall not affect any one now licensed as a pharmacist or who may become licensed before January, one thousand nine hundred and eighteen.

Persons now licensed and licensed before act becomes effective.

SEC. 3. That this act shall be in force from and after January first, one thousand nine hundred and eighteen.

When act effective.

In the General Assembly read three times and ratified this the 8th day of March, 1915.

CHAPTER 166.

AN ACT TO AMEND CHAPTER 100 OF THE REVISAL OF 1905 OF NORTH CAROLINA, KNOWN AS THE GENERAL INSURANCE LAWS, AND AMENDMENTS AND ADDITIONS THERETO.

The General Assembly of North Carolina do enact:

SECTION 1. Amend section four thousand seven hundred and six of the Revisal of one thousand nine hundred and five by adding after the word "agent" in lines one and six the words "or adjuster," also by adding after the word "agent" in line four, and before the words "is licensed," the words "or proposes to adjust."

Adjusters must procure license.

SEC. 2. Amend section four thousand seven hundred and sixty-eight of the Revisal of one thousand nine hundred and five (1905) by adding at the end thereof the words "or forbidding or prohibiting reinsurance of the risks of a domestic fire insurance company in whole or in part by any company holding membership in or coöperating with said bureau or board."

Contracts forbidding reinsurance.

SEC. 3. Amend section three thousand four hundred and ninety-one by adding after the words "partnership" in line seven the words "or forbidding or prohibiting reinsurance of the risks of a domestic fire insurance company in whole or in part by any company holding membership in or coöperating with said bureau or board."

Unlawful restriction of reinsurance.

SEC. 4. Amend section four thousand eight hundred and twenty-two of the Revisal of one thousand nine hundred and

Report of fire loss.

five (1905) by striking out in line four the word "forthwith"; and also by adding in line five after the words "commissioner thereof," the words "either directly or through some bureau or association approved by the Insurance Commissioner."

Teaching of fire protection.

SEC. 5. Amend section four thousand eight hundred and twenty-one of the Revisal of one thousand nine hundred and five (1905) by adding thereto as section four thousand eight hundred and twenty-one (a) the following: "It shall be the duty of the Insurance Commissioner and Superintendent of Public Instruction to provide as far as practicable for the teaching of "Fire Prevention" in the colleges and schools of the State, and if the way be open, to arrange for a text-book adapted to such use.

Text-book.

Fire prevention day.

Also by adding to said section as section four thousand seven hundred and twenty-one (b) the following: "The ninth day of October of each and every year shall be set aside and designated as 'Fire Prevention Day,' and the Governor shall issue a proclamation urging the people to a proper observance of the said day, and the Insurance Commissioner shall bring the day and its observance to the attention of the officials of the municipalities of the State, and especially to the firemen, and where possible arrange suitable programs to be followed in its observance."

Proclamation urging proper observance.

Insurance Commissioner to arrange programs.

SEC. 6. Amend chapter one hundred and sixty-four, Public Laws one thousand nine hundred and eleven (1911) section one, by striking out all of said section after the words "situate in North Carolina," and inserting in lieu thereof the words "provided the provisions of this act shall not apply to companies licensed to do a reinsurance business only."

Proviso: Companies not affected.

Regulation of license to adjusters.

SEC. 7. Amend chapter seventy-nine, Public Laws one thousand nine hundred and thirteen (1913) by adding after the word "agent" in line two and wherever else it occurs in said law, the words "or adjuster"; also amend section one of the said chapter by adding after the word "character" in line eight and before the words "that he has" the words "that he intends to hold himself out in good faith as an insurance agent, and has sufficient knowledge of the business proposed to be done." Also by amending section two of the said chapter by adding after the words "superior court" in line nineteen, the words "of Wake County."

Judge to review revocation.

Rate making boards.

SEC. 8. Amend chapter one hundred and forty-five, Public Laws one thousand nine hundred and thirteen (1913) section one by adding after the word "association" in line one the word "board"; also by adding in said chapter in section three, line one, after the word "bureau" the words "as well as every insurance company doing business in the State"; also by adding in said chapter at the end of section three, the words "or by such company for its own use." Also amend chapter one hundred and forty-five, Public Laws of one thousand nine hundred and thirteen by adding after section four to be known as section five the following:

Schedule of rates.

Complaint of rating.

"Any person, firm or corporation aggrieved by any rating of a fire insurance company, bureau or board, may file a complaint

in writing with the Insurance Commissioner stating in detail the grounds upon which the complaint asks relief. The Commissioner shall set a time, not earlier than seven days after the date of the notice, and a place for a hearing upon the complaint. After due hearing the Commissioner shall make a finding as to whether the established rate is excessive or unfair, and shall make such recommendations as he deems advisable. The finding and recommendations in each case shall be made a matter of record, and shall be open to public inspection." Also amend said chapter by renumbering the following sections, to wit: six, seven and eight, respectively.

Time and place for hearing.

Finding and recommendations.

Record; open to inspection.

SEC. 9. Amend section four thousand seven hundred of the Revisal of one thousand nine hundred and five (1905) of North Carolina by inserting after the words "four dollars" and before the words "and he shall," in line seven, the words "provided the insurance commissioners may in lieu of said abstract file with the clerks of said courts a copy of the advance sheets of his report or the full report or both."

Proviso: Full report or advance sheets filed.

SEC. 10. This act shall be in force from and after its ratification.

In the General Assembly read three times and ratified this the 8th day of March, 1915.

CHAPTER 167.

AN ACT TO AMEND CHAPTER 81, PUBLIC LAWS OF 1913, IN REGARD TO APPROPRIATIONS TO STATE BOARD OF HEALTH.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and eighty-one of the Public Laws of one thousand nine hundred and thirteen, be and the same is hereby amended by striking out section fourteen of said chapter, and substituting therefor the following:

"SECTION 14. For carrying out the provisions of this act thirty thousand (\$30,000) dollars is hereby annually appropriated to be paid by the State Auditor on requisition signed by the Secretary and President of the State Board of Health."

Appropriation.

SEC. 2. This act shall not be construed to affect the appropriation made for the purpose of collecting vital statistics and enforcing the law in regard thereto.

Appropriation for vital statistics not affected.

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

In the General Assembly read three times and ratified this the 8th day of March, 1915.

CHAPTER 168.

AN ACT TO AMEND SECTION 5371 OF THE REVISAL OF 1905, AND TO PRESCRIBE THE DUTIES OF THE STATE TREASURER, AND RELATING TO THE STATE TREASURER'S BOND.

The General Assembly of North Carolina do enact:

Banks to pay interest on monthly balances.

SECTION 1. That the bank or banks in which any money is deposited by the State Treasurer, or the Insurance Commissioner, or by any State department or by any State institution, shall be required to pay interest on monthly balances on said money at the rate of three per centum per annum. No such depository bank shall make any charge for exchange, or for the collection of the Treasurer's checks, or for the transmission of any funds which may come into his hands as State Treasurer. The interest collected on the bank balances from time to time shall be paid into the State's general fund.

Rate.

Exchange, collection and transmission of funds.

Bond of State Treasurer.

SEC. 2. That the State Treasurer-elect, before qualifying, shall file with the Secretary of State a bond in some reliable company, or companies, in the sum of two hundred and fifty thousand dollars, the premium on which bond shall be paid out of the general State funds; which said bond, before accepted, shall be approved by the Speaker of the House of Representatives and the President of the Senate.

Amount.

Premium.

Approval of bond.

Notes for emergencies.

SEC. 3. That, subject to the approval of the Governor and Council of State, the State Treasurer shall be authorized to make short term notes for temporary emergencies, but must only be made, to provide for appropriations already made by the General Assembly.

SEC. 4. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 5. 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 8th day of March, 1915.

CHAPTER 169.

AN ACT TO AMEND CHAPTER 196 OF PUBLIC LAWS OF 1913, SO AS TO CREATE AN ADDITIONAL TERM OF THE SUPERIOR COURT FOR AVERY COUNTY FOR THE TRIAL OF CIVIL CASES ONLY.

The General Assembly of North Carolina do enact:

Length of term.

SECTION 1. That chapter one hundred and ninety-six of Public Laws of one thousand nine hundred and thirteen be and the same is hereby amended as follows: By inserting under the head

“Seventeenth District” in section one thereof and under the sub-heading “Avery County,” after the word “March” and before the word “sixth,” the following: “to continue for two weeks; ninth Additional term. Monday before the first Monday in September, to continue for one week and for the trial of civil cases only,” and that the word “each” after the word “September,” 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 8th day of March, 1915.

CHAPTER 170.

AN ACT TO EXTEND TO THE TIME FOR REGISTRATION OF GRANTS.

The General Assembly of North Carolina do enact:

SECTION 1. That the time for the registration of grants issued Extension. by the State of North Carolina be and the same is hereby extended for a period of two years.

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 8th day of March, 1915.

CHAPTER 171.

AN ACT TO AMEND CHAPTER 210, PUBLIC LAWS OF 1911, RELATIVE TO SALARY OF LICENSE CLERK OF THE INSURANCE DEPARTMENT OF NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. Amend chapter two hundred and ten, Public Laws Salary. of one thousand nine hundred and eleven, by striking out in section one, line five, the words “one thousand” and inserting in lieu thereof the words “twelve hundred.”

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

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

In the General Assembly read three times and ratified this the 8th day of March, 1915.

CHAPTER 172.

AN ACT TO AUTHORIZE THE INCORPORATION AND SUPERVISION OF LAND AND LOAN ASSOCIATIONS.

The General Assembly of North Carolina do enact:

Term defined.

SECTION 1. The term "Land and Loan Associations" shall apply to and include all corporations, companies, societies or associations organized for the purpose of making loans to its members only, and of enabling its members to acquire real estate, make improvements thereon and remove encumbrances therefrom by the payment of money in periodical installments or principal sums, and for the accumulation of a fund to be returned to members who do not obtain advances for such purposes, where the principles of building and loan associations and their work are adapted to the use of the farmers and the rural population.

Unlawful use in corporate name.

It shall be unlawful for any corporation, company, society, or association doing business in this State not so conducted to use in its corporate name the term "land and loan association," or in any manner or device to hold themselves out to the public as a land and loan association.

Incorporation and limitations as of building and loan associations.

SEC. 2. *How Incorporated; Powers.* Land and loan associations shall be incorporated, supervised, and be subject to such regulations and have such privileges as are prescribed for building and loan associations under the laws of this State as they now are or may be hereafter enacted, except as prescribed in this act.

Power to contract for loans.

SEC. 3. The boards of directors of land and loan associations may contract for loans where on long time (three or more years) and where for at least one per centum less than is charged by the said associations on their loans to shareholders, to the amount of seventy-five per cent of the securities used by them as collateral, and may make short loans to their shareholders on their shares and personal endorsement or personal property.

Short loans to shareholders.

Reserve associations.

SEC. 4. *Reserve Associations.* Associations to be known as "Reserve Land and Loan Associations" may be chartered and licensed as provided in this chapter, when organized and the stock therein held by local land and loan association, and shall have such powers, rights and privileges as are accorded to other domestic associations, and may conform to such laws, rules and regulations as may be prescribed by the laws of the United States, or of this State, to enable them to receive moneys, bonds or securities to be used in loans and to secure the same. Such reserve associations shall be under the supervision of the Insurance Commissioner as are other associations as set out in chapter eighty-three of the Revisal of one thousand nine hundred and five of North Carolina.

Supervision of Insurance Commissioner.

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

In the General Assembly read three times and ratified this the 8th day of March, 1915.

CHAPTER 173.

AN ACT TO CHANGE THE TIME OF HOLDING JANUARY TERM OF CLEVELAND SUPERIOR COURT.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and ninety-six, Public Laws of North Carolina, one thousand nine hundred and thirteen, entitled "An act to provide for the division of the State into judicial districts and for holding the courts therein" be amended by striking out the word "eighth" and inserting in lieu thereof the word "seventh" after the words "Cleveland County" and before the word "Monday" in line thirty-five, on page three hundred and thirty of the Public Laws one thousand nine hundred and thirteen. Term of court.

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 8th day of March, 1915.

CHAPTER 174.

AN ACT TO PREVENT CONTAGIOUS OR INFECTIOUS DISEASE AMONG LIVE STOCK IN THIS STATE.

The General Assembly of North Carolina do enact:

SECTION 1. That upon the recommendation of the Commissioner of Agriculture, it shall be lawful for the Governor to issue his proclamation forbidding the importation into this State of any and all kinds of live stock from any State where there is known to prevail contagious or infectious diseases among the live stock of such State. Proclamation forbidding importation.

SEC. 2. That upon the recommendation of the Commissioner of Agriculture, it shall be lawful for the Governor to issue his proclamation forbidding the importation into this State of any hay, feed stuff or other article dangerous to live stock as a carrier of infectious or contagious disease from any State where there is known to prevail contagious or infectious disease among the live stock of such State. Importation of carriers of infection.

Rules for enforcing proclamation and extirpation of disease.

SEC. 3. Upon such proclamation being made, the Commissioner of Agriculture shall have power to make rules and regulations to make effective the proclamation and to stamp out such infectious or contagious diseases as may break out among the live stock in this State.

Violation of proclamation or regulation a misdemeanor.

SEC. 4. Any person, firm or corporation violating the terms of the proclamation of the Governor, or any rule or regulation made by the Commissioner of Agriculture in pursuance thereof, shall be guilty of a misdemeanor and fined or imprisoned in the discretion of the court.

Punishment.

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 9th day of March, 1915.

CHAPTER 175.

AN ACT TO PROVIDE FOR THE EMPLOYMENT OF EXPERT COTTON GRADERS AND TO MAKE THE GRADES OF COTTON, SO GRADED BY THEM, THE BASIS OF ALL COTTON TRANSACTIONS IN NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Employment of experts.

SECTION 1. The North Carolina Department of Agriculture and the North Carolina College of Agriculture and Mechanic Arts, acting together as provided by chapter sixty-eight of the Public Laws of one thousand nine hundred and thirteen, or separately, shall have authority to employ expert cotton graders to grade cotton in this State under such rules and regulations as they may adopt.

Coöperation with National Department.

The above institutions may seek the aid of the United States Department of Agriculture in the prosecution of this work, and shall have authority to enter into such contracts or arrangements as shall be mutually agreeable in furtherance of the object and purpose of this act.

Coöperation of counties.

SEC. 2. Any board of commissioners of any county in North Carolina is authorized and empowered to coöperate with either, or both, of the above named institutions in aid of the purposes of this act; and they shall have authority to appropriate such sums of money as the said board shall deem wise and expedient.

Appropriations.

Cotton graded at request of owner.

SEC. 3. The expert graders, employed by either of the above named institutions, or by the United States Government, shall have full right, power and authority to grade any cotton in North Carolina upon the request of the owner of said cotton; and said graders shall grade and classify agreeable to and in accordance with the standards; or grades, of cotton which is now or may hereafter be established by the Secretary of Agriculture by virtue

Standard.

of any act of Congress. The grade, or classification, pronounced by said expert graders of all cotton graded by them shall be *prima facie* proof of the true grade or classification of said cotton, and shall be the basis of all cotton sales in this State.

Grade *prima facie* true.

Basis of sales.

SEC. 4. In the event of any dispute, or trial, pending in any of the courts of this State, the certificate of any expert grader, employed as above provided and acknowledged, or proven, before any clerk of the superior court of any county in the State, shall be admissible in evidence as to the grade, or classification, of cotton graded or classified by said expert.

Certificate of grade admissible in evidence

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

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 176.

AN ACT TO PROVIDE FOR THE APPOINTMENT OF A TRUSTEE TO EXECUTE A DEED OF ASSIGNMENT FOR THE BENEFIT OF CREDITORS WHERE THE ORIGINAL TRUSTEE HAS DIED OR RESIGNED.

The General Assembly of North Carolina do enact:

SECTION 1. That when a trustee named in a deed of assignment for the benefit of creditors has died or resigned or has in any way become incompetent to execute the trust, the clerk of the superior court of the county wherein said deed of assignment has been registered is authorized and empowered, in a special proceeding in which all persons interested have been made parties, to appoint some discreet and competent person to act as such trustee and to execute all the trusts created in the original deed of assignment, according to its true intent and as fully as if originally appointed trustee therein.

Appointment by special proceeding.

SEC. 2. That section nine hundred and seventy of the Revisal of one thousand nine hundred and five be, and the same is hereby amended by adding after the word "removal" and before the word "of" in the first line thereof, the words "or resignation."

Cause of vacancy.

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 9th day of March, 1915.

CHAPTER 177.

AN ACT TO PLACE THE SALARY OF THE COMMISSIONER OF LABOR AND PRINTING ON AN EQUALITY WITH OTHER ELECTIVE STATE OFFICERS.

The General Assembly of North Carolina do enact:

Salary.

SECTION 1. The Commissioner of Labor and Printing shall receive a salary of three thousand dollars per annum and no more.

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

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

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 178.

AN ACT IN RELATION TO THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS AND TO REGULATE THE PRACTICE OF DENTISTRY IN THE STATE OF NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Board of examiners.

SECTION 1. The North Carolina State Board of Dental Examiners, heretofore created for the examination of those desiring to obtain a license to engage in the practice of dentistry in this State, shall consist of six members of the North Carolina Dental Society, to be elected by said society at its annual meeting, who shall be commissioned by the Governor and shall hold office as follows:

Election.

Commission and term of office.

Two for one year, two for two years, and two for three years. and until their successors are elected, commissioned, and qualified: *Provided*, that this section shall not be so construed as to vacate the office of any member of said board as now constituted and now holding office thereon until the term of office so held shall have expired as now provided by law. *Provided*, *further*, that the Governor shall issue his commission to said members of said board for the remainder of their terms. The said board shall also have power to fill all vacancies for unexpired terms, the persons so elected to be commissioned by the Governor, and they shall be responsible to said North Carolina Dental Society and the Governor of North Carolina for their acts.

Proviso: Members of present boards.

Proviso: Commissions to present board.

Vacancies.

By-laws and regulations.

SEC. 2. That said board shall have power to make by-laws and necessary regulations for the proper fulfillment of their duties under this act.

- SEC. 3. The said Board of Dental Examiners shall elect one of its members president, and one secretary-treasurer, and shall have a common seal with the following inscription: "North Carolina State Board of Dental Examiners," and the said board shall meet annually on Monday preceding the time and at the place of the meeting of the North Carolina Dental Society, and shall also meet, if application shall be made for examination, during the month of January following said annual meeting, at a time and place to be selected by said board, and may meet at such other times and places as the said North Carolina State Board of Dental Examiners, or any four members thereof shall agree upon, to conduct the examination of applicants and for the transaction of any other business that may come before it. Notice of said meetings shall be given by advertising for ten days in at least three newspapers published in this State.
- SEC. 4. Four members of said board shall constitute a quorum for the transaction of business, and should a quorum not be present on the day appointed for the meeting of said board those present may adjourn from day to day until a quorum is present. The president and, in his absence, the secretary-treasurer of said board shall have power to administer oaths, issue subpoenas, and send for persons and papers in any hearing, investigation, accusation or other matter coming before said board, and the sheriffs of the several counties or other officers authorized to serve processes shall serve any subpoena or other lawful order issued by the president or secretary-treasurer of said board and shall receive for such service the fees provided by law for like service, to be paid out of any funds in the hands of said board; and any person willfully neglecting or refusing to obey any subpoena or lawful order of said board shall be guilty of a misdemeanor and upon conviction thereof shall be fined or imprisoned at the discretion of the court.
- SEC. 5. Said board shall keep a record book in which shall be entered the names and proficiency of all persons to whom license may be granted under this act, the license numbers, and the date of granting of such license, and other matters of record, and the book so provided shall be deemed a book of records, and a transcript of any such entry therein, or a certificate that there is not entered therein the name, proficiency and license number, or date of granting such license of a person charged with a violation of the provisions of this act, certified under the hands of the secretary-treasurer and the seal of the North Carolina State Board of Dental Examiners shall be admitted as evidence in any court of this State when the same shall be otherwise competent.
- SEC. 6. Such board shall grant license to practice dentistry to all applicants who are graduates of a reputable dental institution who shall undergo a satisfactory examination of pro-
- Organization.
Seal.
Annual meeting.
Meeting on application for examination.
Other meetings.
Notice of meetings.
Quorum.
Adjournment pending quorum.
Powers in making investigations.
Sheriffs to serve process.
Fees.
Refusal to obey subpoena or order a misdemeanor.
Punishment.
Record of licenses.
Certificate admitted in evidence
Requisites for license.

iciency in the knowledge and practice of dentistry, and who shall receive a majority of votes of said board upon such proficiency, which license shall be signed by the members of the board conducting said examination, and shall bear the seal of the said North Carolina State Board of Dental Examiners.

Attestation, of license.

License and registration fees requisite to practice.

SEC. 7. No person shall engage in the practice of dentistry in this State, or attempt to do so after the ratification of this act, without first having applied for and obtained a license for such purpose from the said North Carolina State Board of Dental Examiners, and having registered such license with the clerk of the superior court of each county in which he or she proposes to practice dentistry. This provision applies to all persons whether they have heretofore practiced dentistry or not in this State, except such persons as have been heretofore duly licensed and registered, or who were engaged in the practice of dentistry in this State before the seventh day of March, one thousand eight hundred and seventy-nine, if on or before the twenty-fifth day of February, one thousand, eight hundred and ninety, such person or persons filed verified statements with the Secretary of the said State Board of Dental Examiners, showing his name, residence, date of diploma or license, or date of commencing the practice of dentistry.

Persons subject to provision.

Exceptions.

Application for examination.

Application shall be made to the said board in writing for an examination in the knowledge and practice of dentistry, and for license. The applicant for examination and license must be of good moral character, at least twenty-one years of age at the time of making the application; and the application of each person must be accompanied by satisfactory evidence to said board that the applicant so applying is a person of good character, has an English education, the standard of which shall be determined by the said Board of Dental Examiners, is a graduate of and has a diploma from a reputable dental college or institution, recognized as such by the said Board of Dental Examiners, or the dental department of a reputable university so recognized by the said Board of Dental Examiners of this State. Examinations must be both written and clinical, and of such a character as to thoroughly test the qualifications of the applicant to practice dentistry, and the said board may, in its discretion, refuse to grant license to any person found deficient in said examination or whom they may find guilty of cheating, deception, or fraud during such examination, or whose English education is found to be defective by said board. And the said board of examiners may refuse to grant a license to any person guilty of a crime involving moral turpitude, of gross immorality, or who is addicted to the use of alcoholic liquors or narcotic drugs to such an extent as to render him unfit to practice dentistry; and any license obtained through fraud or by any false representation shall be void *ab initio* and of no effect.

Requisites for examination and license.

Examinations.

Refusal for deficiency.

Refusal for cause.

License obtained by fraud void.

SEC. 8. Every person receiving a license to practice dentistry in this State by or from the said State Board of Dental Examiners as is provided in this act, shall, before the beginning of the practice of dentistry, cause said license to be registered in the office of the clerk of the superior court of each county in which such person desires to engage in the practice of dentistry, by appearing before such clerk and filing his license or duplicate thereof showing that he has been examined as to his proficiency in the knowledge and practice of dentistry, and has been licensed as herein provided; and the said clerk of the superior court of each county is authorized to receive a registration fee of fifty (50) cents for each registration, and shall keep a record of the same in a book provided by the county for such purpose. Registration of license.

SEC. 9. The license to practice dentistry herein provided for shall at all times be displayed in a conspicuous place in his or her office wherein he or she shall practice the profession of dentistry, and he or she shall, whenever requested, exhibit such license to any of the members of the said State Board of Dental Examiners or its authorized agent or attorney. Registration fee.
Record.

SEC. 10. In order to provide the means of carrying out and enforcing the provisions of this act the said Board of Dental Examiners shall charge and collect from each person applying for an examination for license to practice dentistry in this State an examination fee of twenty (\$20) dollars, and in addition thereto a fee of one (\$1) dollar for every annual certificate or license, or duplicate certificate or license, issued by said board, and out of the funds coming into the possession of the said board under the provisions of this act, the members of said board shall each receive as compensation a sum not exceeding ten (\$10) dollars for each day actually engaged in the duties of the office—(the amount of said compensation to be fixed by said board), and all legitimate and necessary expenses incurred in attending meetings of the said board; provided, that the secretary-treasurer of the board shall be allowed a reasonable salary to be fixed by the board and actual necessary expenses incurred in the discharge of the duties of his office; all expenses herein provided for shall be paid out of the funds received by the said board under the provisions of this act; and no part of said expense shall be paid out of the State Treasury. All moneys received in excess of said per diem and allowances and other expenses herein provided shall be held by the secretary-treasurer of said board as a special fund for meeting the other legitimate expenses of said board and for such use as the said board may deem necessary in the enforcement of the provisions of this act; and said board by its secretary-treasurer shall make an annual report of its proceedings to the Governor on or before the twenty-fifth day of February in each year showing all moneys received and disbursed by it pursuant to this act: *Provided*, that any sum in excess of five hundred (\$500) dollars remaining Display and exhibition of license.

Examination fee.

Annual fee.

Pay of examiners.

Proviso:
Salary of secretary-treasurer.

Fund for payment of expenses.

Use of surplus.

Annual report.

Proviso:
Surplus in excess \$500 to State school fund.

after meeting the per diem and other expenses hereinbefore mentioned shall be turned into the State Treasury to the use of the general school fund of the State.

Report and fee
for renewal
license.

SEC. 11. On or before the first day of January of each year every dentist engaged in the practice of dentistry in this State shall transmit to the said secretary-treasurer of the said North Carolina State Board of Dental Examiners his signature and post office address, the number of his or her license, together with a fee of one (\$1) dollar and receive therefor a renewal license. Any license or certificate granted by said board, under or by virtue of this act, shall automatically be canceled and annulled if the holder thereof fails to secure the renewal herein provided for within a period of three months after the thirty-first day of December of each year; provided, any license thus canceled may be restored by the said board upon the payment of five (\$5) dollars if paid within one year after said cancellation: *Provided*, that any legally practicing dentist in this State who retires from practice may receive license to resume the practice thereof upon application to said board of dental examiners for such license upon payment of ten (\$10) dollars.

Cancellation of
license.

Proviso:
Restoration of
license.

Proviso:
Renewal of li-
cense after retire-
ments.

Filing false di-
plomas or license
or forged affidavit
a crime.

Punishment.

SEC. 12. Any person filing or attempting to file as his own a diploma, or license of another, or a forged affidavit of identification or qualification shall be deemed guilty of a crime and be punishable upon conviction thereof by imprisonment or fine or both in the discretion of the court.

Persons regarded
as practicing.

SEC. 13. Any person shall be regarded as practicing dentistry within the meaning of this act, who shall diagnose or profess to diagnose, or treat or profess to treat any of the diseases or lesions of the oral cavity, teeth, gums, or maxillary bones, or shall prepare or fill cavities in human teeth, correct malposition of teeth, of jaws, or apply artificial teeth as substitutes for natural teeth, or administer anaesthetics, general or local, or any other practice included in the curriculum of recognized dental institutions or colleges: *Provided*, that nothing in this act shall be so construed as to forbid regularly licensed physicians and surgeons from treating any diseases coming within the province of the practice of medicine; *Provided*, that this act shall not prevent any one from extracting teeth.

Proviso:
Physicians and
surgeons.

Proviso:
Extracting teeth.

Exemption from
jury duty.

SEC. 14. All duly licensed dentists of this State shall be exempt from service as jurors in any of the courts of this State.

Authentication of
license and certifi-
cates.

SEC. 15. All licenses and certificates issued by said State Board of Dental Examiners shall bear a serial number, the full name of the applicant, the date of the issuance, the seal of the said board, and be signed by the president and a majority of the members thereof, and be attested by its secretary.

Practice to be
under proper
name.

SEC. 16. It shall be unlawful for any person or persons to practice or offer to practice dentistry or dental surgery as herein defined under the name of any company, association, or corporation, and every person practicing or offering to practice dentis-

try or dental surgery under any other name than his or her own respective name shall be guilty of a misdemeanor.

SEC. 17. The said board of dental examiners may in its discretion issue a license to practice dentistry without an examination other than clinical to a legal and ethical practitioner of dentistry who removes into North Carolina from another State or territory of the United States, whose standard of requirements is equal to that of the State of North Carolina, and in which he or she conducted a legal or ethical practice of dentistry for at least five years next preceding his or her removal; *Provided*, such applicant shall present a certificate from the dental board or a like board of the State or territory from which he or she removes, certifying that he or she is a legally competent, and ethical dentist, and is of good moral character; and *Provided* that such certificate is presented to the said State Board of Dental Examiners within six months of the date of its issuance, and shall be recorded in the county or counties where such person proposes to practice as is provided by this act; and *Provided* that the said board of such other State or territory shall permit in like manner by law the recognition of licenses or certificates issued by the North Carolina State Board of Dental Examiners when presented to such other board by legal practitioners of dentistry from this State, when he or she wishes to remove to or practice dentistry in such other State or territory.

License to practitioners from other states.

Proviso:
Certificate.

Proviso:
Presentation and record of certificate.

Proviso:
Reciprocal recognition.

Certificate for change.

SEC. 18. Any person who is a legal, ethical and competent practitioner of dentistry in this State and of good moral character, and known to the North Carolina State board of dental examiners as such, who shall desire to change his or her residence to any other State or territory or foreign country shall upon application accompanied by a fee of five (\$5) dollars to the said North Carolina State board of dental examiners of this State receive a special certificate over the signature of the president and attested by the secretary-treasurer of said board, and bearing its seal, which shall attest the facts mentioned in this chapter, and give the date upon which he or she was presented with license.

SEC. 19. The fee for issuing a license to a legal practitioner from another State or territory as provided in this chapter, shall be twenty (\$20) dollars, and a fee for issuing a certificate to a legal practitioner in this State desiring to remove therefrom, as provided in the preceding section, shall be five (\$5) dollars. Said fees shall be paid in cash before the license or certificate shall be issued.

Fee for license to incoming practitioner.

Fee for certificate on removal.

SEC. 20. Legally licensed druggists of this State may fill prescriptions of legally licensed dentists of this State for any drug necessary for the practice of dentistry.

Prescriptions filled.

SEC. 21. If any person shall practice or attempt to practice dentistry in this State, except extracting teeth, without having first passed the examination and obtained a license and registered

Practicing without license or violation of act a misdemeanor.

the same as is provided in this act, or shall violate any of the provisions of this act for which no specific penalty has been provided herein, he or she shall be guilty of a misdemeanor and upon conviction thereof shall be fined twenty-five (\$25) dollars for the first offense: *Provided*, that if any person, having once been convicted of practicing dentistry contrary to this act, or contrary to the provisions of section three thousand six hundred and forty-two of the Revisal of North Carolina of one thousand nine hundred and five, shall practice or attempt to practice dentistry in violation of the provisions of said section three thousand six hundred and forty-two, or the provisions of this act, shall be guilty of a misdemeanor and upon conviction thereof, for the second offense and for each succeeding offense thereafter, shall be fined and imprisoned in the discretion of the court. That each act of dentistry shall be deemed a separate offense and constitute a practice of dentistry in the meaning of this act; and each day that a person shall hold himself or herself out as practicing in any name except his or her own shall be deemed a separate offense. The opening of an office or dental parlor for the practice of dentistry, or the practice of dentistry without opening an office or parlor, or to announce to the public in any way a readiness to do any act or thing defined herein as being dentistry shall be deemed to engage in the practice of dentistry within the purview of this act.

Punishment, first offense. Proviso: Second and subsequent offenses.

Separate offenses.

Definition of terms.

Grounds for revocation of license.

SEC. 22. Whenever it shall appear to the North Carolina State Board of Dental Examiners that any licensed dentist practicing in the State of North Carolina has been guilty of fraud, deceit, or misrepresentation in obtaining license, or of gross immorality; or is an habitual user of intoxicants or drugs, rendering him unfit for the practice of dentistry, or has been guilty of malpractice, or is grossly ignorant or incompetent, or is guilty of willful negligence in the practice of dentistry, or has been employing unlicensed persons to perform work, which under this act, can only be legally done by persons holding a license to practice dentistry in this State; or of practicing deceit or other fraud upon the public or individual patients in obtaining or attempting to obtain practice; or of false notice, advertisement, publication, or circulation of false claims, or fraudulent misleading statements of his art, skill or knowledge, or of his methods of treatment or practice, or shall be guilty of any offense involving moral turpitude, they shall remove the license of such person; an accusation may be filed with the secretary-treasurer of the North Carolina State Board of Dental Examiners, charging any licensed dentist with the commission of any of the offenses herein enumerated; such accusation to be in writing, signed by the accuser and verified under oath.

Accusations.

Day for hearing. Notice to accused.

Whenver such accusation is filed, the secretary-treasurer of the said North Carolina State Board of Dental Examiners shall set a day for hearing, and shall transmit to the accused a true

copy of all papers filed with him relating to such accusation, and shall notify in writing the accused that on the day fixed for hearing, which day shall not be less than ten days from the date of such notice, he may appear and show cause, if any, why his license to practice dentistry in the State of North Carolina should not be revoked; and for the purpose of such hearing the said North Carolina State Board of Dental Examiners is hereby empowered to require by subpoena the attendance of witnesses, to administer oaths and hear testimony, either oral or documentary, for and against the accused.

Powers in securing evidence.

And if, at such hearing of the accused, the North Carolina State Board of Dental Examiners shall be satisfied that the accused has been guilty of the offense charged in the accusation they shall thereupon, without further notice, revoke the license of the person so accused: *Provided*, the accused shall not be barred the right of appeal to the superior courts.

Revocation of license.

Proviso:
Right of appeal.

SEC. 23. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 24. That this act shall be in force from and after its ratification.

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 179.

AN ACT TO CURE DEFECTIVE PROBATES AND REGISTRATION OF DEEDS OF CONVEYANCE WHERE THE ORDER OF REGISTRATION HAS BEEN OMITTED.

The General Assembly of North Carolina do enact:

SECTION 1. That in every case where it shall appear from the records of the office of the register of deeds of any county in this State that the execution of a deed of conveyance was duly acknowledged before the clerk or deputy clerk of the superior court of such county and the certificate of such officer taking the acknowledgment was made complete except that the order of registration was omitted and such deed with the certificate of such officer was duly registered without any order of registration, any and all such probates and registrations are hereby validated and the records of such deeds of conveyance may be read in evidence upon the trial or hearing of any cause with the same force and effect as if the same had been duly ordered registered: *Provided*, that this act shall only apply to deeds so acknowledged and registered prior to January first, one thousand nine hundred and fifteen.

Acknowledgment and certificate of acknowledgment complete.

Order for registration omitted.
Deed registered.
Probates and registrations validated.

Proviso:
Deeds registered prior to 1 January, 1915.

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 9th day of March, 1915.

CHAPTER 180.

AN ACT TO AMEND CHAPTER 128 OF THE PUBLIC LAWS OF 1911, RELATIVE TO FISHING IN THE WATERS OF NEUSE RIVER IN CARTERET COUNTY.

The General Assembly of North Carolina do enact:

Season.

SECTION 1. That section one, of chapter one hundred and twenty-eight, of Public Laws of one thousand nine hundred and eleven, be amended by striking out the word "first" after the word "May" in line two of said act, and insert in lieu thereof the word "fifteenth."

Proviso:
Limit of act.

SEC. 2. That section one, of said act, be further amended by striking out the word "one-third" in line eight of said section, and insert in lieu thereof the word "one-fourth."

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 full force and effect from and after its ratification.

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 181.

AN ACT TO PROVIDE TREATMENT AT THE STATE SANATORIUM FOR INDIGENT TUBERCULAR PATIENTS.

The General Assembly of North Carolina do enact:

Municipalities
and counties may
provide for treat-
ment.

SECTION 1. That any city or town in the State of North Carolina through its board of aldermen, town council, or other governing body, and any county in the State of North Carolina through its board of commissioners, is hereby authorized and empowered to provide for the treatment of any tubercular person or persons resident in and who is a bona fide citizen of said city, town or county, at the North Carolina Sanatorium for the Treatment of Tuberculosis, and pay therefor to the said North Carolina Sanatorium for the Treatment of Tuberculosis an amount which shall not be more than one dollar per day per patient.

Limit of cost.

SEC. 2. 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 9th day of March, 1915.

CHAPTER 182.

AN ACT TO PERMIT THE KILLING OF TURKEY BUZZARDS
AND VULTURES.

The General Assembly of North Carolina do enact:

SECTION 1. That section three thousand four hundred and sixty-six of the Revisal of nineteen hundred and five be and the same is hereby amended by striking out the word "and" between "jackdaws" and "rice birds" and adding after the word "rice-birds" the words, "turkey buzzards and vultures." Section amended.

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

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 9th day of March, 1915.

CHAPTER 183.

AN ACT TO REGULATE THE TERMS OF THE SUPERIOR
COURTS OF MONTGOMERY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That there shall be held in the county of Montgomery the following terms of the superior court for the trial of criminal cases only, viz.: On the sixth Monday before the first Monday in March, said term to continue for one week: Criminal cases only.
Provided, said term shall be a return term for civil process and for hearing of motions on the civil docket: *Provided, further*, that civil cases requiring a jury may be tried at said term by consent of the parties thereto. Proviso:
Return term for
civil cases;
motions.
Proviso:
Jury civil trials
by consent.

SEC. 2. That there shall be held in the said county the following terms of the superior court for the trial of criminal and actions only, viz.: On the sixth Monday after the first Monday in September, said term to continue for one week. Criminal and
civil cases.

SEC. 3. That there shall be held in the said county the following terms of the superior court for the trial of civil actions only, viz.: On the sixth Monday after the first Monday in March, said term to continue for one week; also on the third Monday after the first Monday in September, said term to continue for two weeks. Civil actions only.

SEC. 4. That all laws and causes of laws in conflict with this act are hereby repealed.

SEC. 5. 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 9th day of March, 1915.

CHAPTER 184.

AN ACT TO PROTECT FISH IN ONSLOW COUNTY.

The General Assembly of North Carolina do enact:

- Time limit. SECTION 1. That it shall be unlawful for any person, firm or corporation to set any net or seine on the coast of Onslow County for a longer time than one hour at any one time.
- Punishment. SEC. 2. That any person violating the provisions in section one of this act shall, upon conviction, be fined not less than one hundred dollars or imprisoned not less than three months.
- One-half fine to informant. SEC. 3. That one-half of said fine shall go to the party or parties reporting such offenses, and furnishing sufficient evidence to convict.
- Sale of equipment. SEC. 4. That in the event any offender shall be uable to pay fine, that his boats, nets and other fishing paraphernalia shall be forfeited and sold to the highest bidder for cash at courthouse door after twenty days notice, and proceeds of said sale be applied to cost and fine and any surplus paid to the defendant.
- Proviso: Time to take up fish. SEC. 5. *Provided, however,* this act shall not tend to convict any party who shall catch more fish than can be taken up in one hour.
- SEC. 6. That all laws and clauses of laws in conflict with this act be, and the same are 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 9th day of March, 1915.

CHAPTER 185.

AN ACT TO PAY THE CITIZENS NATIONAL BANK OF RALEIGH FOR MONEY ADVANCED FOR THE STATE BUILDING COMMISSION.

- Preamble. WHEREAS, on March twelfth, one thousand nine hundred and fourteen, the State Building Commission issued a voucher in the sum of eleven thousand two hundred and seventy-seven dollars and thirty-seven cents, payable to the General Fire Extinguisher Company for work done and materials furnished in the construction of the Administration Building; and whereas at that time the commission had to its credit only seven thousand nine hundred and twenty-eight dollars and twenty-eight cents; and, whereas, the Citizens National Bank of Raleigh paid said voucher upon the personal guaranty of the members of the commission, and the sum of three thousand three hundred and

forty-nine dollars and nine cents is now justly due said Citizens National Bank on account of said payment, now therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the State Auditor is hereby directed to issue to the Citizens National Bank of Raleigh a warrant in the sum of three thousand three hundred and forty-nine dollars and nine cents with interest on same at six per cent from March twelfth, one thousand nine hundred and fourteen, in payment of the money advanced by said bank.

Warrant.

Amount.

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

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 186.

AN ACT TO AMEND SECTION "A" OF SECTION 2674 OF THE REVISAL OF NORTH CAROLINA, RELATIVE TO APPOINTMENT OF TRUSTEES FOR HOLDING PROPERTY OF BENEVOLENT AND FRATERNAL ORDERS.

The General Assembly of North Carolina do enact:

SECTION 1. That section "a" of section two thousand six hundred and seventy-four of the Revisal of North Carolina be amended by inserting between the words "Elks" and "and," in the fourth line of said section, the following: "Young Men's Christian Associations, Young Women's Christian Associations, societies for the care of orphan and indigent children, societies for the rescue of fallen women," and at the end of said subsection, there be added the following: "And in case there shall be no trustees, then any property, real or personal, which could be held by said trustees, shall vest in and be held by said charitable, benevolent, religious or fraternal orders and societies respectively, according to such intent: *Provided*, this act shall not affect vested rights or apply to any pending action."

Associations and societies added.

Property to vest in association or society.

Provido:
Vested rights and pending actions.

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

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 187.

AN ACT TO PROVIDE A NAME FOR THE OLD SUPREME COURT BUILDING AND A CUSTODIAN AND LABORERS THEREFOR.

The General Assembly of North Carolina do enact:

Official designation.

SECTION 1. That the building formerly occupied by the Supreme Court and the State Library and others shall be, and the same is officially designated the State Departments Building.

Employment and wages of custodian, janitor, and elevator boy.

SEC. 2. That the Board of Public Buildings and Grounds be and it is hereby authorized to employ a custodian for the said State Departments Building at a salary not to exceed eighteen dollars per week, and a janitor at a salary not to exceed seven-teen dollars per week, and an elevator operator at a salary not to exceed seven dollars and fifty cents per week.

Names added to payroll.

SEC. 3. That the keeper of public buildings and grounds be and he is hereby authorized to add the names of the persons appointed to the aforesaid positions to his weekly pay roll, and the State Auditor is directed to draw his warrant on the State Treasurer for an amount sufficient to pay the above allowances.

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

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 188.

AN ACT TO RE-RUN AND RE-MARK A PART OF THE STATE LINE IN BRUNSWICK COUNTY.

The General Assembly of North Carolina do enact:

Governor to appoint commissioner.

SECTION 1. That the Governor of North Carolina is hereby authorized to appoint a commissioner, who shall be a competent engineer, and a sufficient number of chain carriers on the

Joint action with South Carolina.

part of this State, to act with commissioners and chain carriers appointed or to be appointed by the State of South Carolina to re-run and re-mark the boundary line between the State of North Carolina and the State of South Carolina, beginning at the Atlantic Ocean at the point of division and running thence northwestward as far as the Waccamaw River, a distance of about eight miles.

Line.

Monuments.

SEC. 2. That when the State line has been re-run and re-marked as above provided between this State and the State of South Carolina, that a permanent monument of stone or concrete

shall be placed at the site of the little boundary house, and also one on Goat Island, in the said line.

SEC. 3. That if any disagreement shall arise between said com- Arbitrator.
missioners of the two States aforesaid, the Governor of North Carolina is authorized to negotiate with the Governor of South Carolina and with his concurrence appoint a third and disinterested person to act as arbitrator with said two commissioners in fixing the exact boundary line.

SEC. 4. That in case of serious disagreement or any inability Report of serious
on the part of the said arbitrators to agree on said boundary, disagreement.
such facts shall be reported by the Governor to the next General Assembly for its action.

SEC. 5. That when the commissioners of the two States Report of survey
aforesaid shall have completed the survey and establishment of and establishment
of the aforesaid line they shall report the same to the Governor, of line.
together with a full report of their acts and a tracing of the same, who shall lay the same before the Council of State; and when the Governor and Council of State shall have approved the same, the Governor shall issue his proclamation declaring the said line to be the boundary line between and the same shall be the true boundary line between this State and the State of South Carolina. Proclamation of
report.

SEC. 6. That the original report and tracing shall be filed in Original report
the office of the Secretary of State, and a certified copy of the and map filed.
said tracing shall be certified to the register of deeds for record Record in Bruns-
in Brunswick County. wick County.

SEC. 7. That upon the completion of the said work by the said Payment of
commissioners the Governor is authorized to issue his warrant expense.
upon the State Treasurer for such portion of expense as shall fall to the State of North Carolina.

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

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 189.

AN ACT TO AMEND SECTION ONE OF CHAPTER 502 OF THE PUBLIC LAWS OF 1909 OR NORTH CAROLINA, RELATING TO FORMATION OF SECURITY SELLING COMPANIES.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter five hundred and two of the Public Laws of one thousand nine hundred and nine, of North Carolina, be stricken out and the following enacted in lieu thereof: Corporations may be formed under section Law under which
corporations may
be formed.

Business authorized.

Fee for investigation.
No fee for renewal.

one thousand one hundred and thirty-seven of the Revisal of one thousand nine hundred and five, and laws amendatory thereto, to conduct the business of selling securities and bonds of any kind, including its own bonds and choses in action, on the partial payment, instalment, or other plan of payment, and to loan money on mortgage, personal or other security and to collect interest in advance on the same, and to charge a fee of one dollar for investigating the loan, but no fee shall be charged for a renewal of the loan.

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 9th day of March, 1915.

CHAPTER 190.

AN ACT TO AMEND CHAPTER 192 OF THE PUBLIC LAWS OF 1913, SAID CHAPTER BEING AN ACT TO CREATE A LIEN UPON CERTAIN GOODS FOR STORAGE CHARGES AND TO CREATE A LIEN UPON TOBACCO FOR STORAGE CHARGES.

The General Assembly of North Carolina do enact:

Lien extended.

SECTION 1. That section one of chapter one hundred and ninety-two of the Public Laws of one thousand nine hundred and thirteen be and it is hereby amended by inserting between the word "furniture" and the word "goods" in line two and in line four thereof the word "tobacco."

Sale for charges.

SEC. 2. That section two of said chapter be and it is hereby amended by inserting between the word "furniture" and the word "goods" in line three thereof the word "tobacco"; and by inserting between the word "goods" at the end of line six and the word "are" at the beginning of line seven thereof the words "or tobacco;" and by inserting between the word "furniture" and the word "goods" in line nine thereof the word "tobacco."

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

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 191.

AN ACT TO AMEND CHAPTER 150, PUBLIC LAWS OF NORTH CAROLINA, REGULAR SESSION 1913, SO AS TO REQUIRE CONTRACTORS FOR STREETS AND ROAD WORK TO GIVE BOND FOR THE FAITHFUL PERFORMANCE OF THE CONTRACT.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and fifty of the Public Laws, regular session of one thousand nine hundred and thirteen, of North Carolina, be amended as follows: That after the word "building" and before the word "shall" in line seven in section two, of the said act the words, "Public road or street" be inserted.

Requirement extended.

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

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 192.

AN ACT TO AMEND THE REVISAL OF 1905, OF NORTH CAROLINA, IN REGARD TO THE ERECTION AND INSPECTION OF BUILDINGS.

The General Assembly of North Carolina do enact:

SECTION 1. That section two thousand nine hundred and eighty-one of the Revisal of one thousand nine hundred and five of North Carolina be amended to read as follows:

"2981. *Chief of fire department, appointed how; remuneration.* It shall be the duty of the board of aldermen or governing body of every city and incorporated city and town where there is no chief of fire department to appoint said officer at once, and to see that said officer is reasonably remunerated by said city or town for the services required of him by law. It shall be the duty of the Insurance Commissioner, where said governing body fails or neglects to perform either of said duties to call it to their attention and if necessary bring the matter before the proper court. Nothing herein shall prevent any person appointed hereunder from holding some other position in the government of said city or town."

Appointment and pay of chief of fire department.

Enforcement by Insurance Commissioner.

Chief may hold other position.

SEC. 2. That section two thousand nine hundred and eighty-two of the said Revisal be amended by adding after the words "as may be required" in line seven, and before the words "by the said" the following words: "by the State law or city or town ordinance or."

Reports and duties.

Neglect to obtain permit or certificate.

SEC. 3. Amend section two thousand nine hundred and eighty-six of the said Revisal by adding at the end thereof the following words: "and also bring the matter before the mayor, recorder or municipal court for their attention and action."

SEC. 4. Amend section two thousand nine hundred and eighty-seven by striking out all after "incombustible material," and by adding as section two thousand nine hundred and eighty-seven (a) the following:

Rules applied to repairs and alterations.

"All rules, regulations and requirements contained in the building law, or set out in this sub-chapter in regard to the erection of buildings, or any part thereof, shall apply also where any building or walls, or any part thereof, is proposed to be raised, altered, repaired or added to, in order that the objects of the law may be accomplished and deficiencies and menaces to the safety of the city or town may not be made or perpetuated."

Permit for repairs, removal or alterations in fire limits.

SEC. 5. Amend section two thousand nine hundred and eighty-eight by adding at the end thereof the following words: "or altered, repaired or moved except upon the permit of the building inspector, approved by the Insurance Commissioner."

SEC. 6. Amend section two thousand nine hundred and eighty-nine by adding after the words "cast-iron or cement," and before the words, "The roof," the following words:

Allowance by Insurance Commissioner.

"Upon written application approved by the building inspector the Insurance Commissioner may, where he deems it advisable, allow decreased thickness in walls of concrete, or in brick walls where such thickness is compensated for by pilasters."

SEC. 7. Amend section two thousand nine hundred and ninety-one by adding after the words "on each floor" in line seven the following:

Stand pipes and hose coupling.

"The building inspector may, with the approval of the Insurance Commissioner, allow two or more stand pipes of smaller size and proper hose coupling, provided they are of such sizes and number as to be at least equivalent in service to the large stand pipes required."

SEC. 8. Amend section two thousand nine hundred and ninety-six by adding after the words "ceiling joints" and before the words "flues not lined" the following words:

Support of flues.

"All flues shall have a proper and sufficient support at their base, and in no case shall they be supported even partially by contact in passing through partitions, ceilings or roofs."

SEC. 9. Amend section two thousand nine hundred and ninety-eight by striking out at the end thereof the words "as prescribed in this chapter" and inserting in lieu thereof the following:

Fine prescribed.

"Of not less than ten dollars nor more than fifty dollars for each day that the condition remains uncorrected."

SEC. 10. Amend section three thousand and two by adding at the end thereof the following:

"The said building inspector shall notify the owner or occupant of buildings of any defects, and notify them to correct the same within a reasonable time." Notice of defects and for correction.

SEC. 11. Amend section three thousand and three by adding at the end thereof the following:

"It shall be the duty of the local building inspector to notify the occupant and owner of all premises of any defects found in this general inspection, and see that they are properly corrected." Notice of defects at annual inspection.

SEC. 12. Amend section three thousand and five by striking out in line two the word "May" and inserting in lieu thereof the word "February," and by striking out in line four the words "first day of April," and inserting in lieu thereof the words "thirty-first day of December." Time for reports. Inspection year.

SEC. 13. Amend section three thousand and six of the said Revisal by adding after the word "new building" in line one the words "or old building repaired or altered," and by adding at the end thereof the following: Inspection fee for repairs.

"The building inspector shall be paid an adequate salary by the city or town for inspections under section three thousand and two and three thousand and three, also for duties under this section where the fees are collected and paid into the treasury of the municipality." Salary of inspector.

SEC. 14. Amend section three thousand and nine of the said Revisal by adding after the words "new building" in line one and before the words "it shall be" the words "or than an old building because of its condition is dangerous and likely to cause a fire." Notice to owners of old buildings.

SEC. 15. Amend section three thousand and ten by adding after the words "especially dangerous" in line two, and before the words "in case of fire" the following "because of its liability to fire or." Also in line seven after the words "shall be altered" and before the word "until" the following, "repaired or moved." Also in line nine after the words "the alteration" and before the words "so made," the words "repair or change." Special danger. Examination for repair or removal. Repair or change to conform to law.

SEC. 16. Amend section three thousand and eleven to read as follows:

"Section three thousand and eleven. *To what towns apply.* This sub-chapter shall apply only to incorporated cities and towns of over one thousand inhabitants according to the last United States census, and such other cities and towns in the State as shall by a vote of their board of aldermen or governing body adopt this sub-chapter." Municipalities affected.

SEC. 17. Amend section three thousand six hundred and ten by striking out at the end thereof the following: "This section shall not apply in towns exempt from the law governing the inspection of buildings." Exempted towns.

SEC. 18. Amend section three thousand seven hundred and ninety-eight by striking out at the end thereof the following: Exempted towns.

“This section shall not apply in towns which may be exempt from the law regarding the inspection of buildings.”

Exempted towns.

SEC. 19. Amend section three thousand eight hundred and two by striking out at the end thereof the following: “This section shall not apply to towns and cities exempt from the law governing the inspection of buildings.”

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

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 193.

AN ACT REGARDING PACKAGES OF FRUITS AND VEGETABLES.

The General Assembly of North Carolina do enact:

True name of grower or packer.

SECTION 1. That any person or persons, firm or corporation selling or offering for sale or consignment any barrel, crate, box, or other case, package or receptacle containing any berries, fruit, melons, potatoes, vegetables, truck or produce of any kind whatsoever, to be shipped to any point within or without the State of North Carolina, without the true name of the grower or packer either written, printed, stamped or otherwise placed thereon in distinct and legible characters, shall be guilty of a misdemeanor and fined not exceeding fifty dollars or imprisoned not exceeding thirty days: *Provided*, this act shall not apply to railroads, express companies and other transportation companies selling or offering for sale for transportation or storage charges or any other charges accruing to said railroads, express companies or other transportation companies, any barrel, crate, box or other case package or receptacle containing berries, fruit, melons, potatoes, vegetables, truck or produce.

Misdemeanor.

Punishment.

Proviso:
Sales for freight
or storage.

SEC. 2. 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 9th day of March, 1915.

CHAPTER 194.

AN ACT TO RELIEVE DRUG STORES AND MEDICAL DEPOSITORIES FROM UNUSED LICENSE TAX TO SELL LIQUORS.

Preamble.

WHEREAS, by an act of this General Assembly entitled “An act to restrict the delivery and use of intoxicating liquors”

the sale of intoxicating liquors is prohibited on and after the first day of April, one thousand nine hundred and fifteen, and

WHEREAS, certain drug stores and medical depositories have Preamble. paid for license from the State which said license authorized such sale until May thirty-first, one thousand nine hundred and fifteen, Now therefore

The General Assembly of North Carolina do enact:

SECTION 1. That the State Treasurer be and he is hereby Repayment. authorized to refund out of moneys in the State Treasury to any drug store or medical depository one-sixth of the amount paid by such drug store or medical department to the State for license to sell intoxicating liquors, expiring May thirty-first, one thousand nine hundred and fifteen.

SEC. 2. That this act shall be in force from and after the When act effective. first day of April, one thousand nine hundred and fifteen.

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 195.

AN ACT TO PROCURE THE LOCATION IN NORTH CAROLINA, AT THE FORMER HOME OF JOHN PAUL JONES, OF THE PATRIOTS MEMORIAL SCHOOL, TO BE ERECTED BY THE NATIONAL SOCIETY OF THE DAUGHTERS OF THE AMERICAN REVOLUTION.

WHEREAS, the National Society, Daughters of the American Preamble. Revolution contemplates building a memorial school, at a cost of several hundred thousand dollars, to be located preferably in the South; and,

WHEREAS, the North Carolina members of said Society are Preamble. endeavoring to secure its location in this State, and the Elizabeth Montford Ashe Chapter, of Halifax, have offered to donate a most appropriate site therefor at Halifax, viz: the historic home of the patriot Willie Jones, and of the great naval hero, John Paul Jones, together with one hundred acres of land, fifty acres of which is given by Halifax County; and

WHEREAS, other southern States are endeavoring to secure Preamble. the location of this school within their borders by offering appropriations and other inducements, therefore:

The General Assembly of North Carolina do enact:

SECTION 1. That there is hereby appropriated to the said Appropriation. Patriots Memorial School the sum of thirty-five hundred dollars, upon condition that same be located in North Carolina, the Condition. same to be paid to the proper officers of said school when its Payment.

location in this State is fixed, and its construction assured and begun.

State not committed to future appropriations.

SEC. 2. That this act shall in no wise commit the State to the policy of supporting, or assisting in supporting said school by any future appropriations.

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

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 196.

AN ACT TO PROHIBIT FOREIGN CORPORATIONS FROM DOING A FIDUCIARY BUSINESS IN THIS STATE AND LIMITING THE USE OF THE WORD TRUST.

The General Assembly of North Carolina do enact:

Foreign corporations not eligible.

SECTION 1. No corporation organized under the laws of any other State other than North Carolina or organized under the laws of any foreign country shall be eligible or entitled to qualify in this State as executor, administrator, guardian or trustee under the will of any person domiciled in this State at the time of his death.

Use of "trust" in corporate name limited.

SEC. 2. That no corporation shall be hereafter chartered under the laws of North Carolina with the word "trust" as a part of its name, except corporations reporting to and under the supervision of the Corporation Commission; nor shall any corporate name be so amended as to include the word "trust" unless the corporation be under such supervision.

Advertisement, signs and operation.

SEC. 3. No person, firm, association or corporation domiciled within the State of North Carolina, except only corporations reporting to and under the supervision of the Corporation Commission of this State shall therein advertise and put forth any sign as a trust company or in any way solicit or receive deposits or transact business as a trust company, or use the word "trust" as a part of his or its name or title: *Provided*, that this act shall not be held to prevent any individual as such, from acting in any trust capacity as heretofore. Any violation of any provision of this section shall constitute a misdemeanor and on conviction thereof the offender shall be fined in a sum not exceeding five hundred dollars for each offense.

Proviso: Action by individual.

Punishment.

SEC. 4. All laws and clauses of laws in conflict with this act are hereby repealed.

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 9th day of March, 1915.

CHAPTER 197.

AN ACT TO AUTHORIZE AND DIRECT SHERIFFS AND OTHER OFFICERS TO SEIZE AND SELL VEHICLES OF ALL KINDS USED IN CARRYING, CONCEALING OR REMOVING INTOXICATING LIQUORS.

The General Assembly of North Carolina do enact:

- SECTION 1. That if any person, firm, association, or corporation shall have or keep in his, their or its possession any spirituous, venous or malt liquors in violation of any State law now existing or which shall become operative within twelve months after the ratification of this act, the sheriff or other officer of any county, city or town, who shall seize such liquors as provided by chapter forty-four, Public Laws of the year one thousand nine hundred and thirteen, or by any other authority provided by law, is hereby authorized and required to seize and take into his custody any vessel, boat, cart, carriage, automobile and all horses and other animals or things used in conveying, concealing or removing such spirituous, vinous or malt liquors and safely keep the same until the guilt or innocence of the defendant has been determined upon his said trial for the violation of any such law making it unlawful to so keep in his, their or its possession any spirituous, vinous or malt liquors, and upon conviction of a violation of said law, said defendant shall forfeit and lose all right, title and interest in and to the said property so seized; and it shall be the duty of the sheriff having in possession said vessel, boat, cart, carriage, automobile and all horses and other animals or things so used in conveying, concealing or removing such spirituous, vinous or malt liquors, to advertise and sell same under the laws governing the sale of personal property under execution.
- Sec. 2. That in the event the sheriff or other officers shall, at the time of seizing said spirituous, vinous or malt liquors, fail to capture or arrest the owner or party in possession and so using said vessel, boat, cart, carriage, automobile and all horses and other animals or thing to convey, conceal or remove said spirituous, vinous or malt liquors, he shall advertise for the owner or owners to come forward and institute the proper proceeding to secure possession of said property, and upon the failure of any person to so come forward and surrender himself to the sheriff to the end that the question of whether said property was used as set out in this act, and upon the failure of such person to come forward, if an individual, in person, and make such claim within thirty days after such notice shall have appeared in at least one issue of some newspaper published in the county where such seizure was made, and after such notice and time the sheriff shall advertise such property so seized for sale, and sell as provided in section one of this act.

Seizure of liquors.

Seizure of vessels and vehicles.

Forfeit on conviction.

Advertisement for owners.

Sale upon failure of owner to appear.

Proceeds of sale
to school fund.

SEC. 3. That the proceeds derived from the sale of such property, after paying for the reasonable expenses of such sale, shall be paid by the sheriff to the county treasurer, and be applied by the treasurer to the credit of the public school fund of said county.

SEC. 4. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 5. 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 9th day of March, 1915.

CHAPTER 198.

AN ACT TO REGULATE THE BUSINESS OF PAWNBROKERS.

The General Assembly of North Carolina do enact:

Business confined
to municipalities.

SECTION 1. No person, firm or corporation shall engage in the business of lending money, or other things, for profit or on account of specific articles of personal property deposited with the lender in pledge in this State, which business is commonly known as that of pawnbrokers, except in incorporated cities and towns, and without first having obtained a license to do so from such incorporated cities and towns, and by paying the county, State and municipal license tax required by law, and otherwise complying with the requirements made in this and succeeding sections. Any person, firm or corporation who shall engage in the business of lending or advancing money on the pledge and possession of personal property, or dealing in the purchasing of personal property or valuable things on condition of selling the same back again at stipulated prices, is hereby declared and defined to be a pawnbroker.

License obtained.

Pawnbroker
defined.

License granted
by municipal
authorities.

SEC. 2. The board of aldermen, or other governing body, of any city or town in this State may grant to such person, firm or corporation as it may deem proper, and who shall produce satisfactory evidence of good character, a license authorizing such person, firm or corporation to carry on the business of a pawnbroker, which said license shall designate the house in which such person, firm or corporation shall carry on said business, and no person, firm or corporation shall carry on the business of a pawnbroker without being duly licensed, nor in any other house than the one designated in the said license. Every person, firm or corporation so licensed to carry on the business of a pawnbroker shall, at the time of receiving such license, file with the mayor of the city or town granting the same, a bond payable to such city or town in the sum of one thousand dollars, to be executed by the persons so licensed and

Location
designated.

Business confined
to location.

Bond to be given.

by two responsible sureties, or a surety company licensed to do business in the State of North Carolina, to be approved of by such mayor, which said bond shall be for the faithful performance of the requirements and obligations pertaining to the business so licensed. The board of aldermen, or other governing body, shall have full power and authority to revoke such license and sue for forfeiture of the bond upon a breach thereof. Any person who may obtain a judgment against a pawubroker and upon which judgment execution is returned unsatisfied, may maintain an action in his own name upon the said bond of said pawnbroker in any court having jurisdiction of the amount demanded to satisfy said judgment.

Revocation of license and suit on bond.
Action on bond by individuals.

SEC. 3. Every pawnbroker shall keep a book in which shall be legibly written, at the time of the loan, an account and description of the goods, articles or things pawned or pledged, the amount of money loaned thereon, the time of pledging the same, the rate of interest to be paid on said loan and the name and residence of the person pawning or pledging the said goods, articles or things. And every such pawnbroker shall at the time of each loan deliver to the person pawning or pledging any goods, articles or things a ticket or memorandum or note signed by him containing the substance of the entry required to be made by him in his book as aforesaid, and a copy of the said ticket, memorandum or note so given to the person pawning or pledging any goods, articles or things of value, shall be filed within forty-eight hours in the office of the chief of police of the city or town issuing the license to such pawnbroker. The said tickets or memorandums so issued shall be numbered consecutively and dated the day issued.

Records to be kept by pawnbroker.

Pawn ticket.

Copy of ticket filed.

Tickets numbered and dated.

SEC. 4. No pawnbroker shall sell any pawn or pledge until the same shall have remained sixty days in his possession after the maturity of the debt for which the property was pledged. And no pawnbroker shall advertise or sell at his place of business as unredeemed pledges any articles of property other than those received by him as pawns or pledges in the usual course of his business at the place where he is licensed to do business.

Sale of pledges.

Sale limited to articles pledged.

SEC. 5. The provisions of this section shall not be construed as to relieve any person from the penalty incurred under the laws against usury in this State. Any person, firm or corporation violating the provisions of this act shall be guilty of a misdemeanor and fined or imprisoned, or both, in the discretion of the court.

Usury.

Misdemeanor.

Punishment.

SEC. 6. All laws and clauses of laws in conflict with this act are 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 9th day of March, 1915.

CHAPTER 199.

AN ACT TO AMEND CHAPTER 48, PUBLIC LAWS 1913, RELATIVE TO THE COURTS OF HOKE COUNTY IN THE NINTH JUDICIAL DISTRICT.

The General Assembly of North Carolina do enact:

Duration of term. SECTION 1. That chapter forty-eight of the Public Laws of one thousand nine hundred and thirteen, relating to the holding of the superior courts of Hoke County, be and the same is hereby amended by striking out in line seven of the first section of said act the words "for the trial of civil cases exclusively" and by substituting for said words, after the word "March" in said line the words "to continue for two weeks."

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

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

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 200.

AN ACT TO AMEND SECTION 1 OF CHAPTER 625 OF THE PUBLIC LAWS OF NORTH CAROLINA, 1907, ENTITLED "AN ACT TO PROTECT AND PROMOTE THE COMMERCE OF THE PORT OF WILMINGTON AND THE STATE OF NORTH CAROLINA."

The General Assembly of North Carolina do enact:

Number from
Wilmington.

SECTION 1. That section one, of chapter six hundred and twenty-five, Public Laws of North Carolina, one thousand nine hundred and seven, be and the same is hereby amended by striking out the word "Three" in line three, and inserting in lieu thereof the word "Four"; and by striking out the word "Two," in line four of section one, and inserting in lieu thereof the word "One."

Number from
Southport.

SEC. 2. 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 9th day of March, 1915.

CHAPTER 201.

AN ACT TO AMEND SECTION 1131, REVISAL OF 1905, WITH REFERENCE TO MORTGAGED CORPORATE PROPERTY SUBJECT TO EXECUTION FOR LABOR AND TORTS.

The General Assembly of North Carolina do enact:

SECTION 1. That section one thousand one hundred and thirty-one of the Revisal of one thousand nine hundred and five be, and the same is, hereby amended by inserting after the word "labor" and before the word "performed" in the sixth line the words "and clerical services."

Claims for clerical services.

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 9th day of March, 1915.

CHAPTER 202.

AN ACT TO ESTABLISH A LEGISLATIVE REFERENCE LIBRARY.

WHEREAS, a comparative study of the laws and proposed laws of North Carolina with those of other States, on such subjects as taxation and revenue, elections, internal improvements, regulation of public service corporations, and other legislative matters of vital interest to the people, would afford to the members of the General Assembly information that is essential to the most efficient and intelligent legislation; and,

Preamble.

WHEREAS, the creation of a legislative reference library for the purpose of supplying such information in classified and available shape to the members of the General Assembly, as has been demonstrated by the experience of thirty-four (34) of the most progressive States of the United States, would relieve them of much needless and expensive labor, besides enabling them to serve their constituents with greater efficiency at an actual saving of money to the State; now, therefore,

Preamble.

The General Assembly of North Carolina do enact:

SECTION 1. That the North Carolina Historical Commission are hereby authorized and required to appoint a properly qualified person to be known as a legislative reference librarian, whose duty it shall be to collect, tabulate, annotate and digest information for the use of the members and committees of the General Assembly, and other officials of the State, and of the various counties and cities included therein, upon all questions of State, county and municipal legislation; to make references and analytical comparisons of legislation upon similar questions

Appointment.

Official designation.

To collect, tabulate, annotate and digest information.

References and analytical comparisons.

Laws, books, papers and articles kept at hand.

To keep Revisal up to date.

Bills classified, arranged and indexed.

Other duties.

Information on particular subjects.

Copies of reports and publications for exchange.

Reports, bulletins and publications.

Appropriation.

in other States and nations; and to have at hand for the use of the members of the General Assembly the laws of other States and nations as well as those of North Carolina, and such other books, papers, and articles, as may throw light upon questions under consideration. It shall further be his duty to keep the Revisal of one thousand nine hundred and five revised to date.

It shall also be his duty to classify and arrange by proper indexes so as to make them accessible, all public bills relating to the aforesaid matters heretofore introduced into the General Assembly and he shall perform such other duties as may be required of him by said North Carolina Historical Commission. He shall also, upon request by members of the General Assembly, secure all available information on any particular subject named.

SEC. 2. That the several departments of the State government shall upon request of said Historical Commission, supply said commission with such copies of their reports and other publications as may be necessary to effect exchanges with other States for their publications of a similar character, for use of said legislative reference library.

SEC. 3. That the reports, bulletins and other publications of said legislative reference librarian shall be printed under the direction of said Historical Commission as other State printing.

SEC. 4. That for carrying out the purposes of this act, the sum of five thousand dollars (\$5,000) or so much thereof as may be necessary, is hereby annually appropriated, to be expended under the direction of said Historical Commission.

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 9th day of March, 1915.

CHAPTER 203.

AN ACT TO CHANGE THE COUNTY LINE BETWEEN THE COUNTIES OF CLEVELAND AND GASTON.

The General Assembly of North Carolina do enact:

Election to decide county.

Territory described.

SECTION 1. That the chairman of the boards of commissioners of the counties of Cleveland and Gaston, North Carolina, shall, and they are hereby required to cause to be submitted to the qualified voters within the territory described as follows: Beginning at a stone on the county line road from Kings Mountain to Cherryville, the corner of number four and number five townships of Cleveland County, near Ebenezer Church, and running thence S. 67 E. 156.50 chains to a stone near James Payne's residence in Gaston County; thence S. 5 W. 444.00 chains to a stone on top of mountain; thence S. 10 W. 110.00

chains to a stone where the present county line between Gaston and Cleveland counties intersects the South Carolina line near John Wells's residence; thence N. $25\frac{1}{4}$ W. 315 chains to a stone near Mrs. Dovie Weir's residence in Cleveland County; thence N. 17 W. 125.50 chains to a post oak on south side of sand-clay road leading from Kings Mountain to Shelby; thence N. 24 E. 213.00 chains to the beginning; at an election to be held within said territory on the fourth Saturday in April, one thousand nine hundred and fifteen, the question as to whether the said territory shall be wholly within the county of Cleveland or wholly within the county of Gaston.

SEC. 2. That at the said election as above specified, those favoring that the said territory shall be wholly within the county of Cleveland, shall vote a printed or written ballot with the words "For Cleveland County" upon it, and those favoring that the said territory shall be wholly within the county of Gaston shall vote a printed or written ballot with the words "For Gaston County" upon it.

Ballots.

SEC. 3. That if a majority of the ballots cast at such election shall be "For Cleveland County", then the county line between the said counties of Cleveland and Gaston shall be and the same is hereby changed to run as follows: Beginning at a stone on the county line road leading from Kings Mountain to Cherryville, the corner of number four and number five townships of Cleveland County near Ebenezer Church, and running thence S. 67 E. 156.50 chains to a stone near James Payne's residence in Gaston County; thence S. 5 W. 444.00 chains to a stone on top of mountain; thence S. 10 W. 110.00 chains to a stone where the present county line between Gaston and Cleveland counties intersects the South Carolina line near John Wells's residence, thereby transferring to Cleveland County all that portion of the territory of Gaston County which is now between the above described line in Gaston County and the present county line lying between Gaston and Cleveland Counties but if a majority of the ballots cast at such election be "For Gaston County," then the county line between the said counties of Cleveland and Gaston shall be, and the same is hereby changed to run as follows: Beginning at a stone where the present county line between the counties of Gaston and Cleveland intersects the South Carolina line near John Wells's residence, and runs thence N. $25\frac{1}{4}$ W. 315.00 chains to a stone near Mrs. Dovie Weir's residence in Cleveland County; thence N. 17 W. 125.50 chains to a post oak on south side of sand-clay road leading from Kings Mountain to Shelby; thence N. 24 E. 213.00 chains to the beginning, (stone on county line road leading from Kings Mountain to Cherryville, the corner of number four and number five townships of Cleveland County near Ebenezer Church), thereby transferring to Gaston County all that portion of the territory of Cleveland County which is now between the

Line if majority of votes cast for Cleveland.

Line if majority of votes cast for Gaston.

last above described line in Cleveland County and the present county line lying between Gaston and Cleveland counties.

Appointment of registrars.

SEC. 4. That on or before the fifteenth day of March, one thousand nine hundred and fifteen, the chairman of the board of commissioners of Cleveland County, and the chairman of the board of commissioners of Gaston County shall meet in the town of Kings Mountain and shall appoint a legally qualified voter residing within the territory set forth in section one foregoing lying in Cleveland County, to act as registrar for those voting in the territory in Cleveland County, and shall also appoint a legally qualified voter residing within the aforesaid territory lying within Gaston County to act as registrar for those voting in the territory in Gaston County, and at the same time said chairmen of commissioners shall appoint two qualified voters residing within the aforesaid territory lying in Cleveland County, who shall, at such election herein provided for, act as poll holders, or judges, of such election at the town hall in Kings Mountain, and shall also appoint two qualified voters residing within the aforesaid territory lying in Gaston County, who shall, at such election herein provided for act as poll holders, or judges of such election at the Dilling Mill store in the town of Kings Mountain, and said chairmen of said boards of commissioners shall at the said time and place of the aforesaid meeting provide for and give notice of said election and registration by causing such notice to be published in some newspaper in Cleveland County for four successive weeks next preceding said election, and by causing a like notice to be published in Gaston County for four successive weeks next preceding said election, and said chairmen shall cause a copy of their said action, and the notice aforesaid, to be spread upon the minutes of the board of commissioners of their respective counties.

Appointment of judges.

Notice of election and registration.

Liability for existing debts.

SEC. 5. That in the event the majority of the ballots cast at the election hereinbefore provided for shall be "For Cleveland County", then that portion of the territory transferred to Cleveland County thereby shall assume liability for, and be liable for all of its proportion of the existing outstanding bonded indebtedness, but in the event the majority of the ballots cast at the election hereinbefore provided for shall be "For Gaston County", then that portion of the territory transferred to Gaston County thereby shall assume liability for, and be liable for all its proportion of the existing, outstanding bonded indebtedness, including the precinct road bonds authorized by chapter four hundred and twenty-nine of the Public Local Laws of one thousand nine hundred and eleven, and by chapter four hundred and seventy of the Public Local Laws of one thousand nine hundred and thirteen.

Majority for Cleveland, commission.

SEC. 6. If a majority of the ballots cast at such election shall be "For Cleveland County," a commission shall be created con-

sisting of two persons, one of whom shall be appointed by the county commissioners of Cleveland County and the other by the county commissioners of Gaston County, whose duty it shall be to ascertain definitely the amount of such bonded indebtedness for which the said territory and the county of Cleveland are liable to the county of Gaston and the manner in which such liability shall be liquidated. In the event the two persons thus appointed fail to agree, they shall select a third person not a resident of either county, who shall assist them in determining the liability as above provided for, and in case such third person cannot be agreed upon by the said commission, then such third person or umpire shall be appointed by the Governor of the State of North Carolina, who shall not be a resident either of the county of Cleveland or of the county of Gaston. And if a majority of the ballots cast at such election shall be "For Gaston County", a like commission shall be created, consisting of two persons, one of whom shall be appointed by the county commissioners of Gaston County and the other by the county commissioners of Cleveland County, whose duty it shall be to ascertain definitely the amount of such bonded indebtedness for which the said territory and the county of Gaston are liable to the county of Cleveland and the manner in which such liability shall be liquidated. In the event the two persons thus appointed fail to agree, they shall select a third person not a resident of either county, who shall assist them in determining the liability as above provided for. And in case such third man cannot be agreed upon by the said commission, then such third person or umpire shall be appointed by the Governor of the State of North Carolina, who shall not be a resident either of the county of Cleveland or of the county of Gaston. *Provided*, that the board of commissioners of either county in either event may appeal to the superior court of either county as provided for appeals from boards of county commissioners, and the same shall be heard as other causes and may be removed to some other county upon motion, upon affidavit filed, if the judge presiding shall deem it proper or expedient to remove the same.

Governor to appoint umpire.

Apportionment of existing liabilities if majority for Gaston County.

Governor to appoint umpire.

Proviso:
Right of appeal.

SEC. 7. That at such election as aforesaid, there shall be two polling places, one in Cleveland County at the town hall in Kings Mountain, and the other in Gaston County at the Dilling Mill store in Kings Mountain, and that the voters in the territory hereinbefore described in section one, residing in Cleveland county shall vote at the said town hall, and the voters in the territory hereinbefore described in section one, residing in Gaston County, shall vote at the said Dilling Mill store, as aforesaid.

SEC. 8. That the registrar hereinbefore provided for Cleveland County shall attend at the town hall in Kings Mountain, North Carolina, on each Saturday for four weeks next preceding such election, from nine o'clock a. m. to six o'clock p. m.,

Registration.

with a registration book which shall be provided by the chairman of the board of county commissioners of Cleveland County, and register all qualified voters applying to him for registration in the territory last described in section three hereof, and the registrar hereinbefore provided for Gaston County shall attend at the Dilling Mill store in Kings Mountain, North Carolina, on each Saturday for four weeks next preceding such election, from nine o'clock a. m. to six o'clock p. m., with a registration book, which shall be provided by the chairman of the board of county commissioners of Gaston County, and register all qualified voters applying to him for registration in the territory first described in section three hereof.

Challenge day.

SEC. 9. It shall be the duty of the respective registrars hereinbefore provided for, to attend the respective polling places of their respective territories, with the registration books, on Monday next preceding the said election from the hour of nine o'clock a. m. to the hour of three o'clock p. m., when and where the said books shall be open for the inspection of the electors of their respective territories as aforesaid, and any of the electors residing in the territory in Cleveland County as aforesaid, shall be allowed to object to the name of any person appearing on the registration book for the said territory, and any of the electors residing in the territory in Gaston County as aforesaid, shall be allowed to object to the name of any person appearing on the registration book for the said territory. In all other respects, such challenges shall be heard and disposed of as provided for in sections four thousand three hundred and thirty-nine and four thousand three hundred and forty of the Revisal of one thousand nine hundred and five.

Canvass of votes.

SEC. 10. That after the polls are closed and immediately after the votes are counted at the respective polling places, the registrars and judges of election of such respective polling places shall meet at the town hall in the town of Kings Mountain, and together canvass the result of such election, and shall prepare a written statement of the result of such election over their hands, and after subscribing to the same, shall, by one of their number from each polling place, transmit the same to the respective chairmen of the boards of commissioners of Cleveland and Gaston Counties, and such chairmen shall preserve the same in their custody until the next meeting of the boards of commissioners of their respective counties, and such respective chairmen shall cause such statement and result of such election to be spread on the minutes of their respective boards.

Returns.

Record of returns.

Law governing election.

SEC. 11. That in the registration of voters, the conduct of such election, counting and canvassing of votes, and in all other respects not inconsistent herewith, said election shall be held and conducted as now provided by the general election

law of the State of North Carolina for the election of members of the General Assembly.

SEC. 12. That all laws and clauses of laws in conflict herewith are hereby repealed. Repealing clause.

SEC. 13. That sections three and five of this act shall be in full force on and after the first Monday in December one thousand nine hundred and sixteen and not before. All other sections and provisions of said act shall be in full force and effect from and after the ratification thereof. When act effective.

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 204.

AN ACT TO PROVIDE FOR TRANSPORTING PATIENTS TO THE HOSPITALS FOR THE INSANE.

The General Assembly of North Carolina do enact:

SECTION 1. That whenever any insane person shall be entitled to admission into any of the hospitals of the State the clerk of the superior court, justice of the peace or other officer authorized by law to find such person insane has so found and has been notified that such insane person will be admitted into such hospital, it shall be the duty of said clerk or justice of the peace forthwith to notify the superintendent of such hospital giving the race, name, sex and age, and it shall be the duty of such superintendent to send an attendant to bring such insane person to said hospital and such attendant shall have all such rights as the sheriff or other officer has heretofore had to convey such insane person to the hospital. Attendant sent from hospitals.

SEC. 2. That upon the arrival of such insane person to the hospital the superintendent shall send to the board of commissioners of the county in which such insane person had a settlement, a bill covering the costs of conveying such insane person to an hospital including any fees that would now be allowed an officer, and it shall be the duty of said board of commissioners forthwith to repay to such hospital the amount of said bill. Attendant to have powers of sheriff.

SEC. 3. This act shall take effect on the first day of July, one thousand nine hundred and fifteen. Bill of costs to county.

In the General Assembly read three times and ratified this the 9th day of March, 1915. Payment.

When act effective.

CHAPTER 205.

AN ACT TO GIVE THE CONSENT OF THE STATE OF NORTH CAROLINA TO THE MAKING BY THE CONGRESS OF THE UNITED STATES, OR UNDER ITS AUTHORITY, OF ALL SUCH RULES AND REGULATIONS AS IN THE OPINION OF THE FEDERAL GOVERNMENT MAY BE NEEDFUL IN RESPECT TO GAME ANIMALS, GAME AND NON-GAME BIRDS, AND FISH ON LANDS, AND IN OR ON THE WATERS THEREON, ACQUIRED OR TO BE ACQUIRED BY THE FEDERAL GOVERNMENT IN THE WESTERN PART OF NORTH CAROLINA FOR THE CONSERVATION OF THE NAVIGABILITY OF NAVIGABLE RIVERS.

Preamble.

WHEREAS, the Government of the United States, with the consent of the General Assembly of the State of North Carolina, has acquired and will acquire areas of forested land in the western part of said State for the purpose of conserving the navigability of navigable streams, and said lands and waters thereon are and will be stocked, naturally and artificially, with game animals, game and non-game birds, and fish: and

Preamble.

WHEREAS, in order adequately to enjoy and protect the occupancy and use of said areas, it is important that the United States be fully authorized to make all needful rules and regulations in respect to such animals, birds, and fish: Therefore,

The General Assembly of North Carolina do enact:

Consent given.

SECTION 1. That the consent of the General Assembly of North Carolina be, and hereby is, given to the making by the Congress of the United States, or under its authority, of all such rules and regulations as the Federal Government shall determine to be needful in respect to game animals, game and non-game birds, and fish on such lands in the western part of North Carolina as shall have been, or may hereafter be, purchased by the United States under the terms of the Act of Congress of March first, one thousand nine hundred and eleven, entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purposes of conserving the navigability of navigable rivers," (Thirty-sixth United States Statutes at Large, page nine hundred and sixty-one), and acts of Congress supplementary thereto and amendatory thereof, and in or on the waters thereon.

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 206.

AN ACT TO AMEND CHAPTER 62, PUBLIC LAWS 1913, RELATING TO CONFEDERATE WOMAN'S HOME.

The General Assembly of North Carolina do enact:

SECTION 1. That section six, chapter sixty-two, of the Public Laws of one thousand nine hundred and thirteen, be stricken out and the following inserted in lieu thereof:

"Sec. 6. The directors provided for in the foregoing act shall be entitled to their actual expenses incurred in attending the meetings of said board of directors since their appointment, and also in attending future meetings of said board of directors, the same to be paid out of the funds of the said Confederate Woman's Home." Directors allowed expenses.

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 9th day of March, 1915.

CHAPTER 207.

AN ACT TO AMEND SECTION 2857, REVISAL OF 1915, AS TO CONDEMNATION PROCEEDINGS.

The General Assembly of North Carolina do enact:

SECTION 1. That there shall be added to section two thousand five hundred and eighty-seven of the Revisal of nineteen hundred and five the following:

"If the amount adjudged to be paid the owner of any property condemned under this chapter shall not be paid within one year after final judgment in the proceeding, the right under the judgment to take the property or rights condemned shall ipso facto cease and determine, but the claimant under the judgment shall still remain liable for all amounts adjudged against him except the consideration for the property." Lapse of right on non-payment.

In the General Assembly read three times and ratified this the 9th day of March, 1915. Liability continued.

CHAPTER 208.

AN ACT RELATING TO THE HOLDING OF THE SUPERIOR COURTS OF ROBESON COUNTY, FIXING A CALENDAR THEREOF AND REGULATING THE JURISDICTION OF THE SAME.

The General Assembly of North Carolina do enact:

Preamble.

THAT WHEREAS, on account of the efficiency of the several recorder's courts heretofore established in Robeson County, it is necessary to reduce the number of criminal courts.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and ninety-six of the Public Laws of North Carolina of one thousand nine hundred and thirteen, relating to the holding of the superior courts of Robeson County be and the same is hereby amended so as to read as follows:

Schedule of terms.

Robeson County—That the terms of the superior court for the trial of criminal cases in Robeson County shall be begun and held as follows:

Fifth Monday before the first Monday in March;

Eighth Monday before the first Monday in September;

Ninth Monday after the first Monday in September, for a period of one week each;

and the following terms for the trial of civil cases:

Fourth Monday before the first Monday in March, one week;

First Monday before the first Monday in March, two weeks;

Fourth Monday after the first Monday in March, two weeks;

Tenth Monday after the first Monday in March, two weeks;

First Monday in September, two weeks;

Fourth Monday after the first Monday in September, two weeks;

Thirteenth Monday after the first Monday in September, two weeks.

Civil jurisdiction of criminal terms.

SEC. 2. That the provisions of chapter twenty-eight of the Public Laws of one thousand nine hundred and thirteen, shall apply to all of the terms of court designated in section one hereof for the trial of criminal cases.

Repealing clause.

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

When act effective.

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

SEC. 5. That the Secretary of State is hereby directed to send to the clerk of the superior court of Robeson County certified copy of this act immediately upon its ratification.

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 209.

AN ACT TO PROVIDE FOR THE PRINTING OF THE BULLETIN OF THE NORTH CAROLINA AGRICULTURAL EXPERIMENT STATION, THE PRINTING OF THE BUREAU OF VITAL STATISTICS, AND THE PRINTING OF THE DEPARTMENT OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION.

The General Assembly of North Carolina do enact:

SECTION 1. That the North Carolina Agricultural Experiment Station be and it is hereby allowed to have the bulletins of the said department printed as other State printing and paid for out of the general fund to an amount not to exceed two thousand five hundred dollars for each biennial period, the first biennial period ending on the first day of December, one thousand nine hundred and sixteen. Allowance to Experiment Station.

SEC. 2. That the Bureau of Vital Statistics of the State Board of Health be and it is hereby allowed its printing in such amount as is necessary in a sum not to exceed four thousand dollars for each biennial period, the first biennial period ending on the first day of December, one thousand nine hundred and sixteen. Allowance to Bureau of Vital Statistics.

SEC. 3. That the Department of the Superintendent of Public Instruction be and it is hereby allowed to expend for the necessary printing of its department a sum not to exceed eighteen thousand dollars for each biennial period, the first biennial period ending on the first day of December, one thousand nine hundred and sixteen. Allowance to Department of Public Instruction.

SEC. 4. That all laws and clauses of laws in conflict with this act are hereby repealed.

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 9th day of March, 1915.

CHAPTER 210.

AN ACT TO AMEND SECTION 1967 OF THE REVISAL RELATING TO THE SUMMONING OF THE TALES JURORS.

The General Assembly of North Carolina do enact:

SECTION 1. That section one thousand nine hundred and sixty-seven, Revisal one thousand nine hundred and five, be and the same is hereby amended by adding after the word "held" in line four, and before the words "to serve" in line four, the following: "or the judge may, in his discretion, at the beginning of the term direct the tales jurors to be drawn from the jury box used Judge may order drawing.

in drawing the petit jury for the term, in the presence of the court; such tales jurors so drawn to be summoned by the sheriff and”.

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 9th day of March, 1915.

CHAPTER 211.

AN ACT TO AMEND SECTION 370 OF THE REVISAL OF 1905, RELATING TO COSTS IN CIVIL CASES.

The General Assembly of North Carolina do enact:

SECTION 1. That section three hundred and seventy of the Revisal of one thousand nine hundred and five be amended so as to add thereto the following:

Proviso:
Costs paid before
removal.

“*Provided*, that the costs in such action shall have been paid by the plaintiff before the commencement of the new suit, unless said first suit shall have been brought *in forma pauperis*.”

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 9th day of March, 1915.

CHAPTER 212.

AN ACT IN REGARD TO PENSIONS PAID TO WIDOWS OF CONFEDERATE SOLDIERS.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and twenty-eight of the Public Laws of one thousand nine hundred and thirteen, and section one thereof be amended by adding at the end of said section the following: *Provided*, the amount paid shall not exceed a widow's pension as prescribed by law”.

Proviso:
Limit of
amount.

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

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 213.

AN ACT TO AMEND SECTION 1022 OF THE REVISAL OF 1905, THE SAME REFERRING TO THE SUFFICIENCY OF THE PROBATE AND REGISTRATION OF DEEDS PREVIOUS TO FEBRUARY 15, 1883.

The General Assembly of North Carolina do enact:

SECTION 1. That section one thousand and twenty-two of the Revisal of nineteen hundred and five be amended as follows:

(a) In line four after the word "record" and before the word "of" insert the words, "or court of record, not including Mayor's court." Mayor's court not recognized.

(b) In line six after the word "record" and before the word "and" insert the words, "or in accordance with the act of the Congress regulating the certifying of records of the courts of one State to another State, or under the seal of such courts." Certificate under national law.

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

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 214.

AN ACT TO AMEND THE PUBLIC HEALTH LAWS OF NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That section nine, chapter sixty-two, Public Laws of one thousand nine hundred and eleven, as amended by the Public Laws of one thousand nine hundred and thirteen, be and the same is hereby amended by inserting after the word "physician" in line twenty-eight thereof the following: "whose tenure of service shall be terminable at the pleasure of the county board of health." Tenure of county physician.

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

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

In the General Assembly read three times and ratified, this the 9th day of March, 1915.

CHAPTER 215.

AN ACT TO AMEND SECTION 1105 OF THE REVISAL OF 1905, SO AS TO PERMIT TRANSPORTATION COMPANIES TO FURNISH TRANSPORTATION TO AGRICULTURAL EXTENSION AND FARM DEMONSTRATION WORKERS.

The General Assembly of North Carolina do enact:

Transportation.

SECTION 1. That section one thousand one hundred and five (1105) of the Revisal of one thousand nine hundred and five be amended by adding thereto the following: That nothing in this section shall be construed to prevent transportation companies, if they so desire, from furnishing transportation to such agricultural extension and demonstration workers as are engaged in work in the field in efforts to increase production on the farm and to improve the farm home, when such workers are actually engaged in the performance of duties requiring travel.

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

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 216.

AN ACT TO AMEND CHAPTER 9, SECTION 320 OF THE REVISAL OF 1905, RELATING TO PUBLIC ADMINISTRATORS.

The General Assembly of North Carolina do enact:

Amount of bond.

SECTION 1. Chapter nine, section three hundred and twenty of the Revisal of one thousand nine hundred and five, be and the same is hereby amended by striking out the word "eight" in line three of said section, and inserting in lieu thereof the word "four."

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 9th day of March, 1915.

CHAPTER 217.

AN ACT TO AMEND CHAPTER 103 OF THE PUBLIC LAWS OF 1913, RELATING TO ACTIVE MEMBERS OF THE NATIONAL GUARD.

The General Assembly of North Carolina do enact:

SECTION 1. That, chapter one hundred and three of the Public Laws of North Carolina, regular session of one thousand nine hundred and thirteen, be and the same is hereby amended by adding at the end of section three of said act the following:

"*Provided*, that no part of this act shall be construed as repealing, abridging, or in any way affecting sections four thousand nine hundred and fourteen and four thousand nine hundred and fifteen of the Revisal of one thousand nine hundred and eight."

Proviso:
Contributing
members.

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 9th day of March, 1915.

CHAPTER 218.

AN ACT TO PREVENT FRAUDULENT ADVERTISING IN NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. It shall be unlawful for any person, firm, corporation or association, with intent to sell or in anywise to dispose of merchandise, securities, service, or anything offered by such person, firm, corporation or association, directly or indirectly, to the public for sale or distribution, or with intent to increase the consumption thereof, or to induce the public in any manner to enter into any obligation relating thereto, or to acquire title thereto, or an interest therein, to make public, disseminate, circulate, or place before the public or cause directly or indirectly to be made, published, disseminated, circulated or placed before the public in this State, in a newspaper or other publication, or in the form of a book, notice, handbill, poster, bill circular, pamphlet or letter, or any other way, an advertisement of any sort regarding merchandise, securities, service or anything so offered to the public, which advertisement contains any assertion, representation or statement of fact which is untrue, deceptive or misleading: *Provided* said advertisement shall be done willfully and with intent to mislead.

Intent of statement.

Method of dissemination.

False statements.
Proviso:
Advertisement done wilfully and with intent to mislead.

SEC. 2. Any person who shall violate the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall

Misdemeanor.
Punishment.

be fined not exceeding fifty dollars or imprisoned not exceeding thirty days.

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 219.

AN ACT TO AMEND SECTION 3139 OF THE REVISAL OF 1905, RELATING TO EFFECT OF WILLS FROM AND AFTER PROBATE.

The General Assembly of North Carolina do enact:

SECTION 1. That section three thousand one hundred and thirty-nine of the Revisal of one thousand nine hundred and five be and the same is hereby amended by adding at the end of said section the following:

Proviso:
Rights of inno-
cent purchasers.

"*Provided*, that the probate and registration of any last will and testament shall not affect the rights of innocent purchasers for value from the heirs-at-law of the testator when such purchase is made more than two years after the death of such testator, unless the said last will and testament has been fraudulently withheld from probate.

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 9th day of March, 1915.

CHAPTER 220.

AN ACT TO AMEND SECTIONS 4495 AND 4499 OF THE REVISAL OF 1905, RELATING TO THE BOARD OF MEDICAL EXAMINERS AND TO TEMPORARY LICENSE, AND PROVIDING PROCEDURE FOR INVESTIGATION AND PROSECUTION OF OFFENSE OF PRACTICING MEDICINE WITHOUT LICENSE.

The General Assembly of North Carolina do enact:

Annual meeting.

SECTION 1. That section four thousand four hundred and ninety-five of the Revisal of one thousand nine hundred and five be stricken out and the following inserted in lieu thereof: The Board of Medical Examiners shall assemble once in every year in the city of Raleigh and the said board shall remain in session from day to day until all applicants who may present themselves for examination within the first two days of this meeting shall have been examined and been disposed of; other meetings in each

Applicants to be
examined.
Other meetings.

year may be held at some suitable point in the State if deemed advisable.

SEC. 2. In case of the violation of any of the provisions of sections three thousand six hundred and forty-five, three thousand six hundred and forty-six and three thousand six hundred and forty-seven, of the Revisal of one thousand nine hundred and five, the Attorney-General of the State of North Carolina, upon complaint of the Board of Medical Examiners of the State of North Carolina, shall investigate the charges preferred and, if in his judgment, the law has been violated, he shall direct the solicitor of the district in which the offense was committed to institute a criminal action against the offending person or persons. For his services in conducting such a prosecution the solicitor shall be allowed a fee of five dollars. The Board of Medical Examiners may also employ, at their own expense, special counsel to assist the Attorney-General or the solicitor.

Attorney-General to investigate charges.

Indictment directed.

Fee of solicitor.
Special counsel.

Exclusive original jurisdiction of all actions instituted for the violation of sections three thousand six hundred and forty-five, three thousand six hundred and forty-six and three thousand six hundred and forty-seven of the Revisal of one thousand nine hundred and five shall be in the superior court, the provisions of any special or local act to the contrary notwithstanding.

Jurisdiction of actions.

SEC. 3. All laws in conflict with the provisions of this act are hereby repealed.

Repealing clause.

SEC. 4. This act shall be in force on and after July first, one thousand nine hundred and fifteen.

Act effective.

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 221.

AN ACT TO REPEAL SENATE BILL 1111, HOUSE BILL 1768, OF THE SESSION OF 1915, THE SAME RELATING TO THE TERMS OF COURT OF HOKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Senate Bill 1111, House Bill 1768, session of the General Assembly of North Carolina of one thousand nine hundred and fifteen be and the same is hereby repealed.

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 9th day of March, 1915.

CHAPTER 222.

AN ACT TO PROVIDE FOR THE RECLAMATION AND TRAINING OF JUVENILE DELINQUENTS, YOUTHFUL VIOLATORS OF THE LAW, THEIR PROPER CUSTODY AND THE PROBATION SYSTEM.

The General Assembly of North Carolina do enact:

Application.

SECTION 1. That this act shall apply to children eighteen years of age and under, except in extreme and criminal cases as is hereinafter provided.

Juvenile delinquent defined.

(a) A child shall be known as a juvenile delinquent when he violates any municipal or State law, or when, not being a law violator, he is wayward, unruly and misdirected, or when he is disobedient to parents and beyond their control, or whose conduct and environment seem to point to a criminal career.

Dependent child defined.

(b) A child shall be known as a dependent child when, for any reason, he is destitute or homeless or abandoned, and in such an evil environment that he is likely to develop into criminal practices unless he be removed therefrom and properly directed and trained.

Jurisdiction of courts.

SEC. 2. The recorders' courts, where they have been created, and like courts in other cities where recorders' courts have not been established by law, and also superior courts, shall have jurisdiction in all cases coming within the terms of this act. Any child eighteen years of age, or under, may be arrested, but without imprisonment with hardened criminals and brought before any of these courts to be tried and dealt with as hereinafter prescribed.

Arrest.

Child disposed of in discretion of court.

When a child has been known to be a repeated offender against the law, incorrigible, and whose freedom in society is thought by the judge adjudicating his case to be a menace to society, may be disposed of according to the discretion of the court.

Probation officer.

It shall be the duty of the court, after consultation with proper persons, to appoint either some volunteer or paid probation officer who shall have charge of the delinquent or dependent children brought before the court.

Affidavit bringing child before court.

On the affidavit or oral testimony of any parent, guardian or other person controlling a child, or any other reputable person, who knows the child's condition and needs, the recorder or judge may order such child brought before any of the courts herein given jurisdiction over such children, and declare such child a delinquent child or dependent child, as the case may be, though such child may not be a violator of the law in order that the child may be brought under the beneficent influence of the court, and committed according to the court's discretion.

Child placed on probation.

It shall be the duty of the court, or courts in their discretion, to suspend sentence when the child is found guilty and place him on probation for a specified period, three, six or twelve months.

or longer, as the court may think best; and shall require both the probation officer having the moral control of such child remaining under the jurisdiction of the court to appear with the child in question from time to time and at the termination of the probation period fixed by the court, and report as to his progress and general condition. The court may dismiss the case, if satisfied, or place the child again on probation, or commit him to some suitable county or State training school, or a proper private home; when the probation officer appointed by the court has failed to reclaim such child. When the court commits a child to any of the aforementioned institutions, or to any private home or charitable organization, the court shall have the power to modify or reverse such order and recall the child at its discretion, or to place the child, if his physical condition seems to require it, in some hospital or sanatorium where the child can be placed.

Appearance from time to time.

Report at termination of probation.

Dismissal or continuance of probation.

Committal on failure of reclamation.

Power to recall child.

Committal to hospital or sanatorium.

SEC. 3. After the court having jurisdiction of the child or children defined in this act, has seen the necessity of having one or more probation officers to seek to guide and train the child aright, it shall appoint the best person obtainable in the community who is willing to serve in this capacity, and shall suggest to the county commissioners that such probation officer be paid whatever amount is deemed advisable and just by the court, especially when no suitable volunteer probation officer can be secured, and the board of commissioners of any county are hereby empowered in their discretion to make the necessary appropriation to carry this section into effect.

Appointment of probation officers.

Suggestion to county commissioners.

Appropriation authorized.

SEC. 4. It shall be the duty of the court herein given jurisdiction over such children as are described in this act to hold as far as practicable separate trials for the children, and if possible in a private office removed from all criminal features and surroundings, and also to keep and have kept what shall be known as the "Juvenile Record" which shall contain the names, ages, sexes, race, residence, if known, the offenses committed by the child, and his progress or reformation within the period of the probation fixed by the court, and the final disposition of the child.

Separate and private trials.

Juvenile record.

SEC. 5. No court or justice of the peace, or sheriff or arresting officer shall commit to prison and incarcerate any child fourteen years of age, and under, in any jail or prison enclosure where the child will be the companion of older and more hardened criminals, except where the charge is for a capital or other felony, or where the child is a known incorrigible or habitual offender. The court, the sheriff, police officer or probation officer, or other person who shall be responsible for the appearance of the child until his case is disposed of before the court, may place such child in some suitable place or detention home, or in the temporary custody of any responsible person who will give bail or become responsible for his appearance at court.

Imprisonment with older and more hardened criminals.

Detention house or temporary custody.

Parent causing or permitting delinquency.
Misdemeanor.

SEC. 6. Any parent or guardian, or person controlling or employing any child defined herein who shall knowingly cause or permit such child to become delinquent as hereinbefore defined, shall be guilty of a misdemeanor.

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 9th day of March, 1915.

CHAPTER 223.

AN ACT FOR THE RELIEF OF R. E. FENTRESS.

The General Assembly of North Carolina do enact:

Advance on pension roll.

SECTION 1. That R. E. Fentress, a Confederate soldier of Guilford County, be advanced from that of a pensioner of the second class to a special first class pensioner and be paid as other first class special pensioners are paid.

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 9th day of March, 1915.

CHAPTER 224.

AN ACT SUPPLEMENTARY TO AND AMENDATORY OF AN ACT ENTITLED "AN ACT TO MAKE AN APPROPRIATION FOR AGRICULTURAL EXTENSION WORK IN NORTH CAROLINA IN ORDER TO GET THE STATE'S SHARE IN THE SMITH-LEVER CONGRESSIONAL ACT," BEING H. B. 1791, S. B. 301, RATIFIED MARCH 5, 1915.

The General Assembly of North Carolina do enact:

SECTION 1. That an act entitled "An act to make an appropriation for agricultural extension work in North Carolina in order to get the State's share in the Smith-Lever Congressional act," being H. B. 1791, S. B. 301, ratified March fifth, one thousand nine hundred and fifteen, be amended as follows:

Enacting clause.

By striking out the word "therefore," following the word "dollars" being the last word in the preamble of said act, and inserting the following words: "The General Assembly of North Carolina do enact":

Order for payment.

That said act be further amended by adding after the repealing clause, the following words: "The amount herein appropriated shall be paid on order of the Board of Trustees of the North

Carolina College of Agriculture and Mechanic Arts, by the State Treasurer, upon the warrant of the State Auditor. That this act shall be in force from and after its ratification."

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 9th day of March, 1915.

CHAPTER 225.

AN ACT TO PREVENT THE SPREAD OF HOG CHOLERA IN NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be the duty of every person, firm or corporation who shall lose a hog by any form of natural death to have the same buried in the earth to a depth of at least two feet within twelve hours after the death of the animal. Burial.

SEC. 2. That any person, firm or corporation that shall fail to comply with the terms of this act shall be guilty of a misdemeanor, and shall be fined not less than five dollars nor more than ten dollars for each offense, at the discretion of the court. Misdemeanor.
Punishment.

SEC. 3. That this act shall be in force on and after the first day of May, nineteen hundred and fifteen. Act effective.

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 226.

AN ACT TO PROVIDE FOR BOARD OF NAVIGATION AND PILOTAGE TO ISSUE LICENSE OR BRANCH TO J. F. ARNOLD.

The General Assembly of North Carolina do enact:

SECTION 1. The board of navigation and pilotage of the port of Wilmington, North Carolina, are hereby authorized, if in their discretion they think wise, to issue pilotage license or branch to J. F. Arnold upon the payment of the requisite fees. *Provided*, the said J. F. Arnold shall make application for said license in due form on or before the first day of July, one thousand nine hundred and fifteen. Issue of branch
authorized.
Proviso:
Application.

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

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 227.

AN ACT TO INDEMNIFY THE ESTATE OF DECEASED PARTNERS.

The General Assembly of North Carolina do enact:

Surviving partner to give bond. SECTION 1. That upon the death of any member of a partnership, the surviving partner or partners shall within thirty days execute before the clerk of the superior court of the county where said partnership business was conducted, a bond payable to State of North Carolina, with sufficient surety conditioned upon the faithful performance of his or their duties in the settlement of said partnership affairs.

Amount. SEC. 2. That the amount of said bond shall be fixed by the clerk of said court.

Law governing settlement. SEC. 3. That the settlement of said estate and the liability of said bond shall be the same as under the law governing administrators and their bonds.

Appointment of collector. SEC. 4. That upon the failure of said surviving partner or partners to execute the bond provided for in this act, then upon application to said clerk by any person interested in the estate of the deceased partners, said clerk shall appoint a collector of said partnership, who shall be governed by the same law governing an administrator of a deceased person.

Partnership heretofore dissolved. SEC. 5. That this act shall in no way apply to partnerships already dissolved.

SEC. 6. That this act shall take effect from and after its ratification.

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 228.

AN ACT TO AMEND SECTION 1980 OF THE REVISAL OF 1905, RELATIVE TO THE EXEMPTION OF EX-CONFEDERATE SOLDIERS FROM JURY DUTY.

The General Assembly of North Carolina do enact:

Proviso: Exemption. SECTION 1. That section one thousand nine hundred and eighty of the Revisal of one thousand nine hundred and five, be and the same is hereby amended as follows: By adding at the end of said section the following: *Provided*, that the board of county commissioners of any county in North Carolina may, in their discretion, exempt any ex-Confederate soldier in their county from jury duty, who shall apply to them for exemption.

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 9th day of March, 1915.

CHAPTER 229.

AN ACT TO AMEND SECTION 1559 OF THE REVISAL OF 1905, RELATING TO VENUE IN ACTIONS FOR DIVORCE SO AS TO MAKE THE SUMMONS IN SUCH ACTIONS RETURNABLE TO THE COUNTY IN WHICH EITHER THE PLAINTIFF OR DEFENDANT RESIDES.

The General Assembly of North Carolina do enact:

SECTION 1. That section one thousand five hundred and fifty-nine of the Revisal of one thousand nine hundred and five be and it is hereby amended by striking out the last three words of said section and by inserting in lieu thereof the words: "Either the plaintiff or defendant resides";

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

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 230.

AN ACT TO FIX THE WEIGHTS AND MEASURES OF AGRICULTURAL AND OTHER PRODUCTS IN NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That section three thousand and sixty-six of the Revisal of one thousand nine hundred and five, and chapter eight hundred and thirty-five, laws of one thousand nine hundred and nine, be repealed and the following substituted therefor:

SECTION 1. The standard weight of the following seeds and other articles named shall be as stated in this act, viz:

Apples, green, shall be.....	48 lbs. per bu.	Enumeration of articles and weights.
Apples, dried, shall be.....	24 lbs. per bu.	
Apple seed shall be.....	40 lbs. per bu.	
Barley shall be.....	48 lbs. per bu.	
Beans, castor, shall be.....	46 lbs. per bu.	
Beans, dry, shall be.....	60 lbs. per bu.	
Beans, green in pod, shall be.....	30 lbs. per bu.	
Beans, soy, shall be.....	60 lbs. per bu.	
Beef, net, shall be.....	200 lbs. per bbl.	
Beets shall be.....	50 lbs. per bu.	
Blackberries, shall be.....	48 lbs. per bu.	
Blackberries, dried, shall be.....	28 lbs. per bu.	
Bran shall be.....	20 lbs. per bu.	
Broom corn shall be.....	44 lbs. per bu.	
Buckwheat shall be.....	50 lbs. per bu.	

Cabbage shall be.....	50 lbs. per bu.
Canary seed shall be.....	60 lbs. per bu.
Carrots shall be.....	50 lbs. per bu.
Cherries, with stems, shall be.....	56 lbs. per bu.
Cherries, without stems, shall be.....	64 lbs. per bu.
Clover seed, red and white, shall be.....	60 lbs. per bu.
Clover, burr, shall be.....	8 lbs. per bu.
Clover, German, shall be.....	60 lbs. per bu.
Clover, Japan, Lespedeza, shall be in hull....	25 lbs. per bu.
Alfalfa shall be.....	60 lbs. per bu.
Corn in ear, shucked, shall be.....	70 lbs. per bu.
Corn, shelled, shall be.....	56 lbs. per bu.
Corn, in ear, with shucks, shall be.....	74 lbs. per bu.
Corn, Kaffir, shall be.....	50 lbs. per bu.
Corn, pop, shall be.....	70 lbs. per bu.
Cotton seed shall be.....	30 lbs. per bu.
Cotton seed, Sea Island, shall be.....	44 lbs. per bu.
Cucumbers shall be.....	48 lbs. per bu.
Fish shall be, half barrel.....	100 lbs. per ½ bbl.
Flax seed shall be.....	56 lbs. per bu.
Grapes, with stems, shall be.....	48 lbs. per bu.
Grapes, without stems, shall be.....	60 lbs. per bu.
Gooseberries shall be.....	48 lbs. per bu.
Grass seed, Bermuda, shall be.....	14 lbs. per bu.
Grass seed, Blue, shall be.....	14 lbs. per bu.
Grass seed, Hungarian, shall be.....	48 lbs. per bu.
Grass seed, Johnson, shall be.....	25 lbs. per bu.
Grass seed, Italian rye, shall be.....	20 lbs. per bu.
Grass seed, Orchard, shall be.....	14 lbs. per bu.
Grass seed, tall meadow and tall fescue.....	24 lbs. per bu.
Grass seed, all meadow and fescue except tall.	14 lbs. per bu.
Grass seed, Perennial Rye, shall be.....	14 lbs. per bu.
Grass seed, Timothy, shall be.....	45 lbs. per bu.
Grass, velvet, shall be.....	7 lbs. per bu.
Grass, redbtop, shall be.....	14 lbs. per bu.
Hemp seed shall be.....	44 lbs. per bu.
Hominy shall be.....	62 lbs. per bu.
Horseradish shall be.....	50 lbs. per bu.
Liquids shall be.....	42 gals. per bbl.
Melon, cantaloupe, shall be.....	50 lbs. per bu.
Millet shall be.....	50 lbs. per bu.
Mustard shall be.....	58 lbs. per bu.
Nuts, chestnuts, shall be.....	50 lbs. per bu.
Nuts, hickory, without hulls, shall be.....	50 lbs. per bu.
Nuts, walnuts, without hulls, shall be.....	50 lbs. per bu.
Oats, seed, shall be.....	32 lbs. per bu.
Onions, button sets, shall be.....	32 lbs. per bu.
Onions, top buttons, shall be.....	28 lbs. per bu.
Onions, matured, shall be.....	57 lbs. per bu.

From (over 1)
1917

Osage orange seed shall be.....	33 lbs. per bu.
Peaches, matured, shall be.....	50 lbs. per bu.
Peaches, dried, shall be.....	25 lbs. per bu.
Peanuts shall be.....	22 lbs. per bu.
Peach seed shall be.....	50 lbs. per bu.
Peanuts, Spanish, shall be.....	30 lbs. per bu.
Parsnips shall be.....	50 lbs. per bu.
Pears, matured, shall be.....	56 lbs. per bu.
Pears, dried, shall be.....	26 lbs. per bu.
Peas, dry, shall be.....	60 lbs. per bu.
Peas, green, shall be, in hull.....	30 lbs. per bu.
Pie plant shall be.....	50 lbs. per bu.
Plums shall be.....	64 lbs. per bu.
Pork, net, shall be.....	200 lbs. per bbl.
Potatoes, Irish, shall be.....	56 lbs. per bu.
Potatoes, sweet, shall be.....	56 lbs. per bu.
Quinces, matured, shall be.....	48 lbs. per bu.
Raspberries, shall be.....	48 lbs. per bu.
Rice, rough, shall be.....	44 lbs. per bu.
Rye seed shall be.....	56 lbs. per bu.
Sage shall be.....	4 lbs. per bu.
Salads, mustard, spinach, turnips, kale.....	10 lbs. per bu.
Salt shall be.....	50 lbs. per bu.
Sorghum seed shall be.....	50 lbs. per bu.
Sorghum molasses shall be.....	12 lbs. per bu.
Strawberries shall be.....	48 lbs. per bu.
Sunflower seed shall be.....	24 lbs. per bu.
Teosinte shall be.....	59 lbs. per bu.
Tomatoes shall be.....	56 lbs. per bu.
Turnips shall be.....	50 lbs. per bu.
Wheat shall be.....	60 lbs. per bu.
Cement shall be.....	80 lbs. per bu.
Charcoal shall be.....	22 lbs. per bu.
Coal, stone, shall be.....	80 lbs. per bu.
Coke shall be.....	40 lbs. per bu.
Hair, plastering, shall be.....	8 lbs. per bu.
Land plaster shall be.....	100 lbs. per bu.
Lime, unslaked, shall be.....	30 lbs. per bu.
Lime, slaked, shall be.....	40 lbs. per bu.

But this section shall not be construed to prevent the purchase and sale by measure. Purchase and sale by measure.

If any person shall take any greater weight than is specified for any of the items named herein, he shall forfeit and pay the sum of twenty dollars for each separate case to any person who may sue for same. Forfeit for taking greater weight.

SEC. 2. That all laws and clauses of laws conflicting with this act are hereby repealed in so far as they conflict.

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 9th day of March, 1915.

CHAPTER 231.

AN ACT TO REPEAL CHAPTER 655 OF PUBLIC LAWS OF 1907, RELATING TO THE CORRECTION OF LAND GRANT NUMBER 3120.

The General Assembly of North Carolina do enact:

Law repealed.

SECTION 1. That chapter six hundred and fifty-five of the Public Laws of North Carolina, passed at the session of the year one thousand nine hundred and seven, be and the same is hereby repealed.

SEC. 2. 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 9th day of March, 1915.

CHAPTER 232.

AN ACT TO AMEND SECTION 11 OF CHAPTER 830 OF THE PUBLIC LAWS OF 1907, RELATIVE TO THE NIGHT WATCHMAN AND JANITOR OF THE CAPITOL BUILDING.

The General Assembly of North Carolina do enact:

Amount.

SECTION 1. That section eleven of chapter eight hundred and thirty of the Public Laws of one thousand nine hundred and seven, be and the same is hereby amended by striking out all between the word "receive" and the words "per day" in line nine of said section, and insert in lieu thereof the words "two dollars and fifty cents."

SEC. 2. 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 9th day of March, 1915.

CHAPTER 233.

AN ACT TO AMEND THE PUBLIC HEALTH LAWS OF NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That section nine, chapter sixty-two, Public Laws of one thousand nine hundred and eleven, as amended by the Public Laws of one thousand nine hundred and thirteen, be and the same is hereby amended by inserting after the word "physician" in line twenty-eight thereof the following: "whose tenure of service shall be terminable at the pleasure of the county board of health." Tenure of office.

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

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

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 234.

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF KINDERGARTENS AS A PART OF THE COMMON SCHOOL SYSTEM.

The General Assembly of North Carolina do enact:

SECTION 1. That upon a petition by the board of directors or trustees or school committee of any school district, endorsed by the county board of education, the board of county commissioners, after thirty days notice at the courthouse door and three other public places in the district named, shall order an election to ascertain the will of the people within said district whether there shall be levied in such a district a special annual tax of not more than fifteen cents on the one hundred dollars worth of property and forty-five cents on the poll for the purpose of establishing kindergarten departments in the schools of said districts. The election so ordered shall be conducted under the rules and regulations for holding special tax elections set out in section four thousand one hundred and fifteen of the Revisal of one thousand nine hundred and five. Petition and endorsement.
Notice.
Order for election.
Special tax.

SEC. 2. At such election those who are in favor of the special tax shall vote a ballot on which shall be printed the words, "For Kindergartens," and those who are opposed shall vote a ballot on which shall be printed the words "Against Kindergartens." Law governing election.
Ballots.

SEC. 3. If a majority of the qualified voters shall vote in favor of the tax, then it shall be the duty of the board of trustees or directors or school committee of said district to establish and Establishment of kindergartens.

Age of children. provide for kindergartens for the education of the children in said district of not more than six years of age, and the county commissioners shall annually levy a tax for the support of said kindergarten departments not exceeding the amount specified in the order of election. That said tax shall be collected as all other taxes in the county are collected and shall be paid by the sheriff to the treasurer of the said school district to be used exclusively for providing adequate quarters and for equipment and for the maintenance of said kindergarten department.

Collection and settlement.

Specific appropriation.

Qualifications for teachers. SEC. 4. That no teacher or instructor shall be employed to teach in the kindergartens of the State who has not taken at least a two years' course in kindergarten training in and received a diploma from a recognized normal training school approved by the State Board of Examiners: *Provided, first*, that in lieu thereof they may offer an equivalent of training satisfactory to the State Board of Examiners; *second*, that all rules and regulations for examination, qualification and admission of teachers and instructors in the free public school kindergartens in this State shall be prescribed and approved by the State Board of Examiners; *third*, that no kindergarten teacher shall be allowed to teach a kindergarten department larger than would result from an enrollment of twenty (20) pupils.

Proviso: Equivalent.

Proviso: Rules prescribed and approved.

Third. Limit of pupils.

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

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 235.

AN ACT TO REPEAL SECTION 14 OF CHAPTER 67 OF THE PUBLIC LAWS OF 1911, RELATING TO ADVANCEMENTS MADE TO DRAINAGE DISTRICTS BY THE STATE TREASURER.

The General Assembly of North Carolina do enact:

Advances by State. SECTION 1. That section fourteen of chapter sixty-seven of the Public Laws of one thousand nine hundred and eleven be and the same is hereby repealed.

Action for advances. SEC. 2. That upon request of the Department of Agriculture the Attorney-General shall bring in the superior court of Wake County an action against the drainage commissioners of any drainage district that has failed or may hereafter fail to refund any money advanced by the State Treasurer under the provisions of section fourteen, chapter sixty-seven of the Public Laws of one thousand nine hundred and eleven, the said action to be brought both against the board of drainage commissioners and the bond of the petitioners for the establishment of the district

required by section two of chapter four hundred and forty-two of the Public Laws of one thousand nine hundred and nine.

SEC. 3. This act shall be in effect from and after its ratification.

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 236.

AN ACT TO AMEND CERTAIN SECTIONS OF THE REVISAL OF 1905 OF NORTH CAROLINA AND CERTAIN CHAPTERS OF THE PUBLIC LAWS OF NORTH CAROLINA OF 1907, 1909, 1911 AND 1913, ALL BEING PARTS OF THE PUBLIC SCHOOL LAW OF NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter eighty-nine of the Revisal of one thousand nine hundred and five be and the same is hereby amended as follows:

Exclusion from white schools.

(a) Amend section four thousand and eighty-six by inserting between the word "blood" and the word "in" in line eight of said section the words "or what is generally known as Croatan Indian blood."

(b) Amend section four thousand one hundred and fifteen, as amended by chapter five hundred and twenty-five of Public Laws of one thousand nine hundred and nine and chapter one hundred and thirty-five, Public Laws of one thousand nine hundred and eleven, by adding at the end thereof the following: "Special tax districts may be formed as provided herein out of portions of contiguous counties. The petition for such a district must be endorsed by the boards of education of both counties. The registrar and one poll holder shall be appointed by the board of commissioners of the county in which the larger number of petitioners reside, and one poll holder must be appointed by the board of commissioners of the other county. All the provisions of section four thousand one hundred and twenty-nine in regard to districts in contiguous counties shall be applicable as far as may be to the establishment of special tax districts out of portions of contiguous counties herein provided."

Special tax districts from contiguous counties.
Petition.

Election officers.

Formation of district.

(c) Amend section four thousand one hundred and twenty-five by adding at the end thereof the following: "In all actions brought in any court against a county board of education for the purpose of compelling the board to admit any child or children who have been excluded from any school by the order of the county board of education, the order or action of the board shall be presumed to be correct, and the burden of proof shall be on the complaining party to show to the contrary."

Actions for admission of children.

Burden of proof.

Second school library.

(d) Amend section four thousand one hundred and seventy-two by adding at the end thereof the following: "*Provided*, that after any school district shall have had a library for ten years or longer under the provisions of this section, said school district shall be entitled to receive a second library in accordance with the foregoing provisions of this section."

Proviso:
Alternation of teachers' institutes.

(e) Amend section four thousand one hundred and sixty-seven by adding at the end thereof the following: "*Provided, further*, that the counties holding institutes on alternate years shall be equally divided in number, as nearly as may be, by the State Superintendent of Public Instruction after consultation with the county superintendents of schools and the county boards of education; and that teachers in such counties as may be exempted from holding institutes in one thousand nine hundred and sixteen, under this provision in order to divide the two groups of counties evenly, shall not be debarred from teaching for the school year ending June thirtieth, one thousand nine hundred and seventeen, because of non-attendance upon an institute or summer school in the year one thousand nine hundred and sixteen."

Teachers not debarred.

(f) Strike out all of section four thousand one hundred and forty-eight, as amended by chapter one hundred and thirty-five of the Public Laws of one thousand nine hundred and eleven, and insert in lieu thereof the following:

School census.

"4148 (*substitute for*). The school committee of each township or district is hereby required to furnish annually to the county superintendent of schools a census report of all the children of school age in the township or district by name, age, sex, and race, and the names of their parents or guardians. The blanks upon which such reports are to be made shall be furnished to the various school committees by the county superintendent at least two weeks prior to the beginning of the school term in each district, and the report, duly sworn to by the person taking the census, and signed and approved by the members of the committee, shall be returned to the county superintendent on or before the first day of the school term of each school year; and any committee failing to comply with the provisions of this section, without just cause, shall be subject to removal. The school committee is authorized to designate one of the teachers, or some other competent person in each school district, to take the census. The committeeman, or other person taking the census, shall be allowed a sum not exceeding three cents per name for all names reported between the ages of six and twenty-one. The committee shall furnish to the teacher at the opening of the school a complete copy of the census furnished to the county superintendent, which shall be recorded by the teacher in the school register. The census record entered in the register shall show the name, age, and sex of each child of school age in that district, together with the names and addresses of the parents or

Blanks.

Return of report.

Census taker.

Pay.

Copy to trustees.

Details of census.

guardians. The census report shall show also the number of children of compulsory attendance age, and the committee shall furnish the attendance officer a separate list of all children subject to compulsory attendance, containing the name, age, race, and sex of each and the name of their parents or guardians.

"There shall also be reported, by race and sex, the number and names of all persons between the ages of twelve and twenty-one who can not read and write and the number and names, by race and sex, of all persons over twenty-one years of age who can not read and write, and the number of deaf and dumb and blind between the ages of six and twenty-one years, designating the race and sex and the address of the parents or guardians of such children.

Details as to illiteracy.

"The committee shall also report to the county superintendent, who in turn shall report to the county board of education, the number of public schoolhouses and the value of all public school property for each race, separately."

Number and value of schoolhouses.

(g) Amend section four thousand one hundred and fifty-eight by adding at the end thereof the following: "In all counties in which the office of county treasurer has been abolished all banks or other corporations handling the public school funds shall be required to make all reports thereof required of the treasurer of the county school funds under sections four thousand one hundred and fifty-seven and four thousand one hundred and fifty-eight of the Revisal of one thousand nine hundred and five as amended by any subsequent legislation."

Reports of school finances.

SEC. 2. That section two thousand seven hundred and eighty-six of the Revisal of one thousand nine hundred and five of North Carolina be and the same is hereby amended by striking out in line two the words "two dollars" and inserting in lieu thereof the words "three dollars."

Per diem of members.

SEC. 3. That chapter one hundred and seventy-three of the Public Laws of one thousand nine hundred and thirteen be and the same is hereby amended as follows:

(a) Amend section one by adding at the end thereof the following words: "*Provided, further,* that the county board of education in any county may in its discretion, or the board of trustees of the public schools of any town of two thousand or more inhabitants may in its discretion, extend the age limit for compulsory attendance from twelve years to thirteen or to fourteen years."

Compulsory attendance.

(b) Strike out all of section five of said chapter and insert in lieu thereof the following:

"SECTION 5 (*substitute for*). The county board of education in each county shall appoint and remove at will an attendance officer in each township to enforce the provisions of this act. It shall be the duty of the school committee or district to furnish each superintendent, principal, or teacher in charge of each school, and to furnish also the attendance officer of each township and the

Attendance officer.

Copy of census.

county superintendent, with an accurate school census of each school district at the opening of the school in said township or district each year. The superintendent, principal, or teacher in charge of any school shall at the end of each week serve written or printed notice upon every parent or guardian or other person having in charge any child within the compulsory attendance age, notifying him of the absences of such child during the week and shall file copies of all such notices with the attendance officer immediately; and said parent, guardian, or person shall be required to render promptly to such superintendent, principal, or teacher in charge of the school the excuse or cause of absence of such child. The failure of such parent, guardian, or person to render satisfactory excuse within three days after the mailing or serving such notice shall be *prima facie* evidence of the violation of this act in case of any prosecution of such person under this act; and shall subject such person to prosecution therefor and to the payment of the costs incurred in such prosecution.

Notice of absences. The names of all persons failing to render satisfactory legal excuse shall be reported immediately to the attendance officer.

Excuses. Prosecutions under this act shall be brought by the attendance officer in the name of the State of North Carolina before any justice of the peace, or police justice, or recorder of any county, town, or township, in which the person prosecuted resides. Upon failure of any attendance officer to prosecute, the county superintendent, upon report and recommendation of principal or teacher in charge or of the school committee, shall prosecute for violation of this act. The attendance officer shall keep an accurate record of all notices served, all cases prosecuted, and all other services performed, and shall make an annual report of same to the county board of education. In the discretion of the county board of education, the attendance officer shall be allowed reasonable compensation from the county school fund for such services as are required of him under this act, compensation for which is not specifically provided for herein: *Provided*, that in case the county board of education shall appoint a school committeeman or township constable as attendance officer, the duties of such officer herein prescribed are hereby declared to be a part of his duties *ex officio*: *Provided, further*, that the school committee or board of trustees of any school in any town or city of five thousand or more inhabitants, operating its schools under special charter, is hereby authorized and empowered, if in their judgment such action is wise, to appoint an attendance officer for the schools under their direction, fix his compensation, and pay the same out of the special tax school funds of said town or city, and assign to him other duties in addition to those enumerated above."

Failure to render excuse *prima facie* evidence.

Reports of failures.

Venue of prosecutions.

County superintendent to prosecute.

Records and reports by attendance officer.

Compensation.

Proviso: School committeeman or constable.

Proviso: Attendance officer in cities.

(c) Strike out all of section six and insert in lieu thereof the following:

"SECTION 6 (*substitute for*). It shall be the duty of all principals and teachers to coöperate with the attendance officers in the enforcement of this law. To this end it shall be the duty of the principal or teacher in charge in every school in which pupils between the ages of eight and twelve years are instructed to keep an accurate record of the attendance of such pupils. On or before the fourth Monday of each calendar month during the compulsory attendance term of each school the superintendent, principal or teacher in charge of each school in each township shall report to the attendance officer of said township and the county superintendent the names of all children that have been absent without legal excuse during said month, the number of absences of each child together with the name of the parent, guardian, or person in charge of said child. The said township attendance officer shall immediately upon receipt of said report notify each of said parents, guardians, or other persons having in charge such reported children to meet him at a designated place in said township at a designated hour on Saturday following said fourth Monday for the purpose of explaining the cause of such absence of such children, and said attendance officer, after hearing and passing upon the excuses rendered, shall proceed with the prosecution as provided for in this act against those parents, guardians, or other persons who fail to render legal excuse for the absence of such reported children.

Coöperation by principals and teachers.
Record of attendance.

Report of absences.

Notice to parents.

Hearing.

Prosecution after hearing.

"Said attendance officer shall be paid out of the general school fund of the county two dollars for his services rendered on said day for said purpose. The failure of any parent, guardian, or other person in charge of any child that has been reported absent, without excuse, to meet said attendance officer on said day without satisfactory excuse rendered shall be *prima facie* evidence of the violation of the provisions of this act and shall subject him to prosecution hereunder and to the penalty prescribed herein. Upon the willful or negligent failure of any principal or teacher in charge of any school to comply with the provisions of this section, the county superintendent shall deduct from his or her salary for the current month the sum of five dollars before approving the voucher therefor."

Pay of attendance officer.

Failure to attend *prima facie* evidence of violation of law.

Forfeit on principal or teacher.

SEC. 4. That chapter eight hundred and twenty of the Public Laws of one thousand nine hundred and seven be and the same is hereby amended as follows:

(a) Amend section one by adding at the end thereof the following words: "*Provided*, that not more than four public high schools in any one county shall be entitled under the provisions of this act to receive State aid."

Proviso:
Number of schools aided.

(b) Amend section four by striking out in line nineteen thereof the words "and recommendation" and further by striking out all the words in said section after the word "superintendent" in line twenty.

Qualification of teachers.

(c) Strike out section seven and insert in lieu thereof the following:

Approval of application.

"SECTION 7 (*substitute for*). Before any public high school shall be entitled to receive State aid under the provisions of this act, its application therefor shall have been approved by both the county board of education and the State Board of Education; and the amount of State aid to be given shall be determined by the State Board of Education, and the county board of education shall apportion to each public high school out of the general county fund at least as much as the State apportions to said high school; and the local committee of each public high school receiving State aid under the provisions of this act shall apportion out of the local school fund raised by special tax, or shall raise by private donation or otherwise, at least as much as the State Board of Education apportions to said high school under the provisions of the act; and when the high school committee shall deposit its apportionment with the treasurer to be placed to the credit of said public high school, the county board of education shall make an apportionment out of the general school fund of the county, as provided herein, and deposit same with the treasurer to the credit of said public high school. When the treasurer and the county superintendent shall certify to the State Superintendent of Public Instruction that the apportionments by the local committee and the county board of education, herein required, have been duly authorized for any high school, a State warrant shall be issued upon the requisition of the State Superintendent of Public Instruction for such an amount as the State Board of Education shall have approved, under the provisions of this act and sent to the treasurer to be placed to the credit of said public high school. All high school funds herein provided and placed to the credit of any high school shall be used exclusively for the payment of teachers' salaries in said high school and for such necessary incidental expenses as may be approved by the State Superintendent of Public Instruction; and said high school funds shall be paid out by the treasurer for the purposes herein specified only upon the order of the public high school committee, approved by the county superintendent of schools. *Provided*, that the amount apportioned by the State Board of Education to any public high school, maintained under the provisions of this act, shall not be less than two hundred dollars nor more than six hundred dollars for any year. *Provided further*, that after a public high school has been approved and established under the provisions of this act, it shall not be discontinued by the county board of education without the consent and approval of the State Board of Education."

Apportionment from county.

Apportionment from general county school fund.

Certificate of apportionment.

Use of State appropriation.

Proviso: Limit of appropriation.

(d) Strike out section eight and insert in lieu thereof the following:

Treasurer of high schools.

"SECTION 8 (*substitute for*). The treasurer of the county school fund, or in counties in which the office of treasurer has been

abolished, any bank or other corporation handling the public school funds shall be treasurer of the public high school fund, except as is hereinafter provided. He shall keep a separate account of the funds of each public high school, and shall on the first Monday in July of each year, make to the county board of education and to the State Superintendent of Public Instruction a report of all receipts and expenditures of said fund for each separate high school for the preceding year: *Provided*, that the treasurer of any chartered school receiving State aid under the provisions of this act, may in the discretion of the State Board of Education, serve as treasurer of the public high school fund, but shall receive no commission for disbursing the funds apportioned by the county and the State under the provisions of this act."

Proviso:
Charter schools
having State aid
aid.

SEC. 5. That chapter one hundred and forty-nine of the Public Laws of one thousand nine hundred and thirteen be and the same is hereby amended as follows:

(a) Amend sub-section (a) of section one by adding at the end thereof the following words: "*Provided, further*, that the county board of education may reserve as a further contingent fund a sufficient amount to pay the salary of an assistant superintendent, and to defray such other supervisory and administrative expenses as it may deem necessary, but the funds set aside for these purposes shall not operate to increase the amount to which said county would have been entitled from the State equalizing fund if said funds had not been set aside, and the same shall be included in the necessary expenses for a four months' school term for which a special tax, if necessary, must be levied under chapter thirty-three of the Public Laws of one thousand nine hundred and thirteen."

Proviso:
Further contin-
gent fund.

(b) Amend sub-section (b) of section three, amending chapter eight hundred and twenty of the Public Laws of one thousand nine hundred and seven, by striking out in said sub-section (b) in line four thereof, the words "section six of."

Committee for
chartered schools.

(c) Strike out sub-section (h) of section three amending section nine of chapter eight hundred and twenty of the Public Laws of one thousand nine hundred and thirteen, and insert in lieu of said sub-section (h) the following. "Every public high school receiving State aid under this act shall maintain an average daily attendance of at least twenty high school students for the required term, and any public high school making any average daily attendance of less than twenty students for the required term shall not be entitled to receive State aid under this act; and any additional amount beyond the minimum apportioned to any public high school under the provisions of this act shall be conditioned, first, upon the average daily attendance above the required minimum for the preceding school year; second, upon the number of full-time high school teachers em-

Average daily
attendance.

ployed; and third, upon the grade and character of work done by said public high school."

SEC. 7. That chapter one hundred and five of the Public Laws of one thousand nine hundred and thirteen, amending chapter four hundred and forty-nine of the Public Local Laws of one thousand nine hundred and eleven, be and the same is hereby amended by striking out in section one thereof all words after the words "Guilford County" in line seven thereof and inserting in lieu thereof the following: "*Provided*, that the amount annually set aside out of the public school fund by any county for maintenance of said farm-life departments shall not operate to increase the amount to which said county would have been entitled from the State equalizing fund if said apportionments for farm-life departments had not been set aside; and said apportionments shall be included in the necessary expenses for a four months' school term for which a special tax, if necessary, must be levied under chapter thirty-three of the Public Laws of one thousand nine hundred and thirteen. The board of county commissioners of any county is hereby authorized to provide out of the funds for necessary county expenses the funds required under section four of chapter four hundred and forty-nine of the Public Local Laws of one thousand nine hundred and eleven for the establishment and maintenance thereunder of farm-life departments in public high schools, and to include the same in the annual levy for necessary county expenses."

Proviso:
Apportionment to
farm-life schools.

Funds for farm-
life schools.

SEC. 8. That sub-section (1) of section one, chapter eight hundred and thirty-five of the Public Laws of one thousand nine hundred and seven, amending section four thousand one hundred and sixty-two of the Revisal of one thousand nine hundred and five of North Carolina, be and the same is hereby amended as follows:

Percentage.

(a) In line seven of said sub-section (i) strike out the words "ninety per cent" and insert in lieu thereof the words "seventy-five per cent."

Proviso:
Credits for aca-
demic and profes-
sional work.

(b) After the word "certificate" in line fifteen insert the following words: "*Provided*, that the said board of examiners may, in their discretion, and in lieu of examination allow certain credits for academic and professional work done in approved institutions and for successful experience."

Renewal of certi-
ficate.

(c) After the word "certificate" in line thirty and before the word "and" insert the following words: "and said certificate shall be subject to renewal and may, in the discretion of the board of examiners, on its second renewal be converted into a life certificate."

Proviso:
Credits for aca-
demic and profes-
sional work.

(d) After the word "provided" in line thirty-seven and before the word "said" insert the following words: "*Provided*, that the said board of examiners may, in their discretion, and in lieu of examination, allow certain credits for academic and professional work done in approved institutions and for successful

experience; and said high school teacher's certificate shall be subject to renewal and may, in the discretion of the board of examiners, on its second renewal be converted into a life certificate."

SEC. 9. That chapter thirty-three of the Public Laws of one thousand nine hundred and thirteen be and the same is hereby amended by adding at the end of section four thereof the following words: "In the apportionment of the State equalizing fund the State Board of Education shall observe as the maximum that may be set aside for contingent expenses (said contingent expenses to be construed to mean all items of expenses except the apportionment for teachers' salaries and for buildings, repairs, and equipment as provided by section four thousand one hundred and sixteen of the Revisal of one thousand nine hundred and five as amended) the following: In counties with a total school fund from general county and State sources of ten thousand dollars or less not more than twenty-five per cent thereof; in counties with a total school fund of over ten thousand dollars and less than twenty thousand dollars not more than twenty per cent thereof; in counties with a total school fund of over twenty thousand dollars and less than thirty thousand dollars not more than seventeen and one-half per cent thereof; in counties with a total school fund of more than thirty thousand dollars and less than fifty thousand dollars not more than sixteen per cent thereof; and in counties with a total school fund of more than fifty thousand dollars not more than fifteen per cent thereof. *Provided*, that these maximum limits shall apply only in the apportionment of the State equalizing fund."

Maximum for contingent expenses.

Percentage.

SEC. 10. All laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

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

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 237.

AN ACT TO AMEND CHAPTER 122, PUBLIC LAWS OF 1913, RELATIVE TO RATE OF INTEREST ROAD BONDS SHALL DRAW.

The General Assembly of North Carolina do enact:

SECTION 1. That the word "five" in line seven of section one of said act be stricken out and the word "six" be substituted therefor.

Rate.

SEC. 2. That wherever any township in any county in the State shall have voted bonds under the provisions of chapter one hundred and twenty-two of the Public Laws of one thousand

Sale of bonds heretofore voted.

nine hundred and thirteen, the county commissioners of said county are hereby authorized and directed to sell bonds so voted at rates of interest not exceeding six per cent.

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 9th day of March, 1915.

CHAPTER 238.

AN ACT TO AMEND CHAPTER 442 OF THE PUBLIC LAWS OF 1909, RELATIVE TO THE DRAINAGE OF SWAMP AND OTHER LANDS.

The General Assembly of North Carolina do enact:

Damages to be assessed.

SECTION 1. That section two of chapter four hundred and forty-two of the Public Laws of one thousand nine hundred and nine be, and the same is hereby stricken out, and the following substituted and enacted in lieu thereof: "It shall be the further duty of the engineer and viewers to assess the damages claimed by the owners of any land located in such proposed drainage district, and to embrace in such assessment the value of any land actually taken and the injury done to any land not taken, including damage to the growing crops and timber located thereon, as well as all inconveniences suffered by such landowners, on account of such proposed drainage or other improvements. Such damages, when assessed and ascertained, shall be considered separate and apart from any benefits such land might receive because of the proposed improvements, and shall be included in the total cost of such improvements, and collected in the manner provided for the collection of other moneys to defray the costs of said improvements under the provisions of this act, and when so collected shall be paid by the board of drainage commissioners to the person or persons entitled thereto."

Damages included in estimate of cost.

Manner of assessment.

SEC. 2. That section sixteen of said act be amended as follows: By inserting between the words "assessed" and "is," in line eight of said section, the words "in the manner provided in section eleven hereof," and between the words "assessed" and "is," in line eleven of said section, the words "in the manner hereinbefore provided."

Repealing clause.

Proceedings now pending.

SEC. 3. That all laws and clauses of laws in conflict with this act are hereby repealed: *Provided*, the same shall not affect any proceedings now pending for the drainage of any lands under this act.

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 9th day of March, 1915.

CHAPTER 239.

AN ACT AUTHORIZING AND DIRECTING THE BOARD OF AGRICULTURE TO ORGANIZE THE BOYS' ROAD PATROL AND TO APPROPRIATE FUNDS FOR MAINTAINING THE SAME AND FOR IMPROVING THE PUBLIC ROADS OF NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Agriculture is hereby charged with the duty of organizing a brigade of school boys in this State to be called the Boys' Road Patrol, and to be composed of boys who attend the rural public schools of the State.

Board of Agriculture to organize brigade.

Official designation.

SEC. 2. The duties of such patrol to be to look after the maintenance of the stretch of road indigenous to each member of the patrol, dragging and ditching same by the use of machinery placed in the care of the patrol by the State and county in such manner as the Board of Agriculture shall direct.

Duties of patrol.

SEC. 3. That the said Board of Agriculture is specially authorized and empowered and directed to devise, organize and adopt all such rules and regulations as may be necessary for effectually carrying out the purposes of this act; may award suitable prizes and pay all such expenses of successful competitor and others engaged in such work in attendance upon meetings and other purposes.

Rules and regulations.

Award of prizes and payment of expenses.

SEC. 4. That all moneys for the carrying out of this act shall be provided by the counties themselves in coöperation with the Department of Agriculture.

Money provided.

SEC. 5. That said brigade shall not be organized in any county until the commissioners of said county set apart and appropriate not less than one hundred dollars for the purposes of this act to be spent in said county by the Board of Agriculture.

Minimum appropriation by county.

SEC. 6. That the commissioners of the counties of North Carolina are empowered to make donation annually out of the county funds for the purposes of this act.

Donations by counties authorized.

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 9th day of March, 1915.

CHAPTER 240.

AN ACT TO FIX AND REGULATE THE TIME FOR HOLDING
THE SEVERAL SUPERIOR COURTS FOR THE SIXTH JUDI-
CIAL DISTRICT.

The General Assembly of North Carolina do enact:

Sixth judicial
district.

SECTION 1. That the superior courts in the several counties of the Sixth Judicial District shall be opened and held at the times hereinafter set forth, to wit:

Duplin County.

Duplin County.—Eighth Monday before the first Monday in March, two weeks, and for the trial of civil cases only. Fifth Monday before the first Monday in March, one week, for the trial of criminal cases. Third Monday after the first Monday in March, two weeks, for the trial of civil cases only. First Monday before the first Monday in September, three weeks, for the trial of civil cases only. Eleventh Monday after the first Monday in September, two weeks, the first week for the trial of criminal and civil cases, and the second week for the trial of civil cases only. Sixth Monday before the first Monday in September, one week, for the trial of criminal cases only.

Lenoir County.

Lenoir County.—Sixth Monday before the first Monday in March; eleventh Monday after the first Monday in March; second Monday before the first Monday in September, and fourteenth Monday after the first Monday in September, terms of one week each for the trial of criminal cases exclusively. Second Monday before the first Monday in March, two weeks, for trial of civil cases exclusively. Fifth Monday after the first Monday in March; fourteenth Monday after the first Monday in March, and ninth Monday after the first Monday in September, terms of two weeks each for the trial of civil cases exclusively. Sixth Monday after the first Monday in September, two weeks, for the trial of civil cases and jail cases on the criminal docket.

Sampson County.

Sampson County.—Fourth Monday before the first Monday in March; first Monday after the first Monday in March; fourth Monday before the first Monday in September; second Monday after the first Monday in September; seventh Monday after the first Monday in September; eighth Monday after the first Monday in March, each to continue for two weeks; the September and March terms to be for trial of civil cases exclusively.

Onslow County.

Onslow County.—Sixth Monday after the first Monday in March, to continue for two weeks for the trial of civil cases exclusively; seventh Monday before the first Monday in September, for the trial of civil cases exclusively; fifth Monday after the first Monday in September; thirteenth Monday after the first Monday in September, for the trial of civil cases exclusively; first Monday in March.

Law repealed.

SEC. 2. That all that part of chapter one hundred and ninety-six of the Public Laws of one thousand nine hundred and thirteen

and of chapters seventy-five, sixty-one and fifty-three of the Public Laws at the extra session of the General Assembly of one thousand nine hundred and thirteen, providing for fixing and regulating the holding of the terms of the superior courts for the sixth judicial district be, and the same is hereby repealed, and all process civil or criminal, original, mesne or final, returnable under the present laws to any superior court, after the ratification of this act, shall be returnable to the first term of the superior courts as established by this act, except that no criminal process shall be returnable to any term designated in this act for the trial of civil cases only. Return of process.

SEC. 3. Civil process may be returnable to and pleadings filed at all the courts herein designated, and motions and civil actions may be heard upon due notice at such criminal terms, and trials in civil actions which do not require a jury may be heard at such criminal terms by consent. Jurisdiction of criminal terms as to civil business.

SEC. 4. That all laws and clauses of laws in conflict with this act are hereby repealed. Repealing clause.

SEC. 5. That this act shall take effect and be in force from and after the first day of July, one thousand nine hundred and fifteen. When act effective.

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 241.

AN ACT TO PAY CERTAIN PENSION WARRANTS ISSUED TO MOLLIE E. AVERY AND TO SUSAN C. AMAN OF ONSLOW COUNTY.

WHEREAS, Mollie E. Avery and Susan C. Aman, widows of Confederate soldiers, to whom pension warrants had been issued, died before the fifteenth day of September, nineteen hundred and fourteen, and without having any property to pay their burial expenses; now, therefore, Preamble.

The General Assembly of North Carolina do enact:

SECTION 1. That pension warrant roll number three, warrant number four thousand two hundred and fifty-three, issued to Mollie E. Avery for nineteen hundred and fourteen, be paid to Luke Avery, and pension warrant roll number one, warrant number four thousand two hundred and fifty-one, issued to Susan C. Aman for the year nineteen hundred and fourteen, be paid to Jesse Aman. Warrant to Mollie E. Avery.
Warrant to Susan C. Aman.

SEC. 2. That the State Treasurer is hereby authorized to pay the said warrants upon proper endorsements by the said Luke Avery and Jesse Aman respectively. Payment authorized.

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 9th day of March, 1915.

CHAPTER 242.

AN ACT TO PROTECT AND REGULATE AGRICULTURAL FAIRS.

The General Assembly of North Carolina do enact:

Lien of fairs for price of concessions and performance of contracts.

SECTION 1. All agricultural fairs which shall grant any privilege, license or concession to any person, persons, firm or corporation for vending wares or merchandise within any fair ground, or which shall rent any ground space for carrying on any kind of business in such fair grounds, either upon stipulated price or for a certain per cent of the receipts taken in by such person, persons, firm or corporation, shall have the right to retain possession of and shall have a lien upon any or all the goods, wares, fixtures, and merchandise or other property to such person, persons, firm or corporation, until all charges for privileges, licenses or concessions, are paid or until their contract is fully complied with.

Notice of sales.

SEC. 2. Written notice of such sale shall be served on the owner of such goods, wares, merchandise or fixtures, or other property ten days before such sale, if he or it be a resident of the State, but if a non-resident of the State, or his or its residence be unknown, the publication of such notice for ten days at the courthouse door and three other public places in the county shall be sufficient service of the same.

Assisting unlawful entrance.

SEC. 3. That it shall be unlawful for any person or persons to assist any other person or persons to enter upon the grounds of any fair association when an admission fee is charged, by assisting such other person or persons to climb over or go under the fence or by pulling off a plank or to enter the enclosed grounds by any trick or device or by passing out a ticket or pass or in any other way.

Misdemeanor.
Punishment.

SEC. 4. Any violation of the preceding section of this act shall be a misdemeanor and punishable by a fine not exceeding twenty dollars or imprisonment not exceeding ten days.

Temporary dealers subject to license tax.

SEC. 5. That every person, firm, officer or agent of any corporation, who shall temporarily expose for sale any goods, wares, foods, soft drinks, ice cream, fruits, novelties, or any other kind of merchandise, or who shall operate any merry-go-round, ferris wheel, or any other device for public amusement, within one-fourth of a mile of any agricultural fair, during such fair, shall pay a tax of one hundred dollars in each county in which he

shall carry on such business, whether as a principal or agent: *Provided*, this section shall not apply to any business established sixty days prior to the beginning of such fair.

Proviso:
Exceptions.

SEC. 6. That every such person mentioned in the preceding section shall apply in advance for a license to the board of county commissioners of the county in which he proposes to peddle, sell or operate and the board of county commissioners may in their discretion issue license upon the payment of the tax to the sheriff which shall expire at the end of twelve months from its date.

Application for
license.

Issue in discre-
tion of county
commissioners.

SEC. 7. That any person violating the provisions of the two preceding sections shall be guilty of a misdemeanor, punishable by a fine not to exceed fifty dollars or imprisonment not to exceed thirty days at the discretion of the court.

Misdemeanor.
Punishment.

SEC. 8. That all laws and clauses of laws in conflict with this act are hereby repealed.

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 9th day of March, 1915.

CHAPTER 243.

AN ACT TO PROTECT THE FORESTS OF THE STATE FROM FIRE.

The General Assembly of North Carolina do enact:

SECTION 1. That the State Geological board may take such action as it may deem necessary to provide for the prevention and control of forest fires in any and all parts of this State, and it is hereby authorized to enter into an agreement with the Secretary of Agriculture of the United States for the protection of the forested watersheds of streams in this State.

Action by geo-
logical board au-
thorized.

Coöperation with
national govern-
ment.

SEC. 2. That the forester of the State Geological and Economic Survey who shall be called State Forester, and shall be ex-officio State Forest Warden, may appoint, with the approval of the Geological Board, one township forest warden and one or more district forest wardens in each township of the State in which the amount of forest land and the risks from forest fires shall, in his judgment, make it advisable and necessary.

State Forester.

State forest
warden.

Township and
district forest
wardens.

SEC. 3. The State Forester, as State Forest Warden, shall have supervision of township and district forest wardens, shall instruct them in their duties, issue such regulations and instructions to the township and district forest wardens as he may deem necessary for the purposes of this act, and cause violations of the laws regarding forest fires to be prosecuted.

Supervisory pow-
ers.

Regulations and
instructions.

Prosecutions.

SEC. 4. Forest wardens shall have charge of measures for controlling forest fires; shall make arrests for violation of forest laws; shall post along highways and in other conspicuous places,

Measures for con-
trolling fires.

Arrests.

Posting of law
and warnings.
Patrols.

Other duties.

Report of fires.

Report of district
wardens.

Interference with
sign, poster, or
warning a misde-
meanor.

Punishment.

Forest wardens to
prevent and ex-
tinguish fires.
Enforcement of
laws.
Control and direc-
tion of persons
and apparatus.
Arrests without
warrant.

Fire patrols in
season of drouth.

Duties in case of
fire or threaten-
ing.

Power to summon
assistance.

Penalty for re-
fusal of assist-
ance.

Power of entry.

Compensation of
forest wardens.

copies of the forest fire laws and warnings against fires, which shall be supplied by the State Forester; shall patrol during dry and dangerous seasons under the direction of the State Forester, and shall perform such other acts and duties as shall be considered necessary by the State Forester for the protection of the forests from fire. The township forest warden of the township in which a fire occurs shall within ten days make such a report thereof to the State Forester as may be prescribed by him. The township forest warden of the township in which a fire occurs shall within ten days make such a report thereof to the State Forester as may be prescribed by him. Each district forest warden shall promptly report to township wardens any fire in his district.

SEC. 5. Any person who shall maliciously or wilfully destroy, deface, remove, or disfigure any sign, poster, or warning notice, posted by order of the State Forester, under the provisions of this act or any other act which may be passed for the purpose of protecting the forests in this State from fire, shall be guilty of a misdemeanor and upon conviction shall be punishable by a fine of not less than ten dollars nor more than fifty dollars, or imprisoned not exceeding thirty days.

SEC. 6. Forest wardens shall prevent and extinguish forest fires in their respective townships and enforce all statutes of this State now in force or that hereafter may be enacted for the protection of forests and woodlands from fire, and they shall have control and direction of all persons and apparatus while engaged in extinguishing forest fires. Any forest warden may arrest, without a warrant, any person or persons taken by him in the act of violating any of the said laws for the protection of forests and woodlands, and bring such person or persons forthwith before a justice of the peace or other officer having jurisdiction, who shall proceed without delay, to hear, try and determine the matter. During a season of drouth the State Forester may establish a fire patrol in any township, and in case of fire in or threatening any forest or woodland the township or district forest warden shall attend forthwith and use all necessary means to confine and extinguish such fire. The said forest warden may summon any male resident of the township between the ages of eighteen and forty-five years to assist in extinguishing fires, and may require the use of horses and other property needed for such purpose; any person so summoned, and who is physically able, who refuses or neglects to assist or to allow the use of horses, wagons, or other material required, shall be liable to a penalty of not less than five dollars nor more than fifty dollars. No action for trespass shall lie against any forest warden or person summoned by him for crossing or working upon lands of another in connection with his duties as forest warden.

SEC. 7. Forest wardens shall receive compensation from the geological board at a rate of not to exceed twenty cents per hour

for the time actually engaged in the performance of their duties; and reasonable expenses for equipment, transportation or food supplies incurred in fighting or extinguishing any fire, according to an itemized statement to be rendered the State Forester every month, and approved by him. Forest wardens shall render to the State Forester a statement of the services rendered by the men employed by them or their district wardens, as provided in this act, within one month of the date of service, which said bill shall show in detail the amount and character of the service performed, the exact duration thereof, the name of each person employed, and any other information required by the State Forester. All accounts of the forest wardens must be duly sworn to before a justice of the peace, notary public or other officer qualified to witness such papers within the county in which the expenses were incurred. If said bill be duly approved by the State Forester, it shall be paid by direction of the geological board out of the funds hereinafter provided for.

Allowance of expenses.

Bills for service rendered monthly.

Accounts verified.

Payment of bills on approval.

SEC. 8. If any person shall intentionally set fire to any grass land, brush land, or woodland, except it be his own property, or in that case without first giving notice to all persons owning or in charge of lands adjoining the land intended to be fired, and also taking care to watch such fire while burning and taking effectual care to extinguish such fire before it shall reach any lands near to or adjoining the lands so fired, he shall for every such offense be guilty of a misdemeanor and shall be fined not less than ten dollars, nor more than fifty, or imprisoned not exceeding thirty days. This shall not prevent action for damages sustained by the owner of any property from such fires.

Regulation of burning of grass, brush, or woodland.

Misdemeanor.

Punishment.

Damages.

SEC. 9. Any wagoner, hunter, camper, or other person who shall kindle a camp fire or shall authorize another to kindle such fire, unless all combustible material for the space of ten feet surrounding the place where said fire is kindled has been removed, or shall leave a camp fire without fully extinguishing it, or who shall accidentally or negligently by the use of any torch, gun, match, or other instrumentality, or in any manner whatever start any fire upon any grass land, brush land or woodland without fully extinguishing the same, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than ten dollars, nor more than fifty dollars, or imprisoned not exceeding thirty days.

Regulation of camp fires.

Misdemeanor.

Punishment.

SEC. 10. All persons, firms, or corporations, who shall burn any tar, kiln or pit of charcoal, or set fire to or burn any brush, grass, or other material, whereby any property may be endangered or destroyed shall keep and maintain a careful and competent watchman in charge of said kiln, pit, brush, or other material while burning. Any person, firm, or corporation violating the provisions of this section shall be punishable by a fine of not less than ten dollars nor more than fifty dollars, or imprisoned not exceeding thirty days. Fire escaping from such kiln, pit, brush,

Watchmen to be provided.

Punishment.

Prima facie evidence of neglect. or other material while burning shall be *prima facie* evidence of neglect of these provisions.

Woodland defined. SEC. 11. For the purposes of this act, woodland is taken to include all forest areas, both timber and cut-over land, and all second growth stands on areas that have at one time been cultivated.

SEC. 12. All laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 13. This act shall be in force from and after its ratification.

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 244.

AN ACT TO ALLOW THE BOARD OF COMMISSIONERS OF SEVERAL COUNTIES OF NORTH CAROLINA TO COMPENSATE THE OWNERS OF LIVESTOCK CONDEMNED BY THE AUTHORITY OR ADVICE OF THE STATE BOARD OF HEALTH BECAUSE OF AFFECTION WITH CONTAGIOUS AND INFECTIOUS DISEASES.

Preamble. WHEREAS, the owners of stock in several counties of North Carolina have had certain of their live stock affected with contagious or infectious diseases, condemned and killed by authority or advice of the State Board of Health; and

Preamble. WHEREAS, such precautions are necessary for the protection of the health of both people of said counties and the livestock therein; and,

Preamble. WHEREAS, it is right and proper that the burden of loss to the owners of stock so condemned and killed should be distributed among those benefited; now, therefore,

The General Assembly of North Carolina do enact:

Presentation of bill. SECTION 1. That in all cases where livestock affected with contagious or infectious diseases have been or may hereafter be condemned and killed by authority or advice of the State Board of Health, the owner of such livestock may present a bill for the amount of his loss or damages to the board of commissioners of his county, which board, after careful investigation, may allow such owner such amount as in their discretion will be fair compensation to such owner for such loss or damage; such allowance to be paid by claim issued by such board to be paid by the treasurer of said county out of the general funds of said county.

Allowance and payment.

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

SEC. 3. That this act shall apply to Hyde County only.

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 245.

AN ACT TO AMEND CHAPTER 90 OF THE PUBLIC LAWS OF 1913, ENTITLED "AN ACT TO PROVIDE FOR THE ASSURANCE AND REGISTRATION OF LAND TITLES."

The General Assembly of North Carolina do enact:

SECTION 1. That section fourteen, of chapter ninety, of the Public Laws of one thousand nine hundred and thirteen be amended by striking out the word "shall" which occurs in line two between the word "it" and the word "be" and inserting in lieu thereof the word "may"; and by adding to the end of said section fourteen the following: "*Provided*, nothing in this section nor this act shall be construed to prevent the owner from conveying said land, or any part of the same, as security for a debt by deed of trust or mortgage in any form, which may be agreed upon between the parties thereto, and having said deed of trust or mortgage recorded in the office of the register of deeds as other deeds of trust and mortgages are recorded: *Provided, further*, that the book and page of said record at which said deed of trust or mortgage is recorded shall be entered by the register of deeds upon the owner's certificate and also on said registration of titles book."

Use of form.

Proviso:
Mortgage or deed
of trust.

Proviso:
Entry on owner's
certificate and on
titles book.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

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 9th day of March, 1915.

CHAPTER 246.

AN ACT TO PROVIDE FOR THE CONSTRUCTION OF A ROAD ACROSS THE BLUE RIDGE IN McDOWELL COUNTY.

WHEREAS, the public road across the Blue Ridge in McDowell County from Old Fort to Ridgecrest is through a very sparsely settled country, and exceedingly difficult to build, and

Preamble.

WHEREAS, this road is a connecting link in the central highway from eastern and central North Carolina to western North Carolina and Tennessee, and

Preamble.

WHEREAS, it is a road of great scenic beauty and attractiveness that would be used by all the people of the State, travelling between the eastern and central sections thereof and the western portion thereof; now, therefore,

Preamble.

The General Assembly of North Carolina do enact:

Use of convicts
allowed.

Number.

Supervision of
work.

SECTION 1. That the Board of Directors of the State's Prison be and is hereby authorized to furnish as many convicts as practicable, not less than twenty-five to be used in the construction of the said road, according to the plans and the specifications made by and under the supervision of the highway commission of Old Fort Township, heretofore appointed by the Governor.

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 9th day of March, 1915.

CHAPTER 247.

AN ACT TO AMEND THE LAW RELATING TO THE COMPENSATION OF CERTAIN EMPLOYEES OF THE STATE DEPARTMENT OF PUBLIC INSTRUCTION.

The General Assembly of North Carolina do enact:

Chief clerk.

SECTION 1. That chapter eight hundred and thirty of the Public Laws of one thousand nine hundred and seven be and the same is hereby amended by striking out in line three of section six the word "fifteen" and inserting in lieu thereof the word "seventeen," and further by striking out in line four of said section the words "fifteen hundred" and inserting in lieu thereof the words "eighteen hundred"; and further by inserting in line five of said section after the word "annum" these words: "The same to be paid out of the State loan fund for building public school-houses."

Loan fund clerk.

Servant.

SEC. 2. That section eleven of said chapter be and the same is hereby amended by inserting after the word "week" and before the word "to" in line seven thereof the words "except the servant in the office of the Superintendent of Public Instruction who shall receive twelve dollars per week."

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

SEC. 4. 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 9th day of March, 1915.

CHAPTER 248.

AN ACT TO AMEND SECTION 3674 OF THE REVISAL OF 1905,
AS TO ALTERING OR REMOVING LANDMARKS.

The General Assembly of North Carolina do enact:

SECTION 1. That section three thousand six hundred and seventy-four of the Revisal of one thousand, nine hundred and five be and the same is hereby amended to read as follows: Three thousand six hundred and seventy-four. Landmarks, altering or removing. If any person, firm or corporation shall knowingly remove, alter or deface any landmark in anywise whatsoever, or shall knowingly cause such removal, alteration or defacing to be done, such person, firm or corporation shall be guilty of a misdemeanor. This section shall not apply to such landmarks as creeks and other small streams as the interest of agriculture may require to be altered or turned from their channels nor to such persons, firms or corporations as own the fee simple in the lands on both sides of the lines designated by the landmarks so removed: *Provided*, that this shall not apply to the action of joint owners, who by agreement agree to the removal of such landmarks as they alone are interested in.

SEC. 2. This act shall take effect from its ratification, but it shall not apply to offenses committed prior to its ratification.

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 249.

AN ACT RELATING TO THE RECORDS OF GRANTS IN THE
OFFICE OF THE SECRETARY OF STATE AND TO MAKE
CERTIFIED COPIES THEREOF COMPETENT WHEN OF-
FERED IN EVIDENCE.

WHEREAS, for a long period of time many grants for lands in this State were duly issued in manner provided by law and records thereof were made and kept in the proper books for recording grants issued by the State, but in recording said grants the same were not copied in full upon said records; and

WHEREAS, in many instances the Secretary of State has to have recorded only memoranda or abstracts of grants so issued, showing the number and date of the grant, the name of the grantee and the description of the lands conveyed, with the name of the Governor and the Secretary of State, but without reciting the Great Seal of State or indicating the same on the record; and

WHEREAS, in some instances the Secretary of State has also failed to indicate on the record the signature of the Governor

and countersigning by the Secretary of State, ad has failed to recite or indicate the Great Seal of State on the record; and

WHEREAS, some question has arisen as to whether or not certified copies of such grants so recorded are competent to be offered in evidence in the courts of this State for the purpose of showing title out of the State of North Carolina; now, therefore,

The General Assembly of North Carolina do enact:

Copies competent as evidence.

SECTION 1. That for the purpose of showing title from the State of North Carolina to the grantee or grantees therein named and for the lands therein described, duly certified copies of all such grants and of all such memoranda and abstracts of grants shall be competent to be offered in evidence in the courts of this State or of the United States or of any territory of the United States, and in the absence of the production of the original grant, shall be conclusive evidence of a grant from the State to the grantee or grantees named and for the lands described therein.

Conclusive evidence.

Record of copies in counties.

SEC. 2. That duly certified copies of such grants and of such memoranda and abstracts of grants may be recorded in the county where the lands therein described are situated, and the records thereof in such counties or certified copies thereof shall likewise be competent to be offered in evidence for the purpose of showing title from the State of North Carolina to the grantee or grantees named and for the lands therein described.

County record or copies competent as evidence.

Records validated and made effectual.

SEC. 3. That all such records of grants and of such memoranda and abstracts of grants in the office of the Secretary of State are hereby validated and made of the same effect as if the same had been copied in full upon the record of grants in said office.

SEC. 4. 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 9th day of March, 1915.

CHAPTER 250.

AN ACT TO SAFEGUARD LIFE AND PROPERTY AT RAILROAD CROSSINGS.

The General Assembly of North Carolina do enact:

SECTION 1. That section twenty-five hundred and sixty-nine (2569) of the Revisal of one thousand nine hundred and five (1905), relating to the construction of railroad crossings, be, and the same is hereby, amended by adding at the end of said section the following:

Notice for repair of crossing.

“That if any such railroad corporation shall so construct its crossings with public streets, thoroughfares or highways, or keep,

allow or permit the same at any time to remain in such condition as to impede, obstruct or endanger the passage or transportation of persons or property along, over or across the same, the governing body of the county, city, town, township or road district having charge, control or oversight of such roads, streets or thoroughfares may give to such railroad notice, in writing, directing it to place said crossing in a good condition, so that persons may cross and property be safely transported across the same. And if said railroad shall fail to put said crossing in a safe condition for the passage of persons and property within thirty (30) days from and after the service of said notice, it shall be guilty of a misdemeanor and shall be punished in the discretion of the court; and each calendar month which shall elapse after the giving of said notice, and before the placing of said crossing in repair shall be a separate offense.

Failure a misdemeanor.

Punishment.
Separate offenses.

"The notice required by this section may be served upon the agent of said railroad located nearest to said crossing, or it may be served upon the section master, whose section includes the crossing about which said notice is given.

Service on agent or section master.

"Said notice may be served by delivering a copy to such agent or section master, or by letter properly stamped, registered and addressed to either of such persons."

Service by delivery or mail.

SEC. 2. That this act shall in no wise be construed to abrogate, repeal or otherwise affect any existing law now applicable to railroad corporations with respect to highway and street crossings; but the duty imposed and the remedy given by this act shall be in addition to other duties and remedies now prescribed by law.

Existing laws not restricted.

Duty and remedy additional.

SEC. 3. That all laws, or parts of laws, in conflict with this act are hereby repealed.

Repealing clause.

SEC. 4. That this act shall be in force from and after the first day of July, one thousand nine hundred and fifteen.

When act effective.

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 251.

AN ACT TO AMEND SECTION 1652 OF THE REVISAL OF 1905 OF NORTH CAROLINA, SO AS TO PERMIT THE DEFENDANT TO TAKE THE DEPOSITION OF WITNESSES IN RECORDER'S COURT.

The General Assembly of North Carolina do enact:

SECTION 1. That section one thousand six hundred and fifty-two of the Revisal of one thousand nine hundred and five be amended by striking out all after the word "actions" in line thirty-seven of said section to the word "it" in line thirty-eight of

Criminal hearings and investigations.

said section, and insert in lieu thereof the words "hearings and investigations."

Courts of the
county.

SEC. 2. That section one thousand six hundred and fifty-two of the Revisal of one thousand nine hundred and five be amended by adding after the word "Court" at the end of line thirty-nine and before the word "in" in line forty of said section, the words "of the county."

Attendance.

SEC. 3. That section one thousand six hundred and fifty-two of the Revisal of one thousand nine hundred and five be amended by striking out the word "court" in line forty-four of said section, and add in lieu thereof the words "the trial or hearing of said cause."

Notice.

SEC. 4. That section one thousand six hundred and fifty-two of the Revisal of one thousand nine hundred and five be amended by adding after the word "Solicitor" and before the word "of" in line forty-nine of said section, the words "or prosecuting attorney."

Notice.

SEC. 5. That section one thousand six hundred and fifty-two of the Revisal of one thousand nine hundred and five be amended by adding after the word "district" in line forty-nine of said section, and before the word "in" in line forty-nine of said section, the words "county or town."

Courts of justices.

SEC. 5a. This act shall not apply to the taking of depositions in courts of justice of the peace.

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

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 252.

AN ACT TO PREVENT THE FRAUDULENT WEARING OR USE OF THE BADGES, NAMES, TITLES OF OFFICERS, INSIGNIA, RITUALS OR CEREMONIES OF SECRET OR FRATERNAL ORGANIZATIONS AND SOCIETIES.

The General Assembly of North Carolina do enact:

Acts declared
misdemeanor.

SECTION 1. That any person who fraudulently and willfully wears the badge or button of any secret or fraternal organization or society, either in the identical form or in such near resemblance thereto as to be a colorable imitation thereof, or who fraudulently and willfully uses the name of any such order or organization, the titles of its officers, or its insignia, ritual or ceremonies, unless entitled to wear or use the same under the constitution and by-laws, rules and regulations of such secret or fraternal organization or society, shall be deemed guilty of a misdemeanor, and shall, upon conviction be punished by a fine of

Punishment.

fifty dollars or imprisoned for thirty days, in the discretion of the court.

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 9th day of March, 1915.

CHAPTER 253.

AN ACT TO ALLOW THE ACQUIREMENT BY THE STATE OF STATE FORESTS.

The General Assembly of North Carolina do enact:

SECTION 1. That the Governor of the State is authorized upon recommendation of the geological board to accept gifts of land to the State, the same to be held, protected and administered by said board as State forests, and to be used so as to demonstrate the practical utility of timber culture and water conservation, and as refuges for game. Such gifts must be absolute except in such cases as where the mineral interest on the land has previously been sold. The State Geological Board shall have the power to purchase lands in the name of the State, suitable chiefly for the production of timber, as State forests, for experimental, demonstration, educational, park and protection purposes, using for such purposes any special appropriations or funds available. The Attorney-General of the State is directed to see that all deeds to the State of land mentioned in this section are properly executed before the gift is accepted or payment of the purchase money is made. Said State forests shall be subject to county taxes assessed on the same basis as are private lands, to be paid out of moneys in the State Treasury not otherwise appropriated.

Governor may accept gifts of land.

To be held as State forests.
Use.

Estate.

Power of purchase.

Funds subject to use.

Deeds passed by Attorney-General.

Subject to county taxes.

SEC. 2. That all moneys received from the sale of wood, timber, minerals or other products from the State forests shall be paid into the State Treasury and to the credit of the geological board; and such moneys shall be expended carrying out the purposes of this act and of forestry in general, under the direction of the geological board.

Moneys to credit of geological board.

Expenditure.

SEC. 2½. That nothing in this act shall operate or be construed as authority for the payment of any money out of the State Treasury for the purchase of lands or for other purposes unless by appropriation for said purpose by the General Assembly.

Payment of money but by appropriation not authorized.

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 9th day of March, 1915.

CHAPTER 254.

AN ACT TO REQUIRE NON-INDIGENT PATIENTS TO PAY
FOR THEIR SUPPORT IN THE STATE HOSPITALS.

The General Assembly of North Carolina do enact:

Admission of
patients.

SECTION 1. That section four thousand five hundred and seventy-three of the Revisal of one thousand nine hundred and five be, and the same is hereby amended by inserting between the word "patients" and the word "if" in line seven the words "upon payment of proper compensation"; and that said section be further amended by adding at the end thereof the following: "Upon the death of any non-indigent patient the State Hospital may maintain an action against his estate for his support and maintenance for a period of five years prior to his death."

Action on death
of patient.

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

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 255.

AN ACT FOR THE RELIEF OF W. W. SMITH, DEPUTY SHER-
IFF OF ROBESON COUNTY.

Public.

THAT WHEREAS, the Governor of North Carolina, on or about the sixth day of January, one thousand nine hundred and fifteen, offered a reward in the sum of one hundred and fifty dollars for the apprehension and conviction of the person or persons responsible for the death of Patrick A. McEachern, in Robeson County, on December twenty-fourth, one thousand nine hundred and fourteen, and subsequently thereafter Archibald Handy and Thomas Smith were arrested by W. W. Smith, a deputy sheriff, of said county, and were tried and convicted at the January term one thousand nine hundred and fifteen of the Superior Court of said county, and were sentenced to a term of thirty years each in the State's Prison; now, therefore,

The General Assembly of North Carolina do enact:

Appropriation.

SECTION 1. That the sum of one hundred and fifty dollars be paid to the said W. W. Smith, deputy sheriff, for the said arrest and the same is hereby appropriated for said purpose to be paid out of the general funds of the State.

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 9th day of March, 1915.

CHAPTER 256.

AN ACT TO PROVIDE THAT CHAPTER 6 OF THE PUBLIC LAWS OF 1913, RELATING TO LIABILITY OF THE COMMON CARRIERS, SHALL NOT BE CONSTRUED TO REPEAL ANY OF THE PROVISIONS OF SECTION 2646 OF THE REVISAL OF 1905, AND TO RE-ENACT SAID SECTION 2646 OF THE REVISAL OF 1905.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter six of the Public Laws of one thousand nine hundred and thirteen, relating to the liability of common carriers, shall not be construed to repeal any of the provisions of section two thousand six hundred and forty-six of the Revisal of one thousand nine hundred and five. Act not construed as repeal.

SEC. 2. That each and every of the provisions of section two thousand six hundred and forty-six of the Revisal of one thousand nine hundred and five, be and the same are hereby re-enacted as the law of North Carolina. Revisal re-enacted.

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 9th day of March, 1915.

 CHAPTER 257.

AN ACT TO APPOINT A TRUSTEE FOR THE APPALACHIAN TRAINING SCHOOL.

The General Assembly of North Carolina do enact:

SECTION 1. That the Hon. W. C. Newland, of the county of Caldwell, be and he is hereby appointed a member of the board of trustees of the Appalachian Training School at Boone, North Carolina. Appointments

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 9th day of March, 1915.

CHAPTER 258.

AN ACT TO AMEND SECTION 1318 OF THE REVISAL OF 1905.

Preamble.

WHEREAS, the several counties of the State have been making appropriations to the several bodies of the National Guard in the State, and doubt has arisen as to their authority to make these appropriations; and whereas it is desirable that the board of county commissioners of the several counties should have the power to make such appropriations to the various organizations in their respective counties as the board of county commissioners may deem wise; therefore,

Preamble.

The General Assembly of North Carolina do enact:

Appropriation authorized.

SECTION 1. That section one thousand three hundred and eighteen of the Revisal of one thousand nine hundred and five be and the same is hereby amended by adding as subsection thirty-three of said section the following: To appropriate such sums of money to the various organizations of the National Guard in their county and at such times as the board may deem proper.

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

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 259.

AN ACT TO COMPEL GAS AND ELECTRIC LIGHT COMPANIES TO SHOW READINGS OF METERS.

The General Assembly of North Carolina do enact:

Details to be shown on bills.

SECTION 1. That it shall be the duty of all gas companies and electric light companies, selling gas and electricity to the public, to show, among other things, on all statements or bills rendered to consumers, the reading of the meter at the end of the preceding month, and the reading of the meter at the end of the current month, and the amount of electricity, in kilowatt hours, and of gas, in feet, consumed for the current month.

Penalty.

SEC. 2. That any such gas or electric light company failing to render bills or statements, as provided for in the first section of this act, shall be subject to a penalty of ten dollars for each violation of this act, or failure to render such statements, recoverable before a justice of the peace, by any person suing for the same; but this act shall not apply to bills and accounts rendered customers on flat rates contracts.

Recovery.

Flat rate contracts excepted.

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

SEC. 4. That this act shall be in force from and after May the first, 1915.

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 260.

AN ACT AMENDING SECTION 1980 OF THE REVISAL OF 1905, EXEMPTING PRINTERS AND LINOTYPE OPERATORS FROM SERVICE AS JURORS.

The General Assembly of North Carolina do enact:

SECTION 1. That section one thousand nine hundred and eighty of the Revisal of one thousand nine hundred and five be, and the same is hereby amended by adding after the word "company" in line nine the following: "Printers and linotype operators" and by adding a new section as follows:

"That all millers of grist mills also be excused from jury service." Millers of grist mills.

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 9th day of March, 1915.

CHAPTER 261.

AN ACT TO AMEND SECTION 2799 OF THE REVISAL OF 1905, RELATIVE TO JAILERS' FEES FOR FEEDING AND CARING FOR PRISONERS.

The General Assembly of North Carolina do enact:

SECTION 1. That section two thousand seven hundred and ninety-nine of the Revisal of nineteen hundred and five be amended by striking out the word "fifty" in line seven and substituting the word "eighty" therefor. This act shall not apply to Hoke County and Cabarrus and Robeson counties. Allowance. Counties excepted.

SEC. 2. 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 9th day of March, 1915.

CHAPTER 262.

AN ACT TO APPORTION TO THE ORPHAN SCHOOL CHILDREN IN THE ODD FELLOW'S ORPHAN HOME AT GOLDSBORO, NORTH CAROLINA, THEIR PROPORTIONATE PART OF THE STATE SCHOOL FUND.

The General Assembly of North Carolina do enact:

Children included in census.

SECTION 1. That the county board of education of Wayne County be, and they are hereby directed to include in the census of the school population of said county the children between the ages of six and twenty-one in the Odd Fellows' Orphan Home, and to turn over annually to the treasurer of said institution the per capita part of said children of any and all per capita apportionments for public schools to said county from the State appropriation for public schools, under section one of chapter thirty-three of the Public Laws of one thousand nine hundred and thirteen: *Provided*, that the provisions of this section shall apply to all orphanages in the State of North Carolina.

Apportionment paid to treasurer.

Proviso: Application to all orphanages.

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

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 263.

AN ACT TO AMEND SECTION 1194 OF THE REVISAL OF 1905, RELATING TO DOMESTICATION OF FOREIGN CORPORATIONS.

The General Assembly of North Carolina do enact:

Exception stricken out.

SECTION 1. That section one thousand one hundred and ninety-four of the Revisal of one thousand nine hundred and five be amended as follows: Strike out of lines three and four the following words: "railroads, banking, express and telegraph." In line twelve, strike out the word "ten" and insert in lieu thereof the word "county." In line fourteen strike out the word "ten" and insert in lieu thereof the words "twenty-five." In line fifteen strike out the words "one hundred" and insert in lieu thereof the words "two hundred and fifty." After the word "dollars" in line fifteen insert the following: "and also a filing fee of five dollars." Such corporations may withdraw from the State upon filing in the office of the Secretary of State a statement signed by its president and secretary and attested by its corporate seal, setting forth the fact that such corporation desires to withdraw, and upon payment to the Secretary of State of a fee of five dollars: *Provided, however*, any railroad, banking, express or telegraph company, which has heretofore domesticated in this State,

Fee proportioned on capital stock.

Filing fee.

Method of withdrawal.

Fee.

Proviso: Companies heretofore domesticated.

or which is now engaged in business within this State, having a regularly appointed agent upon whom service of process can be made located in this State, shall not be required to do any act required by said section one thousand one hundred and ninety-four of the Revisal of one thousand nine hundred and five, or by this act.

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 9th day of March, 1915.

CHAPTER 264.

AN ACT TO EMPOWER BOARDS OF COMMISSIONERS OF THE SEVERAL COUNTIES TO MAKE RULES AND ORDINANCES REGULATING THE USE OF PUBLIC ROADS AND BRIDGES.

The General Assembly of North Carolina do enact:

SECTION 1. The board of commissioners of the several counties shall have power, and it shall be their duty, to make rules and ordinances, not inconsistent with the acts of the General Assembly, to regulate the use of the public roads, highways, and bridges of their respective counties. Traffic regulations.

SEC. 2. They shall have power to make rules and ordinances to regulate the weight of loads permitted to be hauled on the public roads and highways, and to width of tires permitted to be used; and may prohibit the carrying thereon of such loads, and the use of such tires or vehicles as they may deem needlessly injurious or destructive to such roads or bridges. In making such ordinances, they may have regard to the conditions of the various roads or parts thereof, and the conditions of traffic thereon, and may make different rules and ordinances applicable thereto. Details of regulations. Conditions governing action.

SEC. 3. Any person who shall needlessly violate an ordinance made by the board of county commissioners in pursuance of the authority herein given, or who shall aid, abet or assist in such violation, shall be guilty of a misdemeanor; and shall be fined not exceeding fifty dollars, or imprisoned not exceeding thirty days. Violator of ordinance or accessory guilty of misdemeanor. Punishment.

SEC. 4. This act shall apply only to the counties of Lee, Rowan, Madison, McDowell, Durham, Davidson, Brunswick, Guilford, Yancey, Cabarrus, Macon, Johnston, Chowan, Franklin, Northampton, Anson, Tyrrell, Randolph, Alamance, Cumberland, Cherokee, Granville, Pasquotank, Pitt, Hoke, Montgomery, Iredell, Richmond, Washington, Beaufort, Duplin, Bertie, Columbus, Hertford and Camden. Application of act.

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

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 265.

AN ACT TO REPEAL CHAPTER 87 OF THE PUBLIC LAWS OF 1913, AND TO SUBSTITUTE THE FOLLOWING: "AN ACT TO AUTHORIZE THE COMMISSIONER OF AGRICULTURE TO MAKE PREPARATIONS TO FURNISH LIME FOR AGRICULTURAL PURPOSES TO THE FARMERS OF THE STATE AT THE LOWEST POSSIBLE COST."

The General Assembly of North Carolina do enact:

Preparations,
plans and
arrangements.

SECTION 1. That the Commissioner of Agriculture is hereby authorized and directed to make such preparations, plans, and arrangements as he may deem best for the purpose of furnishing lime for agricultural purposes to the farmers of North Carolina at the lowest possible cost: *Provided*, that only unburned lime shall be deemed "lime for agricultural purposes."

Proviso:
Unburned lime.

Purchase or lease
of deposits.

SEC. 2. That in case the Commissioner of Agriculture shall find it wise and necessary to make arrangements for grinding lime rock, oyster shells, marl, etc., he is hereby directed to purchase or lease any deposits of the aforesaid material that he may deem available, and to charge the farmers and other purchasers, a sufficient price per ton to pay for all operating expenses.

Charge per ton.

Employment of
convicts.

SEC. 3. With the approval of the Governor, the Superintendent of the Penitentiary shall furnish such a number of able-bodied convicts for the purpose of assisting in the work as the Commissioner of Agriculture shall from time to time demand: *Provided*, that at no time shall the convicts employed exceed fifty in number.

Proviso:
Limit of number.

Hire of convicts.

SEC. 4. For the services of said convicts the Commissioner shall pay the State, quarterly, one dollar and twenty-five cents per day for every day each convict is engaged in actual manual labor.

Appropriation.

SEC. 5. That in order to carry out the purposes of this bill there shall be, and is hereby appropriated, the sum of fifteen thousand (\$15,000) dollars; ten thousand (\$10,000) dollars of which to become available on June the first, one thousand nine hundred and fifteen, and five thousand (\$5,000) dollars on June the first, one thousand nine hundred and sixteen, and the whole shall be taken out of the general funds of the Department of Agriculture.

SEC. 6. That all laws and clauses of laws in conflict with the provisions of this act are 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 9th day of March, 1915.

CHAPTER 266.

AN ACT TO CHANGE THE NAME OF THE NORTH CAROLINA SCHOOL FOR THE FEEBLE MINDED AND TO PROVIDE FOR ADMISSION AND DISCHARGE OF CHILDREN FROM SAID SCHOOL.

The General Assembly of North Carolina do enact:

SECTION 1. That the name of the North Carolina School for the Feeble Minded located near Kinston, North Carolina, and established by an act of the General Assembly of North Carolina, session of one thousand nine hundred and eleven, and known as "The North Carolina School for the Feeble Minded," shall be and is hereby changed to "The Caswell Training School"; and under such name and style shall be and remain a corporation invested with all property and rights of property heretofore held under the former name, and under this name may acquire and hold all such property as may be devised, bequeathed or conveyed to it, and further may use all the authority, privileges and possessions that said corporation exercised under the former title and name, and shall be subject to all legal liability outstanding against it under the former title and name.

SEC. 2. That hereafter there shall be received into The Caswell Training School, subject to such rules and regulations as the board of trustees may adopt, feeble minded and idiotic boys and girls between the ages of six and twenty-one years, and feeble minded women between the ages of twenty-one and thirty years who are not pregnant or helpless, and are not affected with any contagious or communicable disease. And the person or persons making application for admission of said feeble minded or idiotic person shall first obtain the written approval of the board of county commissioners of the county wherein said feeble minded or idiotic person has a legal residence.

SEC. 3. That said applications for the admission of a child between the ages of six and twenty-one years shall be made, first, by the father, if the father and mother are living together; second, by the one having custody of the child, if the father and mother are not living together; third, by a guardian duly appointed; fourth, by the superintendent of any county home, or by the person having the management of any orphanage, associa-

Name changed.

"The Caswell Training School." Incorporation. Property and rights vested. Corporate powers.

Liabilities.

Persons to be received into school.

County commissioners to approve applications.

Persons authorized to make application.

tion, charity, society, children's home workers, ministers, teachers, or physicians, or other institutions where children are cared for. Under items third and fourth, consent of parents, if living, is not required.

Consent of parents not required.

Affidavit for admission of adult female.

SEC. 4. That in case of females between the ages of twenty-one and thirty years, any responsible person residing in said county may file in the office of the clerk of the superior court of said county affidavit stating that some woman of said county is not being properly maintained or cared for by those having such person in charge; that such woman is feeble minded, and is over twenty-one and under thirty years, and is in good bodily health, is not helpless, is not afflicted with any chronic or contagious disease; that she is a legal resident of the State and county where the application is filed, together with such other statements as may be necessary to show that she is a proper person to be admitted to such institution, and that her admission thereto would be in conformity to the rules and regulations established by the board of trustees of said institution for the admission and care of such person. Upon the filing of said affidavit in the office of the clerk of the superior court of the county in which such applicant has a legal settlement, by the proper person, the clerk of said court shall issue a summons to such person named in said application or petition, requiring her to be and appear before said court, or the judge thereof, at some time to be fixed by said clerk, not more than ten days thereafter, and the judge or clerk of said court shall, as soon as convenient, pass upon said application or petition, and it shall be the duty of said court to examine such witnesses as may be necessary, among whom shall be at least one physician, to prove the truth or falsity of the statements in said application or petition. And if the court finds that each and all of the allegations contained in said application or petition are true, and that said person is a proper person to be cared for in said institution, it shall be its duty to make an order committing the care and custody of said person to said institution. And it shall be the duty of the clerk of said court to make a certified copy of said application or petition and the finding and judgment of said court, and transmit the same together with a statement of such facts as can be ascertained concerning the personal and family history of such person, to the superintendent of said institution at Kinston, North Carolina. The costs of said proceedings shall be allowed and paid by the board of county commissioners of said county.

Summons upon affidavit.

Action on affidavit.

Order of commitment.

Transcript to superintendent.

Costs paid by county.

Decision by superintendent and notice to clerk.

SEC. 5. That upon receipt of such order of commitment, it shall be the duty of the superintendent of said institution at once to consider said application and to determine whether or not said person shall be admitted to said institution, and to notify said clerk of said court of his decision, and if there is room for any more inmates, or as soon thereafter as there shall be room in said institution to notify the clerk of the said court that such

- person will be received in said institution. That with such notice said superintendent shall send a list of such clothing as shall be prescribed by the board of trustees of said institution, and a blank form of certificate of health and freedom of exposure to contagious disease at such time. In case the parent or custodian of such person shall be financially unable to furnish the clothing as required, the said clerk shall procure such clothing at a cost not to exceed twenty dollars (\$20), and the payment for same shall be made out of the county treasury by board of commissioners upon the certificate of the clerk of court.
- SEC. 6. That upon receiving notice that such person can be admitted to such institution, the clerk, shall order the parents, custodian or applicant to convey such person to said institution without expense to the institution or the county. In case such parent, custodian or applicant is financially unable to bear such expense, said clerk shall cause said person to be conveyed to said institution in the same manner and in accordance with the same forms as are now provided by law for the transfer of patients to insane hospitals, so far as they are applicable. And when any child or person, who is or has been an inmate of said institution, is dismissed or discharged from said institution in accordance with the rules and regulations of said institution, the parent or guardian of such child or person shall come, or send some responsible person, to receive said child or person and convey same to his or her legal residence, without cost to said institution; and in case the parent or guardian of said child or person is wholly unable to bear such expense, then the commissioners of said county shall allow said expense.
- SEC. 7. That in case the parents of a child between the ages of six and twenty-one are wholly unable to bear the expense of furnishing the clothing of said child as required by the rules and regulations of the board of trustees of said school, or of furnishing the money for transportation of such child to said school, it shall be the duty of the county from which the child is sent to bear such cost, in the manner provided for adults in sections six and eight of this act.
- SEC. 8. That the county commissioners of the county of which any adult inmate of this institution is a resident shall pay or cause to be paid the actual annual cost of the clothing of said adult inmate at the institution, a statement of which shall annually, on or before the first Monday in September of each year, be submitted by the superintendent of the said institution to said board of commissioners, and the said school is hereby authorized to bring suit against any board of commissioners refusing or failing to pay for said clothing, and to collect the payment for same by law: *Provided, further,* that the county commissioners of any county shall be authorized to demand and collect by law said amount from any parent or guardian of said child
- List of clothing.
- Payment for clothing by county.
- Order for conveyance to school.
- Conveyance at cost of county.
- Conveyance on discharge.
- Clothing and conveyance of children at cost of county.
- Counties to pay annual cost of clothing.
- Statement of cost.
- Suit for payment.
- Proviso: Collection by county from parents.

that in the opinion of said board of county commissioners is able to pay for the same.

Discharge of pupils.

SEC. 9. Any pupil of said school may be discharged or returned to his or her parents or guardian when, in the judgment of the trustees, it will not be beneficial to such pupil, or will not be for the best interests of said school to retain the pupil therein.

SEC. 10. All laws and parts of laws in conflict with the provisions of 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 9th day of March, 1915.

CHAPTER 267.

AN ACT TO AMEND SECTION 4221 OF THE REVISAL OF 1905 OF NORTH CAROLINA, CHANGING THE NAME OF THE AGRICULTURAL AND MECHANICAL COLLEGE FOR THE COLORED RACE TO THE NEGRO AGRICULTURAL AND TECHNICAL COLLEGE OF NORTH CAROLINA.

The General Assembly of North Carolina do enact:

The Negro Agricultural and Technical College of North Carolina.

SECTION 1. That section four thousand two hundred and twenty-one of the Revisal of one thousand nine hundred and five of North Carolina be and the same is hereby amended by striking out the words in line four thereof "The Agricultural and Mechanical College for the Colored Race" and inserting in lieu thereof the words "The Negro Agricultural and Technical College of North Carolina."

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

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 268.

AN ACT TO AMEND A BILL PASSED AT THE PRESENT SESSION OF THE GENERAL ASSEMBLY, AND RATIFIED ON THE 12TH DAY OF FEBRUARY, 1915, ENTITLED "AN ACT FOR THE RELIEF OF SHERIFFS AND TAX COLLECTORS."

The General Assembly of North Carolina do enact:

Taxes subject to collection.

SECTION 1. That a bill entitled "An act for the relief of sheriffs and tax collectors," ratified on the twelfth day of February, nineteen hundred and fifteen, be amended by adding before the words

“nineteen hundred and eleven” in section one thereof the following words: “nineteen hundred and nine and nineteen hundred and ten.”

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

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 9th day of March, 1915.

CHAPTER 269.

AN ACT TO AMEND SECTION 3742 OF THE REVISAL OF 1905, RELATIVE TO DISORDERLY CONDUCT IN PUBLIC BUILDINGS.

The General Assembly of North Carolina do enact:

SECTION 1. That section three thousand seven hundred and forty-two of the Revisal of one thousand nine hundred and five, be and the same is hereby amended by inserting in line three thereof, after the word “State” and before the word “or,” the following: “or any county or city municipality”; and by inserting in line five thereof, after the word “State” and before the word “or” the following: “or any county or city municipality”; and by inserting in line seven thereof the word “State” and before the word “he,” the following: “or any county or city municipality.” Law extended.

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

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 270.

AN ACT TO REGULATE THE PRACTICE OF ARCHITECTURE, AND CREATING A BOARD OF EXAMINATION AND REGISTRATION OF THE SAME.

The General Assembly of North Carolina do enact:

SECTION 1. That there shall be a State Board of Architectural Examination and Registration, consisting of five (5) members, to be appointed by the Governor in the following manner, to wit: Within thirty days after this Act goes into effect the Governor shall appoint five persons who are reputable architects residing in the State of North Carolina, who have been engaged in the practice of architecture at least ten years. The five persons so appointed by the Governor shall constitute the Board of Archi- Board established.
Appointment of members.
Term.

- Appointment of successors and to fill vacancies. tectural Examination and Registration, and they shall be appointed for one, two, three, four and five years respectively. Thereafter, in each year, the Governor in like manner shall appoint one licensed architect to fill the vacancy caused by the expiration of the term of office, the term of such new members to be for five years. If vacancy shall occur in the Board for any cause, the same shall be filled by the appointment of the Governor.
- Meeting for organization. (a) The said board shall, within thirty days after its appointment by the Governor, meet in the city of Raleigh, at a time and place to be designated by the Governor, and organize by electing a president, vice-president, secretary, and treasurer, each to serve for one year. Said board shall have power to make such by-laws, rules and regulations as it shall deem best, provided the same are not in conflict with the laws of North Carolina. The treasurer shall give bond in such sum as the board shall determine, with such security as shall be approved by the board, said bond to be conditioned for the faithful performance of the duties of his office and for the faithful accounting of all moneys and other property which shall come into his hands.
- By-laws, rules, and regulations.
- Bond of treasurer.
- Annual meetings. (b) The board shall meet once a year in July of each succeeding year, for the purpose of electing officers and transacting such other business as may properly come before it. Due notice of such annual meeting, and the time and the place thereof, shall be given to each member by letter, sent to his last post office address at least ten days before the meetings, and thirty days notice of such annual meeting shall be given in some newspaper published in the city of Raleigh, at least once a week for four weeks preceding such meeting.
- Notice of meeting.
- Quorum. (c) Three members of the board shall constitute a quorum. The secretary shall keep a record of the proceedings of the board and registration for all applicants for registration and admission to practice architecture, giving the name and location of the institution or place of training where the applicant was prepared for the practice of architecture, and such other information as the board may deem proper and useful. This registration shall be *prima facie* evidence of all matters recorded therein.
- Record of proceedings.
- Registration of applicants.
- Registration *prima facie* evidence.
- Oath taken, subscribed, and filed. SEC. 2. Each member of the State Board of Architectural Examination and Registration shall, before entering upon the discharge of the duties of his office, take and file with the Secretary of State an oath in writing to properly perform the duties of his office as a member of said board, and to uphold the Constitution of North Carolina and the Constitution of the United States.
- Application for examination. SEC. 3. Any person hereafter desiring to be registered and admitted to the practice of architecture in the State shall make a written application for examination to the Board of Architectural Examination and Registration, on a form prescribed by the board, giving his name, age (which shall not be less than twenty-one years), his residence, and such evidence of his qualification and proficiency as may be prescribed by said board, which

- application shall be accompanied by twenty-five (\$25) dollars. If said application is satisfactory to the board, then he shall be entitled to an examination to determine his qualification. If the result of the examination of any applicant shall be satisfactory to the board, then the board shall issue to the applicant a certificate to practice architecture in North Carolina. Any person failing to pass such examination may be reexamined at any regular meeting of the board without additional fee. Any person who shall by affidavit show that he has made the practice of architecture his sole business or principal means of livelihood previous to the passage of this act, or who shall present a certificate from a similarly constituted board of another State, or any person who is a member of the American Institute of Architects may, upon payment of ten dollars (\$10), be granted certificate and admitted by the said board to practice architecture in the State without examination.
- SEC. 4. Any person not registered under this act who shall advertise or put up a sign or card or other device, or in any other way hold himself out to the public as an architect, shall be guilty of a misdemeanor or punished by a fine not exceeding fifty dollars (\$50). *Provided, however,* that nothing herein shall prevent any person from making plans or data for buildings for themselves or other persons, if the person so furnishing such plans or data shall not hold himself out as an architect: and, *Provided, further,* that nothing in this act shall prevent the procuring of plans and specifications from an architect residing outside of this State. That non-resident architects who come within the State to do business shall be subject to the same examination and upon the same terms and conditions as resident applicants, unless such non-resident architects are permitted to engage in business in this State under the terms of section 3, of this act.
- SEC. 5. Said board may refuse to grant certificate to any person convicted of a felony, or who, in the opinion of the board, has been guilty of gross, unprofessional conduct, or who is addicted to habits of such character as to render him unfit to practice architecture. The State Board shall adopt a seal for its own use. The seal shall have the words "Board of Architectural Examination and Registration, State of North Carolina," and the secretary shall have charge, care and custody thereof.
- SEC. 6. All examination fees shall be paid in advance to the treasurer of said Board of Architectural Examination and Registration. The State of North Carolina shall not be liable for the compensation of any members or officers of said board. All expenses incurred by said board in the necessary discharge of their duties shall be paid out of funds derived from examination fees herein provided for and shall be paid by the treasurer upon warrant drawn by the secretary and approved by the president.

If Fee.

Examination.

Certificate to practice.

Reexamination.

Certificate without examination.

Fee.

Acts subject to punishment.

Punishment.

Proviso: Making plans non-professionally.

Proviso: Architects outside of State.

Non-resident architects subject to law.

Refusal of certificate.

Seal of board.

Payment of examination fees.

State not liable.

Fund for payment of expenses.

Determination of expenses and salaries.

The said board shall have the power to determine what are necessary expenses and to fix the salaries to the respective officers.

Certified architect to have seal.

SEC. 7. Every architect who shall have obtained from said board a certificate, shall have a seal which must contain the name of the architect, his place of business, and the words "Registered Architect, of North Carolina," and he shall stamp all drawings and specifications issued from his office, for use in this State, with an impression of said seal.

Stamp on drawings and specifications.

Certificate to be recorded.

SEC. 8. Every person holding a certificate of said board to practice architecture shall have said certificate recorded in the office of the clerk of the superior court of the county in which he resides or has his principal office. Said clerk shall record the same in a book to be kept by him, entitled "Record of Architecture," and the clerk shall be entitled to a fee of one dollar (\$1) for recording such certificate. *Provided, however,* that in any counties where the clerk is on a salary and not on a fee basis, then the said fee of one dollar (\$1) shall be paid into the county treasury. It shall be unlawful for any person to hold himself out as an architect until said certificate shall have been recorded, and any person found guilty of holding himself out as an architect without registration of his certificate, as aforesaid, shall be guilty of a misdemeanor, and fined not more than fifty dollars (\$50) in the discretion of the court.

Fee of clerk.

Proviso:
Fee to use of county.

Unlawful to pose as architect before record.

Misdemeanor.
Punishment.

Architecture defined.

SEC. 9. For the purpose of this act, architecture is defined to be the art of designing for the safe and sanitary construction of buildings for public and private use, as taught by the various colleges of architecture recognized by the American Institute of Architects.

SEC. 10. This act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 271.

AN ACT TO AMEND SECTION 3480 OF THE REVISAL OF 1905, SO AS TO MAKE POSTING OF FOUR NOTICES SUFFICIENT NOTICE OF POSTED LAND.

The General Assembly of North Carolina do enact:

Sufficient notice.

SECTION 1. That section three thousand four hundred and eighty of the Revisal of one thousand nine hundred and five be and the same is hereby amended by inserting after the word "forbidden" in line four of said section the following words: "either personally or by notices written or printed, posted at the courthouse door and at three places on said land."

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

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 272.

AN ACT TO PREVENT BLINDNESS IN INFANCY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any physician to neglect or otherwise fail to instill or have instilled immediately upon its birth in the eyes of the new born babe a suitable amount of a one per cent solution of nitrate of silver. Neglect of treatment unlawful.

SEC. 2. Should any midwife, or nurse or person acting as nurse, having charge of an infant in this State, notice that one or both eyes of such infant are inflamed or reddened at any time within two weeks after its birth it shall be the duty of such midwife or nurse, or person acting as nurse, so having charge of such infant, to report the fact in writing within six hours to the health officer, or some qualified practitioner of medicine, of the city or town in which the parents of the infant reside. Report of inflammation or reddening of eyes.

SEC. 3. Every health officer shall furnish a copy of this act to each person who is known to him to act as midwife or nurse in the city or town for which such health officer is appointed, and the Secretary of State shall cause a sufficient number of copies of this act to be printed, and supply the same to the health officer and State Board of Health on application. Copies of act to midwives or nurses.
Secretary of State to have act printed.

SEC. 4. Any person violating this act shall be guilty of a misdemeanor and upon conviction shall be fined not less than five (\$5) dollars nor more than ten (\$10) dollars. Misdemeanor.
Punishment.

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 9th day of March, 1915.

CHAPTER 273.

AN ACT TO PUNISH DEROGATORY STATEMENTS AFFECTING BANKS.

The General Assembly of North Carolina do enact:

SECTION 1. Any person who shall willfully and maliciously make, circulate or transmit to another or others any statement, rumor or suggestion, written, printed or by word of mouth, which is directly or by inference derogatory to the financial condition Statements made willfully and maliciously declared misdemeanor.

Punishment.

or affects the solvency or financial standing of any bank, savings bank, banking institution or trust company doing business in this State, or who shall counsel, aid, procure or induce another to start, transmit or circulate any such statement or rumor, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine or imprisonment in the discretion of the court.

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

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 9th day of March, 1915.

CHAPTER 274.

AN ACT TO AMEND SECTION 1318 OF THE REVISAL OF 1905, RELATING TO THE MAINTENANCE OF THE POOR.

The General Assembly of North Carolina do enact:

Appointment of overseer.

SECTION 1. That section one thousand three hundred and eighteen of the Revisal of 1905 be and the same is hereby amended by striking out in sub-section fourteen in line two after the word "biennially" and before the word "some" the words "by public letting or otherwise."

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 9th day of March, 1915.

CHAPTER 275.

AN ACT TO AMEND CHAPTER 77 AND RESOLUTION NUMBER 16, OF THE EXTRA SESSION OF 1913, RELATING TO SALE OF PROPERTY BELONGING TO THE SCHOOL FOR BLIND.

The General Assembly of North Carolina do enact:

Use of proceeds of sale.

SECTION 1. That sections four and five of chapter seventy-seven, Public Laws of extra session of nineteen hundred and thirteen, and section two of Resolution number sixteen of extra session of nineteen hundred and thirteen, be, and the same are hereby repealed. And that in lieu of section two of said Resolution sixteen, insert the following: "That the Board of Directors of the said School for the Blind and the Deaf, be, and are hereby

authorized to use the proceeds of the sale of the old garden lot for the erection of a barn and silo and for such other improvement as may be necessary in their judgment for the care of hogs, and other cattle belonging to the institution."

SEC. 2. 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 9th day of March, 1915.

CHAPTER 276.

AN ACT TO PROVIDE FOR THE LICENSING OF BUSINESS COLLEGES OR COMMERCIAL SCHOOLS CONDUCTED IN THE STATE OF NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That before any business college or commercial school shall receive or solicit students, or open any business school for the purpose of giving instruction in this State, said school or college shall first secure a license from the State Board of Examiners to the effect that it has complied with the requirements of this act, which license shall be issued by the State Board of Examiners upon the payment of an annual fee of ten dollars.

License for establishment of school.
License fee.

SEC. 2. Before any such business college or commercial school shall be entitled to receive such license it shall file with the State Board of Examiners a report setting forth:

Report for procurement of license.

1. That it is the owner or lessee of suitable building or rooms for the conduct of its work.

Building or rooms.

2. That it has acquired suitable equipment for the courses given by the school.

Equipment.

3. That the said school has secured a faculty of teachers whose training has not been less than that required of teachers engaged in similar work in public schools of the State.

Faculty.

4. That said school or college has adopted an approved course of study which includes at least the following subjects: book-keeping, commercial law, commercial arithmetic, English, commercial correspondence, business writing, shorthand, and type-writing.

Course of study.

5. That the owner and manager of said school or college shall further file a certificate signed by the county superintendent of public instruction and the chairman of the county board of education of the county in which the school is situated to the effect that the owner or manager of such school or college, after investigation, has shown satisfactory evidence of his or her efficiency and good moral character for fair and honest dealings with their students and the public.

Certificate of efficiency and good character.

- Copies of advertising. SEC. 3. That the institutions securing license under this act shall file with the State Board of Examiners copies of all advertising literature, including catalogue, pamphlets, circulars, etc., and an annual report on or before the first day of July of each and every year.
- Annual reports.
- Opening or conducting college or school without license misdemeanor. Punishment. SEC. 4. That any person who shall open or conduct any business college or commercial school within this State without having first procured the license herein provided for shall be guilty of a misdemeanor and upon conviction thereof shall be fined or imprisoned at the discretion of the court.
- Blanks for reports and license. SEC. 5. That the Superintendent of Public Instruction is authorized to furnish all necessary blanks for reports and licenses provided for under the provisions of this act and all funds received from the license tax herein provided for shall be paid to the State Treasurer for the expenses of the State Board of Examiners.
- Tax to use of State Board of Examiners.
- Application of act. SEC. 6. That the provisions of this act shall apply to all existing chartered business colleges and commercial schools and all other business colleges and commercial schools now conducted or to be hereafter conducted in this State.
- 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 9th day of March, 1915.

CHAPTER 277.

AN ACT TO CORRECT STATE GRANT NO. 2741, ISSUED TO WILLIAM H. HERBERT.

- Preamble. WHEREAS, from the records of the Secretary of State it appears that the Secretary in recording said grant omitted one call as given in the certificate of survey and plat, now filed in the Secretary's office; Now, therefore,

The General Assembly of North Carolina do enact:

- Correction. Boundaries set out. SECTION 1. That said grant be so corrected as to read as follows: Beginning on a white oak on the line of entry No..... two poles west on the N. E. corner of said entry a hickory; thence S. 15, west 54 poles to a stake in the line of said entry; thence E. 59 poles to a stake in the line of preëmption No.....; thence N. 54 poles to a hickory corner of said preëmption No.....; thence E. 54 poles to a black oak in the line of said preëmption; thence N. 120 poles to a chestnut oak on a west hillside; thence W. 380 poles to a stake; thence S. 120 poles to a stake; thence E. 278 poles, passing the corner of No..... to the beginning, and containing three hundred acres.

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 9th day of March, 1915.

CHAPTER 278.

AN ACT TO REGULATE THE SALE OF ARTIFICIALLY BLEACHED FLOUR, AND TO PREVENT FRAUDULENT SALE OF SAME.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of protecting the people of the State from imposition by the fraudulent sale of artificially bleached flour as pure high grade flour, the Board of Agriculture shall cause inspections to be made from time to time, and samples of flour offered for sale in the State obtained, and shall cause the same to be analyzed or examined by the State food chemist or other experts of the department of agriculture for the purpose of ascertaining or determining if same has been artificially bleached or sold in violation of this act. The Board of Agriculture is hereby authorized to make such publication of the results of the examination, analyses and so forth, as they may deem proper.

Inspections and samples.

Analysis or examination.

Publications.

SEC. 2. The food inspectors of the Department of Agriculture shall have authority, during business hours, to enter all stores, warehouses and other places where food products are stored or offered for sale for the purpose of inspection and obtaining samples of same.

Entry for obtaining samples.

SEC. 3. If it shall appear from such inspection or examination or both that any of the provisions of this act have been violated, the Commissioner of Agriculture shall certify the facts to the solicitor in the district in which the violation was committed, and furnish that officer with the facts in the case, duly authenticated by the expert, under oath, who made the examination.

Certificate to solicitor.

SEC. 4. Flour artificially bleached with nitrogen peroxide or chlorine or any other agent when offered for sale in North Carolina, shall have plainly marked or printed in a conspicuous place on the sack, barrel or other package, in letters not smaller than five-eighths of an inch in size the legend: "Artificially Bleached."

Label.

SEC. 5. Before any artificially bleached flour shall be offered for sale in this State the manufacturer, dealer, agent or person who causes it to be sold or offered for sale, by sample or otherwise, within this State shall file with the Commissioner of Agriculture a statement that it is desired to offer such bleached flour for sale in North Carolina, and the name of the manufacturer or jobber and the brand name of the flour if it has such.

Statement filed with Commissioner of Agriculture.

Registration fee.

SEC. 6. For the purpose of defraying expenses incurred in the enforcing of the provisions of this act, for each and every separate brand of artificially bleached flour registered and before being offered for sale in the State, the manufacturer, dealer, or agent registering same shall pay to the Commissioner of Agriculture an inspection fee of twenty-five dollars during the month of July, one thousand nine hundred and fifteen, and during the month of January in each succeeding year, or before such flour is offered for sale in the State, said fees to be used by the board and Commissioner of Agriculture for executing the provisions of this act.

Misdemeanor.

SEC. 7. Any person or persons, firm or corporation, by himself or agent, who shall sell, offer for sale or have in his possession with intent to sell any artificially bleached flour not labeled or branded as required in section four of this act, or who shall violate any of the provisions of the act shall be guilty of a misdemeanor, and for such offense, upon conviction of same shall be fined not to exceed fifty dollars for the first offense and for each subsequent offense not to exceed one hundred dollars, or be imprisoned not to exceed six months, or both in the discretion of the court, and the flour offered for sale in violation of this act shall be subject to seizure, condemnation and sale by the Commissioner of Agriculture, as is provided for the seizure, condemnation and sale of commercial fertilizers; and the proceeds thereof, if sold, less the legal cost and charges, shall be paid into treasury for use in executing the provisions of this act: *Provided*, that the Commissioner of Agriculture may in his discretion, for the first offense, order the release of the flour seized when the owner of same shall have complied with the requirements of the provisions of this act, and it shall appear to the commissioner that said owner did not intend to violate the law: *Provided*, said owner of flour defray expenses incurred by the Department of Agriculture in seizure of same.

Punishment.

Subsequent offenses.

Seizure, condemnation, and sale.

Proviso: Release on first offense.

Proviso: Payment of expenses.

Purchase of samples.

SEC. 8. Every person who offers for sale or delivers flour to a purchaser shall within business hours, and upon tender or payment of the selling price furnish a sample of flour as demanded, to any person duly authorized by the Board of Commissioners to secure same, and who shall apply for such sample, and any manufacturer or dealer who refuses to comply, upon demand, with the requirements of section eight of this act, or any person who shall willfully impede, hinder, or otherwise prevent or attempt to prevent, any chemist or inspector in the performance of his duty in connection with this act, shall be guilty of a misdemeanor and upon conviction be fined not less than ten dollars and not more than one hundred dollars, or be imprisoned, in the discretion of the court.

Misdemeanors.

Punishment.

Flour now on hand.

SEC. 9. The provisions of this act shall not apply to flour and sacks on hand at the passage of the act.

SEC. 10. All laws in conflict with this act are hereby repealed. Repealing clause.

SEC. 11. Except as provided in section nine, this act shall be in force from and after July the first, one thousand nine hundred and fifteen. When act effective.

In the General Assembly read three times and ratified this the 9th day of March, 1915.

CHAPTER 279.

AN ACT FOR THE RELIEF OF JOHN UNDERWOOD.

WHEREAS, during the year one thousand nine hundred and ten, John Underwood advanced to W. R. Wicker, a Confederate veteran and pensioner, the sum of twenty-six (\$26) dollars, and afterwards before the voucher came said W. R. Wicker died, and, whereas, said voucher was returned to the Auditor's office unpaid, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the sum of twenty-six (\$26) dollars be paid to John Underwood by the State Auditor out of any moneys in his hands for pensions.

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

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

In the General Assembly read three times and ratified this the 8th day of March, 1915.

CHAPTER 280.

AN ACT TO AUTHORIZE AND EMPOWER THE TIDE WATER POWER COMPANY, OR IT AND THE BOARD OF COMMISSIONERS OF NEW HANOVER COUNTY AND THE TOWN OF WRIGHTSVILLE BEACH, NORTH CAROLINA, TO BUILD A CAUSEWAY, TRESTLE AND DRIVEWAY ACROSS THE SOUND IN NEW HANOVER COUNTY TO WRIGHTSVILLE BEACH.

The General Assembly of North Carolina do enact:

SECTION 1. That the Tide Water Power Company is hereby authorized and empowered to build and erect a causeway, trestle, driveway or fill across the sound between Wrightsville Beach, in the county of New Hanover, and Wrightsville, Greenville or Masonboro Sound, or in conjunction or connection with the Board of Commissioners of New Hanover County or the town of Wrights- Causeway, trestle, driveway, or fill authorized.
Location.
Coöperation of county or town.

ville Beach, or either of them, to build and erect said causeway, trestle, driveway or fill, and lay tracks upon the same, and erect poles and string wires over, under, or along the same, and operate cars along and over the same and use the same, or a portion of the same, as a driveway, roadway or county road; *Provided, however*, that said trestle, fill or causeway shall be constructed under such plan as shall be approved by the proper authorities of the United States Government.

Proviso:
Approval of National government.

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

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 8th day of March, 1915.

CHAPTER 281.

AN ACT TO REGULATE FISHING IN CEDAR ISLAND TOWNSHIP, CARTERET COUNTY.

The General Assembly of North Carolina do enact:

Pulling haul-nets with motor power forbidden.

SECTION 1. That it shall be unlawful for any person or persons, firm or corporation to pull any haul-net within the waters of Cedar Island Township, Carteret County, with steam, gasoline or any other motor power.

Misdemeanor.

SEC. 2. That any person or persons, firm or corporation violating the provisions of section one of this act shall be guilty of a misdemeanor, and be fined or imprisoned, or both, in the discretion of the court.

Punishment.

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 8th day of March, 1915.

CHAPTER 282.

AN ACT TO AMEND CHAPTER 196 OF THE PUBLIC LAWS OF 1913, RELATIVE TO THE TERMS OF THE SUPERIOR COURTS OF HERTFORD COUNTY, AND THE TIME FOR HOLDING SAME.

The General Assembly of North Carolina do enact:

Schedule of terms.

SECTION 1. That section one, chapter one hundred and ninety-six of the Public Laws of nineteen hundred and thirteen, be and the same is hereby amended by striking out all after the words "Hertford County" down to the word "Bertie," and inserting in

lieu thereof the following: "First Monday before the first Monday in March, to continue for one week; sixth Monday after the first Monday in March, to continue for two weeks; fifth Monday before the first Monday in September, to continue for one week, for the trial of criminal cases, and for the trial of civil cases as hereinafter provided; sixth Monday after the first Monday in September to continue for two weeks."

SEC. 2. That all causes and actions not requiring a jury trial may be heard and determined at the July term heretofore created, just as at any other regular term of said court. Trials at July term.

SEC. 3. That jury cases on the civil docket of said court may be tried by consent of all parties at said July term. Trial by consent.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 5. 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 9th day of March, 1915.

CHAPTER 283.

AN ACT TO AMEND CHAPTER 6, PUBLIC LOCAL LAWS OF EXTRA SESSION OF 1913, RELATING TO THE SELECTION OF A DRAINAGE COMMISSIONER FOR MATTAMUSKEET LAKE DRAINAGE DISTRICT.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter six, Public Local Laws of one thousand nine hundred and thirteen be and the same is hereby repealed, and the following inserted in lieu thereof: Dates for elections.

"SEC. 3. That on Saturday the first day of May, one thousand nine hundred and fifteen, and at the regular elections held for the election of State and county officers in November, one thousand nine hundred and sixteen, and every two years thereafter, a drainage commissioner shall be elected by the land owners of Mattamuskeet Lake drainage district, to represent their interest on the board of drainage commissioners. That the owners of land in said district, who cannot conveniently attend the polling places and cast their vote in person shall be entitled to vote by written proxy duly attested. Election of drainage commissioner.
Vote by written proxy. Non-residents owning real estate in said district must have the execution of their proxies proven before a notary public or other person authorized to take probates of deeds or other legal instruments; the interest of all minors in the district shall be represented by their guardian. Proxies of non-residents.
Representation of minors.
Vote of corporate bodies. Every corporation, lodge, church, or other organization owning real property in said district shall cast its vote by their secretary. The said election shall be held at the following polling places, Polling places.

Pollholders.	to wit, Swan Quarter, Lake Landing, Engelhard, and Fairfield.
Ballot boxes.	The clerk of the superior court of Hyde County shall appoint one pollholder for each of said polling places, who shall provide a box and hold said election in the same place or room where the general election is held; shall keep a list of every voter and shall
Poll lists.	return said poll list to the clerk of the superior court within three days after said election, together with the proxies and a report of
Returns.	the number of votes each candidate received. The clerk of the superior court and the said pollholders shall canvass the votes in the clerk's office on the third day after the election and declare the results, and the said clerk shall prepare a list of the land owners in the district for use in canvassing said election returns.
Canvass of votes.	No person except a land owner shall be eligible to the office of commissioner. In case of a vacancy on the board of drainage commissioners by death, resignation, or otherwise, the same shall be filled by an election as hereinbefore provided on thirty days' notice by the clerk of the superior court. Each candidate for drainage district commissioner, shall contribute five dollars, to be paid to the clerk of the superior court ten days before the election to pay the clerk and pollholders for holding said election and canvassing the returns. That the clerk of the superior court shall be paid five dollars for tabulating the list of voters in said district, and the said clerk and pollholders shall be paid two dollars per day for holding the election and canvassing the returns. The Southern Land and Reclamation Company shall select two of the members of the Mattamuskeet Lake Drainage Commissioners and shall notify the clerk of the superior court of the person selected, and the said clerk shall appoint said persons so selected as members of said board of drainage commissioners.
Landowners only eligible.	
Elections to fill vacancies.	
Entrance fees.	
Fee of clerk.	
Selection by Southern Land and Reclamation Company.	
Dates for appointment by company.	On the first Monday in May, one thousand nine hundred and fifteen, and on the said day every two years thereafter, the Southern Land and Reclamation Company, its successors or assigns, shall file with the clerk of the superior court, in writing, the names of two persons designated by it as members of said board, and the said clerk shall on the said first Monday of November, one thousand nine hundred and fifteen, and on the said day every two years thereafter, appoint the persons so selected by the Southern Land and Reclamation Company members of the board of drainage commissioners of Mattamuskeet Lake Drainage District for the term of two years, and until their successors shall be selected and appointed. The salary of each member of the board of Mattamuskeet Lake drainage commissioners shall not exceed the sum of six hundred dollars annually for all services rendered as such drainage commissioner."
Salaries.	
Petition to fill vacancy.	SEC. 2. Amend section four of said chapter six by striking out the word "interest" in line three, and inserting in lieu thereof the words "Southern Land and Reclamation Company."

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 9th day of March, 1915.

CHAPTER 284.

AN ACT TO REGULATE THE EMPLOYMENT OF COLORED NURSES IN HOSPITALS.

The General Assembly of North Carolina do enact:

SECTION 1. That in every public and private hospital, sanatorium, and institution in North Carolina where colored patients are admitted for treatment and where nurses are employed it shall be mandatory upon the management of every such hospital, sanatorium and institution to employ colored nurses to care for and wait upon said colored patients. Institutions to employ colored nurses.

SEC. 2. That every person, firm or corporation violating the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be fined the sum of fifty dollars for each and every offense. Misdemeanor. Punishment.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of 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 9th day of March, 1915.

CHAPTER 285.

AN ACT TO RAISE REVENUE.

The General Assembly of North Carolina do enact:

SCHEDULE A.

SECTION 1. *Objects for which taxes are levied.*

That the taxes hereinafter designated are payable in the existing National currency, and shall be assessed and collected under the rules and regulations prescribed by law, and applied to the payment of the expenses of the State Government, the appropriations to charitable and penal institutions, other specific appropriations made by law, and the interest on the four per centum consolidated debt of this State. Payable in national currency. Assessment and collection. Application.

SEC. 2. *Poll tax.*

On each taxable poll or male between the ages of twenty-one and fifty years, except the poor and infirm whom the county com- Poll tax.

missioners may declare and record fit subjects for exemption, there shall be annually levied and collected a tax of one dollar and forty-three cents, the proceeds of such tax to be devoted to purposes of education and the support of the poor, as may be prescribed by law, not inconsistent with the apportionment established by section two of article five of the Constitution of this State.

SEC. 3. *Rate.*

Ad valorem tax.
For State purposes.
For pensions.
For schools.

There shall be levied and collected annually an *ad valorem* tax of twenty-three and two-thirds cents for State purposes, four cents for pensions and twenty cents for public schools, making forty-seven and two-thirds cents on every one hundred dollars value of real and personal property in this State required to be listed in "An act to provide for the assessment of property and collection of taxes," subject to exemption made by law, and no city or other municipal corporation shall have power to impose, levy or collect any greater sum on real and personal property than one per centum of the value thereof, except by special authority from the General Assembly.

Limit on municipal tax rate.

SEC. 4. *Corporation taxes payable to State Treasurer.*

Corporations subject to tax.

Every corporation, joint-stock association, limited partnership or company whatsoever, from which a report is required by law to be made to the Corporation Commission, shall be subject to and pay to the State Treasurer annually a tax as prescribed in section three upon each one hundred dollars of the actual value of its whole capital stock of all kinds, including common, special and preferred, as ascertained in the manner prescribed by law; and it shall be the duty of the treasurer or other officer having charge of any such corporation, joint-stock association or limited partnership upon which a tax is imposed to transmit the amount of the tax to the State Treasurer within thirty days from the date of the settlement of the account by the Auditor and State Treasurer or Corporation Commission: *Provided*, that for the purposes of this act interests in limited partnerships or joint-stock associations shall be deemed to be capital stock and taxed accordingly: *Provided, also*, that corporations, limited partnerships and joint-stock associations liable to tax on capital stock under this section shall not be required to make any report or pay any further tax on mortgages, bonds, other securities and credits owned by them in their own rights; but corporations, limited partnerships and joint-stock associations holding such securities as trustees, executors, administrators, guardians, or in any other manner shall return and pay the tax imposed by this act upon the securities so held by them as in case of individuals. Individual stockholders in any corporation, joint-stock association, limited partnership or company paying a tax on its capital stock shall not be required to pay any tax on said stock or list the same, nor shall corporations legally holding capital stock in other corporations upon

Ad valorem of capital stock.

Payment direct to treasurer.

Proviso: limited partnerships and joint-stock associations.

Proviso: securities and credits.

Securities held in trust.

Stockholders relieved of tax.

which the tax has been paid by the corporation issuing the same be required to pay any tax on said stock or list the same.

SEC. 5. *Tax exemption repealed.*

Whenever in any law or act of incorporation, granted either under the general law or by special act, there is any limitation or exemption of taxation, the same is hereby repealed, and all the property and effects of all such corporations shall be liable to taxation, except property belonging to the United States and to municipal corporations and property held for the benefit of churches, religious societies, charitable, educational, literary or benevolent institutions or orders, and also cemeteries: *Provided*, that no property whatever held or used for investment, speculation or rent shall be exempt, unless said rent or the interest on or income from such investments shall be used exclusively for religious, charitable, or benevolent purposes or the interest upon the bonded indebtedness of said religious, charitable, or benevolent institutions.

Limitations or exemptions repealed.

Exempted property.

Proviso: Property held for speculation, investment, or rent.

INHERITANCE TAX.

SCHEDULE AA.

SEC. 6. *Rate of inheritance tax.*

From and after the passage of this act all real and personal property of whatever kind and nature which shall pass by will or by the intestate laws of this State from any person who may die seized or possessed of the same while a resident of this State, whether the person or persons dying seized thereof be domiciled within or out of the State (or if the decedent was not a resident of this State at the time of his death, such property or any part thereof within this State), or any interest therein or income therefrom which shall be transferred by deed, grant, sale, or gift, made in contemplation of the death of the grantor, bargainor, donor, or assignor, or intended to take effect, in possession or enjoyment after such death, to any person or persons or to bodies corporate or politic, in trust or otherwise, or by reason whereof any person or body corporate or politic shall become beneficially entitled in possession or expectancy to any property or the income thereof, shall be and hereby is made subject to a tax for the benefit of the State as follows, that is to say:

Property subject to inheritance tax.

Deed, grant, sale, or gift in contemplation of death.

First. Where the person or persons entitled to any beneficial interest in such property shall be the lineal issue, or lineal ancestor, adopted child, or husband or wife, of the person who died possessed of such property aforesaid, at the following rates of tax for each one hundred dollars of the clear market value of such interest in such property:

Lineal issue or ancestor, adopted child, husband or wife.

	<i>Rate of Tax.</i>	
Above exemption up to \$25,000.....	1 per cent.	Graduated rate.
Excess over \$25,000 and up to \$100,000.....	2 per cent.	
Excess over \$100,000 and up to \$250,000....	3 per cent.	

Rate of Tax.

Excess over \$250,000 and up to \$500,000....	4 per cent.
Excess over \$500,000	5 per cent.

Exemptions.

The persons mentioned in this class shall be entitled to the following exemptions: Widows, ten thousand dollars; each child under twenty-one (21) years of age, five thousand dollars; all other beneficiaries mentioned in this section, two thousand dollars each: *Provided*, grandchildren shall be allowed the single exemption of the child they represent.

Proviso:
Grandchildren.

Brothers or sisters or descendants.

Second. Where the person or persons entitled to any beneficial interest in such property shall be the brother or sister or descendant of the brother or sister of the person who died possessed as aforesaid, at the following rates of tax for each one hundred dollars of the clear market value of such interest:

Rate of Tax.

Graduated rate.	Twenty-five thousand dollars or less.....	3 per cent.
	Excess over \$25,000 and up to \$100,000.....	4 per cent.
	Excess over \$100,000 and up to \$250,000.....	5 per cent.
	Excess over \$250,000 and up to \$500,000.....	6 per cent.
	Excess over \$500,000	7 per cent.

Other degrees of relationship, collateral relations or strangers in blood or corporations.

Third. Where the person or persons entitled to any beneficial interest in such property shall be in any other degree of relationship of collateral consanguinity than is hereinbefore stated, or shall be a stranger in blood to the person who died possessed as aforesaid, or shall be a body politic or corporate, at the following rates of tax for each one hundred dollars of the clear market value of such interest:

Rate of Tax.

Graduated rate.	Twenty-five thousand dollars or less.....	5 per cent.
	Excess over \$25,000 and up to \$100,000.....	6 per cent.
	Excess over \$100,000 and up to \$250,000....	7 per cent.
	Excess over \$250,000 and up to \$500,000....	8 per cent.
	Excess over \$500,000	9 per cent.

Proviso:
Property passing to religious, educational, or charitable corporations.

Provided, that no tax shall be imposed or collected under this section on legacies or property passing by will or otherwise, or by the laws of this State to religious, educational, or charitable corporations (not conducted for profit) in this State, and this provision shall apply to all such legacies or property passing by will or by the laws of this State since March twelve, one thousand nine hundred and thirteen.

Clerk of superior court to certify estates settled without administration.

Fourth. That whenever an estate subject to the tax under this act shall be settled or divided among the heirs at law, legatees or devisees, without the qualification and appointment of a personal representative, the clerk of the Superior Court of the county wherein the estate is situated shall certify the same to the Corporation Commission, and shall also require such heirs at law, legatees or devisees to report to him under oath the value of said personal estate, and he shall ascertain the value of the real estate

Sworn report of value of estate.

from the tax returns as aforesaid, and shall report said valuation to the Corporation Commission. The clerk is authorized and required to cite all interested parties to appear before him and make the report herein required and pay to him the amount of the inheritance tax due upon said property, and the clerk shall be allowed three per cent of the tax collected by him from the parties liable for the inheritance tax collected from an estate upon which there is no administration: *Provided*, that in all counties in which the clerk of the Superior Court receives a salary for his services, the "three per cent" referred to in this section shall be accounted for by him in the same manner as all other fees received by said clerk.

Report to corporation commission, clerk of superior court to collect and transmit tax.

Allowance to clerk.

Proviso: Clerks paid by salary.

SEC. 7. *When all heirs, legatees, etc., are discharged from liability.*

All heirs, legatees, devisees, administrators, executors and trustees shall only be discharged from liability for the amount of such taxes, the settlement of which they may be charged with, by paying the same for the use aforesaid as hereinafter provided.

Payment of tax only discharge.

SEC. 8. *Collection to be made by the sheriff if not paid within two years.*

That if the said tax is not paid at the end of two years after the death of the decedent, six per cent per annum shall be charged thereon until same is paid; and if not paid within two years after the death of the decedent, it shall be the duty of the clerk to certify to the sheriff the amount of tax due upon such inheritance, and the sheriff shall collect the same as other taxes, with an addition of two and one-half per cent as sheriff's fees for collecting same; and the sheriff is hereby given the same rights of levy and sale upon any property upon which the said tax is payable as is given in the Machinery Act for the collection of other taxes. The sheriff shall make return to the clerk of the Superior Court of all such taxes within thirty days after collection, to be accounted for by the clerk in monthly settlement with the State Auditor and Treasurer as provided by law: *Provided*, that time for payment and collection of such tax may be extended by the State Tax Commission for good reason shown.

Interest on tax after two years.

Certificate of clerk and collection by sheriff.
Sheriffs' fees.

Collection by distress.

Return of collection.

Proviso: Extension of time.

SEC. 9. *Executor, etc., shall deduct tax.*

The executor or administrator or other trustee paying any legacy or share in the distribution of any estate subject to said tax shall deduct therefrom at the rate prescribed, or if the legacy or share in the estate be not money he shall demand payment of a sum to be computed at the same rates upon the appraised value thereof for the use of the State; and no executor or administrator shall be compelled to pay or deliver any specific legacy or article to be distributed, subject to tax, except on the payment into his hands of a sum computed on its value as aforesaid; and in case of neglect or refusal on the part of said legatee to pay the same such specific legacy or article or so much thereof as shall be neces-

Taxes deducted from legacies and shares.

Payment on estates other than money.

Payment or delivery on payment of tax.

Sale of article charged with tax.

Distribution of surplus. sary shall be sold by such executor or administrator at public sale, after notice to such legatee, and the balance that may be left in the hands of the executor or administrator shall be distributed as is or may be directed by law; and every sum of money retained by any executor or administrator or paid into his hands on account of any legacy or distributive share for the use of the State shall be paid by him to the proper officer without delay.

SEC. 10. *Legacy for life, etc., tax to be retained upon the whole amount.*

Legacy for life or term taxed on full amount. Apportionment of charge. If the legacy or devise subject to said tax be given to any person for life or for a term of years or for any other limited period upon a condition or contingency, the tax thereon shall be retained upon the whole amount, and application shall be made to the court having jurisdiction of the accounts of executors and administrators to make apportionment, if the case requires it, of the sum to be paid by such life tenants and remaindermen, and for such further order relative thereto as equity shall require.

SEC. 11. *Legacy charged upon real estate, heir or devisee to deduct and pay to executor, etc.*

Heir to deduct tax from legacy charged on real estate. Tax a charge on real estate. Enforcement of collection. Proviso: Lien on real and personal property of estate. Whenever such legacy shall be charged upon or payable out of real estate the heir or devisee of such real estate, before paying the same to such legatee, shall deduct therefrom at the rates aforesaid, and pay the amount so deducted to the executor or administrator, and the same shall remain a charge upon such real estate until paid, and in default thereof the same shall be enforced by the decree of the court in the same manner as the payment of such legacy may be enforced: *Provided*, that all taxes imposed by this act shall be a lien upon the real and personal property of the estate on which the tax is imposed or upon the proceeds arising from the sale of such property, from the time said tax is due and payable, and shall continue a lien until said tax is paid and received for by the proper officer of the State.

SEC. 12. *Executor or administrator to take duplicate receipts from the clerk of the court.*

Duplicate receipts. Copy forwarded to Auditor. Clerk charged with amount. Return of receipt countersigned. It shall be the duty of any executor or administrator, on the payment of said tax, to take duplicate receipts from the clerk of the court, one of which shall be forwarded forthwith to the Auditor of the State, whose duty it shall be to charge the clerk receiving the money with the amount, and seal with the seal of his office and countersign the receipt and transmit it to the executor or administrator, whereupon it shall be a proper voucher in the settlement of the estate, but in no event shall an executor or administrator be entitled to a credit in his account by the clerk unless the receipt is so sealed and countersigned by the Auditor of the State.

SEC. 13. *Foreign executor or administrator transferring stock shall pay the tax on such transfer.*

Whenever any foreign executor or administrator or trustee shall assign or transfer any stocks or bonds in this State standing in the name of the decedent or in trust for a decedent, which shall be liable for the said tax, such tax shall be paid on the transfer thereof to the clerk of the court of the county where such transfer is made; otherwise the corporation permitting such transfer shall become liable to pay such tax.

Foreign fiduciaries to pay tax on transfers of stock.

Liability of corporation.

SEC. 14. *Proportion of tax to be repaid upon certain conditions.*

Whenever debts shall be proven against the estate of a decedent, after the distribution of legacies from which the inheritance tax has been deducted in compliance with this act, and the legatee is required to refund any portion of the legacy, a proportion of the said tax shall be repaid to him by the executor or administrator if the said tax has not been paid into the State Treasury, or shall be refunded by the State Treasurer if it has been so paid in.

Return of tax on legacies subjected to contribution.

SEC. 15. *Appraisers to be appointed by the clerk, etc.*

It shall be the duty of each clerk of the court in each county in the State to appoint, on or before the first day of May, one thousand nine hundred and fifteen, subject to approval of the State Tax Commission, an assessor of estates for inheritance tax, such appointment to be made for a period of two years, beginning the first day of May, one thousand nine hundred and fifteen. It shall be the duty of such appraiser of estates for inheritance tax to appraise the actual market value of all estates which are or shall be subject to inheritance tax, and it shall be the duty of said appraiser to make a fair and conscionable appraisal of such estates at their actual market value; and it shall be the further duty of such appraiser to assess and fix the cash value of all annuities and life estates growing out of said estates, upon which annuities and life estates the inheritance tax shall be immediately payable out of the estate at the rate of such valuation: *Provided*, that if the said appraiser is interested in estate to be appraised, or is related by blood or marriage to the parties interested, the clerk of the court shall appoint a special appraiser for the appraisal of such estate, who shall receive the same compensation as hereinafter provided in this section for the appraisal of estates: *Provided, further*, that any person or persons not satisfied with said appraisal shall have the right to appeal within sixty days to the Superior Court of the proper county at term-time on paying or giving security to pay all costs, together with whatever tax shall be fixed by said court, and upon such appeal said court shall have jurisdiction to determine all questions of valuation and of the liability of the appraised estate for such tax, subject to the right of appeal to the Supreme Court as in other cases. The compensation of appraisers appointed under this act shall be at the

Assessor of estates for inheritance tax.

Term of office.

Appraisal at market value.

Annuities and life estates.

Proviso: Interest of appraiser in estate.

Proviso: Right of appeal.

Jurisdiction on appeal.

Pay of appraisers.

Itemized statements.

rate of three dollars per day for each day necessarily employed in making the appraisement, together with such necessary traveling expenses as may be incurred, a statement of which shall be properly itemized and sworn to, subject to the final approval of the Auditor of State before payment is made by clerk of the court.

SEC. 16. *Misdemeanor for appraiser to take fee or reward from executor or administrator.*

Reception of fee or reward by appraiser misdemeanor.

It shall be a misdemeanor for any appraiser appointed by the clerk to make any appraisement in behalf of the State to take any fee or reward from any executor or administrator, legatee, next of kin or heir of any decedent, and for any such offense the clerk of the court shall dismiss him from such service, and upon conviction in the Superior Court he shall be fined not exceeding five hundred dollars and imprisoned not exceeding one year, or both, or either, at the discretion of the court.

Dismissal from service.
Punishments.

SEC. 17. *Clerk to enter returns made by appraisers, etc.*

Clerk to enter returns.

It shall be the duty of the clerk of the court to enter in a book to be provided at the expense of the State, to be kept for that purpose, and which shall be a public record, the returns made by all appraisers, under this act, opening an account in favor of the State against the decedent's estate; and the clerk may give certificates of payment of such tax from such record; and it shall be the duty of the clerk of the court to transmit to the Auditor of the State on the first Monday of each month a statement of all returns made by appraisers during the preceding month, giving the name of the estate and the clear valuation thereof, subject to the foregoing tax, and the amount of the tax, which statement shall be entered by the auditor in a book to be kept by him for that purpose; and whenever any such tax shall have remained due and unpaid for one year it shall be lawful for the clerk of the court to apply to the court by bill or petition to enforce the payment of the same; whereupon said court, having caused due notice to be given to the owner or owners of the estate charged with the tax and to such other person or persons as may be interested, shall proceed according to equity to make such decrees or orders for the payment of the said tax out of such estates as shall be just and proper.

Public record.

Accounts against estates.

Certificates of payment.

Monthly statements to Auditor.

Statements recorded by Auditor.

Petition for enforcement of payment.

Proceedings on petition.

SEC. 18. *Court may order executor, etc., to file account, etc.*

Citation to file account.

If the clerk of the court shall discover that said tax has not been paid according to law, the court shall be authorized to cite the executors or administrators of the decedent whose estate is subject to the tax to file an account or to issue a citation to the executors, administrators, legatees or heirs, citing them to appear on a day certain and show cause why the said tax should not be paid, and when personal service cannot be had, notice shall be given for four weeks, once a week, in at least one newspaper published in said county; and if the said tax shall be found to be

Citation to appear and show cause.

Notice by publication.

due and unpaid the said delinquent shall pay said tax, interest and costs; and it shall be the duty of the solicitor of the district in which the said delinquent resides to sue for the recovery and amount of such tax, and for such services he shall be allowed a fee, to be fixed by the judge, not to exceed five per cent of the amount recovered. The Auditor of the State is authorized and empowered, in settlement of accounts of any clerk, to allow him costs of advertising and other reasonable fees and expenses incurred in the collection of said tax.

Delinquent to pay tax, interest and costs.

Solicitor to sue.

Fee of solicitor.

Allowance to clerks on settlements.

SEC. 19. *Clerk to be agent of the State for collection of said tax.*

The clerks of the courts of the several counties of this State shall be the agents of the State for the collection of the said tax, and for services rendered in collecting and paying over the same the said agents shall be allowed to retain for their own use such percentage as may be allowed by the Auditor, not exceeding three per centum on all taxes paid and accounted for.

Clerks agents for State.

Percentage allowed clerks.

SEC. 20. Any administrator, executor or trustee who shall fail to pay the lawful inheritance taxes due upon any estate in his hands or under his control within two years from the time of his qualification shall be liable for the amount of said taxes, and the same may be recovered in an action against such administrator, executor or trustee and the sureties on his official bond. Any clerk of the court who shall allow any administrator, executor or trustee to make a final settlement of his estate without collecting the inheritance taxes due by law shall be liable upon his official bond for the amount of such taxes.

Fiduciaries liable on bonds.

Suit on bonds.

Clerk liable on bond.

SEC. 21. It shall be the duty of the clerk of the court of each county to make returns and payment to the State Treasurer of the taxes under this act which he shall have received, stating for what estate paid, on the first Monday of each month; and for all taxes collected by him and not paid over to the State Treasurer within ten days after said monthly return of the same, he shall pay interest at the rate of twelve per centum per annum until paid.

Clerk to make returns and payments monthly.

Interest on deferred payments.

(a) The clerk of the Superior Court of each county shall, on the first Monday in December, one thousand nine hundred and fifteen, make a report under oath to the State Tax Commission, showing the names and addresses of all executors, administrators, or trustees of estates who have qualified in his county during the preceding five years, the estimated value of each estate, and which of them have been settled, together with the value of the property and assets paid over to legatees or distributees, the names of the heirs at law, legatees, or devisees, and their relation to the deceased. Said clerk shall also embrace in said report the names of all persons who have died leaving wills, whether any one has qualified as executor thereof or not, together with the estimated value of the estate devised. The said clerk shall annually thereafter, on the first Monday in December, make like reports to the State Tax

Report of clerk to State Tax Commission.

Specifications of report.

Report made annually.

Proviso:
Fee of clerk.

Commission for the preceding year: *Provided*, that for making such report the said clerk of the Superior Court shall be allowed by the board of county commissioners a fee of ten cents for each copy sheet thereof.

Tax Commission to keep records of fiduciaries, wills, and estates. Lists to be furnished county assessors. Inquiry by county assessor.

(b) The State Tax Commission shall keep a record of executors, administrators, trustees, and wills, or other estates reported to them as above required, and on or before the first day of May of each year shall furnish to each county assessor a list of all such in his county. It shall be the duty of said county assessor to take the said list to the office of the clerk and ascertain from the clerk and the records of his office which of them have settled the estates committed to them, the value of the property turned over to the legatees and distributees, and report the same to the State Tax Commission, together with such other information as the commission may require, upon blanks furnished by it. It shall also be the duty of the county assessor to report to the State Tax Commission all estates which he may discover left by persons who die intestate, and of whom no administrator qualifies, together with the names of the persons who inherit the same, and their relation to the deceased.

Report to Tax Commission.

Report of estates not administered.

Report of Tax Commission to Treasurer.

(c) The State Tax Commission shall, after the receipt of said reports, certify to the State Treasurer all inheritance taxes which should have been collected on or before the first day of the preceding May by the clerk of the court in each county in the State.

Treasurer to demand payment.

(d) If the State Treasurer shall ascertain from said certificate that any clerk has failed to collect or pay over any inheritance tax which he should have collected, he shall demand payment of the same by said clerk at once, and if such clerk shall fail to account for or pay over such tax within sixty days from such demand he shall be liable on his official bond for double the said tax, to be recovered by the State Treasurer in an action in the Superior Court of Wake County: *Provided*, that this section shall not apply to clerks, where the estates have been settled, and final account of the estate approved prior to the adoption hereof.

Clerk liable on bond for double tax.

Action for recovery.

Proviso:
Estates heretofore settled.

INCOME TAX.

SEC. 22. *Taxpayer to show his income on list.*

Taxpayers to list incomes.

The taxpayer shall list his income for the year ending May first from any and all sources in excess of one thousand two hundred and fifty dollars.

SEC. 23. *What question blank shall contain in regard to income.*

The blanks for listing taxes shall contain the following questions:

Questions as to income.

(1) "Was your gross income from salaries, fees, trades, professions and property not taxed, any and all of them, for the year ending May first, in excess of one thousand two hundred and fifty dollars?"

(2) "If so, what was the amount of said excess?"

SEC. 24. *Rate of income tax.*

On all gross incomes as provided in the preceding section hereof, a tax to be collected as other taxes for that year shall be levied as follows: On the excess over the amount legally exempted up to twenty-five hundred dollars, one per cent; on the excess above twenty-five hundred dollars and up to five thousand dollars, one and one-half per cent; on the excess above five thousand dollars and up to ten thousand dollars, two per cent; on the excess over ten thousand dollars, two and one-half per cent. The above tax shall not be levied upon the income derived from property already taxed nor upon income less than one thousand two hundred and fifty dollars. The incomes subject to the above tax are those derived from property not taxed, from salaries, fees and commissions, public or private; from annuities; from trades or professions, and from any other sources the incomes from which are not specifically exempted from taxation by law.

Tax rate.
On excess up to \$2,500.
On excess above \$2,500 up to \$5,000.
Excess above \$5,000 up to \$10,000.
Excess above \$10,000.
Incomes exempted.
Incomes subject to tax.

SEC. 25. No city, town, township or county shall levy any inheritance tax or income tax.

State tax exclusive.

SCHEDULE B.

SEC. 26. *Defining taxes under this schedule.*

Taxes in this schedule shall be imposed as license tax for the privilege of carrying on the business or doing the act named, and nothing in this act contained shall be construed to relieve any person or corporation from the payment of tax as required in the preceding schedule. The license issued under this schedule shall be for twelve months and shall expire on the thirty-first day of May of each year. Such license thus obtained shall be a personal privilege and shall not be transferable nor any abatement in the tax allowed; and unless otherwise provided in the section levying the tax, the tax levied for the use and benefit of the State shall be collected in the county in which the business is conducted.

License taxes.
Term of license.
License not transferable.
Abatement not allowed.
Collected in county.

SEC. 27. *Theaters.*

On each room or hall used as a theater or opera house, where public exhibitions or performances are given for profit, the license tax shall be as follows: In cities or towns of one thousand inhabitants or less, ten dollars per annum; over one thousand to three thousand, fifteen dollars per annum; three thousand to five thousand, fifty dollars per annum; over five thousand to ten thousand, seventy-five dollars per annum; over ten thousand to fifteen thousand, one hundred dollars; over fifteen thousand, one hundred and fifty dollars. The license under this section shall be issued by the sheriff and shall be conspicuously posted in the entrance of the vestibule of the room or hall, and said room or hall shall not be liable for any other license tax by the county, but the said tax shall be divided and one-half paid to the State and one-half to the county. Companies or individuals when performing or exhibiting in rooms or halls licensed under this section shall not be

Theaters and opera houses.
Towns 1,000 or less.
Towns 1,000 to 3,000.
Towns 3,000 to 5,000.
Towns 5,000 to 10,000.
Towns 10,000 to 15,000.
Over 15,000.
License issued by sheriff and posted at entrance.
Decision of tax.
Companies performing in licensed halls exempt.

Proviso: required to pay any other county or State license tax: *Provided*,
 City tax. that no city shall levy a tax greater than the amount levied by
 the State.

SEC. 28. *Traveling theatrical companies.*

Companies in On every traveling theatrical company giving exhibitions or per-
 other than formances in any hall, tent or other place not licensed as provided
 licensed halls. in the preceding section, whether on account of municipal owner-
 ship or for any other reason, five dollars on each day's or part of
 a day's exhibitions or performances; that two or more exhibitions
 at different times on the same day and place shall only be liable
 for one day's tax, and the owner of the hall, tent, or other place
 shall be responsible for the tax; but artists exhibiting paintings or
 statuary, work of their own hands, shall only pay two dollars:
 Owner of place *Provided*, all such places of amusement as do not charge more
 liable for tax. than a total of ten cents for admission at the door and the right
 Artists exhibiting to a reserved seat, and shall perform in any given place as much
 their own work. as one week at a time shall only be required to pay five dollars
 for the first day and one dollar per day for each succeeding day.
 Counties, cities, or towns shall not collect a greater amount than
 that of the State tax, and the proprietor of any such show shall
 apply in advance to the sheriff of any county in which a perform-
 ance is to be given, for a license. Failing to do this, the show
 shall be subject to the actual expenses incurred by the sheriff or
 tax collector in enforcing payment of the license levied under this
 section.

SEC. 28. (a). *Moving picture or vaudeville shows.*

Places used for On each room, hall, or tent used as a moving picture or vaude-
 moving pictures or ville show, a tax as follows: In towns of less than one thousand
 vaudeville shows. five hundred inhabitants, ten dollars per annum; less than five
 Graduated tax. thousand inhabitants and more than one thousand five hundred,
 thirty dollars per annum; less than ten thousand inhabitants and
 more than five thousand, sixty dollars per annum; in towns or
 cities with more than ten thousand inhabitants and less than fif-
 teen thousand, one hundred dollars per annum; more than fifteen
 thousand inhabitants, one hundred and fifty dollars per annum.
 Counties, cities, or towns shall not levy a greater amount of
 license tax than that of the State.

SEC. 29. *Circuses, menageries, wild west, dog and pony shows,
 etc.*

Exhibitions of cir- On every exhibition of a circus, menagerie, wild west show, dog
 cus, menagerie, and pony show, and every other show not licensed in the preced-
 wild west, dog ing sections, a tax as follows, for each day or part of a day:
 and pony, and Shows requiring transportation of
 other shows.

12-car and less trains.	12-car trains and less.....	\$ 35.00
13 to 25-car trains.	13 to 25-car trains.....	75.00
25 to 40-car trains.	25 to 40-car trains.....	100.00

50 to 50-car trains.....	\$ 150.00	40 to 50-car trains.
50 to 60-car trains.....	200.00	50 to 60-car trains.
Over 60-car trains.....	250.00	Over 60-car trains.

Proviso: County, city and town tax.
Side-shows.
All other shows. Shows charging more than 50 cents admission.
County tax.

Statement to be filed with Treasurer.

Treasurer to fix amount of tax.

Copy to sheriff or tax collector.

Sheriff to report advertisement and exhibitions to Treasurer.

Treasurer to investigate by representative.

Increase of tax for failure to file statement or exhibition taxable at higher rate.

Sheriff charged with and to collect tax.

Provided, that no county, city or town shall levy more than one-half of the amount levied by the State. On each side-show with shows requiring less than thirty cars for transportation, ten dollars; on all other shows, twenty-five dollars. On every exhibition of a show enumerated in this section that charges more than fifty cents general admission, the tax shall be three hundred dollars. Every county shall have the power to fix the county tax on all shows enumerated in this section at such amount as the county commissioners shall deem proper, not to exceed one-half the amount levied by the State. The person, firm, or corporation by whom any show taxed under this section is owned or controlled shall file with the State Treasurer, not less than five days before the same shall enter the State for the purpose of exhibiting therein a statement, duly subscribed, setting out in detail such information as the State Treasurer may deem necessary to cover the places within the State where exhibitions are to be given, the character of the exhibition, etc. Upon receipt of such statement the State Treasurer shall fix and determine the amount of the license tax with which such show is chargeable, and shall indorse his findings upon such report, and transmit a copy thereof to the sheriff or tax collector of each and every county in which such show is to exhibit, with full and particular instructions as to the license tax to be collected therefrom, which instructions may be modified from time to time when deemed necessary for the purpose of the proper enforcement of this section. It shall be the duty of the sheriff of each and every county in which such circuses or shows are advertised or exhibited to promptly communicate such information to the State Treasurer; and in case the statement respecting any such shows as herein enumerated shall not be filed in time for certified copies thereof, with proper instructions, to be transmitted to the sheriffs of the several counties, it shall be the duty of the State Treasurer to cause his duly authorized representative to attend at one or more points in the State where such circus or show is advertised or expected to exhibit, for the purpose of securing such statement, or fixing and determining the amount of the license tax with which such show is chargeable and of giving proper instructions for the collection of such tax. Any circus or show which shall exhibit in the State before said statement shall have been filed, or which shall, after the filing of such statement, give any exhibition taxable at a higher rate than the exhibition authorized by the State Treasurer upon the basis of the statement filed, shall be chargeable with a license tax of fifty per cent greater than that hereinbefore prescribed, and the sheriff of any county in which such circus or show shall exhibit shall in all cases collect such excess tax and shall be

Proviso:
Treasurer may
remit excess.

Carnival com-
panies, etc.

Companies of not
more than six
attractions.

More than six
attractions.

Proviso:
Cities and towns
of less than
10,000.

Cities of more
than 10,000.

Proviso:
Companies not
embraced.

Proviso:
No rebate for
donations.

charged with and make settlement therefor as for other taxes: *Provided*, that the State Treasurer in his discretion may remit such excess tax, wholly or in part.

On every carnival company, or combination of traveling circuses and shows of like character, moving picture and vaudeville shows, museums and menageries, merry-go-rounds and Ferris wheels, and other like amusement enterprises, conducted for profit under the same general management and filling week-stand engagements, or in giving week-stand exhibitions, whether under canvas or not, the following taxes shall be paid for each week or part of week, to wit: On all such carnival companies and combinations, consisting of not more than six distinct attractions, conducted for profit, twenty-five (25) dollars for the State and a like amount for the county; and, when consisting of more than six distinct attractions, conducted for profit, seventy-five dollars for the State and a like amount for the county: *Provided*, that the towns and cities of less than ten thousand inhabitants may levy a like tax, in an amount not greater than that levied for both State and county purposes; and cities of more than ten thousand inhabitants may levy a like tax, in an amount not greater than twice that levied for both State and county purposes: *Provided, further*, that the provisions of this section shall not apply to such carnival companies, or combinations of shows and other amusement enterprises making a charge of more than twenty-five cents for admission to, or participation in, any one attraction: *Provided, further*, that no such carnival company or combination shall be relieved from the payment of the tax hereinbefore provided for, or of any part thereof, whether State, county, or municipal, by reason of the donation or appropriation of the whole or any part of the proceeds arising from the carrying on of the same to any religious, charitable, educational, or other cause whatsoever.

SEC. 30. *Certain entertainments exempt from license tax.*

Exhibitions for
sole benefit of re-
ligious, charitable,
or educational
objects exempt.

Proviso: Operas,
star courses, or
theatrical troupes.

Proviso: Exhibi-
tions for religious,
charitable or edu-
cational objects in
halls used exclu-
sively for such
objects.

Exhibitions at
city parks and
resorts.

All exhibitions or entertainments given for the sole benefit of religious, charitable or educational objects shall be exempt from taxation: *Provided*, that when operas, star courses, or theatrical troupes are employed, such as usually appear in licensed halls or theaters, then the tax shall be the same as that imposed on traveling theatrical companies performing in unlicensed halls: *Provided, further*, that no tax shall be charged for any exhibitions or entertainments for the sole benefit of religious, charitable or educational objects, and given in halls used at the time exclusively for such objects, nor for exhibitions given at city parks and other resorts, when no charges for admission are made.

SEC. 31. *Attorneys, physicians, dentists, etc.*

Lists of trades
and professions.

On each and every practicing lawyer, practicing physician, dentist, oculist, photographer, optician, osteopath, architect, optometrist, veterinary surgeon, accountant, fire insurance adjuster, elec-

trical engineer, civil engineer, or any person practicing any professed art of healing for fee or reward, the sum of five dollars. On traveling tintypists, five dollars: *Provided*, that no city, town, or county shall levy an additional license tax under this section. Said license when paid in one county shall be good in every other county in the State.

Proviso:
No municipal nor county tax.
License good in all counties.

SEC. 32. *Real estate and rent-collecting agents.*

Every individual or firm or his or their agents who make a business of collecting rents or in acting as agent in buying and selling real estate of any and every description, for compensation, shall pay an annual license tax, in towns of less than two thousand five hundred inhabitants, ten dollars; in towns of more than two thousand five hundred and less than ten thousand inhabitants, twenty dollars; in towns of more than ten thousand, twenty-five dollars.

License good in all counties.
Rent-collecting and real estate agents.
Towns less than 2,500.
Towns 2,500 to 10,000.
More than 10,000.

SEC. 33. *Coal dealers.*

On every individual, corporation, firm, or association of persons engaged in and conducting the business of selling coal, at wholesale, an annual license tax of twenty-five dollars; at retail, an annual license tax, in towns of less than two thousand five hundred inhabitants, five dollars; in towns of more than two thousand five hundred and less than ten thousand inhabitants, fifteen dollars; in towns of more than ten thousand, fifty dollars.

Coal dealers.
Wholesale.
Retail.
Towns less than 2,500.
Towns 2,500 to 10,000.
Towns more than 10,000.

SEC. 34. *Collecting agencies, etc.*

On every collecting agency collecting accounts, bills, notes, or other money from one person in favor of another, fifty dollars; on every dealer in second-hand clothing, forty dollars; on all undertakers and embalmers and retail dealers in coffins in towns and cities of over fifteen thousand inhabitants, an annual license tax of fifty dollars, and in towns and cities of more than ten thousand and less than fifteen thousand, thirty dollars, and in towns and cities of more than five thousand and less than ten thousand, twenty dollars, and in cities and towns or villages of less than five thousand inhabitants, ten dollars; in villages of less than five hundred inhabitants the annual license tax shall not be more than five dollars: *Provided*, that this act shall not apply to the cabinet-maker (and who is not an undertaker) who makes coffins to order.

Collecting agencies.
Other subjects of tax.
Proviso:
Cabinet-makers not undertakers.

SEC. 35. *Dealers in horses and mules.*

On all persons, firms, or corporations who buy and sell horses and mules as a business or for profit, an annual license tax of twenty-five dollars; and all persons, firms, or corporations who purchase and ship horses or mules by the car-load shall be denominated wholesale dealers, and such persons, firms or corporations shall pay an annual license tax of fifty dollars. The license for conducting the said business in either case shall be issued by the

Dealers in horses and mules.
Wholesale dealers.
License issued by sheriff.

- sheriff of any county in which horses and mules are bought or sold, and shall be good in any county in the State for twelve months from issuance; and the sheriffs shall furnish the State Tax Commission a complete list of all such persons, firms, or corporations doing business in their county. No county, city, or town shall levy or collect any tax under this section. Any person required to take out license under this section who shall sell or attempt to sell any horses or mules without having obtained such license shall be deemed guilty of a misdemeanor, and upon conviction shall be fined fifty dollars or imprisoned not exceeding thirty days, the fine to be paid into the State Treasury for the general school fund. No persons shall feign or pretend to be partners when they are in fact not *bona fide* such, in order to evade the tax to which they would otherwise be liable under the provisions of this section, and a violation of this provision shall make the offender guilty of a misdemeanor. All persons, firms, or corporations operating under a livery stable license who buy horses and mules for sale shall be classed as horse dealers and, in addition to their livery stable tax, shall be required to pay such tax as he or they shall be liable for under this section: *Provided*, that this section shall not apply to persons dealing solely in horses or mules of their own raising: *Provided*, any person, firm, or corporation who pays the tax laid in this section shall not be liable for the twenty-five dollars license tax mentioned in section forty-one: *Provided*, that any person, firm, or corporation who shall pay the wholesaler's tax shall not be required to pay the retail tax in addition thereto.
- SEC. 36. *Obsolete.***
- SEC. 37. *Bicycle dealers.***
- On every individual, corporation, association, or firm, or his or their agents, engaged in the business of buying and selling bicycles or bicycle and motorcycle supplies and fixtures, unless such business is conducted in connection with some other business paying a license tax, an annual license tax as follows: In cities or towns of twelve thousand inhabitants or over, ten dollars; in cities and towns of less than twelve thousand inhabitants, five dollars: *Provided*, that nothing in this section shall apply to any individual, corporation, association, or firm conducting the exclusive business of repairing bicycles.
- SEC. 38. *Merchandise and mining stock.***
- On every commission merchant, broker, or dealer buying or selling goods and merchandise on commission, ten dollars per annum; and on every person, individual, firm, or corporation selling or offering for sale stock in foreign corporations, an annual tax of one hundred dollars.
- SEC. 39. *Ship brokers.***
- On every person engaged in the business of managing the affairs occurring between the owners of vessels and the shippers or con-
- Good in all counties.
- Sheriff to furnish lists to State Tax Commission.
- No county, city or town tax.
- Selling or attempting to sell without license misdemeanor.
- Punishment.
- Evasion of tax misdemeanor.
- Livery stable keepers classed as dealers.
- Dealer's license additional to stable license.
- Proviso: Dealers in stock raised by dealer.
- Proviso: Relief from tax under section 41.
- Proviso: Wholesale dealers not taxed as retailers.
- Dealers in bicycles and fixtures.
- Towns of 12,000 or more.
- Towns less than 12,000.
- Proviso: Bicycle repairers.
- Commission merchants and merchandise or stock brokers.
- Shipbrokers.

signees of the freight which they carry, usually known as "ship brokers," an annual license tax of forty dollars; on every person owning or operating marine railways with a hauling capacity of less than eighty tons, fifteen dollars; on every marine railway with a hauling capacity of more than eighty tons and less than one hundred and fifty tons, fifty dollars; on every marine railway with a hauling capacity of more than one hundred and fifty tons, seventy-five dollars.

Marine railways,
less than 80 tons.

More than 80 and
less than 150
tons.

More than 150
tons.

SEC. 40. *Pawnbrokers.*

No person shall without a license authorized by law engage in the business of lending money or other things for profit for or on account of specific articles of personal property, other than farm products, deposited with the lender in pledge. Any person who shall in any manner lend or advance money as aforesaid on the pledge and possession of such personal property shall be held to be a pawnbroker. After such person shall have forfeited his right to redeem the property the pawnbroker may cause said property to be sold at public auction. The expenses attending the sale shall be paid out of the proceeds of sale, and if any surplus arise from the sale, after satisfying the money advanced, with the interest and costs which have accrued, such surplus shall be paid over to the person depositing the property as aforesaid. Any person acting as pawnbroker without a license shall pay a fine of not less than fifty nor more than five hundred dollars. A pawnbroker shall pay for the privilege of transacting business an annual license tax of two hundred dollars.

Doing business
without license
forbidden.

Pawnbroker
defined.

Sale of unre-
deemed pledges.

Expense of sale.

Disposition of
surplus.

Penalty for doing
business without
license.

License tax.

SEC. 41. *Livery stables.*

On every person, firm, or corporation who keeps horses or mules to hire or let, with or without vehicle, fifty cents for each six months for every horse or mule kept for that purpose. Such person shall, on the first day of January and July of each year, furnish to the register of deeds a sworn statement of the number of horses or mules sold or so kept at any time during the preceding six months, the taxes to be collected by the sheriff or tax collector. Every person, firm, or corporation operating under a livery stable license who sells more than five horses or mules within six months shall be classed as a horse dealer and shall pay an additional tax of twenty-five dollars, and shall post license from a sheriff in some conspicuous place in his office or place of business.

Livery stables.

Semi-annual
statements.

Liverymen classed
as horse dealers.

Additional tax.

License to be
posted.

SEC. 42. *Sewing machines.*

Every person, firm, or corporation selling sewing machines in this State shall pay an annual license tax to the Treasurer of one hundred dollars (\$100), and the Treasurer shall issue a license to said person, firm, or corporation to sell sewing machines until July first next thereafter. In addition to the license tax above required, every person, firm, or corporation selling sewing machines shall pay a tax of eighty (80) cents on every hundred

Sewing machines.

Tax on receipts.

dollars of the total amount received during each year for or on account of machines sold, leased, or exchanged in this State during said year and prior thereto, after the ratification of this act, which tax shall be paid to the Treasurer before securing an annual license on July first in each year. Any person, firm, or corporation selling sewing machines without having paid the license tax required by this section shall pay a penalty of two hundred and fifty dollars, to be recovered, by the Treasurer in a civil action in the Superior Court of Wake County, and shall also pay double the license and sales taxes required by this section for the year then current. When a person, firm, or corporation makes application for the license required by this section, the Treasurer shall require a sworn statement showing the amount of sales of sewing machines made by the applicant in this State for the year preceding the first day of July then last past. The Treasurer may require an itemized statement and may require the production of books and papers and may make such investigation as he may deem proper; and after making said investigation the Treasurer shall find what the amount was received from said sales for said year, and shall collect tax upon said amount at the rate aforesaid. If the applicant be a natural person he shall sign the application and statement of sales and swear to the correctness of the latter. If the application be made by a firm, one of the partners shall verify the application. If it be made by a corporation, the verification of the statement shall be made by one of the managing officers. Any person, firm, or corporation making a false statement for the purpose of defrauding the State out of taxes due under this section shall be guilty of a misdemeanor and shall be liable to a penalty of one thousand dollars, to be recovered by the Treasurer in a civil action to be instituted in the Superior Court of Wake County. Any person, firm, or corporation taking out license under this section may employ an unlimited number of agents and secure a duplicate copy of said license for each agent by paying a fee of one dollar to the Treasurer, and the county in which the applicant does business may charge a tax of five dollars; each duplicate license so issued to contain the name of the agent to whom it is issued, and the same to be nontransferable. An agent holding such duplicate copy of license is licensed thereby to sell only the sewing machines sold by the holder of the original license. No person, firm, or corporation licensed under this section shall be required to pay any other license or privilege tax; and no county shall have the right to impose any license or privilege tax. No city or town shall levy a license or privilege tax exceeding twenty dollars on any dealer having an office or selling from any receiving point. No person, firm, or corporation paying a tax upon gross sales under this section shall be required to pay a tax on the said sales under or by virtue of any other section of this act. Any merchant or dealer who shall buy sewing machines from a manufacturer

Tax paid before renewal of license.

Penalty for sale without license.

Double license and taxes.

Sworn statements on application for license.

Investigation by Treasurer.

Finding amount sales and collecting taxes.

Verification of application and report.

False statement a misdemeanor.

Penalty.

Action for penalty.

Employment of agents.

Tax for duplicates of license.

County license. Duplicates not transferable.

Machines sold under duplicate.

No further license required.

No county to impose license tax.

City or town tax.

Tax on sales full settlement.

Purchases and sales by merchants or dealers.

or dealer paying the license and gross sales tax hereunder may sell such sewing machines without paying any gross sales tax thereon, and without paying any license tax except the cost of securing a duplicate license in the name of the person, firm or corporation taking out the license, and paying the gross sales tax; and such duplicate license shall protect any person, firm, or corporation selling sewing machines upon which the license and gross sales taxes shall have been paid, from any additional tax. Such duplicate license issued to such dealer may be issued in the name of the person, firm, or corporation taking out the original license and paying the gross sales tax, but may be marked for the benefit of the person, firm, or corporation desiring to again sell in this State such sewing machines.

Duplicate in name of original purchaser of license.

SEC. 43. *Feather renovators.*

On every individual or firm or association of persons or his or their agents engaged in the business of renovating feathers, a license tax as follows: Ten dollars for each county in which such business may be solicited or conducted.

Feather renovators.

SEC. 44. *Peddlers.*

Any person who shall carry from place to place any goods, wares, or merchandise and offer to sell or barter the same or actually sells or barter the same shall be deemed to be a peddler and shall pay a license tax as follows: Each peddler on foot, twenty-five dollars for each county; each peddler with horse, ox, or mule, with or without vehicle, or with a vehicle propelled by any other power, seventy-five dollars for each county; each and every peddler of medicinal and proprietary preparations, flavoring extracts, spices and toilet articles, whether on foot or with horse, mule, or ox, with or without vehicle, or with a vehicle propelled by any other power, but having no free or paid attractions and no attractions upon the streets nor in a tent nor any other place for the purpose of receiving trade, one hundred dollars for each county; each and every peddler of medicines or drugs, whether on foot or with horse, mule, or ox, with or without a vehicle, or with a vehicle propelled by any other power, and having any free or paid attractions upon the street or in a tent or in any other place for the purpose of receiving trade, one hundred and fifty dollars for each county. Every itinerant salesman who shall expose for sale, either on the street or in a house rented temporarily for that purpose, goods, wares, or merchandise, shall pay a tax of one hundred dollars in each county in which he shall carry on such business, whether as principal or as agent for any other person. Every person mentioned in this section shall apply in advance for a license to the board of county commissioners of the county in which he purposes to peddle or sell, and the board of county commissioners may in their discretion issue the license upon the payment of the tax to the sheriff, which shall expire at the end of twelve months from its date. This section shall

Peddler defined.

Peddlers on foot.

Other peddlers.

Peddlers of specifics without advertising attraction.

Peddlers of specifics with advertising attractions.

Itinerant salesmen.

Application for license.

Issue of license discretionary.

Peddlers not subject to tax.

Power of county commissioners to exempt.

Exemption of Confederate soldiers.

Persons considered peddlers.

Proviso: Exchanging woolen goods for wool.

Proviso: Drummers selling by wholesale and blind persons.

Proviso: Persons defined as itinerant merchants.

Proviso: Tax refunded.

Proviso: County taxes under special acts.

Mercantile agencies.

No municipal nor county tax.

Representing unlicensed company a misdemeanor.

Gypsies or fortune-tellers.

Indictments not barred.

Palmists and clairvoyants.

Lightning-rod agents.

not apply to those who sell or offer for sale books, periodicals, printed music, ice, fuel, fish, vegetables, fruits, or any articles of the farm or dairy or articles of their own individual manufacture, except medicines or drugs. The board of county commissioners shall have power at their discretion to exempt from tax under this section any poor and infirm person, and shall exempt Confederate soldiers, and such license shall be good in any county in the State. Any person carrying a wagon, cart, buggy, or motor-driven vehicle, or traveling on foot for the purpose of exhibiting or delivering any wares or merchandise, shall be considered a peddler: *Provided*, that this section shall not apply to persons or their agents engaged in exchanging woolen goods for wool: *Provided further*, that this section shall not apply to drummers selling by wholesale and *bona fide* residents who are blind: *Provided further*, that each person other than a *bona fide* citizen of the county in which he shall undertake to do business, who shall expose for sale goods, wares, or merchandise in any building, room, or stand rented for such purpose shall be liable to the tax herein imposed upon itinerant dealers: *Provided further*, that such tax shall be refunded to any such dealer who shall continue to do business in such county for a period of one year: *Provided further*, that nothing in this section shall prevent counties having special acts applying thereto from collecting a higher tax in accordance with the provisions of said special act.

SEC. 45. *Mercantile agencies.*

On every mercantile agency or association doing or soliciting business in this State which has for its object the rating of the commercial status of persons, firms, or corporations, the sum of two hundred and fifty dollars, to be paid by the principal office in the State to the State Treasurer; and no city, town, or county shall levy any additional license tax. Any person representing any mercantile agency which has failed to pay a license tax as above provided shall be guilty of a misdemeanor.

SEC. 46. *Gypsies or fortune-tellers.*

Every company of gypsies or strolling bands of persons living in wagons or tents or otherwise who trade horses or mules, or receive reward for pretending to tell fortunes, two hundred dollars in each county in which they offer to trade horses or mules or practice any of their crafts, recoverable out of any property belonging to any of the company; but nothing herein contained shall be so construed as to exempt them from indictment or penalties imposed by law; and any other person or persons receiving reward for pretending to tell fortunes or practicing the art of palmistry, and clairvoyants, shall pay twenty-five dollars in each county in which they offer to practice their profession or craft.

SEC. 47. *Lightning-rod agents.*

On every person or company who puts up lightning rods, fifty dollars annually for each county in which he carries on business or sells lightning rods.

SEC. 48. *Hotels.*

On each hotel charging for transit custom more than one dollar and less than two dollars per day, an annual tax of twenty-five cents for each and every room; hotels charging not less than two dollars nor more than three dollars per day, fifty cents per room; hotels charging in excess of three dollars per day, seventy-five cents *per room*. Each hotel run on the European plan shall pay an annual tax of fifty cents on each room for which the charge is one dollar and fifty cents or less; on rooms for which the charge is over one dollar and fifty cents and less than two dollars and fifty cents, one dollar; on all rooms over two dollars and fifty cents, one dollar and fifty cents. The office, dining-room, one parlor, the kitchen and two other rooms shall not be counted when calculating the number of rooms in the hotel: *Provided*, that one-half of the foregoing taxes shall be collected from resort hotels which are kept open for only six months or less in the year, whether the charges are made at daily, weekly, or monthly rates.

Hotels: graduated tax.

European plan.

Rooms not counted.

Proviso: Resort hotels.

SEC. 49. *Cotton compresses.*

Every individual, firm, corporation, or association of persons engaged in the business of compressing cotton shall pay an annual license tax of two hundred and fifty dollars on each and every compress.

Cotton compresses.

SEC. 49 (a). *Cotton oil mills.*

Each cotton oil mill doing business in this State shall pay an annual license tax of ten (\$10) dollars for each press.

Cotton oil mills.

SEC. 50. *Billiard and pool tables and bowling alleys.*

On each billiard or pool table, bowling alley or alley of like kind kept for public use, an annual license tax of twenty-five dollars.

Billiard and pool tables and bowling alleys.

SEC. 51. *Gift enterprises; prize photographs.*

On any gift enterprise or any person or establishment offering any article for sale and proposing to present purchasers with any gift or prize as an inducement to purchase, twenty-five dollars; on every itinerant dealer in prize photographs or prizes of any kind, one hundred dollars in each county in which the business is conducted. The taxes in this section shall be paid to the sheriff or tax collector of the county, but shall not be construed as giving license or relieving such person or establishment from any penalties incurred by violation of the law.

Gift enterprises.

Itinerant dealers in prize photographs or prizes of any kind.

Tax paid to sheriff.

Penalties for violation of law.

SEC. 52. *Slot machines.*

Upon every slot machine operated in this State wherein is kept any article to be purchased by depositing therein any coin or thing of value, and for which may be had any article of merchandise whatsoever, or anything that can be exchanged for any article of merchandise, the sum of one dollar and fifty cents for every machine for each county where set up or operated. Upon

Slot merchandise machines.

Picture or music machines. every such machine wherein may be seen any picture, or any music may be heard by depositing in the machine any coin or thing of value, and each weighing machine and every machine for making stencils by the use of contrivances operated by slot wherein money or other thing of value is to be deposited, the sum of one dollar and fifty cents for each machine in each county where set up or operated: *Provided*, that this section shall apply only to such slot machines where the return is in all cases fixed or certain: *Provided further*, that no specific license tax shall be levied or collected on merchandise machines delivering merchandise of the market value of the coin deposited and used as an automatic clerk and kept by dealers in their storehouses and paying taxes as a merchant, or slot machines where drinking water is delivered at one cent a glass: *Provided further*, that any person using, running or operating a slot machine of any description for any other purposes than above set forth, or machines exhibiting nude or obscene pictures, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than two hundred nor more than five hundred dollars, or imprisoned not less than three months nor more than one year, or both, at the discretion of the court.

Weighing machines. for making stencils by the use of contrivances operated by slot wherein money or other thing of value is to be deposited, the sum of one dollar and fifty cents for each machine in each county where set up or operated: *Provided*, that this section shall apply only to such slot machines where the return is in all cases fixed or certain: *Provided further*, that no specific license tax shall be levied or collected on merchandise machines delivering merchandise of the market value of the coin deposited and used as an automatic clerk and kept by dealers in their storehouses and paying taxes as a merchant, or slot machines where drinking water is delivered at one cent a glass: *Provided further*, that any person using, running or operating a slot machine of any description for any other purposes than above set forth, or machines exhibiting nude or obscene pictures, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than two hundred nor more than five hundred dollars, or imprisoned not less than three months nor more than one year, or both, at the discretion of the court.

Stencil machines. for making stencils by the use of contrivances operated by slot wherein money or other thing of value is to be deposited, the sum of one dollar and fifty cents for each machine in each county where set up or operated: *Provided*, that this section shall apply only to such slot machines where the return is in all cases fixed or certain: *Provided further*, that no specific license tax shall be levied or collected on merchandise machines delivering merchandise of the market value of the coin deposited and used as an automatic clerk and kept by dealers in their storehouses and paying taxes as a merchant, or slot machines where drinking water is delivered at one cent a glass: *Provided further*, that any person using, running or operating a slot machine of any description for any other purposes than above set forth, or machines exhibiting nude or obscene pictures, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than two hundred nor more than five hundred dollars, or imprisoned not less than three months nor more than one year, or both, at the discretion of the court.

Proviso: Return fixed and certain.

Proviso: Automatic clerks.

Machines delivering drinking water.

Operating other machines a misdemeanor.

Punishment.

SEC. 53. *Bagatelle tables, etc.*

On each bagatelle table, merry-go-round, hobbyhorse, switchback, railway, shooting gallery, or place for any other game or play, with or without name (unless used for private amusement or exercise alone), the following graduated tax shall be paid, to-wit: In cities or towns of less than five thousand inhabitants, five dollars; from five thousand to ten thousand inhabitants, ten dollars; in all cities or towns of more than ten thousand inhabitants, twenty dollars. If kept in connection with any place where drinks of any kind are sold, fifty dollars. On skating rinks (unless used for private amusement or exercise alone), the following graduated tax, to wit: In cities or towns of less than five thousand inhabitants, five dollars; from five thousand to ten thousand inhabitants, ten dollars; and all cities or towns of more than ten thousand inhabitants, twenty dollars: *Provided*, that on each bagatelle table, merry-go-round, hobbyhorse, switchback railway or shooting gallery carried on outside of any incorporated city or town, the sum of five dollars.

Graduated tax on bagatelle tables and other games and play.

Towns of less than 5,000.

Towns of 5,000 to 10,000.

Towns more than 10,000.

In connection with place where drinks are sold.

Graduated tax on skating rinks.

Towns of less than 5,000.

Towns from 5,000 to 10,000.

Towns more than 10,000.

Proviso: Tax outside towns.

Stockbrokers.

SEC. 54. *Stockbrokers.*

Every dealer in stocks, bonds, or other securities shall pay for the privilege of transacting business an annual license tax in towns of less than five thousand inhabitants, ten dollars; in towns of more than five thousand and less than ten thousand inhabitants, twenty-five dollars; in towns of more than ten thousand and less than fifteen thousand inhabitants, fifty dollars; in towns of more than fifteen thousand inhabitants, one hundred dollars. No county, city or town shall levy or collect any tax under this sec-

County, city, and town tax.

tion exceeding twenty-five dollars for the county and ten dollars for the city or town.

SEC. 55. *Bottling works.*

Each person, firm or corporation manufacturing or bottling soda water, coca-cola, pepsi-cola, ginger ale, and like preparations shall pay an annual tax, in rural districts and towns of two thousand five hundred inhabitants or less, thirty dollars; in towns of over two thousand five hundred and not exceeding five thousand inhabitants, sixty dollars; in towns of over five thousand and not exceeding ten thousand inhabitants, ninety dollars; in towns and cities of over ten thousand and not exceeding twenty thousand inhabitants, one hundred and twenty dollars; in towns and cities of over twenty thousand inhabitants, one hundred and fifty dollars: *Provided*, that no county shall levy more than one-half of the amount levied by the State.

Bottling works.

Graduated tax.

Proviso:
County tax.

SEC. 56. *Packing houses.*

Upon every meat packing house doing business in this State and upon every wholesale dealer in meat packing house products who owns and operates in this State a cold storage plant or cold storage warehouse in connection with said wholesale business, one hundred dollars for each county in which said business is carried on: *Provided*, that nothing in this act shall apply to packers packing less than twenty-five thousand pounds of meat in any one year.

Packing houses or
dealers with cold
storage plant.

Proviso:
Packers of less
than 25,000
pounds.

SEC. 57. *Newspaper contests.*

Every person, corporation, or association that conducts contests and offers a prize or prizes to obtain subscriptions to newspapers, an annual license tax of ten dollars for weekly, semi- or tri-weekly newspapers, and twenty-five dollars for each daily newspaper in which said contest is advertised.

Newspaper
contests.

SEC. 58. *Persons, firms, or corporations selling certain oils.*

Each person, firm, or corporation selling illuminating oil, lubricating oil, benzine, naphtha, or gasoline in this State shall pay an annual license tax to the State Treasurer, on or before the first day of July in each year, for the twelve months preceding the first day of June, where the gross sales exceed twenty-five thousand dollars, one per centum upon such gross sales. The said amount of sales shall be returned to the State Treasurer by the general manager of said oil company, if a corporation, and if a natural person, by him, and duly sworn, upon forms to be prepared by the State Treasurer for that purpose. Any person, firm, or corporation subject to this license tax and doing business in this State without having paid such license tax shall be liable to a penalty of one thousand dollars and in addition thereto to double the tax imposed by this section; and the State Treasurer is authorized to bring any suit for the collection of the same in the

Dealers in oils,
benzine, naphtha,
and gasoline.

Tax on sales.
Return of sales.

Penalty for do-
ing business with-
out license.

Suit for collec-
tion.

No county tax.
City or town tax.

Superior Court of Wake County. No county shall impose any tax under this section upon the business of oil dealers. No city or town shall levy a license or privilege tax exceeding ten dollars, and only when there is located in such city or town an agency, station or warehouse for the distribution and sale of such oils; and the person, firm, or corporation paying the tax upon the gross sales as aforesaid shall not be liable for any other tax except the *ad valorem* tax upon the property situate and being in this State: *Provided*, that no tax shall be collected under the provisions of this section while the inspection fees or charges are collected under and by virtue of chapter five hundred and fifty-four of the Public Laws of one thousand nine hundred and nine, entitled "An act to provide for the inspection of illuminating oils and fluids."

Ad valorem tax.

Proviso:
Payment of in-
spection fees.

SEC. 59. *Automobiles for hire.*

Motor vehicles for
hire.

On every person, firm, or corporation who keeps automobiles or other motor vehicles for hire, and who in each and every May lists a poll or property for taxation in the county in which the business is transacted, shall pay an annual tax of five dollars for each automobile or other motor vehicle kept for that purpose; and if such person, firm, or corporation aforesaid does not list a poll or property for taxation the annual tax shall be ten dollars.

SEC. 60. *Obsolete.*

SEC. 61. *Malt dealers.*

Manufacturers
and dealers in
malt.

Every person, firm, or corporation engaged in or conducting the business of manufacturing, buying, or selling malt shall pay an annual tax of ten dollars.

SEC. 62. *Druggists selling liquors.*

Medical deposi-
tories and drug-
gists selling
liquor.

Each medical depository and each licensed and registered pharmacist and druggist who sells spirituous, vinous, or malt liquor as now allowed by law, upon the written prescription of a regularly licensed and practicing physician or surgeon, an annual tax to the sheriff or tax collector as follows: In towns less than one thousand inhabitants, twenty-five dollars; in towns more than one thousand and less than two thousand, fifty dollars; in towns more than two thousand and less than four thousand, seventy-five dollars; in towns more than four thousand and less than six thousand, one hundred dollars; in towns more than six thousand and less than ten thousand, one hundred and fifty dollars; in towns more than ten thousand and less than fifteen thousand, two hundred dollars; in towns of fifteen thousand inhabitants and more, three hundred dollars. Nothing in this section shall have the effect of modifying or repealing chapter seventy-one, Public Laws of special session one thousand nine hundred and eight, or other laws forbidding the sale of spirituous, vinous, or malt liquors.

Towns less than
1,000.
Towns of 1,000 to
2,000.
Towns of 2,000 to
4,000.
Towns of 4,000 to
6,000.
Towns 6,000 to
10,000.
Towns 10,000 to
15,000.
Towns 15,000 or
more.

Section not to
modify or repeal
prohibition law.

SEC. 63. *Newsdealers on trains.*

Upon all persons, companies, or corporations carrying on the business of selling books, magazines, papers, fruits, confections, or other articles of merchandise on the railroad trains in this State, an annual license tax of two hundred dollars; and no county or municipality shall have authority to levy any tax for the privilege of carrying on said business.

Newsdealers on trains.

No county or municipal tax.

SEC. 64. *Soda fountains and venders of carbonated drinks.*

On each soda fountain operated by any person, firm, or corporation, an annual tax as follows: In towns of less than one thousand inhabitants, five dollars (\$5); in towns of over one thousand inhabitants and less than twenty-five hundred, ten dollars (\$10); and in towns of over twenty-five hundred inhabitants, fifteen dollars (\$15). No county shall levy any tax under this section. Nothing in this section shall be construed to authorize the sale of soft drinks containing cocaine or any of its salts or derivatives.

Soda fountains.

Graduated tax.

No county tax.

Sales not authorized.

SEC. 65. *Dealers in patent rights and formulas.*

On every person, firm, or corporation selling or offering for sale any patent right or formula, an annual license tax of ten dollars for each and every county, to be collected by the sheriff.

Dealers in patent rights and formulas.

SEC. 66. *Stallions and jacks.*

All persons, firms, or corporations who own and keep for breeding purposes, for pay, any stallion or jack shall pay an annual license tax of ten dollars (\$10) on each stallion or jack, the same to be collected by the sheriff of the county in which the horse or jack is kept or used for breeding purposes: *Provided, however,* that this tax shall only be collected in one county within the State.

Stallions and jacks.

Proviso:
Tax in only one county.SEC. 67. *Insurance companies.*

The officer authorized to collect the tax on insurance, bond, and investment companies, associations, or orders, shall collect and pay into the State Treasury charges, fees, and taxes as follows: For each license issued to a life insurance company or association, two hundred and fifty dollars; for each license issued to a fire insurance company or association or to any company or association of companies operating a separate or distinct plant or agencies, two hundred dollars; for each license issued to an accident insurance company or association, two hundred dollars; for each license issued to a marine insurance company or association, two hundred dollars; for each license issued to a surety insurance company or association, one hundred dollars; for each license issued to a plate-glass insurance company or association, one hundred dollars; for each license issued to a boiler insurance company or association, one hundred dollars; for each license issued to a domestic mutual insurance company, fifty dollars;

Insurance companies.

License for life insurance companies.

License for fire insurance companies.

License for accident companies.

License for marine companies.

License for surety companies.

License for plate glass companies.

Boiler insurance companies.

Domestic mutual insurance companies.

for each license issued to a domestic mutual insurance company operating in not more than two counties, ten dollars; for each license issued to a fraternal order, twenty-five dollars; for each license issued to a bond, investment, dividend, guaranty, registry, title guaranty, or debenture company, one hundred dollars; for each license issued to all other insurance companies or associations, one hundred dollars. All of said companies shall pay a tax of two and one-half per centum upon the amount of their gross receipts in this State: *Provided*, that if any general agent shall file with the Insurance Commissioner a sworn statement showing that at least one-fourth of the entire assets of his company, when his company has assets, are invested in and are maintained in any or all of the following securities or property, viz.: bonds of this State or of any county, city, or town of this State, or any property situate in this State and taxable therein, then the tax shall be one per centum upon the gross receipts aforesaid and the license fee shall be one-half that named above; and if the amount so invested shall be three-fourths of the total assets the tax shall be one-fourth of one per centum and the license fee one-fourth of that named above. Companies paying the tax levied in this section shall not be liable for tax on their capital stock, and no county, city, or town shall be allowed to impose any additional tax, license, or fee. The license fees and taxes imposed in this section shall be paid to the Insurance Commissioner and by him paid into the State Treasury as provided by law.

SEC. 68. *Dealers in pistols, etc.*

Every merchant, storekeeper, or dealer who shall keep in stock, sell, or offer for sale any pistol or metallic pistol cartridges or cartridges used in pistols shall pay an annual tax of twenty-five dollars; and every such dealer who shall keep in stock any bowie knife, dirk, dagger, slung-shot, loaded cane, or brass, iron, or metallic knuckles, shall pay an annual license tax of one hundred dollars; and every merchant, storekeeper, or dealer selling or offering for sale cap pistols, firecrackers, or other fireworks shall pay an annual license tax of ten dollars. A separate license shall be secured for each place where sales are made.

SEC. 69. *Pianos and organs.*

Every person, firm, or corporation selling pianos or organs in this State shall pay an annual license tax to the Treasurer of fifty dollars, and the Treasurer shall issue a license to said person, firm, or corporation to sell pianos or organs, or both, until July first next thereafter. In addition to the license tax above required, every person, firm, or corporation selling pianos or organs, or both, shall pay a tax of forty cents on every hundred dollars received from the sale of pianos or organs, which tax shall be paid to the Treasurer before securing an annual license on July first in each year. Any person, firm, or corporation

Fraternal orders.
License to bond,
guaranty, regis-
try and like com-
panies.
Other insurance
companies.

Tax on gross
receipts.

Proviso:
Investments re-
ducing taxes and
license fees.

Companies pay-
ing taxes not sub-
ject to further
taxation.

Fees and taxes
paid to Insurance
Commissioner.

Dealers in pistols
and cartridges.

Dealers in other
weapons.

Dealers in fire-
works.

Separate licenses.

Dealers in pianos
and organs.

Tax on receipts.

selling pianos or organs without having paid the license tax required by this section shall pay a penalty of two hundred dollars, to be recovered by the Treasurer in a civil action in the Superior Court of Wake County, and shall also pay double the license and sales taxes required by this section for the year then current. When a person, firm, or corporation makes application for the license required by this section the Treasurer shall require a sworn statement showing the amount of sales of pianos or organs made by the applicant in this State for the year preceding the first day of July then last past. The Treasurer may require an itemized statement and may require the production of books and papers and may make such investigation as he may deem proper; and after making said investigation the Treasurer shall find what the amount was received from said sales for said year, and shall collect tax upon said amount at the rate aforesaid. If the applicant be a natural person, he shall sign the application and statement of sales and swear to the correctness of the latter. If the application be made by a firm, one of the partners shall verify the application. If it be made by a corporation, the verification of the statement shall be made by one of the managing officers. Any person, firm, or corporation making a false statement for the purpose of defrauding the State out of taxes due under this section shall be guilty of a misdemeanor and shall be liable to a penalty of one thousand dollars, to be recovered by the Treasurer in a civil action to be instituted in the Superior Court of Wake County. Any person, firm, or corporation taking out license under this section may employ an unlimited number of agents and secure a duplicate copy of said license for each agent by paying a fee of one dollar to the Treasurer, and the county in which the applicant does business may charge a tax of five dollars; each duplicate license so issued to contain the name of the agent to whom it is issued, and the same to be nontransferable. An agent holding such duplicate copy of license is licensed thereby to sell only the instruments sold by the holder of the original license. No person, firm, or corporation licensed under this section shall be required to pay any other license or privilege tax; and no county shall have the right to impose any license or privilege tax. No city or town shall levy a license or privilege tax exceeding twenty dollars on any dealer having an office or selling from any receiving point. No person, firm, or corporation paying a tax upon gross sales under this section shall be required to pay a tax on the said sales under or by virtue of any other section of this act.

Penalty for selling without license.

Action for recovery.

Sworn statement on application for license.

Investigation by Treasurer.

Verification of statements.

False statement a misdemeanor.

Penalty.

Action for penalty.

Number of agents unlimited.

Fee for duplicates of license.

County tax.

License not transferable.

No other license or privilege tax.

No county tax.

Limit of city tax.

No further tax on sales.

SEC. 70. *Cigarette dealers and manufacturers of cigarettes.*

On every manufacturer of cigarettes the following tax: Where the annual output of cigarettes by such manufacturer is less than two hundred and fifty million, two hundred and fifty dollars; where such annual output exceeds two hundred and fifty million,

Manufacturers of cigarettes.

but does not exceed five hundred million, five hundred dollars; where such annual output exceeds five hundred million, two thousand dollars: *Provided*, that no county, city, town, or township shall levy or collect any tax, assessment, license, or fee from or on such manufacturer except the *ad valorem* tax. And every person retailing cigarettes shall pay a license tax of five dollars per annum. No county shall levy any tax under this section. No city or town shall levy a license or privilege tax exceeding ten dollars.

Proviso:
No municipal tax
except *ad valorem*.
Retail dealers.

No county tax.
Limit of municipal tax.

Ferries and
bridges, tax on
receipts.

Sworn returns.

Payment of tax.

Proviso:
Division by counties.

SEC. 71. *Public ferries, bridges, etc.*

On every ferry or bridge, one per centum of gross receipts; and any person or company operating any such ferry or bridge shall make returns, on oath, of such receipts to the register of deeds of the county in which such public ferry or bridge is located, within ten days after the first days of January and July of each year, and at the same time pay to the sheriff the tax herein imposed: *Provided*, that when a body of water over which the ferry or bridge is operated lies partly in one county and partly in another, one-half of the taxes provided for in this section shall be paid to the sheriff of each of the counties in which such ferry or bridge is operated.

Manufacturers
and dealers in
automobiles.

Application for
license.

Duplicates.

Number of agents
unlimited.

County tax.

Section printed on
license.

Proviso:
Traveling representatives.

SEC. 72. *Manufacturers of automobiles.*

Every manufacturer of automobiles engaged in the business of selling the same in this State, or every person or persons or corporation engaged in selling automobiles in this State, the manufacturer of which has not paid the license tax provided for in this section before selling or offering for sale any such machine, shall pay to the State Treasurer a tax of five hundred dollars and obtain a license for conducting such business. Any applicant for a license shall furnish the State Treasurer with the names of every class or style of machine offered for sale, with a written application for the license. The State Treasurer shall, upon the written application of any one who has obtained the license provided in this section and the payment of a fee of five dollars, issue a certified duplicate containing the name of the agent representing the holder of the license, which gives him the privilege of doing business as the agent of the holder of the license. Every one to whom license shall have been issued as provided in this section shall have power to employ an unlimited number of agents to sell only the machine designated in the license, upon the payment of the tax aforesaid. Each county may levy a tax of five dollars upon each agent doing business in the county. It shall be the duty of the State Treasurer to have this section printed on the face of each license issued under this act, for the information and protection of parties to whom the same may be issued: *Provided*, that where a manufacturer or person or persons or corporation licensed to do business in this State as provided by this act employs one or more traveling representa-

tives, such traveling representatives may do business in any county in which the manufacturer or person or persons or corporation employing such traveling representatives has paid the tax of five dollars to the county as provided by this act, and such traveling representatives shall not be required to pay any tax to the county: *Provided further*, that if any officer, agent, or representative of such manufacturer shall file with the State Treasurer a sworn statement showing that at least three-fourths of the entire assets of the said manufacturer of automobiles are invested in any of the following securities or property, viz.: bonds of the State of North Carolina or of any county, city, or town of said State, or any property situated therein, and returned for taxation therein, the taxes named in this section shall be one-fifth those named. *Provided further*, that if, at the expiration of a State license issued under this section to any manufacturer or person selling automobiles in the State, such license shall have been in force for less than six months, then upon a renewal of such license for the following year the manufacturer or person shall be allowed by the State Treasurer a rebate of two hundred and fifty dollars (\$250) on the new license.

Proviso:
Investments reducing taxes.

Proviso:
Rebate or renewal of license.

SEC. 73. *Emigrant agents.*

On every emigrant agent or person engaged in procuring laborers for employment out of this State, an annual license tax of one hundred dollars for the State and one hundred dollars for the county, for each county in which such agent or person does business, the same to be collected by the sheriff. Any one engaging in this business without first paying said tax shall be guilty of a misdemeanor and fined not less than two hundred dollars or imprisoned, in the discretion of the court.

Emigrant agents.
State and county tax.

Engaging in business without license misdemeanor.
Punishment.

SEC. 74. *Obsolete.*

SEC. 75. *Trading stamps.*

An annual license tax for the State upon the business of issuing, selling, or delivering trading stamps or checks, receipts, certificates, tokens, or other similar devices to persons engaged in trade or business, with the understanding or agreement, expressed or implied, that the same shall be presented or given by the latter to their patrons as a discount, bonus, or premium or as an inducement to secure trade or patronage, and that the corporation, firm, or association or person selling or delivering the same will give to the person presenting or possessing the same money or other thing of value, or any concession or preference in any way on account of the possession or presentation thereof, is hereby assessed against and imposed upon each corporation, firm, association, or person engaged in such business, of two hundred dollars; that nothing in this act shall be construed to apply to a manufacturer or to a merchant who sells the goods of such manufacturer from offering to present to the purchaser

Trading stamps and similar devices.

Manufacturers or merchants offering definite inducements.

or customer a gift of certain value as an inducement to purchase such goods: *Provided*, that no county, city, or town shall charge more than one hundred dollars.

Proviso:
County, city, or
town tax.

SCHEDULE C.

SEC. 76. *Defining taxes embraced in this schedule.*

Privilege tax. The taxes embraced in this schedule shall be listed and paid as specially herein provided, and shall be for the privilege of carrying on the business or doing the act named, and shall be subject to other regulations mentioned in section twenty-six under Schedule B.

Regulations under
Schedule B.

SEC. 77. *Privilege tax on railroads.*

Returns of railroads to Auditor. Every steam railroad company and every person operating a steam railroad in this State shall, on or before the thirtieth day of July in each year, make and return to the State Auditor, in such form and upon such blanks as shall be furnished by him, a true statement of the gross earnings of their respective roads for the preceding year ending the thirtieth day of June; of the number of miles of road operated by each such company or person, and the number of miles in the State, and the gross earnings per mile per annum during such year; which statement shall be verified by the oath of the secretary and treasurer of such companies, or of the person so operating such railroad, and the State Auditor shall certify said amount to the State Treasurer.

Returns to be
verified.

Auditor's certifi-
cate to Treasurer.

SEC. 78. *Rate of taxation.*

Graduated tax on gross earnings. The annual license tax for operating such railroads within the State shall be as follows: When gross earnings per mile are one thousand dollars or less per year, a tax of two dollars per mile; when gross earnings per mile exceed one thousand dollars per year but do not exceed two thousand dollars, a tax of four dollars per mile; when gross earnings per mile exceed two thousand dollars per year, but do not exceed three thousand, a tax of six dollars per mile; when gross earnings per mile are in excess of three thousand dollars per year and not over five thousand dollars per mile, a tax of eight dollars per mile; when gross earnings exceed five thousand dollars per mile per year, a tax of ten dollars per mile. The tax imposed by this section shall be paid to the State Treasurer at the time of making the report provided in section seventy-seven. No county, city, or town shall be allowed to collect any tax under this section.

Tax paid to
Treasurer.

No county, city,
or town tax.

SEC. 79. *Privilege tax on express companies.*

Returns to Corporation Commission. That every express company doing business in this State shall, on or before the thirtieth day of July in each year, make and return to the Corporation Commission a statement of the total number of miles of railroad lines over which such express company operates in this State, showing also the number of miles over which an express company has been in business for two

Returns to Cor-
poration Commis-
sion.

years or less; the said Corporation Commission shall certify the same to the State Treasurer as a basis for assessment and collection of the tax levied in the following schedule: Certificate to Treasurer.

SEC. 79 (a). That each express company doing business in this State shall pay to the State Treasurer an annual privilege or license tax of three dollars (\$3) per mile for each mile of railroad over which such company operates in this State, as shown by the report of such express company to the Corporation Commission: *Provided*, that no tax shall be levied or collected under this section based upon any mileage upon which express service may be hereafter extended, until such service has been in operation for the period of two years: *Provided*, that no county shall levy any tax under this section. There may be levied and collected by every incorporated municipality in the State of North Carolina from each express company, for the privilege of doing business within the municipal limits of said incorporated municipalities, a privilege or license tax, to be computed and based on the population of said municipalities, as follows: Incorporated municipalities having a population of five hundred people or less, five dollars per annum; incorporated municipalities having a population of five hundred people and not exceeding one thousand people, ten dollars per annum; incorporated municipalities having a population of one thousand and not exceeding five thousand people, twenty dollars per annum; incorporated municipalities having a population of five thousand and not exceeding ten thousand people, thirty dollars per annum; incorporated municipalities having a population of ten thousand and not exceeding twenty thousand people, fifty dollars per annum; incorporated municipalities having a population of exceeding twenty thousand people, seventy-five dollars per annum: *Provided further*, that nothing in this section shall be construed to authorize the imposition of any tax upon interstate commerce, or upon any business transacted for the Federal Government. Tax on mileage.

Proviso:
Tax on future extensions.

Proviso:
No county tax.
Municipal tax.

Graduation of municipal tax.

Proviso:
Interstate commerce and business transacted for government.

SEC. 80. *Telegraph companies.*

Each and every person, firm or corporation operating within this State the apparatus necessary to communication by telegraph shall pay, for the privilege of engaging in such business, to the State an annual license tax of two dollars per mile for each pole mile of such telegraph line owned or operated by them within the State, as shown by report of such telegraph company to the tax commissioners under section forty-eight of the Machinery Act, and it shall be the duty of the tax commissioners to certify to the State Auditor the number of miles of line operated by such telegraph company in this State, and it shall be the duty of the State Treasurer to collect the tax as herein levied upon the Telegraph companies.

Tax per mile.

Tax Commissioners certify mileage to Auditor.
Treasurer to collect tax.

Proviso:
 Interstate commerce and business of government.
 Proviso:
 No county tax.
 Graduated town tax.

basis of mileage as reported: *Provided*, that nothing in this section shall be construed to authorize the imposition of any tax upon interstate commerce or upon any business transacted for the Federal Government: *Provided*, that no county shall levy any additional tax under this section, but towns may levy the following taxes: Those having a population of one thousand and not exceeding five thousand, ten dollars; from five thousand to ten thousand, fifteen dollars; from ten thousand to twenty thousand, twenty dollars; over twenty thousand, fifty dollars.

SEC. 81. *Telephone companies.*

Telephone companies.
 Tax on gross receipts.
 Ascertainment of amount.
 Proviso:
 Investments reducing tax.

On every telephone company doing business in this State, an annual tax of two and one-half per cent on the gross receipts of such telephone company within the State, reckoning for the purpose of ascertaining the amount of such gross receipts the proportion of the interstate business done within the State which is properly credited to North Carolina: *Provided*, that if any such company shall file with the Board of State Tax Commissioners a statement, signed and sworn to by its principal officer in this State, showing that at least one-quarter of the entire assets of his company, when his company has assets, are invested in and are maintained in any or all of the following securities or property, viz.: bonds of this State or of any county, city, or town of this State, or any property situate in this State and taxable therein, then the tax shall be one and one-half per cent; and if the amount so invested shall be one-half of its total assets the tax shall be one per cent; and if the amount so invested shall be three-fourths of its total assets the tax shall be one-half of one per cent. The superintendent, general manager, or other chief officer of every such company shall make and return, under oath, to the Treasurer of the State, within ten days after the first day of January, April, July and October of each year, the amount of the gross receipts of the company for the quarter ending on the first day of the month immediately preceding, and pay to the Treasurer the tax herein imposed at the time of making such return. It shall be the duty of each sheriff to report to the Treasurer any such company doing business in his county. In case of default of such return and payment of tax, the company shall pay a penalty of one thousand dollars, to be collected by such sheriff as the Treasurer of the State shall designate, by distress or otherwise: *Provided further*, no county, city, or town shall be allowed to impose an additional tax, license or fee provided in this section, except the *ad valorem* tax.

Sworn returns to Treasurer.

Payment of tax.
 Sheriffs to report companies.
 Penalty for default.
 Collection of penalty.
 Proviso:
 No county, city, or town tax, except ad valorem.

SEC. 82. *Franchise tax on corporations.*

Reports of corporations to State Tax Commission.

Domestic Corporations.—Between the first day of May and the first day of July, one thousand nine hundred and thirteen, and annually thereafter during the month of May, each corporation organized under the laws of this State for profit shall make a

report, in writing, to the State Tax Commission, in such form as the commission may prescribe.

SEC. 82. (1) Such report shall be signed and sworn to before an officer authorized to administer oaths, by the president, vice-president, secretary, or general manager of the corporation, and forwarded to the commission. Verification of report.

SEC. 82. (2) Such report shall contain: Contents of report.

(a) The name of the corporation. Corporate name.

(b) The location of its principal office. Principal office.

(c) The name of the president, secretary, treasurer, and members of the board of directors, with the post office address of each. Names and address of officers.

(d) The date of the annual election of officers. Date of annual election.

(e) The amount of authorized capital stock and the par value of each share. Capital stock and par value.

(f) The amount of capital stock subscribed, the amount of capital stock issued and outstanding, and the amount of capital stock paid up. Capital subscribed, issued and outstanding, and paid up.

(g) The nature and kind of business in which the corporation is engaged, and its place or places of business. Business and places of business.

(h) The change or changes, if any, in the above particulars made since the last annual report. Changes since last report.

SEC. 82. (3) Upon the filing of the report provided for in the last three preceding subsections, the commission, after finding such report to be correct, shall, on or before the first Monday of August, determine the amount of the subscribed or issued and outstanding capital stock of each such corporation. On the first Monday in August, or as soon thereafter as practicable, the commission shall certify the amount so determined by it to the Auditor of the State, who shall charge for collection, on or about August fifteenth, as herein provided, from such corporation, a fee of one twenty-fifth of one per cent upon its subscribed or issued and outstanding capital stock, which fee shall not be less than five dollars in any case. Such fee shall be payable to the Treasurer of the State on or before the first day of the following October. No county, city, or town shall have the power to levy any franchise tax under this section. Determination of subscribed or issued and outstanding stock.

Certificate to Auditor.

Tax to be charged by Auditor.

Minimum. Payable to Treasurer.

No county, city, or town tax.

SEC. 82. (4) *Foreign Corporations.*—Annually during the month of July, each foreign corporation, for profit doing business in this State, and owning or using a part or all of its capital or plant in this State, and subject to compliance with all other provisions of law, and in addition to all other statements required by law, shall make a report in writing to the commission in such form as the commission may prescribe. Report to Commission by foreign corporations.

SEC. 82. (5) Such report shall be signed and sworn to before an officer authorized to administer oaths, by the president, vice-president, secretary, superintendent, or managing agent in this State, and forwarded to the commission. Verification of report.

SEC. 82. (6) Such report shall contain: Contents.

- Name and domicile. (a) The name of the corporation and under the laws of what State or country organized.
- Principal office. (b) The location of its principal office.
- Name and address of officers. (c) The names of the president, secretary, treasurer, and members of the board of directors, with the post office address of each.
- Date of annual election. (d) The date of the annual election of officers.
- Authorized stock and par value. (e) The amount of authorized capital stock, and the par value of each share.
- Stock subscribed, issued and paid up. (f) The amount of capital stock subscribed, the amount of capital stock issued, and the amount of capital stock paid up.
- Business and places of business. (g) The nature and kind of business in which the company is engaged and its place or places of business, both within and without the State.
- Location of offices and names of agents. (h) The name and location of its office or offices in this State, and the name and address of the officers or agents of the corporation in charge of its business in this State.
- Value and location of property. (i) The value of the property owned and used by the company in this State, where situated, and the value of the property owned and used outside of this State, and where situated.
- Volume of business in State. (j) The volume of business done by the company in this State.
- Volume and location of business outside of State. (k) The volume of business done by the company outside of the State, and where the said business is done.
- Changes since last report. (l) The change or changes, if any, in the above particulars, made since the last annual report.
- Assessment by Commission and certificate to Auditor. SEC. 82. (7) Upon the filing of the report provided for in the last three preceding subsections, the commission, from the facts thus reported and any other facts coming to its knowledge bearing upon the question, shall on or before the first Monday in September assess and fix the proportion of the subscribed or issued and outstanding capital stock of the company represented by its property or business in this State, and certify the same to the Auditor of State on or before the first Monday in October.
- Privilege tax charged by Auditor. SEC. 82. (8) On or before October fifteenth the Auditor of State shall charge for collection, as herein provided, annually, from such company, in addition to the initial fees otherwise provided for by law, for the privilege of exercising its franchise in this State, a fee of one twenty-fifth of one per cent upon the proportion of the subscribed or issued and outstanding capital stock of the corporation represented by property owned and used or business transacted in this State as found and certified by the State Tax Commission, which fee shall not be less than five dollars in any case. Such fee shall be payable to the Treasurer of the State on or before the first day of the following December.
- Fee payable to Treasurer. No county, city, or town shall have the power to levy any franchise tax under this section.
- No county or municipal tax. SEC. 82. (9) That nothing in the nine preceding subsections of this act shall apply to banks, insurance companies, fraternal benefit associations, building and loan associations, railroad,
- Companies paying franchise tax excepted.

express, telephone or telegraph companies, or other corporations, upon which a franchise tax may be levied in other sections of this act.

SEC. 82. (10) *General Provisions.*—Between the dates herein fixed for the determination of the amount of subscribed or issued and outstanding capital stock of a domestic corporation and the proportion of the authorized capital stock of a foreign corporation, represented by property owned and used or business transacted by it in this State, and the dates herein fixed for the certification to the Auditor of State of such amount or proportion, the commission may, on the application of any person or company interested, or on its own motion, review and correct its findings. Review and correction of finding.

SEC. 82. (11) Upon the payment of the tax or fee provided for in this act, to the Treasurer of State, the Treasurer of State shall make out and deliver to the public utility or corporation so paying a receipt for the payment by such public utility or corporation of the tax or fee herein provided for. Treasurer to give receipts.

SEC. 82. (12) The fees, taxes and penalties required to be paid by this act shall be the first and best lien on all property of the public utility or corporation, whether such property is employed by the public utility or corporation in the prosecution of its business or is in the hands of an assignee, trustee, or receiver for the benefit of the creditors and stockholders thereof. Fees, taxes, and penalties first liens on property.

SEC. 82. (13) *Penalties.*—If a public utility or corporation required to file a report by any provision of this act fails or neglects to make such report as required herein, it shall be subject to a penalty of ten dollars per day for each day's omission after the time limited in this act for making such report. Penalty for failure to file report.

SEC. 82. (14) All taxes received by the Treasurer of State, under the provisions of this act, shall be credited to the general revenue fund. Taxes credited to general fund.

If any public utility fails or refuses to pay, on or before the fifteenth day of October, the tax assessed against it, or if any corporation fails or refuses to pay, on or before the dates fixed in this act, the fee charged against it, the Treasurer of State shall certify the list of such utilities or corporations so delinquent to the Auditor of State, who shall add to the tax or fee due a penalty of fifteen per centum thereon. Treasurer to report delinquents.

The Auditor of State shall thereupon forthwith prepare proper duplicates and reports of such taxes and fees and penalties thereon and certify them to the Treasurer of State for collection. Penalty for non-payment.

Thirty days after he receives such duplicates of delinquent taxes and fees and penalties thereon from the Auditor of State, the Treasurer of State shall certify to the commission a list of such public utilities and corporations as have failed to pay such taxes or fees and penalties thereon. Auditor to certify taxes, fees, and penalties to Treasurer.

Treasurer to certify list of delinquents to the Commission.

SEC. 82. (15) Such taxes or fees and penalties thereon may be recovered by an action in the name of the State, which may be brought in the Superior Court of Wake County, or in any county Action for recovery.

Jurisdiction.	in which such corporation has an office or place of business, or in which such public utility is doing business, or the line of any street, suburban or interurban railroad company or railroad company is located, and such Superior Court shall have jurisdiction of such action regardless of the amount involved therein.
Action by Attorney-General.	The Attorney-General, on request of the commission, shall institute such action in the Superior Court of Wake County, or of any such counties as the commission may direct. In any such action it shall be sufficient to allege that the tax, fee or penalty sought to be recovered stands charged on the delinquent duplicate of the Treasurer of State, and that the same has been unpaid for a period of thirty days after having been placed thereon.
Allegation.	
Recovery to credit of general fund.	Sums recovered in any such action shall be paid in to the State Treasurer, to the credit of the general fund.
Liabilities, restrictions, and powers of foreign corporations.	SEC. 82. (16) All foreign corporations, and the officers and agents thereof, doing business in this State, shall be subject to all the liabilities and restrictions that are or may be imposed upon corporations of like character, organized under the laws of this State, and shall have no other or greater powers. Every contract made by or on behalf of any such foreign corporation, affecting the liability thereof or relating to its property within this State, before it shall have complied with the provisions of section eleven hundred and ninety-four of the Revisal of one thousand nine hundred and five, shall be wholly void on its behalf and on behalf of its assigns, but shall be enforceable against it or them. Nothing contained in this subsection shall be held or construed to apply to insurance corporations, fraternal beneficiary associations, or building and loan associations, banking, railroad, express, telephone, and telegraph companies.
Contracts by foreign corporations before domestication.	
Excepted corporations.	
Forfeiture of charter or of domestication.	SEC. 82. (17) If a corporation, whenever organized, required by the provisions of this act to file any report or return or to pay any tax or fee, either as a public utility or as a corporation, organized under the laws of this State, for profit, or as a foreign corporation for profit doing business in this State and owning and using a part or all of its capital or plant in this State, or as a sleeping car, freight line, or equipment company, fails or neglects to make any such report or return or to pay any such tax or fee for ninety days after the time prescribed in this act for making such report or return or for paying such tax or fee, the commission shall certify such fact to the Secretary of State. The Secretary of State shall thereupon cancel the articles of incorporation of any such corporation which is organized under the laws of this State, by appropriate entry upon the margin of the record thereof, or cancel the certificate of authority of any such foreign corporation to do business in this State, by proper entry. Thereupon all the powers, privileges, and franchises conferred upon such corporation by such articles of incorporation or by such certificate of authority shall cease and determine. The Secretary of State
Powers, privileges, and franchises determined.	
Notice to corporation.	

shall immediately notify such domestic or foreign corporation of the action taken by him.

SEC. 82. (18) Any person or persons who shall exercise, or attempt to exercise, any powers, privileges or franchises, under the articles of incorporation or certificate of authority, after the same are canceled, as provided in any section of this act, shall be fined not less than one hundred dollars nor more than one thousand dollars.

Fine for corporate actions after cancellation.

SEC. 82. (19) Any corporation whose articles of incorporation or certificate of authority to do business in this State have been canceled by the Secretary of State, as provided in section 82 (17) of this act, upon the filing, within two years after such cancellation, with the Secretary of State, of a certificate from the commission that it has complied with all the requirements of this act and paid all taxes, fees, or penalties due from it, and upon the payment to the Secretary of State of an additional penalty of fifty dollars, shall be entitled to again exercise its rights, privileges and franchises in this State, and the Secretary of State shall cancel the entry made by him under the provisions of section 82 (17) of this act, and shall issue his certificate entitling such corporation to exercise its rights, privileges and franchises.

Restoration within two years.

Additional penalty.

Cancellation of entry.

Certificate of restoration.

SEC. 82. (20) In addition to all other remedies for the collection of any taxes or fees due, under the provisions of this act, the Attorney-General shall, upon request of the commission, whenever any taxes, fees or penalties due under this act from any public utility or corporation shall have remained unpaid for a period of ninety days, or whenever any corporation or public utility has failed or neglected for ninety days to make or file any report or return required by this act, or to pay any penalty for failure to make or file such report or return, apply to the Superior Court of Wake County, or of any county in the State in which such public utility or corporation is located or has an office or place of business, for an injunction to restrain such public utility or corporation from the transaction of any business within this State until the payment of such taxes or fees and penalties thereon, or the making and filing of such report or return and payment of penalties for failure to make or file such report or return, and the costs of such application, which shall be fixed by the court. Such petition shall be in the name of the State, and if it is made to appear to the court, upon hearing, that such public utility or corporation has failed and neglected, for ninety days, to pay such taxes, fees or penalties thereon, or to make and file such reports or to pay such penalties for failure to make or file such reports or returns, such court shall grant and issue such injunction. All actions brought under this act shall have precedence over any civil cause of a different nature pending in such court, and such court shall always be deemed open for the trial of any such action brought therein.

Remedy by injunction.

Grant and issue of injunction.

Precedence of action.

Court always open.

Remedy by *quo warranto*.

SEC. 82. (21) If any corporation fails or neglects to make and file the reports and returns required by this act, or to pay the penalties provided in this act for failure to make and file such reports or returns, for a period of ninety days after the time prescribed in this act, the Attorney-General, on request of the commission, shall commence an action of *quo warranto* in the Superior Court of Wake County or any county in this State in which such corporation is located or has an office or place of business, to forfeit and annul its privileges and franchise. If the court is satisfied that any such corporation is in default as aforesaid, it shall render judgment ousting such corporation from the exercise of its privileges and franchises within this State, and shall otherwise proceed as provided by law.

Judgment of ouster.

Personal liability on officer, agent, or employee of a delinquent corporation.

SEC. 82. (22) Whoever, being an officer, agent or employee of any public utility, company, firm, person, copartnership, corporation, or association, subject to the provisions of any law which the Tax Commission of North Carolina is required to administer, shall fail or refuse to fill out and return any blanks, as required by such law, or shall fail or refuse to answer any questions therein propounded, or shall knowingly or wilfully give a false answer to any such question wherein the fact inquired of is within his knowledge, or who shall, upon proper demand, fail or refuse to exhibit to such commission or any commissioner, or any person duly authorized, any book, paper, account, record, or memorandum of such public utility which is in his possession or under his control, shall be fined not more than one thousand dollars for each offense.

Forfeiture on corporation ordering delinquency by officer, agent, or employee.

SEC. 82. (23) A forfeiture of not less than five hundred dollars nor more than one thousand dollars shall be recovered from any such public utility, company, firm, person, copartnership, corporation or association for each violation of the next preceding subsection when such officer, agent or employee acted in obedience to the direction, instruction or request of such public utility, company, corporation or association, or any general officer thereof.

Separate offenses.

SEC. 82. (24) Every day during which any public utility, company, corporation, association, firm, copartnership, officer or individual, subject to the provisions of any law which the Tax Commission of North Carolina is required to administer, or any officer, agent or employee thereof, shall wilfully fail to observe and comply with any order or direction of such commission or to perform any duty enjoined by such law, shall constitute a separate and distinct offense.

Additional returns prescribed by Commission.

SEC. 82. (25) *Blanks*.—Each company, firm, corporation, person, association, copartnership or public utility shall furnish the commission in the form of returns prescribed by it all information required by law and all other facts and information, in addition to the facts and information in this act specifically required to be given, which the commission may require to enable it to

carry into effect the provisions of the laws which the commission is required to administer, and shall make specific answers to all questions submitted by the commission.

Specific answers to all questions.

SEC. 82. (26) Any such company, firm, corporation, person, association, copartnership or public utility receiving from the commission any blanks with directions to fill them, shall cause them to be properly filled out so as to answer fully and correctly each question therein propounded, and in case it is unable to answer any question, it shall, in writing, give a good and sufficient reason for such failure.

Corporations to fill blanks fully and correctly.

Reason for failure to answer.

SEC. 82. (27) The answers to such questions shall be verified under oath by such person, or by the president, secretary, superintendent, general manager, principal accounting officer, partner, or agent, and returned to the commission, at its office, within the period fixed by the commission.

Verification and return of answers.

SEC. 82. (28) The commission shall cause to be prepared suitable blanks for carrying out the purpose of the laws which it is required to administer, and, on application, furnish such blanks to each company, firm, corporation, person, association, copartnership or public utility subject thereto.

Commission to prepare and furnish blanks.

SEC. 82. (29) The commission, when it deems the same necessary or advisable, may extend to any corporation or public utility a further specified time, not to exceed ninety days, within which to file any report required by law to be filed with the commission, in which event the attaching or taking effect of any penalty for failure to file such report or pay any tax or fee shall be extended or postponed accordingly.

Commission may extend time for answer.

SEC. 83. *On each marriage license, one dollar.*

The tax on marriage license shall be one dollar, and shall be paid to the register of deeds. It shall be the duty of the register of deeds to render annually to the sheriff, on the first Monday in December, sworn statements in detail of taxes received by him under this section, and at the same time pay him the money thus received, and thereupon the sheriff shall file the statements of the register of deeds with the clerk of the Superior Court. The said marriage license tax shall be paid to the State Treasurer by the sheriff of the county in which the same is collected when he settles for the other State taxes. The counties may levy the same tax upon marriage licenses as is levied by the State.

Tax on marriage license.

Sworn returns from register of deeds.

Payment to sheriff.

Returns filed.

Payment to State Treasurer.

County tax.

SEC. 84. *Tax on seal affixed by officers.*

Whenever the seal of State, of the Treasury Department, or other public officer required by law to keep a seal (not including clerks of the courts, other county officers and notaries public) shall be affixed to any paper, the tax shall be as follows, to be paid by the party applying for the same: For the Great Seal of the State on any commission, two dollars, except magistrates' commissions, which shall be without fee; on warrants of extra-

Seal taxes.

Great Seal of State.

Reciprocal tax.	dition for fugitives from justice from other States, a reciprocal seal tax and fee shall be charged, <i>i. e.</i> , the same fee and seal tax must be collected from the State making requisition which is charged this State for like service. All fees and seal taxes of whatever kind collected by the Private Secretary of the Governor shall be paid into the treasury quarterly; for the seal of the State Department, one dollar, to be collected by the Secretary of State and paid by him into the treasury; for the seal of the State Treasurer, to be collected by him and accounted for as other public money, one dollar. Said officers shall keep an account of the number of times their seals may be used, and shall deliver to the proper officer a sworn statement thereof.
Private Secretary to settle fees and seal taxes quarterly. Seal of State Department. Seal of State Treasurer.	
Sworn statements.	Whenever a scroll is used in the absence of a seal by any of the said officers the said tax shall be on the scroll. Seals affixed for the use of any county or the State or used on the commissions of officers of the militia, justices of the peace, or any other public officer not having a salary, or under the pension law, or under any process of court, shall be exempt from taxation. The officers collecting the said taxes and fees may retain as compensation five per centum only, as provided in the Revisal of one thousand nine hundred and five, except in case of sheriffs, whose compensation shall be allowed by the Auditor. Any person receiving taxes under this section and wilfully refusing or neglecting to pay the same as required, shall be guilty of a misdemeanor, and upon conviction shall be fined not more than five hundred dollars or imprisoned at the discretion of the court.
Scroll seals.	
Seals exempted.	
Commissions to officers.	
Neglect or refusal to settle seal taxes a misdemeanor.	
Punishment.	

SEC. 85. *Licenses to be countersigned and recorded by the register of deeds.*

Licenses countersigned.	All licenses issued in accordance with this act, except those issued by the State Treasurer, shall not be valid until they shall be exhibited to and countersigned by the register of deeds, by whom a permanent record of all such licenses shall be kept. The register of deeds shall be entitled to a fee of fifteen cents for each license recorded by him, to be paid by the person applying for the license.
Permanent record.	
Fee of register of deeds.	

SEC. 86. *Fines for the benefit of the school fund.*

Officers to pay over fines, penalties, and forfeitures.	Whenever any officer, including justices of the peace, receives or collects a fine, penalty, or forfeiture in behalf of the State, he shall, within thirty days after such reception or collection, pay over and account for the same to the treasurer of the county board of education for the benefit of the fund for maintaining the free public schools in such county. Whenever any fine or penalty is imposed by any officer the said fine or penalty shall be at once docketed, and shall not be remitted except for good and sufficient reasons, which shall be stated on the docket.
To use of school fund.	
Fines and penalties docketed.	
If remitted, cause to be docketed.	

SEC. 87. *Misappropriation of taxes deemed a misdemeanor.*

Violation of section a misdemeanor.	Any officer, including justices of the peace, violating the preceding section shall be guilty of a misdemeanor, and upon con-
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viction shall be punished by fine or imprisonment, at the discretion of the court. Punishment.

SEC. 88. *Duty of sheriff in case of violations of the provisions of this act.*

That it shall be and is hereby made the duty of the sheriff of each county in the State to make diligent inquiry as to whether or not all license taxes provided for under Schedules B and C of this act shall have been paid, and ascertain whether it is his duty to collect the tax or whether such license should be issued by the State Treasurer or Secretary of State; and if it is found that the State Treasurer should issue such license, the State Treasurer must at once be notified by the sheriff or tax collector; and any person, firm or corporation liable for such license tax who fails or refuses to pay such tax when demanded by the sheriff shall be guilty of a misdemeanor and punished by fine or imprisoned at the discretion of the court; and it shall be the duty of the sheriff, upon the failure of any such person, firm, or corporation to pay such license tax on demand, to swear out a warrant before some justice of the peace in said county, and if on the hearing of said matter the justice shall find that there is probable cause for believing that such person, persons or corporation is guilty of a violation of this act, he shall cause such person, persons or corporation to enter into bond for appearance at the next term of the Superior Court of said county to answer the charge: *Provided, however,* that if said person, persons or corporation shall pay to the sheriff the full amount of such license tax, all costs and expenses due said sheriff and the justice of the peace before the cause is heard before said justice, then said justice may dismiss the action; and upon failure of any person, persons or corporation to pay any of the license taxes imposed by this act, when due, the sheriff shall have power to levy upon any personal or real estate owned by such person, persons or corporation, as provided in other cases where taxes are collected by distraint: *Provided further,* that the sheriff shall not be liable for false arrest or wrongfully levying upon any property under this section unless it shall appear that the sheriff did so maliciously. It shall be the duty of the sheriff to furnish to the judge of the Superior Court at each term of court the names of all persons in his county doing business enumerated in these schedules, specifying those who have failed to pay the tax, and the judge shall thereupon deliver the same to the grand jury and charge them as to their duty thereupon.

Sheriffs to make diligent inquiry.

Notice to Treasurer.

Failure or refusal to pay license tax misdemeanor.

Punishment.

Sheriff to swear out.

Persons bound over to court.

Proviso: Dismissal of action on payment of tax and cost.

Collection of tax by distress.

Proviso: Sheriff not liable unless notice shown. Lists to be furnished judge.

Judge to deliver lists to grand jury.

SEC. 89. *Unless prohibited, county may levy same license as State.*

In cases where a specific license tax is levied for the privilege of carrying on any business, trade, or profession the county may levy the same tax and no more: *Provided,* no provision to the contrary is made in the section levying the specific license tax.

County license tax.

Proviso: No specific prohibition.

SEC. 90. *Appropriation for Auditor and Treasurer.*

Appropriation for Treasurer.

A sum not to exceed two thousand five hundred dollars is hereby annually appropriated, out of any moneys not otherwise appropriated, to be expended by the Treasurer of the State as he may deem best and necessary to secure the prompt and proper collection of taxes and the protection of the treasury; and two thousand five hundred dollars or so much thereof as may be necessary is hereby annually appropriated to be used by the Auditor of the State for the proper enforcement of the Machinery Act.

Appropriation for Auditor.

License to be exhibited on demand by officer.

SEC. 91. *License to be exhibited on demand.*

It shall be the duty of every person liable to any license tax under this act to exhibit his license, whether said license is issued by the sheriff or the State Treasurer, or Secretary of State, upon demand of any sheriff, constable, deputy sheriff or justice of the peace of any county in which he may offer to do business or practice the trade or profession for which license is required, and upon failure to do so every such person may be arrested and held to answer the charge, and if after arrest he shall produce his license he shall be discharged upon payment of costs.

Arrest on failure.
Discharge on production of license and payment of costs.

SEC. 92. *Transacting business without license forbidden.*

Transacting business without possession of license forbidden.

It shall be unlawful for any person to carry on or practice any itinerant trade, business or profession for which a license is required under this chapter without having in his actual possession at the time of so carrying on or practicing said trade, business or profession, said license or duplicate thereof. Neither the State Treasurer nor Secretary of State nor sheriff shall have authority to issue a duplicate of any license unless expressly authorized to do so by this chapter, but each person, firm, or corporation shall be required to take out a separate license for each agent. Any person violating the provisions of this act shall be guilty of a misdemeanor.

Duplicates not issued unless expressly authorized.

Violation of act misdemeanor.

SEC. 93. *Subjects of taxation revised in this act not otherwise taxable.*

Conflicting laws repealed.
Proviso:
Effect of repeal.

All laws imposing taxes the subjects of which are revised in this act are hereby repealed: *Provided*, that this repeal shall not extend to the provisions of any law so far as they relate to the taxes listed or which ought to or would have been listed, or which may have been due previous to the ratification of this act.

SEC. 94. This act shall be in force from and after its ratification.

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 286.

AN ACT TO AMEND CHAPTER 203, PUBLIC LAWS OF 1913,
IN RELATION TO THE ASSESSMENT OF PROPERTY AND
THE COLLECTION OF TAXES.*The General Assembly of North Carolina do enact:*

ARTICLE I.

BOARD OF STATE TAX COMMISSIONERS.

SECTION 1. *Board of Corporation Commissioners created Board of
State Tax Commissioners.*

In addition to the duties imposed upon the Board of Corporation Commissioners by the act creating said board, they are hereby created a Board of State Tax Commissioners, with powers and duties prescribed under this act.

Corporation Commission created Board of State Tax Commissioners.

SEC. 2. The members of said board shall take and subscribe the constitutional oath of office to be filed with the Secretary of State.

Members to qualify.

SEC. 3. It shall be the duty of said board and they shall have power and authority to have general supervision of the system of taxation throughout the State, and to have and exercise general supervision over the administration of all assessment and tax laws, over all county, township, and city tax assessors and boards of equalization, to the end that all assessments of property, real, personal, and mixed, be made relatively just and uniform, and at its true value in money; to require all county, township, and city assessors, boards of equalization and levy and assessment officers, under penalty of forfeiture and removal from office, as such assessors or boards, to assess all property of every kind and character at its true value in money.

General supervision of system of taxation.

General supervision of administration of laws, assessors and board of valuation.

(1) To confer with and advise assessing officers as to their duties under this act, and to institute proper proceedings to enforce the penalties and liabilities provided by law for public officers, officers of corporations and individuals failing to comply with this act; to prefer charges to the Governor against assessing and taxation officers who violate the law or fail in the performance of their duties in reference to assessments and taxation; and in the execution of these powers the said board may call upon the Attorney-General or any prosecuting attorney in the State to assist said board, and any person or officer who fails or refuses to comply with any lawful order of the State Tax Commission shall be subject to a penalty or forfeiture of one hundred dollars, the same to be imposed by order of said commission; and in addition any such person or officer so offending shall be liable to punishment by said board as for contempt.

To confer with and advise officers. To institute proceedings for enforcement of penalties and liabilities.

To prefer charges against officers.

Attorney-General and prosecuting officers to assist.

Penalty for failure to comply with order of board.

Punishment as for contempt.

(2) At least thirty days previous to the date fixed for listing taxes, to prepare a pamphlet for the instruction of tax assessors. Said pamphlet shall, in as plain terms as possible, explain the proper working of the tax laws of the State, and shall call par-

Pamphlet for instruction of tax assessors.

Attention to points overlooked or neglected.

- Advisory and explanatory duties. ticular attention to any points in the administration of the laws which have seemed to be overlooked or neglected. They shall advise the assessors of the practical working of the laws and explain any points which seem to be intricate and upon which assessors may differ.
- To receive and investigate complaints. (3) To receive complaints as to property liable to taxation that has not been assessed or of property that has been fraudulently or improperly assessed through error or otherwise, and to investigate the same, and to take such proceedings and to make such orders as will correct the irregularity complained of, if found to exist.
- Correction of irregularities. (4) To see that each county in the State be visited by at least one member of the board as often as is necessary, to the end that all complaints concerning the law of assessment and taxation may be heard; that information concerning its workings may be collected; that all assessing and taxation officers comply with the law and all violations thereof be punished, and that all proper suggestions as to amendments and change may be made.
- Visits to counties. (5) To require from any registers of deeds, clerks of courts, mayors and clerks of towns, or any other officer in this State, on forms prescribed by said Board of State Tax Commissioners, such annual or other reports as shall enable said board to ascertain the assessed valuations of all property listed for taxation throughout the State under this act, the amount of taxes assessed, collected, and returned delinquent, and such other matters as the board may require, to the end that it may have complete and statistical information as to the practical operation of this act; that every such officer mentioned in this section who shall wilfully neglect or refuse to furnish any report required by the commission for the purposes of this act, or who shall wilfully and unlawfully hinder, delay, or obstruct said commission in the discharge of its duties, shall forfeit and pay one hundred dollars for each offense, to be recovered in an action in the name of the State. A delay of ten days to make and furnish such report shall raise the presumption that the same was wilful.
- Purpose of visits. (6) To make diligent investigation and inquiry concerning the revenue laws and systems of other States and countries, so far as the same is made known by published reports and statistics and can be ascertained by correspondence with officers thereof, and, with the aid of information thus obtained, together with experience and observation of our own laws, to recommend to the Legislature at each regular session thereof such amendments, changes, or modifications of our revenue laws as seem proper and necessary to remedy injustice and irregularities in taxation and to facilitate the assessment and collection of public revenues.
- To require reports from officers. (7) To further report to the Legislature at each regular session thereof, or at such other times as the Legislature may direct, the whole amount of taxes collected in the State for all purposes, classified as to State, county, township, and municipal purposes,
- Penalty for neglect or refusal to furnish reports or hindrance to Commission. Presumption of wilful delay. To investigate laws and systems of other States and countries. Recommendations to Legislature. Reports to Legislature.

with the sources thereof; the amount lost, the cause of the loss, the proceedings of said board, and such other matters of information concerning the public revenues as it may deem of public interest.

(8) To discharge such other duties as are or may be prescribed by law. To discharge other duties.

SEC. 4. *Board to make annual report to the Governor.*

The Board of State Tax Commissioners shall, on or before the first day of November of each year, make an annual report to the Governor of the State, setting forth the workings of said commission during the preceding year and containing the findings and recommendations of said commission in relation to all matters of taxation. The State Tax Commission shall cause two thousand copies of said report to be printed on or before the first day of December succeeding the making of said report. One hundred copies of said report shall be placed at the disposal of the State Librarian for distribution and exchange, and a copy of said report shall be forwarded by said tax commission to each member of the General Assembly as soon as printed. Annual report to Governor.

SEC. 5. After the various tax lists required to be made under this act shall have been passed upon by the county board of equalization the State Board of Tax Commissioners or any member thereof shall have power to reconvene said board and to make such orders as the tax commissioners shall determine are just and necessary, and to direct and order such county boards of equalization to raise or lower the valuation of the property, real or personal, in any county, township, or city, and to raise or lower the valuation of property of any person, company, or corporation; and to order and direct any county board of equalization or board of county commissioners to raise or lower the valuation of any class or classes of property; and generally to perform and do any act or to make any order or direction to any county board of equalization, board of county commissioners, or any county or township assessor as to the valuation of any property or any class of property in any township, city, or county, which in the judgment of said tax commission may seem just and necessary, to the end that all property shall be valued and assessed in the same manner and to the same extent as any and all other property, real or personal, required to be listed for taxation. The tax commission or any member thereof are authorized to require county assessors to carefully place upon the assessment rolls, for taxation, as provided by law, omitted property which may be discovered to have for any reason escaped assessment and taxation in previous years. Report to be printed.

The Board of State Tax Commissioners are authorized to require the county assessors or clerk of the board of county commissioners of each county in the State to file with them, when called for, complete abstracts of all real and personal property Power to reconvene county board of equalization.

Procedure for correction of tax lists.

General powers in revision of tax lists.

Omitted property to be placed on lists.

May require counties to file itemized abstracts.

in the county as equalized by the county board of equalization and itemized by townships. The board of tax commissioners are authorized to make such rules and regulations as the board may deem proper to effectually carry out the purposes for which the board is constituted and to make all rules and regulations not inconsistent with law as the board may deem necessary with respect to its own meetings, proceedings, notices, and hearings.

Power to make rules and regulations.

Record of official proceedings.
Certified copies received in evidence.

SEC. 6. The said Board of State Tax Commissioners shall keep an accurate record of its official proceedings. Certified copies of its records, attested with its official seal, shall be received in evidence in all courts of the State with like effect as certified copies of other public records.

SEC. 7. *Place of meetings of board; shall have access to books, papers, etc., with power to subpoena and examine witnesses.*

Sessions of board.
Access to books, records and documents.

Regular sessions of said board shall be held at the office of said board in the city of Raleigh. The said board and the members thereof shall have access to all books, papers, documents, statements and accounts on file or of record in any of the departments of State. It shall have like access to all books, papers, documents, statements and accounts on file or of record in counties, townships, and municipalities. Said board shall have the right to subpoena witnesses, upon a subpoena signed by the chairman of said board, directed to such witnesses, which subpoena may be served by any person authorized to serve subpoenas from courts of record in this State; and the attendance of witnesses may be compelled by attachment, to be issued by any Superior Court upon proper showing that such witness has been properly subpoenaed and has refused to obey such subpoena. The person serving such subpoena shall receive the same compensation now allowed to sheriffs and other officers for serving subpoenas. Said board shall have the power to examine witnesses under oath, said oath to be administered by any member of said board or by the secretary thereof. Said board shall have the right to examine books, papers or accounts of any corporation, firm, or individual owning property liable to assessment for taxes, general or specific, under the laws of this State; and any officer or stockholder of any such corporation, any member of any such firm, or any person or persons who shall refuse to permit such inspection, or neglect or fail to appear before said board in response to its subpoena, or testify, as provided for in this section, shall be deemed guilty of a misdemeanor and shall be punished by a fine not exceeding one thousand dollars or by imprisonment in the State's Prison for a period not exceeding two years, or both such fine and imprisonment, in the discretion of the court.

To subpoena witnesses.
Service of subpoena.

Attendance compelled by attachment.

Fee for service.

Power to examine under oath.
Administration of oath.

Right to examine books, papers, or accounts.

Refusal to permit inspection or failure to appear and testify a misdemeanor.

Punishments.

State Board of Equalization of valuation and taxation.

Grossly irregular lists corrected.

SEC. 8. The State Board of Tax Commissioners shall constitute a State Board of Equalization of valuations and taxes for the State. In case it shall appear or be made to appear to said board that any tax list in any county in the State is grossly irregular,

unlawfully or unequally assessed, it shall be the duty of said board to equalize the valuations of real property among the several counties in the following manner:

SEC. 9. *Lands; how equalized.*

Lands shall be equalized by adding to the aggregate assessed value thereof, in every county in which said board may believe the valuation to be too low, such rate per centum as will raise the same to its proper proportionate value, and by deducting from the aggregate assessed value thereof, in every county in which said board may believe the valuation to be too high, such per centum as will reduce the same to its proper value. Town and city lots shall be equalized in the same manner herein provided for equalizing lands, and, at the option of said board, may be combined and equalized with lands.

Increase of assessment.

Deduction from assessment.

Equalization of town and city lots.

SEC. 10. *Final examination.*

When said board shall have separately considered the several classes of property as hereinbefore required, the results shall be combined into one table, and the same shall be examined, compared, and perfected in such manner as said board shall deem best to accomplish a just equalization of assessments throughout the State.

Results combined in one table.

Examination, comparison, and perfection.

SEC. 11. *When equalization completed.*

When said board shall have completed its equalization of assessments for any year the clerk of the board shall certify the rate per centum or amount finally determined by said board to be added to or deducted from the assessed valuation of each class of property in the several counties; and it shall be the duty of the clerk of the board of county commissioners to extend the rates of addition or deduction as ordered by the State Board of Equalization.

Final result certified to counties.

Reformation of lists by counties.

SEC. 12. The Board of State Tax Commissioners may direct that any member of the board shall hear complaints, make examinations and investigations.

Hearing, examination, and investigation by member of board.

SEC. 13. *Clerical assistance.*

The Corporation Commission may employ such additional clerks, agents, or other help as in their judgment they may deem necessary to put into proper execution the provisions of this act. The persons so selected shall hold office during the pleasure of said board. The sum of ten thousand dollars (\$10,000), or so much thereof as may be necessary, is hereby appropriated for the payment of the services of said clerks, agents, or other help. The members of said board shall receive an annual salary each of five hundred dollars (\$500) in addition to their salary as Corporation Commissioners and shall devote their whole time to the discharge of the duties of their office; and the clerk of said commission shall receive three hundred dollars (\$300) in addition

Employment of additional clerks.

Terms of clerks.

Appropriation.

Salaries of members.

Shall devote whole time to work.

Additional compensation of clerk.

Allowance of expenses. to his other salary; and they shall also receive their necessary traveling expenses, including necessary postage, stationery, and printing, in the performance of their duties, to be audited and allowed by the State Auditor and paid monthly by the State Treasurer out of the general fund. The State Tax Commission is hereby authorized to employ special assistants or counsel in the discovery and collection of all inheritance taxes that are overdue and unpaid, and whenever in the judgment of the commission the interests of the State will be conserved thereby, the compensation, not to exceed five per cent of the amounts of revenue collected, to be audited and allowed by the State Auditor upon certificate of the State Tax Commission in the settlement of such taxes.

Special assistance and counsel.

Compensation.

SEC. 14. *County assessor to be appointed; term of office and compensation.*

Appointment of county assessor. The State Tax Commissioners shall, on or before the first day of April, nineteen hundred and fifteen, appoint one discreet freeholder of each county in the State, who shall be an experienced business man, to be known as county assessor. Such county assessor shall hold his office during the period of listing, assessing, and equalizing the real and personal property in his county for the year nineteen hundred and fifteen, and shall receive four dollars per day for such time as he may actually and necessarily be engaged in performing the duties of his office and actual necessary traveling expenses when away from home in the discharge of the duties of his office, to be audited and allowed by the board of county commissioners; and the board of commissioners shall be the judges of the time necessary for this work. In the event the office becomes vacant during the term the State Tax Commission shall, as soon as possible, appoint another person to act as and perform the duties of county assessor for the balance of that term.

Term of office.

Compensation.

Vacancies.

SEC. 15. *Commissioners to appoint township list takers and assessors.*

Appointment of township list takers and assessors. The board of commissioners of each county shall on the first Monday in the month of April, in each year, appoint one discreet freeholder in each township (or in the discretion of the county commissioners of any county they may appoint two), who shall have been a resident of the township for not less than twelve months, who shall be known as the township list taker and assessor and who shall list and assess the real and personal property in said township for taxation: *Provided*, said board of commissioners may appoint an assistant list taker and assessor for the purpose mentioned in this act for each ward in any city or town in their respective townships. The township list taker and assessor shall devote such portion of time to the duties of the office as may be necessary from the first day of May to the

Proviso: Assistants.

Terms of employment.

thirtieth day of June. The board of county commissioners shall allow each list taker and assessor such compensation as said board shall deem just and proper for each day actually engaged in the performance of his duties, not exceeding three dollars per day. Said board of county commissioners shall also allow each member of the board of equalization such per diem for the number of days actually engaged in the performance of his duties as said board of commissioners shall deem just and proper, and in addition thereto mileage at the rate of five cents for each mile necessarily traveled in attending the meeting of the board of equalization. The per diem and mileage provided in this section shall be paid by the county.

Compensation.

Pay of board of equalization.

Mileage.

Payment by county.

SEC. 16. *General duties of county assessors.*

On the first Monday in May, nineteen hundred and fifteen, the township list takers and assessors shall meet with the county assessor at the courthouse to confer relative to their duties in making the assessment and valuation of real and personal property subject to taxation, and in reference to the equal valuation of real property and of the several classes of personal property as between individual taxpayers and as between the several townships in the county. The county assessor shall also meet with the different township list takers and assessors at such places within the township as he may designate, at least one day during the period of assessment, and as early in the assessment period as practicable, and shall confer with and instruct the township list takers and assessors in the discharge of their duties.

Meeting for conference.

County assessor to confer with and instruct township assessors.

SEC. 17. *General duties of township list takers and assessors; review by county assessor and county board of equalization; in force for four years.*

The township list taker and assessor shall begin work of assessment and listing on Tuesday after the first Monday in May each year, and shall complete the same as early as practicable, and shall return his list of assessments so made out for the year nineteen hundred and fifteen to the county assessor, and for other years to the clerk of the board of county commissioners. Immediately upon the completion thereof by the township list taker and assessor and the return thereof by him to the county assessor, the county assessor and the township list taker and assessor shall revise such list at such place and at such stated times before the first day of July as the county assessor may designate, and make such changes as may be agreed upon as to the values of the property listed and assessed by said township list taker and assessor. In case of a disagreement, the matter shall be referred to and decided by the county board of equalization when it meets to review and equalize the assessments of property in the county. The schedule shall have one column in which shall be placed the values fixed by the township list taker and assessor; one in which shall be placed the values fixed by the joint action

Time for beginning assessment and listing.

Return to county.

Revisal of list.

Changes in values.

Disagreement referred to and settled by county board.

Values by township assessors.

Values by county and township assessors.
 Values by county board of equalization.
 Term of valuation for real estate.

of the county assessor and the township list taker and assessor; and the third for the values to be fixed by the county board of equalization. The assessment of real property, when made, shall be in force for four years, or until altered, as provided by this act, by reason of structural improvement, erection, or destruction.

SEC. 18. *Duties of township list taker and assessor as to assessing and listing property.*

Advertisement for tax listing.

Each township list taker and assessor appointed under the authority of this act shall advertise in five or more public places within the township not later than the twentieth day of April, notifying all taxpayers to return to him all real and personal property which each taxpayer shall own on the first day of May, and said return shall be made to the list taker during the month of May under the pains and penalties imposed by law, and naming the times and places at which he will be present to receive tax lists.

Time for making return.

Detailed statements of property.

The township list taker and assessor shall obtain from each taxpayer a full, complete, and detailed statement of each and every piece and kind of property, real, personal, and mixed, which each taxpayer shall own on the first day of May, together with,

Valuation.

as near as possible, the true value in money of all such property owned by him or them, or which may be under his or their control as agent, guardian, administrator, or otherwise, and which should be listed for taxation; and it shall be the duty of said township list taker and assessor to ascertain by visitation, investigation, or otherwise the actual cash value in money of each piece or class of property in his township, and to list such property at its actual value for taxation. He is hereby authorized and empowered to administer oaths in all cases necessary to obtain full and correct information concerning any taxable real and personal property in his township.

Values ascertained by visitation.

Administration of oaths.

SEC. 19. *Oath of county assessor.*

Before entering upon the discharge of the duties of his office, the county assessor shall take and subscribe the following oath before the chairman of the board of county commissioners for his county, or some officer qualified to administer oaths:

County assessor to be sworn.

Form of oaths.

"I,, county assessor of..... County, do solemnly swear (or affirm) that I will discharge the duties devolving upon me as county assessor according to the laws in force governing said office: so help me, God."

SEC. 20. *Oath of township list taker and assessor.*

Assistant assessor to be sworn.

Before entering upon the discharge of the duties of his office the assistant assessor shall take and subscribe the following oath before the chairman of the board of county commissioners for his county or some officer qualified to administer oaths:

Form of oath.

"I,, assistant assessor for Township of County, do solemnly swear (or affirm)

that I will discharge the duties devolving upon me as assistant assessor according to the laws in force governing said office: so help me, God."

And upon making his complete returns of his assessments, embracing an abstract of the taxable property of the township, to the county assessor, the assistant assessor shall annex the following affidavit, subscribed and sworn to before a justice of the peace, who shall certify the same:

Returns to be verified.

"I, the assistant assessor for Township of County, make oath that the foregoing list contains, to the best of my knowledge and belief, all the real and personal property required by law to be assessed in said township, and that I have assessed every tract or parcel of land or other real and personal property at its true value in money, and have endeavored to do equal justice to the public and to the taxpayers concerned."

Form of oath.

Any assessor making a false return shall be deemed guilty of a misdemeanor.

False return a misdemeanor.

SEC. 21. *Real property to be assessed at its true value in money.*

Real property shall be valued by the township list taker and assessor, either from actual view or from the best information that the township list taker and assessor can practically obtain, according to its true value in money. In determining the value the township list taker and assessor shall consider as to each piece its advantage of location, quality of soil, quantity of standing timber, water privileges, water power, mines, minerals, quarries, or other valuable deposits known to be available therein, and their value.

Valuation from actual view or other information.

Matters for consideration.

SEC. 22. *Personal property to be assessed at its true value in money.*

All articles of personal property shall, as far as practicable, be valued by the list takers and assessors according to their true value in money; and after arriving at the total valuation of all articles of personal property which he shall be able to discover as belonging to any person, if he or they have sufficient evidence upon which to form a belief that such person has other personal property, consisting of money, credits, debts due or to become due, or any other thing of value liable to taxation, he, they, or the board of commissioners shall have power to take such action as may be necessary to get said property on the tax lists.

Assessments of personal property.

SEC. 23. *Defining actual value in money.*

The intent and purpose of the tax laws of this State is to have all property and subjects of taxation assessed at their true and actual value in money, in such manner as such property and subjects are usually sold, but not by forced sale thereof, and the words "market value" or "true value," whenever in the tax laws,

Intent and purpose of tax laws.

Terms defined.

shall be held and deemed to mean what the property and subjects would bring at cash sale when sold in such manner as such property and subjects are usually sold.

SEC. 24. Schedules B and C taxes to be listed with township list taker and assessor.

Each taxpayer shall list with the township list taker and assessor on the tax list provided for that purpose a statement of any and all professions or business enterprises in which he is engaged which are subject to taxes under Schedules B and C of the Revenue Act, and the assessing officer shall thereupon enter on said tax list the amount of said tax, which said tax shall be charged against the sheriff and collected as are all other State taxes. It shall be the duty of the township list taker and assessor to make diligent investigation and inquiry to see that all parties in his township liable for taxes under Schedules B and C of the Revenue Act make proper return to him of such liability, and it shall be the duty of the county assessor in the year nineteen hundred and fifteen, and in other years, of the register of deeds, to examine the tax list returned to him by the list taker and assessor for each township, in comparison with list returned for the previous year for such township, and to make other appropriate inquiry and investigation to the end that a complete schedule shall be made on the tax list for each township of all parties liable for such taxes. And it shall be the duty of the county assessor or register of deeds, as the case may be, to make such additions to the list as returned as will make it a complete list of all such parties liable for such taxes.

SEC. 25. Discovering property not listed.

It shall be the duty of the county commissioners and the several list takers to be constantly looking out for property which has not been listed for taxation, and when discovered such property shall be duly placed upon the assessment list and properly assessed for taxation. At any time before or after the tax list has been turned over to the sheriff as provided for in section eighty-five of this act such property may be so discovered, the list taker shall make return thereof to the clerk of the board of county commissioners, who shall enter such property upon the tax books, make out a tax account, and place the same in the hands of the sheriff or tax collector and charge him with the same and issue such orders to the sheriff as provided in section eighty-five, and such orders shall have the force and effect of a judgment and execution against the real and personal property of the person charged with such list, as provided in section eighty-five of the regular tax list.

SEC. 26. County Board of Equalization.

The board of county commissioners shall constitute the board equalization in each county, and shall meet the second Monday in

Taxes under Schedules B and C.

Investigation and inquiries.

Comparison of lists.

Additions to list.

Omitted property listed upon discovery.

Return and entry of property.

County board of equalization.
Time of meeting.

July in each year. It shall be the duty of the county assessor in the year nineteen hundred and fifteen to meet with the county board of equalization in an advisory capacity, and he shall lay before the board the tax list for each township, and call to the attention of the board such matters in relation to equalization of values as in his opinion should receive consideration by the board. Said board shall equalize the valuation so that each tract or lot of land or articles of personal property shall be entered on the tax list at its true value in money, and for this purpose they shall observe the following rules: (1) They shall raise the valuation of such tracts or lots of real or articles of personal property, including stocks, bonds, and shares in all incorporated companies, except such as are specifically exempt by law, as in their opinion have been returned below their true value, to such price or sum as they may believe to be the true value thereof; (2) they shall reduce the valuation of such tracts and lots or articles of personal property as in their opinion have been returned above their true value, as compared with the average valuation of real and personal property, including stocks, bonds, and shares of all incorporated companies of such county. In regard to real property, they shall have due regard to the relative situation, quality of soil, improvements, natural and artificial advantages possessed by each tract or lot. The clerk of said board of county commissioners shall be clerk of the board of equalization, and shall within five days after adjournment of said board furnish the State Tax Commission with a copy of all proceedings of the county board of equalization with respect to any and all changes made by such board of valuations made and returned by the township list takers and assessors. The clerk of the board shall also furnish the State Tax Commission within five days after adjournment of the county board of equalization, on blanks to be furnished by the commission, statement from the returns made by the township list takers and assessors of aggregate value of real and personal property by townships and as a whole for the county and average value per unit of land acreage and of the several classes of live stock.

SEC. 27. *Compensation of township list takers and assessors.*

Township list takers and assessors shall make out their account in detail, giving the date of each day when they shall have been employed, which account they shall verify under oath. They shall not be entitled to compensation until they shall have filed lists, schedules, statements, and books appertaining to assessment of property for such year with the county assessor for the year nineteen hundred and fifteen and for other years with the clerk of the board of county commissioners, the books to be accurately made up, showing correct total values for each class of property, average value per unit and aggregate value of all property in the township. The list takers and assessors shall not be entitled to

County assessor to meet with boards.

Rules for equalizing values.

Raise of valuation.

Reduction of valuation.

Matters affecting real property.

Clerk of board.
Copy of proceedings to State board.

Returns of aggregate and average values.

Verified accounts in detail.

Lists, schedules, statements, and books to be filed before payment.

Compliance with law.

Judgment of county commissioners.

pay unless they have performed the labor and made return in strict compliance with the law. The county commissioners shall be the judge of the number of days actually necessary for taking the lists and may regulate the same when a greater number of days are charged for than they deem necessary.

SEC. 28. *Listing in off years; correcting assessment.*

Land listed at assessed value.

Personal property listed and assessed.

Correction of land values.

Except in the year when there shall be an assessment of real property, the township list taker and assessor shall list the lands in his township at the valuation previously assessed on the same and shall list and assess all personal property in said township. Such township list taker and assessor shall correct any parcel of real property on which any structure of over one hundred dollars value may have been erected or improved in excess of the value of one hundred dollars or on which any structure of the like value shall have been destroyed, agreeably to the returns made in accordance with the provisions of this act.

SEC. 29. *Compensation as members of board of equalization.*

Pay of county commissioners as board of equalization.

The members of the board of county commissioners shall be allowed, each as a member of the board of equalization, their usual compensation per diem for the number of days actually engaged in the performance of their duties, and in addition thereto mileage at the rate of five cents for each mile necessarily traveled in attending the meetings of the board of equalization. The per diem and mileage as provided in this section shall be paid by the county.

Compensation paid by county.

SEC. 30. *How to list property.*

Verified statement by owner.

Items to be listed.

Every person owning property is required to list and shall make out, sign, and deliver to the list taker a statement, verified by his oath, of all the real and personal property, moneys, credits, investments in bonds, stocks, joint-stock companies, annuities, or otherwise, and the value of improvements on real estate since same was assessed, in his possession or under his control on the first day of May, either as owner or holder thereof, or as parent, guardian, trustee, executor, executrix, administrator, administratrix, receiver, accounting officer, partner, agent, factor, or otherwise: *Provided*, that whenever personal property has been conveyed in trust and the trustee resides out of the State, but the trustor resides within the State, then and in that case such property shall be listed for taxation in this State by said trustor where the property is situated. In all cases where a guardian, executor or executrix, administrator or administratrix resides in a city or incorporated town, all personal property in the hands of such guardian, executor or executrix, administrator or administratrix shall be listed for taxation only where their wards resided on the first day of May and where the deceased persons resided on the date of their death, unless such wards or deceased persons were nonresidents of the State on the first day of May or at the day of

Proviso: Personal property held in trust.

Property held by guardian and by personal representatives of deceased persons.

death, in which case the guardian, executor or executrix, administrator or administratrix shall list the property where he or she resides on the first day of May: *Provided, further*, that when personal property is held in trust for another by any person, firm, or corporation in this State, whether as guardian, trustee, or otherwise, and the *cestui que trust* is a resident of the State, then the same shall be listed for taxation in the county and township where the *cestui que trust* lived on the first day of May; and if the *cestui que trust* lived in a county in the State other than the county of the trustee, guardian, or other person so holding said property, then the property so held in trust may be listed for taxation by forwarding a list thereof, verified by oath, to the register of deeds of the county wherein the *cestui que trust* lived on the first day of May, and such register shall enter the same on the tax lists of the township in which the *cestui que trust* lived; and banks listing their stocks held in trust shall give the county in which the *cestui que trust* lives and shall forward to the register of deeds of that county the names of *cestuis que trustent* living therein, with the number of shares held by each, and their taxable value, to the end that they may be entered for school, county, and municipal taxation. The guardian shall be exempt from municipal taxation on the personal property of his ward when the ward resides outside of the corporate limits of the city or town. Any person who, to evade the payment of taxes, surrenders or exchanges certificates of deposit in any bank in this State or elsewhere for nontaxpaying securities, or surrenders any taxable property for nontaxable property, and after the date of listing property has passed takes said certificates or other taxable property back and gives up said nontaxpaying securities or property, or executes any fictitious note or other evidence of debt for deduction from his solvent credits, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than fifty nor more than two hundred dollars (one-half of which shall go to the informer), or imprisoned not less than one month nor more than six months, or both.

Personal property listed at residence of *cestui que trust*.

Banks to forward reports of shares.

Exemption of ward from municipal tax.

Evasion of tax a misdemeanor.

Fine.
One-half fine to informer.
Imprisonment.

SEC. 31. *Who may list through agents.*

The list shall be given by the person charged, during the months of May and June, as herein prescribed: *Provided*, that agents for the purpose of listing property may be appointed by females or nonresidents of the township where the property is situate, or by persons physically unable to attend and file their list at any time during the months of May and June: *Provided*, such persons shall be required to qualify by stating under oath that he knows the extent and has a knowledge of the true valuation of the property to be listed. The property of a corporation shall be given in by the president, cashier, treasurer, or other person appointed for that purpose.

List given by person charged.
Proviso: Persons allowed to appoint agents.

Proviso:
Agents to qualify.

Returns of corporations.

SEC. 32. *Where to list real estate, mineral, and quarry lands.*

Real property listed where situate. Interests listed separately.

All real property subject to taxation shall be listed in the township in which said property is situated on the first day of May. When the fee of the soil of any tract, parcel, or lot of land is in any person or persons, natural or artificial, and the right to any minerals, quarry, or timber therein is in another or others, the same shall be valued and listed, agreeable to such ownership, in separate entries, specifying the interest listed, and shall be taxed to the parties owning the different interests, respectively. In listing mineral, quarry, or timber interests the owner thereof shall describe the same in his list, together with the separate value of each separate tract or parcel of land in or on which the same shall be situated or located, and the list taker shall be particular to enter the same on the tax list according to the returns. An owner of separate timber interests shall list the same, whether the timber shall be attached to or detached from the soil.

Mineral, quarry, and timber interests described.

SEC. 33. *Where polls and personal property shall be listed.*

Polls and personal property listed where owner resides. Exceptions. Shares of stock.

All taxable polls and all personal property shall be listed in the township in which the person so charged resides on the first day of May, subject to the following exceptions:

(1) Such shares of stock as are directed to be listed otherwise by this act.

Goods and chattels in place where used.

(2) All goods and chattels situated in some township, town or city other than that where the owner resides shall be listed in the township, town or city where situated, and not elsewhere, if the owner or person having control thereof hires or occupies a store, mill, dock yard, piling ground, place for sale of property, shop, office, mine, farm, place of storage, manufactory or warehouse therein for use in connection with such goods and chattels:

Proviso: Farm products. Manufactured goods.

Provided, that all farm products, while owned by the raiser or producer, shall be listed where raised, and that all manufactured goods consigned or stored out of the State shall be listed where the owner resides. The residence of a person who has two or more places in which he occasionally dwells shall be that in which he dwells for the longest period of time during the year preceding

Residence defined.

the first day of May. The place where the principal office in this State is situated shall be deemed the residence of the corporation; but if there be no principal office in the State then such property shall be listed and taxed at any place in the State where the corporation transacts business. For the purpose of assessing property and collecting taxes, a copartnership shall be treated as an individual, and property shall be listed in the name of the firm.

Residence of corporation.

A copartnership shall be deemed to reside in the township, town, or city where its business is principally carried on. Each partner shall be liable for the whole tax. Any taxpayer who willfully fails to list any personal property or poll liable to taxation in this State shall be guilty of a misdemeanor, and the failure to list shall be *prima facie* evidence that such failure was willful.

Copartnership property.

Residence of copartnership. Partners severally liable. Failure to list a misdemeanor. *Prima facie* evidence.

SEC. 34. *Debts owing by taxpayer may be deducted.*

The taxpayer, upon making a return to the list taker of his property subject to taxation under the provisions of section forty of this act, shall file with the list taker, on a blank to be prepared and furnished by the State Tax Commission, a statement of all the property of every kind and description owned by the taxpayer, and also a statement of his income subject to taxation under the laws of this State. All *bona fide* indebtedness owing by any person may be deducted by the list taker from the amount of said person's credits, and insurance companies may deduct from solvent credits due to them an amount equal to their reinsurance reserve: *Provided*, that the State Tax Commission shall have the power, in their discretion, to summon any taxpayer to appear before any commissioner at some place within the county where the taxpayer resides and answer relative to the amount of solvent credits owned by him and the persons owing the same, as well as the nature of any indebtedness which has been deducted from solvent credits and the name of the person to whom said indebtedness is due.

Taxpayer to file lists.
Blanks prepared by State Tax Commission.
Statement of income.
Deductions from credits.
Deductions by insurance companies.
Prviso: Examination by Tax Commission.

SEC. 35. *Boards of aldermen and boards of commissioners of cities and towns lying in two or more counties to appoint municipal tax assessors.*

For the purposes of municipal taxation all real and personal property, subject to taxation under levy to be made by the several boards of aldermen and boards of commissioners of cities and towns lying in two or more counties shall be listed and assessed by tax assessors appointed, and the valuation thereof shall be equalized by boards of equalization constituted, as hereinafter set out, and in the manner following:

Municipal assessment for towns or cities in more than one county.

(1) The board of aldermen or board of commissioners of each and every such city or town shall, at the first regular meeting of such board held in the month of April, one thousand nine hundred and fifteen, and every fourth year thereafter, appoint three discreet freeholders, each of whom shall have been a resident freeholder in such city or town for a period of not less than twelve months, who shall constitute the board of tax assessors for said city or town, and shall, in like manner as is in this chapter provided for listing and assessing real and personal property by county assessors and township or assistant assessors, for all purposes of municipal taxation by said city or town, list and assess, at its true value in money, the real and personal property in said city or town, without reference to the valuation placed thereon by the county assessors and township or assistant assessors. And such municipal boards of tax assessors, in listing and assessing such property for the purposes of municipal taxation as aforesaid, shall possess and exercise every power in this chapter conferred upon county assessors and township or assistant assessors in list-

Board of tax assessors.

Property listed and assessed.

Powers of municipal board.

ing and assessing property for the purposes of State and county taxation.

Municipal board of equalization.

(2) The board of aldermen or board of commissioners of each and every such city or town, together with such one of the tax assessors as shall have been selected as chairman, shall constitute the board of equalization for the same, and shall, in like manner as in this chapter provided for the equalization of the valuation placed upon real and personal property by county assessors and township or assistant assessors, equalize the valuation placed upon the real and personal property in such city or town by such municipal tax assessors, and such municipal board of equalization, in the equalization of the valuation of such real and personal property as aforesaid, shall possess and exercise every power in this chapter conferred upon county boards of equalization, in the equalization of the valuation placed upon property by the county assessors and township or assistant assessors for the purposes of State and county taxation.

Equalization of valuation.

Powers of boards.

Tax assessor in off years.

(3) The board of aldermen or board of commissioners of each and every such city or town shall, at the first regular meeting of such board held in April of each year, except in those years in which there shall be a general assessment of property, appoint one discreet freeholder, who shall have been a resident freeholder of such city or town for not less than twelve months, who shall be known as tax assessor, and who shall list and assess all the real and personal property in such city or town for the purposes of municipal taxation by said city or town, and in like manner as is in this chapter provided for listing property by township or assistant assessors, list the land in such city or town, at the valuation previously assessed on the same, and also all personal property therein. Any such municipal tax assessors, in listing such property for the purposes of municipal taxation as aforesaid, shall possess and exercise every power in this chapter conferred upon township or assistant assessors in listing and assessing property for the purposes of State and county taxation.

Lists and valuation.

Revision and correction of municipal lists.

(4) The board of aldermen or board of commissioners of each and every such city or town shall, in every year in which there shall be no general assessment of property, and in like manner as in this chapter provided for the revision and correction of the county tax lists and the valuation returned to them by the township assessors appointed to list property for the purposes of State and county taxation, revise and correct the municipal tax lists returned to such board of aldermen or board of commissioners by the municipal tax assessors appointed to list the property in such city or town for the purposes of municipal taxation. And such board of aldermen or board of commissioners, in the revision and correction of the municipal tax lists as aforesaid, and in the performance of every other act necessary or expedient to be done in carrying out the intent of this section to confer upon the boards of aldermen and boards of commissioners of such cities and towns

Powers of municipal authorities.

all necessary powers in the listing and assessment of property for the purposes of municipal taxation, shall possess and exercise in like manner all kindred powers in this chapter conferred upon boards of county commissioners.

(5) That all expenses incident to the listing and assessment of property for the purposes of municipal taxation as aforesaid shall be borne by the city or town for whose benefit the same is undertaken. Expenses borne by city.

(6) That no valid and enforceable provisions contained in the charter of any such city or town, and conferring upon the board of aldermen or board of commissioners the power to appoint municipal assessors, and otherwise making provision for the listing and assessment of property for the purposes of municipal taxation and for the exercise of kindred powers, shall be deemed to be abrogated or repealed by the foregoing provisions of this section: *Provided, however,* that the board of aldermen of any such city or town may, in the discretion of such board, adopt the system of tax assessment herein provided for: *Provided, however,* all cities and towns shall list and assess for the purpose of municipal taxation the property located in said cities and towns during the month of May of each year. Powers not abrogated or repealed. Proviso: Adoption of system by municipal authorities. Proviso: Time for listing.

SEC. 36. *Penalty for not listing personal property.*

Any person, firm, or corporation in this State owning or holding personal property of any nature or description individually or as agent, trustee, guardian, or administrator, executor, assignee, or receiver, which property is subject to assessment, who shall intentionally make a false statement to the list taker and assessor of his assessment district, or to the board of equalization, for the purpose of avoiding the payment of the just and proportionate taxes thereon, shall forfeit the sum of ten dollars for every hundred dollars or major fraction thereof so withheld from the knowledge of such list taker and assessor or board of equalization. It is hereby made a duty of the sheriff of any county, upon complaint made to him by any taxpayer of the assessment district in which it is alleged that property has been so withheld from the knowledge of the list taker and assessor or board of equalization, or not included in the said statement, to investigate the case forthwith and bring an action in the Superior Court in the name of the State against the person so complained of. All forfeitures collected under the provisions of this section shall be paid into the county treasury. Forfeit for false statement as to personal property. Sheriff to investigate and bring action. Forfeits to use of county.

SEC. 37. *List takers and assessors shall administer oath.*

It shall be the duty of the list takers and assessors of the several counties of the State, before receiving the returns of any taxpayer, to actually administer the oath required by law of taxpayers, the oath being read by the taxpayer in the presence and in the hearing of the list taker and assessor or by the list taker and assessor in the hearing and presence of the taxpayer; and List takers and assessors shall administer oaths.

Failure a misdemeanor.

for failure of said list taker and assessor to so administer said oath, except in those cases where by law said oath may be made before some other person, such list taker and assessor shall be guilty of a misdemeanor, and upon conviction shall be punished by imprisonment of not less than ten days nor more than six months, and in addition shall forfeit the sum of ten dollars for each such omission, one-half to go to the person furnishing information sufficient to convict and one-half to the educational fund of the State, said amounts to be deducted from the compensation of such list taker and assessor.

Punishment.

Forfeit.
One-half forfeit to informer.
One-half to State school fund.

SEC. 38. *Oath of taxpayer.*

List taker and assessor to require oath.

The list taker and assessor shall require the owner, agent, guardian, personal representative, or other person having control of the property and listing such property, to make and subscribe the following oath, which shall be attached to each and every schedule, to wit:

Form of oaths.

“I do solemnly swear (or affirm) that the above and foregoing listed property is a full, true, and complete list of all and each kind of property owned by me or under my control as agent, guardian, personal representative, or otherwise, and that I have not neglected to list for taxation for the year all of each and every kind of property of which I am the owner or of which I have control as agent, guardian, personal representative, or otherwise, in the county of....., State of North Carolina. That I have made full and true return of my income as required by law, and that I have not in any way connived at the violation or evasion of the requirements of law in relation to the assessment of property for taxation: so help me, God.”

SEC. 39. *Property held in trust listed separately.*

Property held in trust or in right of married woman returned separately.
Sheriff liable on bond for failure to report.

Property held in trust as agent, guardian, executor or executrix, administrator or administratrix, or in the right of a *feme covert*, shall be returnable on a separate list. The sheriff or other tax collector in any county shall be liable to suit on his official bond for failure to report any false return of property mentioned in this section which he may discover or which may be otherwise discovered and made known to him, and it shall be his duty to report such fraud to the grand jury of his county.

Report to grand jury.

SEC. 40. *What shall be specified on tax list.*

List to state all property and age of lister.

List to contain, as of first of May: Quantity of land and kind of buildings.

The list shall state all property of the taxpayer, and also the age of the party, if a male, with reference to his liability to a poll tax. The list shall also contain, as of the first day of May, (1) the quantity of land owned in the township, together with the kind and nature of any buildings erected thereon, and the land shall be described by name, if it has one; otherwise in a way that it may be identified, and each separate tract or parcel of land shall be separately listed and described; (2) manufacturing property outside of incorporated cities and towns; (3) the number of acres

Manufacturing property.

of mineral, timber, and quarry lands and lands susceptible of development for water-power; (4) the number of town lots; (5) the number and value of horses; (6) the number and value of mules; (7) the number and value of jacks and jennets; (8) the number and value of cattle; (9) the number and value of hogs; (10) the number and value of sheep; (11) the number and value of goats; (12) the number and value of dogs; (13) the value of farming utensils, including farm tools and machinery of all kinds; (14) the value of carriages, harness, buggies, wagons, carts, and other vehicles; (15) the value of warehouse fixtures and office furniture; (16) the value of tools of mechanics; (17) the value of household and kitchen furniture, musical instruments, provisions of all kinds, including grain and forage; fire-arms; (18) the value of libraries and scientific instruments; (19) the amount of money on hand; (20) the amount of credits, including accrued interest uncollected and owing to the party, whether by a person in or out of the State, whether owing by mortgage, bond, note, bill of exchange, certificate, check, open account, or due and payable, whether owing by any State or government, county, city, town, or township, individual, company, or corporation; the value of cotton, tobacco, or other property in the hands of commission merchants or agents in or out of the State. If any credit be not regarded as entirely solvent, it should be given in at its current or market value, and the party may deduct from the amount of his credits owing to him the amount of collectible debts owing by him as principal debtor; (21) money, investments, stocks and bonds and shares of stock in incorporated companies which are not taxed through the corporation itself; (22) automobiles, pleasure boats of any and all kinds; (23) the number and value of seines, nets, fishing tackle, boats, barges, schooners, vessels and all other floating property; (24) all other personal property whatever, including all cotton in seed or lint; tobacco, either in leaf or manufactured; turpentine, rosin, tar, brandy, whiskey, musical instruments; bicycles, goods, wares and merchandise of all kinds; plated and silverware and all watches and jewelry possessed by the party or any minor child; (25) the income of the party for the twelve months next preceding the first day of May in the current year, if over one thousand two hundred and fifty dollars; (26) the profession and all business enterprises in which the person listing is engaged which are subject to tax under Schedules B and C of the Revenue Act. If the party be a nonresident of the county and owns land therein, the list shall state his address, and may name an agent in the county to whom notice may be given respecting his taxes. If any person shall, with a view to evade the payment of taxes, fail or refuse to give in to the assessing officer any bonds, notes, claims, or other evidences of debt which are subject to assessment and taxation under this act, the same shall not be recoverable at law or suit in equity before any of the courts of this State until they have been

Mineral, timber, quarry lands, and water-powers.
Town lots.
Horses.
Mules.
Jacks and jennets.
Cattle.
Hogs.
Sheep.
Goats.
Dogs.
Farming utensils.
Carriages, harness and other vehicles.
Warehouse and office furniture.
Tools of mechanics.
Furniture, musical instruments and provisions.
Libraries and scientific instruments.
Money on hand.
Credits.

Credits at market value.
Deductions.

Money, investment, stocks, and bonds.

Automobiles and pleasure boats.
Floating property.
All other personal property.

Income.

Profession and business.

Address of non-resident.

Debts not recoverable until listed.

listed and the tax paid thereon, together with any and all penalties prescribed by law for the nonpayment of taxes.

SEC. 41. *Commissioners shall have power to exempt; sheriff to garnishee if taxes are not paid in sixty days; form of attachment.*

County commissioners may exempt from poll tax.

The board of commissioners of the several counties shall have power to exempt any person from the payment of poll tax on account of poverty and infirmity; and when any such person has been once exempted he shall not be required to renew his application unless the commissioners shall revoke the exemption. When such exemption shall have been made, the clerk of the commissioners shall furnish the person with a certificate of such action, and the person to whom it was issued shall be required to list his poll, but upon exhibition of such certificate the list taker shall annually enter in the column intended for the poll the word "Exempt," and the poll shall not be charged in computing the list. If any poll tax or other tax shall not be paid within sixty days after the same shall be demandable it shall be the duty of the sheriff, if he can find no property of the person liable sufficient to satisfy the same, to attach any debt or other property incapable of manual delivery due or belonging to the person liable or that may become due before the expiration of the calendar year, and the person owing such debt or having such property in possession shall be liable for said tax. Any corporation, firm or person who shall, on demand or request made, refuse to give to the tax collector of any county, city or town a list giving the names of all persons employed by them who are liable for tax, shall be guilty of a misdemeanor. For the purpose of carrying into effect the provisions of this section the following form shall be used as an attachment, viz.:

Certificate of exemption.

Collection by garnishment.

Lists to be furnished by employers.

To A B,

Form of attachment.

Take notice that this is to attach any debt that is now due or may become due to C D, a delinquent in his poll (or property) tax for the year one thousand nine hundred and . . . , and you are hereby summoned to appear before E F, an acting justice of the peace for County, and disclose any indebtedness which is or may be due said delinquent by you during the present calendar year, and to show cause why judgment should not be rendered against you for said delinquent tax and costs of this proceeding.

. day of , 19. . . .

A B, Sheriff, or Tax Collector.

Fees.

For serving notice the sheriff shall receive twenty-five cents, and if judgment is rendered the justice shall receive twenty-five cents as costs.

SEC. 42. *Bank taxation.*

Taxes paid by cashier.

The taxes imposed for State purposes upon the shares of stock in any bank, banking association, or savings institution (whether

State or National) in this State shall be paid by the cashier of such bank, banking association, or savings institution directly to the State Treasurer, and upon failure to pay the State Treasurer as aforesaid he shall institute an action against the bank, banking association, or savings institution to enforce the same in the county of Wake or in the county in which the bank, banking association, or savings institution is located, which action shall be prosecuted in the name of the State of North Carolina on the relation of the Treasurer of the State, and which shall be tried at the return term of court: *Provided*, the complaint is filed ten days before the first day of such term, and shall have precedence over all other actions. The board of commissioners of the county in which such banks, banking associations, or savings institutions are located shall assess against the value of shares of residents in that county the tax imposed for school and county purposes, which shall be paid to the sheriff of that county, and shall assess against the value of shares held by nonresidents of this State in such bank, banking association, or savings institution located in that county the said tax imposed for school, county, and municipal purposes; and the said bank is authorized and empowered to deduct such tax from the dividends of said nonresident stockholders. The value of such shares shall be determined as is hereinafter in this section provided. Every bank, banking association, or savings institution (whether State or National) shall list its real estate in the county, city, or town in which such real estate is located, for the purposes of county and municipal taxation. Every such bank, banking association, or savings institution shall, during the month of May, list annually with the State Tax Commission, in the name of and for its shareholders, all the shares of its capital stock, whether held by residents or nonresidents, at its market value on the first day of May, or, if it have no market value, then at its actual value on that day, from which market or actual value shall be deducted the assessed value of the real and personal property which such bank, banking association, or savings institution shall have listed for taxation in the county or counties wherein such real and personal estate is located. The actual value of such shares, where such shares have no market value, shall be ascertained by adding together the capital stock, surplus, and undivided profits, and deducting therefrom the amount of real and personal property owned by said institution on which it pays tax and dividing the net amount by the number of shares in said institution. Insolvent debts due said institution may be deducted from the items of undivided profits or surplus, if itemized and sworn to, and forwarded to the State Tax Commission by the cashier of such institution, also accrued and unearned interest, unpaid taxes, an amount not exceeding five (5) per cent of the bills receivable of said institution to cover any other bad or insolvent debts, and also an amount equal to the true value of any shares of stock owned in other

Action for collection.

Trial at return term.

Proviso: Time of filing complaint. Precedence.

County and school tax on shares of residents.

County, school, and municipal tax on shares of nonresidents.

Deduction of tax from dividends.

Determination of value.

Banks to list real estate.

Shares listed with State Tax Commission.

List at market or actual value.

Deduction for property listed.

Ascertainment of actual value.

Deductions on itemized and verified lists.

Examination by State Tax Commission.

Review of action of commission.

No action to lie but on payment or tender.

Lists of names and residence of shareholders.

Lists furnished county commissioners.

Lists furnished counties by State Tax Commission.

Shares listed for county, school and municipal tax.

Proviso: Valuation for municipal tax.

Lists filed by resident shareholders.

North Carolina banks or corporations upon which the tax is paid by the owner or the corporation issuing the same. If the State Tax Commission shall have reason to believe that the market or actual value as given in is not its true value, it shall ascertain such true value by such examination and investigation as to it seems proper, and change the value as given in to such an amount as it ascertains the true value to be, which action on the part of the State Tax Commission may be reviewed by the Superior Court by an action brought against the State Tax Commission in its official capacity by the party aggrieved. But no action shall lie until all taxes admitted by such aggrieved party to be due shall have been paid or tendered. In listing the shares for State taxation, such bank, banking association, or savings institution shall file with the State Tax Commission of the State a statement showing the name and residence of each shareholder, the number of shares held by each and the taxable value of such shares as fixed by the provisions of this act, which statement shall be in writing and subscribed and sworn to by the president, cashier, or some other officer of the bank. For the purpose of aiding the county commissioners and other municipal officers in enforcing the law as to the listing of bank shares by the individual shareholders for the purpose of county, school, and municipal taxation, it shall be the duty of every bank, banking association, or savings institution (whether State or National) to furnish to the board of county commissioners of each county wherein any of its shareholders reside a statement showing the names of all of its shareholders resident in such county, with the number of shares owned by each, and the taxable value of such shares, ascertained from the statement hereinbefore required to be made by such bank, banking association, or savings institution to the State Tax Commission. It shall also be the duty of the State Tax Commission to certify to the board of county commissioners of each county wherein any of said shareholders reside a statement showing the names of all the shareholders resident in such county, with the number of shares owned by each, and the value of such shares as ascertained by the statement hereinbefore required to be made by such bank, banking association, or savings institution to the State Tax Commission; and it shall thereupon be the duty of the chairman and clerk of the said board of county commissioners to list said shares of stock, with the assessed value thereon, for the purposes of county, school, or municipal taxation; and the tax lister for the city or town shall compute the municipal taxes thereon: *Provided*, that no city or town shall assess any bank stock at a valuation different from that affixed by the State Tax Commission. The residents of this State who are shareholders in any bank, banking association, or savings institution (whether State or National) shall list the number of their respective shares in the county, city, or town, precinct, or village where they reside, for the purposes of county, school, and municipal taxation. The

shares of nonresidents of this State who are shareholders in any bank, banking association, or savings institution (whether State or National) located in this State shall be listed in the county, city, town, precinct, or village in which said bank, banking association, or savings institution is located, for the purposes of county, school, and municipal taxation. All shares, whether owned by residents or nonresidents, shall be listed at the time prescribed for listing taxes. The county commissioners, assistant assessors, and other county and municipal officers shall have the power to enforce the listing of shares of stock in any such bank, banking association, or savings institution, whether held by residents or nonresidents, as they have for enforcing the listing of other personal property. The taxation of shares of any such bank, banking association, or savings institution shall not be a greater rate than is assessed upon other moneyed capital in the hands of individual citizens of this State, whether such taxation is for State, county, school, or municipal purposes.

Shares of non-residents listed at location of bank.

SEC. 43. *Reports from corporations.*

Hereafter, except in the case of such corporations as are especially mentioned by name in other sections of this or the Revenue Act and required to make statements in other forms, it shall be the duty of the president, chairman, or treasurer of every corporation having capital stock, every joint-stock association or limited partnership whatsoever, now or hereafter organized or incorporated by or under any law of this State, to make a report in writing, to the State Tax Commission on or before the first day of July of each year, stating specifically:

Reports of corporations to State Tax Commission.

First. Total authorized capital stock.

Specifications of report.

Second. Total authorized number of shares.

Third. Number of shares of stock issued.

Fourth. Per value of each share.

Fifth. Amount paid into the treasury on each share.

Sixth. Amount of capital stock paid in.

Seventh. Amount of capital on which dividend was declared.

Eighth. Date of each dividend during said year ending with the first day of May.

Ninth. Amount of each dividend during the year ending with the first Monday in said month.

Tenth. Highest price of sales of stock between the first and fifteenth days of May; highest price of sales of stock during the year aforesaid; average price of sales of stock during the year.

And in said report one of the following named officers of such corporation, limited partnership, or joint-stock association, namely, the president, chairman, secretary or treasurer, after being duly sworn or affirmed to do and perform the same with fidelity and according to the best of his knowledge and belief, shall estimate and appraise the capital stock of said company at its actual value in cash on the first day of May, after deducting

Sworn appraisal of capital stock.

Deductions.

therefrom the assessed value of all real and personal estate upon which the corporation pays tax, and the value of the shares of stock legally held and owned by such corporation in other corporations incorporated in this State and paying taxes on its capital stock in this State, as indicated or measured by the amount of profit made, either declared in dividends or carried into surplus or sinking fund; and when the same shall have been so truly estimated and appraised they shall forthwith forward to the State Tax Commission a certificate thereof, accompanied by a copy of their said oath or affirmation, signed by them and attested by a magistrate or other person duly qualified to administer the same: *Provided*, that if the State Tax Commission or either of them is not satisfied with the appraisement and valuation so made and returned, they are hereby authorized and empowered to make a valuation thereof, based upon the facts contained in the report herein required or upon any information within their possession, and to settle an account on the valuation so made by them for taxes, penalties and interest due the State thereon, of which such settlement immediate notice shall be given to such corporation by said State Tax Commission, with the right to the company dissatisfied with any settlement so made against it to appeal to the Superior Court in term time of the county in which such company has its principal place of business in this State, and thence to the Supreme Court of this State; but before such company shall be allowed to exercise the right of appeal it shall, within twenty days after notice of such settlement, file with the State Tax Commission exceptions to the particulars to which it objects, and the grounds thereof, and said State Tax Commission shall hear said exceptions, after ten days notice of such hearing given by said State Tax Commission to said company; and if they shall overrule any of said exceptions, then such company, if it desires to appeal to said Superior Court, shall within ten days thereafter give notice to said State Tax Commission of such appeal to said Superior Court, and the State Tax Commission shall thereupon transmit to said Superior Court a record of said settlement, with the exceptions of the company thereto, and all decisions thereon, and all papers and evidence considered in making said decision. The said cause shall be placed on the civil docket of said Superior Court and shall have precedence of all other civil actions, and shall be tried under the same rules and regulations as are prescribed for the trial of other civil causes. The cause shall be entitled State of North Carolina on the relation of State Tax Commission against such company. Either party may appeal to the Supreme Court from the judgment of the Superior Court, under the same rules and regulations as are prescribed by law for other appeals, except that the State of North Carolina, if it shall appeal, shall not be required to give an undertaking or make any deposit to secure the costs of such appeal; and the Supreme Court may advance the cause on their docket so as to give the same a

Certificate of appraisal.

Proviso: Valuation by State Tax Commission.

Notice to corporation.

Right of corporation to appeal.

Exceptions filed with commission.

Hearing on exceptions.

Notice of appeal.

Record on appeal.

Precedence of trial.

Entitlement of cause.

Appeal to Supreme Court.

Cause advanced on docket.

speedy hearing; and in the event of the neglect or refusal of the officers of any corporation, company, joint-stock association, or limited partnership for a period of sixty days to make the report and appraisement to the State Tax Commission as herein provided, it shall be the duty of the State Tax Commission to estimate a valuation of the capital stock of such defaulting corporation, company, joint-stock association, or limited partnership, and settle an account for taxes, penalty and interest thereon, from which settlement an appeal may be made to the Superior Court of the county in which the corporation has its principal place of business. Corporations, limited partnerships, or joint-stock associations liable to tax on capital stock shall not be required to make any report or pay any further State tax on the mortgages, bonds, other securities and credits owned by them in their own right. The State Tax Commission is forbidden to divulge or make public any report of a corporation required to be made to it by this section. The State Tax Commission shall prepare and keep a record book, upon which it shall enter a correct list of all the corporations and banks which it has assessed for taxation, and said record shall show the assessed valuation placed upon same by it.

Appraisal by State Tax Commission on delinquency by corporation.

Right of appeal.

Tax on capital to relieve credits.

Reports not to be made public.

Record book.

SEC. 44. *No exceptions as to foreign corporations.*

Nothing in this act shall be construed to exempt from taxation at its real value any property situate in the State belonging to any foreign corporaion.

Property of foreign corporations.

SEC. 45. *Tax on building and loan associations.*

The secretary of each building and loan association organized and conducting business in this State shall list for taxation with the State Tax Commission, on the first Monday in May of each year, the shares of stock of such association at their actual value as shown by the books of said association. They shall deduct from such valuation the actual shares upon which said association has made loans and which have been pledged to such association as security therefor. But it is expressly provided that the secretary of each association shall show in detail, or by series, on the tax list, the actual value of all shares, and also the actual value of shares upon which loans have been made and which have been pledged to the association as security therefor. The secretary of such association shall pay to the State Treasurer, by the first day of July of each year, the State tax, and to the sheriff or tax collector of such county in which such association is located the county and school tax by the fifteenth day of September of each year. No other tax or assessment shall be charged or levied on said association or the shares therein.

Shares to be listed at actual book value.

Deductions.

Actual value to be shown.

Secretary to pay tax on shares.

SEC. 46. *State Tax Commission to make certificate to register of deeds.*

The State Tax Commission shall, on or before September first, certify to the register of deeds of the county in which such cor-

State Tax Commission to certify values.

County and municipal tax on State valuation.

poration, joint-stock association, limited partnership, or company whatsoever has its principal office or place of business the total value of the stock of such corporation, joint-stock association, limited partnership, or company whatsoever, as assessed for State taxation. The corporation, joint-stock association, limited partnership, or company whatsoever shall pay the county, township, town, or city taxes upon the valuation so certified by the State Tax Commission.

SEC. 47. *Penalty for failure to furnish reports.*

Penalty for failure to report.

If the said officers of any such limited partnership, joint-stock association, or corporation shall neglect or refuse to furnish the State Tax Commission, on or before the thirty-first day of July of each and every year, with the report and appraisalment of capital stock as aforesaid, as required by the thirty-fourth section of this act, they shall be subject to a fine of fifty dollars, and it shall be the duty of the State Tax Commission to add five per centum to the tax of said limited partnership, joint-stock association, or corporation for each and every year for which said report and appraisalment were not furnished, which percentage shall be settled and collected with the said tax in the usual manner of settling and collecting such taxes. If the officers of any such limited partnership, joint-stock association, or corporation, or any of them, shall intentionally fail to comply with the thirty-fourth section of this act for three successive years, he or they shall be deemed guilty of a misdemeanor, and on conviction thereof shall be sentenced to pay a fine of five hundred dollars and undergo imprisonment not exceeding one year, or both, or either at the discretion of the court.

Addition to tax.

Continuous refusal a misdemeanor.

Punishment.

SEC. 48. *Foreign building and loan associations.*

Stock held by residents in foreign associations.

All foreign building and loan associations doing business in this State shall list for taxation with the State Tax Commission, through its agent, its stock held by citizens of this State in the county, city, or town where the owners of said stock reside. In listing said stock for taxation the withdrawal value as fixed by the by-laws of each company shall be furnished by the list taker, and the stock shall be valued for taxation as other money investments of citizens of this State. Any association or officer of said association doing business in this State who shall fail or refuse to so list shares owned by citizens of this State for taxation shall be barred from doing business in this State; and any local officer or person who shall collect dues, assessments, premiums, fines, or interest from any citizen of this State for any such association which has failed or refused to list for taxation the stock held by citizens of this State shall be guilty of a misdemeanor and subject to fine or imprisonment, or both, in the discretion of the court. All of said taxes shall be paid by the association listing said stock.

Withdrawal value.

Basis of valuation.
Association barred for failure to list.

Local officers guilty of misdemeanor.

Punishment.

Tax paid by association.

SEC. 49. *Telegraph companies.*

Every joint-stock association, company, copartnership, or corporation, whether incorporated under the laws of this State or any other State or of any foreign nation, engaged in transmitting to, from, through, in, or across the State of North Carolina telegraph messages shall be deemed and held to be a telegraph company; and every such telegraph company shall, annually, between the first day of May and the twentieth day of May, make out and deliver to the State Tax Commission a statement, verified by oath of the officer or agent of such company making such statement, with reference to the thirtieth day of April next preceding, showing:

Telegraph company defined.

Sworn statement to be filed.

First. The total capital stock of such association, company, copartnership, or corporation.

Capital stock.

Second. The number of shares of capital stock issued and outstanding, and the par value of each share.

Number and par value of shares.

Third. Its principal place of business.

Place of business.

Fourth. The market value of said shares of stock on the thirtieth day of April next preceding; and if such shares have no market value, then the actual value thereof.

Actual value of shares.

Fifth. The real estate, structures, machinery, fixtures and appliances owned by said association, company, copartnership, or corporation and subject to local taxation within the State, and the location and assessed value thereof in each county where the same is assessed for local taxation.

Value and location of property.

Sixth. The specific real estate, together with the permanent improvements thereon, owned by such association, company, copartnership, or corporation situated outside the State of North Carolina and not directly used in the conduct of the business, with a specific description of each such piece, where located, the purpose for which the same is used, and the sum at which the same is assessed for taxation in the locality where situated.

Real estate outside of State.

Seventh. All mortgages upon the whole or any part of its property, together with the dates and amounts thereof.

Mortgages on property.

Eighth. (a) The total length of the lines of said association or company; (b) the total length of so much of their lines as is outside the State of North Carolina; (c) the length of the lines within each of the counties and townships within the State of North Carolina.

Details of length of lines.

SEC. 50. *Telephone companies.*

Every telephone company doing business in this State, whether incorporated under the laws of this State or any other State, or of any foreign nation, shall, annually, between the first day of June and the twentieth day of June, make out and deliver to the State Tax Commission of this State a statement, verified by the oath of the officer or agent of such company making such statement, with reference to the thirtieth day of April next preceding, showing:

Sworn statement to be filed.

- Total capital. First. The total capital stock of such association, company, copartnership, or corporation invested in the operation of such telephone business.
- Number of shares and par value. Second. The number of shares of capital stock issued and outstanding, and the par or face value of each share.
- Place of business. Third. Its principal place of business.
- Value of shares. Fourth. The market value of said shares of stock on the thirty-first day of March next preceding; and if such shares have no market value, then the actual value thereof.
- Value and location of property. Fifth. The real estate, structures, machinery, fixtures and appliances owned by said association, company, copartnership, or corporation and subject to local taxation within the State, and the location and assessed value thereof in each county where the same is assessed for local taxation.
- Real estate outside of State. Sixth. The specific real estate, together with the permanent improvements thereon, owned by such association, company, copartnership, or corporation situated outside the State of North Carolina and not used directly in the conduct of the business, with a specific description of each such piece, where located, the purpose for which the same is used, and the sum at which the same is assessed for taxation in the locality where situated.
- Mortgages on property. Seventh. All mortgages upon the whole or any of its property, together with the dates and amounts thereof.
- Details of length of lines. Eighth. (a) The total length of the lines of said association or company; (b) the total length of so much of their lines as is outside the State of North Carolina; (c) the length of the lines within each of the counties and townships within the State of North Carolina.

SEC. 51. *Express companies.*

- Express company defined. Every joint-stock association, company, copartnership, or corporation, incorporated or acting under the laws of this State or any other State or any foreign nation, engaged in carrying to, from, through, in, or across this State, or any part thereof, money, packages, gold, silver plate, merchandise, freight, or other articles, under any contract, expressed or implied, with any railroad company or the managers, lessees, agents, or receivers thereof (provided such joint-stock association, company, copartnership or corporation is not a railroad company), shall be deemed and held to be an express company within the meaning of this act; and every such express company shall, annually, between the first day of May and the twentieth day of May, make out and deliver to the State Tax Commission a statement, verified by the oath of the officer, or agent of such association, company, copartnership, or corporation making such statement, with reference to the thirtieth day of April next preceding, showing:
- Sworn statement to be filed.

- Capital. First. The total capital stock or capital of said association, copartnership, or corporation.

Second. The number of shares of capital stock issued and outstanding and the par or face value of each share; and in case no shares of capital stock are issued, in what manner the capital stock thereof is divided and in what manner such holdings are evidenced.

Number of shares and par value.
Division of capital and evidence of holdings.

Third. Its principal place of business.

Place of business.

Fourth. The market value of said shares of stock on the thirtieth day of April next preceding; and if such shares have no market value, then the actual value thereof; and in case no shares of stock have been issued, state the market value, or the actual value in case there is no market value, of the capital thereof, and the manner in which the same is divided.

Values of shares or of stock.

Fifth. The real estate, structures, machinery, fixtures and appliances owned by the said association, company, copartnership, or corporation and subject to local taxation within the State of North Carolina, and the location and assessed value thereof in each county where the same is assessed for local taxation.

Value and location of property.

Sixth. The specific real estate, together with the improvements thereon, owned by the association, company, copartnership, or corporation situated outside the State of North Carolina and not used directly in the conduct of the business, with a specific description of each such piece, where located, the purpose for which the same is used, and the sum at which the same is assessed for taxation in the locality where situated.

Real estate outside of State.

Seventh. All mortgages upon the whole or any part of its property, together with the dates and amounts thereof.

Mortgages on property.

Eighth. (a) Total length of the lines or routes over which such association, company, copartnership, or corporation transports such merchandise, freight, or express matter; (b) the total length of such lines or routes as are outside the State of North Carolina; (c) the length of such lines or routes within each of the counties or townships within the State of North Carolina.

Details of lines or routes.

SEC. 52. *Sleeping-car companies.*

Every joint-stock association, company, copartnership, or corporation incorporated or acting under the laws of this or any other State or of any foreign nation and conveying to, from, through, in, or across this State, or any part thereof, passengers or travelers in palace cars, drawing-room cars, sleeping cars, dining cars or chair cars, under any contract, expressed or implied, with any railroad company or the managers, lessees, agents, or receivers thereof, shall be deemed and held to be a sleeping-car company for the purposes of this act, and shall hereinafter be called "sleeping-car company"; and every such sleeping-car company doing business in this State shall, annually, between the first day of May and the twentieth day of May, make out and deliver to the State Tax Commission a statement, verified by the oath of the officer or agent of such company making such statement, with reference to the thirtieth day of April next preceding, showing:

Sleeping-car company defined.

Sworn statement to be filed.

- Capital. First. The total capital stock of such sleeping-car company invested in its sleeping-car business.
- Number and par value of shares. Second. The number of shares of such capital stock devoted to the sleeping-car business issued and outstanding, and the par or face value of each share.
- State of domicile. Third. Under the laws of what State it is incorporated.
- Place of business. Fourth. Its principal place of business.
- Name and address of president and secretary. Fifth. The names and post-office addresses of its president and secretary.
- Value of shares. Sixth. The actual cash value of the shares of such capital stock devoted to its sleeping-car business on the thirtieth day of April next preceding such report.
- Value and location of property. Seventh. The real estate, structures, machinery, fixtures and appliances owned by said sleeping-car company and subject to local taxation within this State, and the location and assessed value thereof in each county within this State where the same is assessed for local taxation.
- Mortgages. Eighth. All mortgages upon the whole or any part of its property, and the amounts thereof devoted to its sleeping-car business.
- Details of lines. Ninth. (a) The total length of the main line of railroad over which cars are run; (b) the total length of so much of the main lines of railroad over which the said cars are run outside of the State of North Carolina; (c) the length of the lines of railroad over which said cars are run within the State of North Carolina: *Provided*, that where the railroads over which said cars run have double tracks, or a greater number of tracks than a single track, the statement shall only give the mileage as though such tracks were but single tracks; and in case it shall be required, such statements shall show in detail the number of miles of each or any particular railroad or system within this State. When the assessment shall have been made by the State Tax Commission in accordance with section forty-eight of this act, the clerk of the commission shall thereupon notify by registered letter the officer attesting such report of the amount assessed against it, and such sleeping-car company shall have thirty days within which to appear and make objection, if any it shall have, to said assessment. If no objections be made within said thirty days, the amount shall be credited to the State Treasurer, who shall thereupon send by registered letter to the officer attesting such report a bill for the State taxes upon said assessment, and such sleeping-car company shall have thirty days within which to pay said taxes; and the clerk of the State Tax Commission shall certify to the county commissioners of the several counties through which such cars are used the value of the property of such sleeping-car company within such county in the proportion that the number of miles of railroad over which such cars are used in said county bears to the number of miles of railroad over which such cars are used within the State, together with the name and post-office address of the officer attesting such report of such sleeping-car company,
- Proviso:
Mileage as of
single track roads.
- Statement in
detail if required.
- Notice to company
of assessment.
- Time for filing
objections.
- Bill for State
taxes.
- Certificate to
county commis-
sioners.

with the information that tax bills, when assessed, are to be sent him by mail; and such value, so certified, shall be assessed and taxed the same as other property within said county. And when the assessment shall have been made in such county the sheriff or county tax collector shall send to the address given by the clerk of the State Tax Commission to the county commissioners by registered mail a bill for the total amount of all taxes due to such county, and such sheriff or county tax collector shall add to such tax bills the postage and registration fee, and such sleeping-car company shall have sixty days thereafter within which to pay said taxes; and upon failure of and refusal to do so, such taxes shall be collected the same as other delinquent taxes are, together with a penalty of fifty per cent added thereto, and costs of collection.

Bills for county taxes.

Time for payment.
Collection of tax and penalty.

SEC. 53. *Refrigerator and freight car companies.*

Every firm, person, or corporation owning refrigerator or freight cars operated over or leased to any railroad company in this State or operating in this State shall be taxed in the same manner as hereinbefore provided for the taxation of sleeping-car companies, and the collection of the tax thereon shall be followed in assessing and collecting the tax on the refrigerator and freight cars taxed under this section: *Provided*, if it appear that the owner does not lease the cars to any railroad company or make any contract to furnish it with cars, but they are furnished to be run indiscriminately over any lines on which shippers or railroad companies may desire to send them, and the owner receive compensation from each road over which the cars run, the State Tax Commission shall ascertain and assess the value of the average number of cars which are in use within the State as a part of the necessary equipment of any railroad company for the year ending April thirtieth next preceding, and the tax shall be computed upon this assessment.

Refrigerator and freight car companies taxed as sleeping-car companies.

Proviso:
Assessment where cars are not leased.

SEC. 54. Every street railway company, water-works company, electric light and power company, gas company, ferry company, bridge company, canal company, and other corporations exercising the right of eminent domain shall, annually, between the first and twentieth of May, make out and deliver to the State Tax Commission a statement, verified by the oath of the officer or agent of such company making such statement, with reference to the partnership or corporation, showing:

Companies exercising right of eminent domain.

Sworn statement.

First. The total capital stock of such association, company, copartnership or corporation.

Capital stock.

Second. The number of shares of capital stock issued and outstanding, and the par or face value of each share.

Number and par value of shares.

Third. Its principal place of business.

Place of business.

Fourth. The market value of said shares of stock on the thirty-first day of March next preceding; and if such shares have no market value, then the actual value thereof.

Value of shares.

Value and location of property.

Fifth. The real estate, structures, machinery, fixtures and appliances owned by said association, company, copartnership, or corporation and subject to local taxation within the State, and the location and assessed value thereof in each county where the same is assessed for local taxation.

Real estate outside of State.

Sixth. The specific real estate, together with the permanent improvements thereon, owned by such association, company, copartnership, or corporation situate outside of the State of North Carolina and not directly used in the conduct of the business, with a specific description of each such piece, where located, the purpose for which the same is used, and the sum at which the same is assessed for taxation in the locality where situate.

Mortgages.

Seventh. All mortgages upon the whole or any part of its property, together with the dates and amounts thereof.

Detail of length of lines

Eighth. (a) The total length of the lines of said association or company; (b) the total length of so much of their lines as is outside of the State of North Carolina; (c) the length of the lines within each of the counties and townships within the State of North Carolina.

SEC. 55. *State Tax Commission may require additional information.*

Examination of statements.

Upon the filing of the statements required in the preceding sections the State Tax Commission shall examine them and each of them; and if the commissioners shall deem the same insufficient, or in case they shall deem that other information is requisite, they shall require such officer to make such other and further statements as said commissioners may call for. In case of the failure or refusal of any association, company, copartnership, or corporation to make out and deliver to the State Tax Commission any statement or statements required by this act, such association, company, copartnership, or corporation shall forfeit and pay to the State of North Carolina one hundred dollars (\$100) for each additional day such report is delayed beyond the twentieth day of May, to be sued for and recovered in any proper form of action in the name of the State of North Carolina on the relation of the State Tax Commission, and such penalty, when collected, shall be paid into the general fund of the State.

Call for other and further statements.

Forfeit for failure or refusal.

Action for recovery.

Penalty to general fund.

SEC. 56. *State Tax Commission shall examine statements.*

State Tax Commission to value and assess property.

The State Tax Commission shall thereupon value and assess the property of each association, company, copartnership, or corporation in the manner hereinafter set forth, after examining such statements and after ascertaining the value of such properties therefrom, and upon such other information as they may have or obtain. For that purpose they may require the agents or officers of said association, company, copartnership, or corporation to appear before them with such books, papers, and statements as they may require, or they may require additional statements to be made to them, and may compel the attendance of witnesses

Powers of commission.

in case they shall deem it necessary to enable them to ascertain the true cash value of such property.

SEC. 57. *Manner of assessment.*

Said State Tax Commission shall first ascertain the true cash value of the entire property owned by the said association, company, copartnership, or corporation from said statements or otherwise for that purpose, taking the aggregate value of all the shares of capital stock, in case shares have a market value, and in case they have none, taking the actual value thereof or of the capital of said association, company, copartnership, or corporation in whatsoever manner the same is divided, in case no shares of capital stock have been issued: *Provided, however,* that in case the whole or any portion of the property of such association, company, copartnership, or corporation shall be encumbered by a mortgage or mortgages, such board shall ascertain the true cash value of such property by adding to the market value of the aggregate shares of stock, or to the value of the capital in case there should be no such shares, the aggregate amounts of such mortgage or mortgages, and the result shall be deemed and treated as the true cash value of the property of such association, company, copartnership, or corporation. Such State Tax Commission shall, for the purpose of ascertaining the true cash value of the property within the State of North Carolina, next ascertain from such statements or otherwise the assessed value for taxation, in the localities where the same is situated, of the several pieces of real estate situated within the State of North Carolina and not specifically used in the general business of such associations, companies, copartnerships, or corporations, which said assessed value for taxation shall be by said board deducted from the gross value of the property as above ascertained. Said State Tax Commission shall next ascertain and assess the true cash value of the property of the associations, companies, copartnerships, or corporations within the State of North Carolina by taking as a guide, as far as practicable, the proportion of the whole aggregate value of said associations, companies, copartnerships, or corporations as above ascertained, after deducting the assessed value of such real estate without the State which the length of lines of said associations, companies, copartnerships, or corporations, in the case of telegraph and telephone companies within the State of North Carolina, bears to the total length thereof, and in the case of express companies and sleeping-car companies the proportion shall be the proportion of the whole aggregate value, after such deduction, which the length of the lines or routes within the State of North Carolina bears to the whole length of lines or routes of such associations, companies, copartnerships, or corporations, and such amount so ascertained shall be deemed and held as the entire value of the property of said associations, companies, copartnerships, or corporations within the State of North Carolina. The State Tax

Commission to ascertain values.

Method for ascertainment.

Proviso: Property under mortgage.

Local assessments of real estate.

Proportionate values.

Telegraph and telephone companies.

Express and sleeping-car companies.

Assessment for local taxation.

Certificate to counties and municipalities.

Deduction of subjects of local taxation.

Commissioners shall also assess the value for taxation of all real estate, structures, machinery, and appliances of telegraph and telephone companies within the State subject to local taxation, and this assessment, together with the franchise value, shall be certified by the commission to the counties and municipalities where located on basis of wire mileage in such county or town in which such property is situated. From the entire value of the property within the State so ascertained there shall be deducted by the commissioners the assessed value for taxation of all real estate, structures, machinery, and appliances within the State and subject to local taxation in the counties as hereinbefore described in sections fifty-one, fifty-two, fifty-three, fifty-four, fifty-five, and fifty-six of this act, and the residue of such value so ascertained, after deducting therefrom the assessed value of such local properties, shall be by said board assessed to said association.

SEC. 58. *Value per mile.*

Valuation per mile.

Method of assessment.

Said State Tax Commission shall thereupon ascertain the value per mile of the property within the State by dividing the total value as above ascertained, after deducting the specific properties locally assessed within the State, by the number of miles within the State, and the result shall be deemed and held as value per mile of the property of such association, company, copartnership, or corporation within the State of North Carolina.

SEC. 59. *Total value for each county.*

Assessment apportioned to counties.

Certificate of valuation.

Payment direct to State Treasurer.

Said State Tax Commission shall thereupon, for the purpose of determining what amount shall be assessed by it to said association, company, copartnership, or corporation in each county in the State, through, across, and into or over which the line of said association, company, copartnership, or corporation extends, multiply the value per mile, as above ascertained, by the number of miles in each such counties as reported in said statements or as otherwise ascertained, and the result thereof shall be by the clerk of said board certified to the chairman of the board of county commissioners, respectively, of the several counties through, into, over or across which the lines or routes of said association, company, copartnership, or corporation extend. All taxes due the State from any corporation taxed under the preceding sections, except the tax paid for school purposes, shall be paid by the treasurer of each company direct to the State Treasurer.

SEC. 60. *Companies failing to pay tax.*

Action for enforcement of payment on failure or refusal.

In case any such association, company, copartnership, or corporation as named in this act shall fail or refuse to pay any taxes assessed against it in any county in this State, in addition to other remedies provided by law for the collection of taxes, an action may be prosecuted in the name of the State of North Carolina by the solicitors of the different judicial districts of the

State on the relation of the county commissioners of the different counties of this State, and the judgment in the said action shall include a penalty of fifty per cent of the amount of taxes as assessed and unpaid, together with reasonable attorney's fees for the reduction of such action, which action may be prosecuted in any county into, through, over, or across which the lines or routes of any association, company, copartnership, or corporation shall extend, or in any county where such association, company, copartnership, or corporation shall have an office or agent for the transaction of business. In case such association, company, copartnership, or corporation shall have refused to pay the whole of the taxes assessed against the same by the State Tax Commission, or in case such association, company, copartnership, or corporation shall have refused to pay the taxes or any portion thereof assessed to it in any particular county or counties, such action may include the whole or any portion of the taxes so unpaid in any county or counties; but the Attorney-General may, at his option, unite in one action the entire amount of the tax due, or may bring separate actions to each separate county or adjoining counties, as he may prefer. All collections of taxes for or on account of any particular county made in any such suit or suits shall be by said board accounted for as a credit to the respective counties for or on account of which such collections were made by the said board at the next ensuing settlement with such county, but the penalty so collected shall be credited to the general fund of the State, and upon such settlement being made, the treasurers of the several counties shall at their next settlements enter credits upon the proper duplicates in their offices, and at the next settlement with such county report the amount so received by him in his settlement with the State, and proper entries shall be made with reference thereto: *Provided*, that in any such action the amount of assessment fixed by said State Tax Commission and apportioned to such county shall not be controverted.

Judgment to include penalty and attorney's fees.

Venue.

Suit for part or all of tax.

Option of Attorney-General.

Collection credited to counties.

Penalty to general fund of State.

Settlement of penalties.

Proviso: Amount of assessment not put in controversy.

SEC. 61. *Railroads.*

The commissioners selected from time to time under authority to establish the North Carolina State Tax Commission shall constitute a board of appraisers and assessors for railroad, canal, and steamboat companies and other companies exercising the right of eminent domain.

Railroad, canal, steamboat, and other companies.

SEC. 62. *Railroads.*

The president, secretary, superintendent, or other principal accounting officers, within this State, of every railroad, telegraph, telephone, street railway company, whether incorporated by the laws of this State or not, shall, at such dates as real estate is required to be assessed for taxation, return to the said commission for assessment and taxation, verified by the oath or affirmation of the officer making the return, all the following described property belonging to such corporation within this State, viz.:

Sworn reports of railroad, telegraph, telephone, and street railway companies.

Property to be returned.

The number of miles of such railroad lines in each county in this State and the total number of miles in this State, including the roadbed, right of way and superstructures thereon, main and side tracks, depot buildings and depot grounds, section and tool houses, and the land upon which situated and necessary to their use; water stations and land, coal chutes and land, and real estate and personal property of every character necessary for the construction and successful operation of such railroad or used in the daily operation, whether situated on the charter right of way of the railroad or on additional land acquired for this purpose, except as provided below, including, also, if desired by the State Tax Commission, Pullman or sleeping cars or refrigerator cars owned by them or operated over their lines: *Provided, however,* that all machine and repair shops, general office buildings, storehouses and contents located outside of the right of way, and also real and personal property, other than the property as returned above to the State Tax Commission, shall be listed for purposes of taxation by the principal officers or agents of such companies with the list takers of the county where the real and personal property may be situated, in the manner provided by law for the listing and valuation of real and personal property. A list of such property shall be filed by such company with the State Tax Commission. It shall be the duty of the register of deeds, if requested so to do by the State Tax Commission, to certify and send to the said commission a statement giving a description of the property mentioned in the foregoing proviso, and showing the assessed valuation thereof, which value shall be deducted from the total value of the property of such railroad company as arrived at by the commission, in accordance with section sixty-six, before the apportionment is made to the counties and municipalities. The registers of deeds shall also certify to the commission the local rate of taxation for county purposes as soon as the same shall be determined, and such other information obtained in the course of the performance of the duties of their office as the said commission shall require of them; and the mayor of each city or town shall cause to be sent to the said commission the local rate of taxation for municipal purposes.

Proviso:
Property listed for local taxation where situate.

List filed with State Tax Commission.
Certificate from register of deeds.

Certificate of local tax rate.

Municipal tax rate.

SEC. 63. Railroads.

Rolling stock defined.
Return of rolling stock.

The movable property belonging to a railroad company shall be denominated for the purpose of taxation "rolling stock." Every person, company, or corporation owning, constructing, or operating a railroad in this State shall, in the month of May, annually, return a list or schedule to the State Tax Commission, which shall contain a correct detailed inventory of all the rolling stock belonging to such company, and which shall distinctly set forth the number of locomotives of all classes, passenger cars of all classes, sleeping cars and dining cars, express cars, horse cars, cattle cars, coal cars, platform cars, wrecking cars, pay cars, hand cars, and

Items of inventory.

all other kinds of cars, and the value thereof, and a statement or schedule, as follows: (1) The amount of capital stock authorized and the number of shares into which such capital is divided; (2) the amount of capital stock paid up; (3) the market value, or, if no market value, then the actual value of shares of stock; (4) the length of line operated in each county and total in the State; (5) the total assessed value of all tangible property in the State; (6) and, if desired, all the information heretofore required to be annually reported by section five thousand two hundred and ninety-one of the Revisal. Such schedule shall be made in conformity to such instructions and forms as may be prescribed by the commission, and with reference to amounts and value on the first day of May of the year of which the return is made.

Schedule.

Instructions and forms.

SEC. 64. *Tangible and intangible property assessed separately.*

(a) At such dates as real estate is required to be assessed for taxation, the said commission shall first determine the value of the tangible property of each division or branch of such railroad of rolling stock and all other physical or tangible property. This value shall be determined by a due consideration of the actual cost of replacing the property, with a just allowance for depreciation on rolling stock, and also of other conditions, to be considered as in the case of private property.

Valuation of tangible property.

Considerations determining value.

(b) They shall then assess the value of the franchise, which shall be determined by due consideration of the gross earnings as compared with the operating expenses, and particularly by consideration of the value placed upon the whole property by the public (the value of the physical property being deducted), as evidenced by the market value of all capital stock, certificates of indebtedness, bonds or any other securities, the value of which is based upon the earning capacity of the property.

Valuation of franchise. Considerations determining value.

(c) The aggregate value of the physical or tangible property and the franchise as thus determined shall be the true value of the property for the purpose of an *ad valorem* taxation, and shall be apportioned in the same proportion that the length of such road in each county bears to the entire length of such division or branch thereof; and the State Tax Commission shall certify, on or before the fifteenth day of August, to the chairman of the county commissioners and the mayor of each city or incorporated town the amount apportioned to his county, city or town; and the said commission shall make and forward a like certificate to the Auditor of the State. All taxes due the State from any railroad company, except the tax imposed for school purposes, shall be paid by the treasurer of each company directly to the State Treasurer within thirty days after the first day of July of each year; and upon failure to pay the State Treasurer as aforesaid, he shall institute an action to enforce the same in the county of Wake or any other county in which such railroad is located, adding thereto twenty-five per centum of the tax. The board of county commis-

Value for taxation.

Apportionment to counties.

Certificate to counties.

Certificate to auditor.

Payment direct to State Treasurer.

Action for enforcement of payment.

Penalty.

Assessment by counties.

sioners of each county through which said railroad passes shall assess against the same only the tax imposed by the State for school purposes and those imposed for county purposes.

SEC. 65. *Railroads.*

Proportionate assessment of railroad partly outside of State.

When any railroad has part of its road in this State and part thereof in any other State, the said commission shall ascertain the value of railroad track, rolling stock, and all other property liable to assessment by the State Tax Commission of such company as provided in the next preceding section, and divide it in the proportion to the length such main line of road in this State bears to the whole length of such main line of road, and determine the value in this State accordingly. On or after the first Monday in July the said commission shall give a hearing to all the companies interested touching the valuation and assessment of their property. The said commission may, if they see fit, require all argument and communications to be presented in writing.

Hearing to companies.

Argument and communications in writing.

SEC. 66. *Railroads.*

Railroads under lease.

If the property of any railroad company be leased or operated by any other corporation, foreign or domestic, the property of the lessor or company whose property is operated shall be subject to taxation in the manner hereinbefore directed; and if the lessee or operating company, being a foreign corporation, be the owner or possessor of any property in this State other than which it derives from the lessor or company whose property is operated, it shall be assessed in respect to such property in like manner as any domestic railroad company.

Other property of lessee company.

SEC. 67. *Railroads.*

Powers of State Tax Commission in determining valuation.

The State Tax Commission shall have power to summon and examine witnesses and require that books and papers shall be presented to them for the purpose of obtaining such information as may be necessary to aid in determining the valuation of any railroad company. Any president, secretary, receiver, or accounting officer, servant or agent, of any railroad or steamboat company having any portion of its property or roadway in this State, who shall refuse to attend before the said commission when required to do so, or refuse to submit to the inspection of said commissioners any books or papers of such railroad company in his possession, custody, or control, or shall refuse to answer such questions as may be put to him by said commission, or order, touching the business or property, moneys and credits, and the value thereof, of said railroad company, shall be guilty of a misdemeanor, and on conviction thereof before any court of competent jurisdiction shall be confined in the jail of the county not exceeding thirty days and shall be fined in any sum not exceeding five hundred dollars and costs; and any president, secretary, accounting officer, servant, or agent aforesaid, so refusing as aforesaid, shall be

Refusal to attend or to produce books and papers or to answer questions a misdemeanor.

Punishment.

Punishment as for contempt.

deemed guilty of contempt of such commission, and may be confined, by order of said commission, in the jail of the proper county until he shall comply with such order and pay the cost of his imprisonment.

SEC. 67a. *Tax Commission to certify; when tax payable.*

The State Tax Commission shall, upon the completion of the assessments as directed in the preceding section, certify an itemized list of the names of the various corporations assessed, together with the valuations assessed against each, to the Auditor of the State, and it shall be the duty of the Auditor to cause the State and pension tax levy to be computed thereon against each corporation so certified, and to furnish the State Treasurer with same for collection, and said list shall be a charge against the State Treasurer. All such taxes due the State shall be paid by the secretary or treasurer of any such corporation direct to the State Treasurer within thirty days after receipt of bill from the Treasurer of taxes due. The State Tax Commission shall also certify to the register of deeds of the county the total valuation as hereinbefore determined and apportioned by the commission, and in case of corporate excess, to the county in which the corporation has its principal place of business, and the board of county commissioners shall assess against same the tax imposed for county and school purposes, which shall be paid to the sheriff or tax collector of the county.

List of corporations and values certified to Auditor.

Auditor to compute tax.

List a charge against Treasurer. Payment direct to Treasurer.

Certificate to counties.

Assessment and collection of school and county tax.

SEC. 68. *Canal and steamboat companies.*

The property of all canal and steamboat companies in this State shall be assessed for taxation as above provided for railroads. In case any officer fails to return the property as provided in this section, the commission shall ascertain the length of such property in this State, and shall assess the same in proportion to the length at the highest rate at which property of that kind is assessed by them.

Canal and steamboat companies. Assessment on failure of returns.

SEC. 69. *Private banks and bankers.*

Every bank (not incorporated), banker, broker, or stock jobber shall, at the time fixed by this chapter for listing personal property, make out and furnish the assessor a sworn statement, showing (1) the amount of property on hand and in transit; (2) the amount of funds in the hands of other banks, bankers, or brokers and subject to draft; (3) the amount of checks or other cash items, the amount thereof not being included in either of the preceding items; (4) the amount of bills receivable, discounted, or purchased, and other credits due or to become due, including interest receivable and accrued, but not due, and interest due and unpaid; (5) the amount of bonds and stocks of every kind, State and county warrants, and other municipal securities and shares of capital stock or joint stock or other companies or corporations held as an investment or any way representing assets; (6) all

Banks, bankers, brokers and stock jobbers to file sworn statements. Specifications of statements.

other property appertaining to said business, other than real estate, which real estate shall be listed and assessed as other real estate is listed and assessed under this act; (7) the amount of deposits made with them by other parties; (8) the amount of all accounts payable, other than current deposit accounts; (9) the amount of bonds and other securities exempt by law from taxation, specifying the amount and the kind of each, the same being included in the preceding fifth item. The aggregate amount of the first, second, and third items in said statement shall be listed as moneys. The amount of the sixth item shall be listed the same as other similar personal property is listed under this chapter. The aggregate amount of the seventh and eighth items shall be deducted from the aggregate amount of the fourth item of said statement, and the amount of the remainder, if any, shall be listed as credit. The aggregate amount of the ninth item shall be deducted by the tax lister from the aggregate amount of the fifth item of such statement, and the remainder shall be listed as bonds or stocks.

Listing and assessment of real estate.

Items listed as moneys.

Items listed as similar personal property.

Deductions.

Amount listed as credit.

Deduction from stocks and bonds.

Remainder listed.

SEC. 70. *Stock-brokers and private bankers.*

Acting as stock-broker or private banker without license forbidden.
Stock-broker defined.

No person, bank, or corporation shall, without a license authorized by law, act as a stock-broker or private banker. Any person, bank, or corporation that deals in coin, foreign or domestic exchange, Government, stock, or other certificates of debt or shares in any corporation or chartered company, bank-notes or other notes used as a currency, or to sell the same or any of them on commission or for other compensation, or who negotiates loans upon real estate securities, shall be deemed to be a stock-broker.

Rights of stock-brokers.

A stock-broker shall have the right to buy for profit or to sell on commission the coin, exchange, stocks, certificates of debt, shares in chartered companies, bank-notes and notes used as currency, as aforesaid, and may sell either privately or by auction, and also negotiate loans on real estate securities. Any person, bank, or corporation engaged in the business of receiving money on deposit or in lending or advancing money, or in negotiating loans on any class of securities, or in discounting, buying, or selling negotiable or other paper or credits, commonly known as stock-brokers, whether in an office for the purpose or elsewhere, shall be deemed to be a private banker, and in the latter case the tax shall be paid for the additional privilege of private banking. Any person, bank, or corporation violating this section shall pay a fine of not less than one hundred nor more than five thousand dollars for each offense.

Private banker defined.

Tax for privilege.

Fine for violation of section.

SEC. 71. *Taxpayer refusing to answer guilty of a misdemeanor; list taker and chairman board of commissioners may examine witnesses.*

Refusal to answer questions or verify returns a misdemeanor.

If any person liable to be charged with taxes shall willfully refuse to answer any questions respecting his property, or refuse to file, sign, and swear to his returns, he shall be guilty of a mis-

demeanor, and, on conviction, liable to be punished by a fine not exceeding fifty dollars or imprisoned not exceeding thirty days, or both; and it shall be the duty of the assessors or list taker to have the offender prosecuted; and the list taker shall complete the list from the best information he can obtain. Every list taker and chairman of the board of county commissioners shall have power to send for persons and papers and to examine witnesses and administer oaths.

Punishment.
Assessor or list taker to prosecute.
List taker to complete list.
Powers of list taker and chairman of commissioners.

SEC. 72. *What property exempt.*

The following real estate and no other shall be exempt from taxation, State and local:

Exempted real estate.

(1) Real estate directly or indirectly owned by the United States or this State; however held, and real estate lawfully owned and held by counties, cities, towns, or school districts, used wholly and exclusively for public and school purposes, and all property used exclusively for educational purposes.

Real estate held by public or school uses.
Exclusively for educational purposes.

(2) Such property as may be set apart for graveyards or burial lots, except such as is held for the purpose of speculating in the sale thereof.

Graveyards and burial lots.

(3) Buildings, with the land they actually occupy, lawfully owned and held by churches or religious bodies and wholly and exclusively used for religious worship or for the residence of the minister of any such church or religious body, together with the additional adjacent land reasonably necessary for the convenient use of any such building. The occasional leasing such buildings for schools, public lectures or concerts or the leasing of such parsonages shall not render them liable to taxation.

Property of churches and religious bodies.

(4) Buildings, with the land they actually occupy, wholly devoted to educational purposes, belonging to and actually and exclusively occupied and used by churches, public libraries, incorporated colleges, academies, industrial schools, seminaries, or other corporate institutions of learning, together with such additional adjacent land owned by said churches, libraries, and educational institutions as may be reasonably necessary for the convenient use of such buildings, respectively, and also the buildings thereon used as residences by the officers or instructors of such educational institutions.

Buildings and land wholly devoted to educational purposes.

(5) Real estate belonging to and actually and exclusively occupied and used by Young Men's Christian Associations and other similar religious associations, orphan or other asylums, reformatories, hospitals, and nunneries, which are not conducted for profit, but purely and completely as charities.

Property occupied and used by religious and charitable associations.

(6) Buildings, with the land they actually occupy, belonging to any benevolent or charitable association and used exclusively for lodge purposes or meeting rooms by such association, together with such additional adjacent land as may be necessary for the convenient use of the buildings for such purposes; and also the proceeds and profits arising from rents, leases, etc., or

Property owned by benevolent and charitable associations and used as lodge rooms.

Proceeds from rents when used for charitable and benevolent purposes.
 Property of Indians not citizens.

rooms in said buildings, whether occupied for lodge and meeting purposes or not, when such rents, proceeds and profits are used for charitable and benevolent purposes.

(7) The property of Indians who are not citizens, except lands held by them by purchase.

The following personal property and no other shall be exempt from taxation, State and local:

Property of State or United States or any subdivision of State.

(1) Property directly or indirectly owned by the State, however held; by the United States, however held; and property lawfully owned and held by the counties, cities, towns, or school districts, used wholly and exclusively for county, city, town, or public school purposes.

Furniture used for religious worship or residence of ministers.

(2) The furniture and furnishings of buildings lawfully owned and held by churches or religious bodies and wholly and exclusively used for religious worship or for the residence of the minister of any church or religious body or such minister's private libraries.

Ministers' private libraries.

Equipment devoted to educational purposes.

(3) The furniture, furnishings, books, and instruments contained in buildings wholly devoted to educational purposes, belonging to and actually and exclusively used by churches, public libraries, incorporated colleges, academies, industrial schools, seminaries, or other incorporated institutions.

Property of religious and charitable associations.

(4) Personal property, including endowment funds, belonging to Young Men's Christian Associations and other similar religious associations, orphan or other asylums, reformatories, hospitals, and nunneries which are not conducted for profit, but purely and completely as charities.

Furniture of lodges and meeting rooms.

(5) The furniture and furnishings of buildings and other property belonging to any benevolent or charitable association and used for lodge purposes and meeting rooms by said associations, or when such property or the proceeds of same is used for charitable or benevolent purposes.

Wearing apparel, libraries, and furniture.
 Growing crops.

(6) Wearing apparel, private libraries, kitchen, and other household furniture, not exceeding in value twenty-five dollars, and also growing crops.

SEC. 73. *Form of assessing and listing property.*

State Tax Commission to prepare forms.
 Time for sending forms.

The State Tax Commission shall prepare forms to be used in assessing and listing property for taxation by assessors and list takers. It shall transmit said forms to the clerk of the board of commissioners of each county by the fifteenth day of April, and the clerks shall deliver to each board of list takers and assessors the necessary number of forms for their respective use. The assessors' forms shall be furnished every fourth year and the list taker's forms annually.

Delivery to assessors.

SEC. 74. *List shall be completed by the third Monday in June; shall make a return of polls and property not listed.*

Time for return of tax lists.

The list taker and assessor shall, on or before the third Monday in June, return the tax list to the county assessor in the year nine-

teen hundred and fifteen and in other years to the register of deeds or to the auditor in counties where the tax lists are made out by such officer. He shall also return a list of taxable polls and property of the township not given in for taxation. The returns so made shall be open to the inspection of all persons interested, and the clerk shall give to any person desiring it a copy of so much thereof as relates to his property on paying a fee of ten cents.

Lists of delinquents.
Returns open for inspection.
Fee for copy.

SEC. 75. *Oaths of list takers and assessors.*

The list taker and assessor, upon making returns to the board of commissioners of the lists and statements, shall take and subscribe an oath to the effect following, which may be administered by the chairman of the board of commissioners or any officer authorized to administer oaths:

Returns to be verified.

“I,, list taker and assessor of.....
in the county of....., do solemnly swear (or affirm)
that the value of all real and personal property, moneys, credits, investments in bonds, stocks, joint-stock companies, or otherwise, of which a statement has been made to me by the persons required by law to list the same, is truly returned and set forth in that statement; that in every case where by law I have been required to ascertain the items and value of the real and personal property, moneys, credits, investments in bonds, stocks, joint-stock companies, or otherwise, of any person, company, or corporation, I have diligently and by the best means in my power endeavored to ascertain the real value thereof, and that I verily believe a full list, with the value thereof estimated by the rules prescribed by law, is set forth in annexed returns; that in no case have I knowingly omitted to receive from any person from whom by law I was required to receive a statement of the description and value of real and personal property or of the amounts of moneys, credits, investments in bonds, stocks, joint-stock companies, or otherwise, which he was required to list, or in any way connived at any violation or evasion of any of the requirements prescribed by law in relation to the listing or valuation of property, moneys, credits, investments in bonds, stocks, joint-stock companies, or otherwise, of any kind of taxation, and that I have returned to the board of commissioners the original returns made to me, or which I have made, or which by law I am required to procure and return.”

Form of oath.

Any list taker and assessor making a false return, as aforesaid, shall be guilty of a misdemeanor.

False return a misdemeanor.

SEC. 76. *List takers and assessors to furnish list of exempt property.*

Each list taker and assessor shall, when making the assessment roll for his district, enter on the blanks so furnished him, in regular order, the name of the owner, if known, and, from the

Lists of exempted property.

best information he can obtain, a correct description of all real and personal property then exempt from taxation in his town or assessment district, together with a statement of its value, for what purpose used, and the rent, if any, obtained therefor. The list of such exempt property, when completed, on or before the first day of October, shall be delivered by the list taker and assessor to the register of deeds, who, on or before the first day of November next thereafter, shall make duplicates thereof and transmit such duplicates to the State Tax Commission and file the original in his office.

SEC. 77. *Equalization of values.*

The board of commissioners of each county, after notice in one newspaper or by poster put up, shall meet on the second Monday in July and revise the tax list and valuation reported to them; and it shall be the duty of the register of deeds, without additional compensation, to complete the list by computing the tax payable by each person, affixing the same opposite his name. The board of commissioners shall sit for one day at least, and when necessary shall sit until the revision is complete, and shall hear all persons objecting to the valuation of their property. They shall have power to summon and examine witnesses, and shall correct the list of the list takers and assessors as may be right and just, so that the valuation of similar property throughout the county shall be as near uniform as possible. They shall have power, after notifying the owner or agent, to raise the valuation of such property as they shall deem unreasonably low. The said board of commissioners, on tendering the prescribed oath, may take the list of any person applying to list his taxables at any meeting of the commissioners, held on or before the second Monday in July, upon his paying the clerk twenty-five cents for recording the same. The board of commissioners shall ascertain the valuation of his property by the examination of witnesses or otherwise, and insert it in the abstract, and without satisfactory excuse they shall add to the tax of the person so allowed to give in five per centum on the regular amount of his tax for that year.

SEC. 78. *The taxpayer may complain to board of commissioners.*

If any person shall complain before the board of commissioners that his property, either real or personal, has been improperly valued, or that he is charged with an excessive tax, he may be required to present his claim in writing, and the board of commissioners shall hear any evidence adduced by him and shall summon and examine any witness necessary for a just decision of the question, including the assessors or list taker who made the valuation. If the board of commissioners shall find that he has cause for complaint, they shall direct the clerk to render a true account thereof, and the account thus rendered, certified by the clerk, shall be transmitted to the State Tax Commission, and if the same be approved by them they shall certify it to the State

Time for delivery of lists.

Duplicates to State Tax Commission.

County commissioners to revise lists and valuation.

Register of deeds to compute tax.

Duration of meeting.

Hearing on objection.

Powers of commissioners.

Power to raise valuation.

Lists taken at meeting.

Fee for recording.

Ascertainment of value.

Addition to tax.

Complaints of improper valuation or excessive tax.

Claim presented in writing.

Hearing on complaint.

True account to rendered.

Account certified to State Tax Commission.

Certificate to Auditor.

Auditor, who shall credit the sheriff with the overcharge in his settlement for the year. Credits to sheriff.

SEC. 79. *Commissioners may give certificate of relief granted.*

If the application for relief be made to the board of commissioners after the sheriff shall have settled the accounts with the State and county, the board of commissioners shall carefully examine the case, and, if in their opinion the applicant is entitled to relief, shall direct the clerk to record on the record book the cause of complaint, the amount which in the opinion of the board of commissioners should be refunded to the applicant. The clerk shall make out a copy of such record, certify the same, under the seal of the board of commissioners, and deliver it to the applicant, who shall pay the clerk a fee of twenty-five cents. Such copy shall be transmitted to the State Tax Commission for their approval or disapproval. If the State Tax Commission shall approve the same, they shall issue an order to that effect, and it shall be the duty of the Auditor of the State, upon receiving a certified copy thereof, to issue a warrant on the Treasurer of the State for the amount of State tax specified. The Treasurer shall, on presentation of such warrant, pay to the holder of the same the amount to be refunded.

Complaints after settlement by sheriff.

Record of complaint and awards.

Certified copy of records.

Fee for copy.

Copy transmitted to State Tax Commission.

Order by State Tax Commission.

Warrant of Auditor.

Treasurer to pay warrant.

SEC. 80. *Sheriff may recover overpayment by error.*

If a sheriff or tax collector shall, in consequence of an error in the abstract of taxes sent to the State Auditor, or otherwise, be charged with more than the true amount with which he should be chargeable, and pay the amount so charged in excess to the Treasurer of the State, the Auditor shall, upon the certificate of the board of commissioners setting forth the nature of such error, give its warrant upon the Treasurer of the State for the amount so paid in excess, and the Treasurer shall pay the same.

Sheriff repaid on payment by error.

SEC. 81. *Commissioners to enter property escaping taxation in previous years.*

In all cases where the board of commissioners shall have omitted or in any future year shall omit to enter upon the duplicate of their county any land or town lots situated within their county subject to taxation, it shall be their duty, when they enter the same to duplicate the next succeeding year, to add to the taxes of the current year the simple taxes of each and every preceding year in which such land or town lots shall have so escaped taxation, with twenty-five per centum in addition thereto, so far back as the said lands have escaped taxation; and the State Tax Commission shall have like power to list unlisted railroad property. When no assessment has been made for the years in which said property has so escaped taxation, the board of commissioners shall be authorized to value and assess the same for those years: *Provided*, this shall not apply beyond five years. In all cases where any personal property, chose in action or any property, except lands liable

Property entered for lapsed years.

Taxes.

Addition to taxes.

Unlisted railroad property.

Assessment.

Proviso:
Limit of power.
Omitted personal property to be entered.

to taxation, shall have been omitted or shall be omitted in any future year from the tax list by the owner or person required by law to list the same, the board of commissioners shall enter the same on the duplicate of the next succeeding year and shall add to the taxes of the current year the simple taxes of such preceding year, not exceeding five years, with twenty-five per centum added thereto, in which such personal property as aforesaid shall so have escaped taxation, and the said board of commissioners shall value and assess the personal property aforesaid for those years, and are empowered to examine witnesses and to call for papers to determine the value and to ascertain the persons liable for the tax upon said personal property. The provisions of this section shall extend and apply to all cities, towns and like municipal corporations having the powers under their charter to tax the property aforesaid, and the powers and duties herein imposed upon the board of commissioners of the county shall be exercised and performed by the board of commissioners or the board of aldermen, as the case may be, of the city or town or other municipal corporation.

Limit of power.
Additional taxes.

Assessment.

Power extended to
municipalities.

SEC. 82. *The board of commissioners shall insert omitted property.*

Board to insert
unlisted property.

Additional tax.

Willful failure to
list a misde-
meanor.

Failure prima
facie willful.

Names presented
to grand jury.

Changes as to real
estate reported
and noted.

Search for prop-
erty not listed .

Proviso:
Limit and appor-
tionment of cost.

Proviso:
Commissioners not
to appoint tax col-
lector.

The chairman of the board of commissioners shall examine the tax list from each township for the previous year and insert in said list the description and valuation of all property not given in, and shall charge all such persons with twenty-five per centum in addition to the tax with which they would otherwise be chargeable, unless satisfactory excuse therefor be rendered to the board of commissioners on or before the first Monday in October; and all persons who own property and willfully fail to list it within the time allowed before the list taker or board of commissioners shall be guilty of a misdemeanor, and the failure to list shall be *prima facie* evidence that such failure was willful, and it shall be the duty of the board of commissioners to present to the grand jury the names of all such persons. The list taker and assessor shall report to the board of commissioners any change he may make to the tax list as to real estate, and the said board shall note such change in a book to be kept for that purpose. It shall be the duty of the commissioners of each county to employ a competent man, whose duty it shall be to spend such time as the commissioners may deem necessary to make diligent search for property not listed for taxes and to put such property on the tax books: *Provided*, the cost of listing such unlisted property shall not exceed ten per cent of the revenue so derived, said expense to be divided pro rata between the State and county: *Provided further*, that nothing in this section shall be construed as authorizing or empowering the county commissioners to appoint tax collectors.

SEC. 83. *Register of deeds to make out tax duplicates.*

Two copies of tax
list.

The board of county commissioners shall cause the register of deeds to make out two copies of the tax list for each township, as

revised and settled by the tax lister, according to a form to be furnished to them by the State Tax Commission. Such form shall show in different columns the sum due by each taxpayer to the State and to the county, and also in separate columns the amount of school poll tax levied by the General Assembly and the county commissioners, and the total amount of property school tax levied by the General Assembly and the county commissioners. The register of deeds or auditor shall also fill out receipts and stubs for all taxes charged on the tax books so made out, the receipts to be written in full except date and signature of collecting officer. Receipt books for this purpose shall be furnished by the county, on order of the register of deeds or auditor: *Provided*, this shall not be required in counties using carbon receipt books and cash book combined, but such may be used in lieu thereof. One of said copies shall remain in the office of the clerk of the board of commissioners; the other shall be delivered to the sheriff or tax collector on or before the first Monday in October in each year, and he shall receipt for the same. The clerk shall indorse on the copies given the sheriff an order to collect the taxes herein mentioned, and such order shall have the force and effect of a judgment and execution against the real and personal property of the person charged with such list. In such list the clerk shall note all appeals from the judgment of the board of commissioners which have been perfected by the giving of bond. Said order shall be in the following or similar form:

Form furnished by State commission.
 Columns of tax list.
 Receipts and stubs.
 Receipt books furnished by county. *Provido*: Carbon receipt and cash book. Copy to remain in office.
 Copy for sheriff.
 Order for collection.
 Force and effect of order.
 Appeals noted.
 Form of order.

STATE OF NORTH CAROLINA,
County.

OFFICE BOARD OF COMMISSIONERS,County.

To the Sheriff of.....County:

You are hereby commanded to collect the taxes herein mentioned according to the provisions and requirements of the existing law.

In witness whereof, I hereunto set my hand and seal.....day of....., 19....

.....
 Clerk Board of Commissioners.

The board of commissioners shall make an order for the payment to the register of deeds or auditor, as the case may be, of such a sum as may be deemed a proper compensation for the work of computing the taxes and making out the tax list and the necessary copies thereof, including the making of such abstract and returns as he may be required to furnish to the State Tax Commission and Auditor; but the sum allowed for computing the taxes and making out the tax list shall not exceed five (5) cents for each name appearing on the tax list, to be paid by the county treasurer out of the county funds.

Compensation for computing taxes and making out list.
 Limitation.
 Payment by county.

Sec. 84. *Agents paying taxes shall have lien.*

When property is assessed to any person as agent for another or in a representative capacity, such person shall have a lien

Agent's lien.

upon such property or any property of his principal in his possession until he is indemnified against the payment thereof, or, if he has paid the tax, until he is reimbursed for such payment.

SEC. 85. *Register of deeds shall make report to State Tax Commission and Auditor.*

Abstracts to State Commission and to Auditor.

The clerk of the board of commissioners shall, on or before the first Monday in November, after the lists are deposited with him by the board of commissioners, return to the State Tax Commission and Auditor an abstract of the same, showing the number of acres of land and their value, and the value of town lots and the number of white and negro polls, separately, and specify every other subject of taxation and the amount of county and State tax payable on each subject and the amount payable on the whole. At the same time the clerk shall return to the State Tax Commission and Auditor an abstract of the list of the poor, county, and school taxes payable in his county, setting forth separately the tax levied on each poll and on each one hundred dollars value of real and personal property for each purpose, and also the gross amount of taxes of every kind levied for county purposes.

Abstracts of county tax.

SEC. 86. *Penalty for register of deeds failing to make report.*

Penalty for failure of register of deeds to report.

If any register of deeds shall make a default of any of the duties prescribed in the preceding section or shall fail to deliver to the State Auditor a copy of the sheriff's return of taxes received under Schedules B and C of "An act to raise revenue," and a copy of the settlement of the State tax account between the board of commissioners and the sheriff or tax collector, made, sworn to, and subscribed, he shall forfeit and pay to the State one thousand dollars, to be recovered against him and the sureties of his bond in the Superior Court of Wake County, before the clerk thereof, on motion of the State solicitor; and it shall be the duty of the State Auditor to inform the solicitor of such default, and at the same time furnish him with a certified copy of the official bond of said register of deeds. The clerk of the Superior Court shall transmit to the State Auditor, on or before the second Monday in October in each year, a certified copy of the official bond of the register of deeds and his sureties under the same penalties for default as are prescribed in this act. The register of deeds shall transmit to the State Auditor annually a copy of the bond of the clerk of the Superior Court.

Recovery on bond.

Notice and copy of bond to solicitor.

Copies of official bonds sent to Auditor.

Copy of clerk's bond.

SEC. 87. *Property may be divided upon sale.*

Apportionment of valuation on division of property.

In case, within the interval between the regular periods of the valuation of lands or real property, any piece of land or real property shall become divided in ownership, either by partition or sale of a portion thereof or otherwise, either of the part owners may at any time, upon five days notice to the other part owner, apply to the board of commissioners for an apportionment of valuation. The board of commissioners shall allow such amend-

ment to the tax duplicate as they may think just, and the person who has in custody the tax duplicates shall amend the same according to the assessment of the board of commissioners on the production of a certified copy of their proceedings ordering the change: *Provided*, that no amendment made after a tax has become due shall operate to affect the tax.

Amendments to tax list.

Proviso: Amendment after tax due.

SEC. 88. *Taxes due the first Monday in October.*

All taxes shall be due on the first Monday in October in each year. When paid, the sheriff or tax collector shall note on the tax duplicate against the name of the party the date of the payment and the amount paid. He shall also give receipt to the parties, stating the amount of the State and county tax separately, and the date of payment; and for failure to give such receipt, stating the State and county tax separately, he shall be guilty of a misdemeanor, and on conviction shall be fined at the discretion of the court: *Provided*, the sheriff or tax collector shall not collect the taxes for any year until he shall have settled in full with the State and county for the taxes of the previous year (if he was sheriff or tax collector) and given the bonds required by law; and if upon examination the commissioners are not satisfied with the solvency of the surety to said bonds, they may require new bonds to be given. The sheriff or collecting officer shall produce receipts for the State and county taxes for the previous year, if he was sheriff or tax collector, before receiving the tax duplicate from the clerk of the board of commissioners, and in the event the sheriff fails to produce the aforesaid receipts or give the required band the board of commissioners shall appoint a tax collector, who shall give bond as required of the sheriff to faithfully collect and pay over the taxes according to law. When the sheriff shall collect by his deputies they shall, before the clerk of the board of commissioners, or before a justice of the peace of the county, take and subscribe an oath faithfully and honestly to account for the same with a sheriff or other person authorized to receive the same. Said oath shall be filed with the register of deeds and kept in the office of the board of commissioners, and for failure of any deputy sheriff to pay over such taxes as he may collect he shall be guilty of a misdemeanor.

Taxes due.

Note of payment on tax list.

Receipt.

Failure to give receipt misdemeanor.

Punishment.

Proviso: Full settlement and bond.

New bonds.

Receipts for previous years.

Appointment of tax collector.

Deputies to be sworn.

Oath filed.

Failure to pay over tax a misdemeanor.

SEC. 89. *Sheriff shall attend to receive taxes.*

The sheriff or his deputy or tax collector shall attend at the courthouse or his office in the county town during the months of October and November for the purpose of receiving taxes. He shall also in like manner attend at least one day during the month of October at some one or more places in each township, of which fifteen days notice shall be given by advertisement at three or more public places and in a newspaper, if one is published in the county: *Provided*, that nothing in this section shall be construed to prevent the collecting officer from levying and selling after the first day of November, but he shall not sell before that day unless

Sheriff shall attend to receive taxes.

Attendance in townships.

Advertisement of attendance.

Proviso: Collection by distraint.

he has reason to believe the taxpayer is preparing to leave the county or State. The sheriff or tax collector shall be entitled to fifty cents for each actual levy or sale and fifteen cents for each advertisement, but in no case shall said sums be collected where no levy or sale or advertisement is made on real or personal property. No tax due from insolvents shall be credited to the sheriff in the settlements with the State Auditor except such as shall be allowed by the board of commissioners, a list whereof, containing the names and amounts and subscribed by the sheriff, shall be returned by the sheriff to the board of commissioners, and the same shall be allowed only on his making oath that he has been at the dwelling-house or usual place of abode of each of the taxpayers and could not there or elsewhere in the county find any property wherewith to discharge his taxes or such part thereof as is returned unpaid, and that the persons named in the list were insolvent at the time when by law he ought to have endeavored to collect the taxes. Such list shall be recorded in the commissioners' docket and a copy thereof shall be returned to the State Auditor on or before the day of the settlement of the sheriff with the Treasurer.

Acts repealed.

Chapter one hundred and fifty of the Laws of one thousand eight hundred and eighty-three, and amendments thereto, and all special acts prescribing or authorizing a time for collection and settlement of State taxes differing from the general provisions of this act for the collection and settlement of State taxes are hereby repealed, and all such special acts shall have no relation to the collection and settlement of taxes for the year one thousand nine hundred and fifteen and for subsequent years.

SEC. 90. *Sheriff to make report of all parties liable for Schedules B and C taxes to State Tax Commission.*

Sheriff to furnish lists under Schedules B and C.

The sheriff of each county, within ninety days after the ratification of this act, and every six months thereafter, and as often as he may be called upon, shall ascertain and furnish to the State Tax Commission, upon blanks to be furnished by said commission, a complete list of all subjects in his county liable for tax under Schedules B and C of the Revenue Act, which said list shall be duly verified upon the oath of said sheriff, and said State Tax Commission shall deliver a copy of said return to the State Auditor. Any sheriff failing to make the report provided for in this section within thirty days of the time prescribed shall forfeit and pay to the State the sum of two hundred and fifty dollars, to be recovered on suit instituted by the State Tax Commission in the Superior Court of Wake County.

Verification of lists.

Copy to Auditor.
Forfeit for failure.

Suit for forfeit.

SEC. 91. *Clerks of cities and towns shall furnish information.*

Annual reports from cities and towns.

The clerk of each city and town shall annually make out and transmit to the State Tax Commission, on blanks furnished by the said commission, a statement showing the assessed valuation of all property within his town or city, and separately the amount

of all taxes levied therein by said town or city, including school district, highway, street and sidewalk taxes for the current year, and the purposes for which the same were levied; also a complete and detailed statement of the bonded and other indebtedness of his town or city, and of the accrued interest, if any, remaining unpaid, and the purpose for which said indebtedness was incurred.

Statement of debt.

SEC. 92. *City or county indebtedness shall be reported.*

Each register of deeds, city or town clerk, whenever required by the State Tax Commission, shall furnish a full and complete statement showing the bonded indebtedness and all other indebtedness of his respective county, city, or town, the purpose for which the same was incurred, and all accrued interest, if any, remaining unpaid.

Reports of county and municipal debts.

SEC. 93. *City clerk or assessor failing to carry out provisions of this act.*

Every clerk of any town or city and every assessor who shall fail or neglect to perform any duty required of him by any of the provisions of this act shall for every such neglect or failure forfeit not less than twenty nor more than fifty dollars, and every clerk of the court and every register of deeds who shall fail or neglect to perform any duty required of him by this act shall for every such failure forfeit not less than twenty-five nor more than one hundred dollars, and it shall be the duty of the State Tax Commission to cause every such forfeiture to be collected.

Penalty on town or city clerk and assessor.

Penalty on clerk of court or register of deeds.

SEC. 94. *All taxes received shall be paid to State Treasurer within ten days after the first of following month.*

All city, county, or State officers authorized to collect or receive privilege taxes or license fees for the State shall make return of the same on the first of every month to the State Auditor, and within ten days thereafter pay the amount mentioned in said return to the State Treasurer; and, further, it shall be the duty of the State Treasurer to immediately notify the State Tax Commission of any failure upon the part of any official to account as aforesaid. Any officer violating this section shall be guilty of a misdemeanor.

Officers to make returns on first of each month.

Payment within ten days.

Notification of failure.

Violation of section misdemeanor.

SEC. 95. *Highest rate to be charged.*

Should there be any doubt as to which license fee any corporation, firm, or individual should pay on account of the business partaking of the nature of more than one subject of taxation, such corporation, firm, or individual shall be charged the highest license which might be levied; but this discretion shall not be exercised by the sheriff when the businesses carried on are separate and distinct branches, but each shall then be taxed as required by law.

Highest license charged in case of doubt.

When business separate.

SEC. 96. *Definitions.*

Definitions.

The words and phrases following, whenever used in this act, shall be construed to include in their meaning the definitions set opposite the same in this section, whenever it shall be necessary to the proper construction of this act:

Bank, banker, broker, stock jobber.

(1) Bank, banker, broker, stock jobber—whenever has money employed in the business of dealing in coin, notes or bills of exchange, or in any business of dealing, or in buying or selling any kind of bills of exchange, checks, drafts, bank notes, promissory notes, bonds, warrants, or other writing obligatory, or stocks of any kind or description whatsoever, or receiving money on deposit.

Collector.

(2) Collector or collectors—county, township, and deputy collectors, including sheriffs.

List takers and assessors.

(3) List takers and assessors have all authority conferred upon list takers in this act.

Credits.

(4) Credits—every claim or demand for money, labor, interest, or valuable things due or to become due, including money on deposit.

He.

(5) He—male, female, company, corporation, firm, society, singular or plural number.

Real property real estate, land, tract, lot.

(6) Real property, real estate, land, tract, lot—not only the land itself, whether laid out in town or city lots, or otherwise, with all things therein, but also all buildings, structures and improvements and other permanent fixtures of whatever kind thereon, and all rights and privileges belonging or in any wise appertaining thereto, except where the same may be otherwise denominated by this act.

Shares of stock, shares of capital stock.

(7) Shares of stock, shares of capital stock—the shares into which the capital stock of every incorporated company or association may be divided.

Tax, taxes.

(8) Tax, taxes—any taxes, special assessments or costs, interest, or penalty imposed upon property.

SEC. 97. *Mistakes in assessments.*

Correction of errors on assessment roll.

If on the assesment roll there is an error in the name of the person assessed, or any taxable property shall not be entered thereon, the name may be changed or the property entered on the list by the assessors after the roll has been returned to the clerk of the board of commissioners, or such error may be corrected or the omission supplied by the board of commissioners upon satisfactory evidence of such error or omission, at a regular meeting of the board; and the board, upon reasonable notice, may make an order requiring the person affected to show cause at a day to be therein appointed, why the error shall not be corrected or omission supplied, and, upon reasonable notice, his name and the property be entered on the tax list.

Order to show cause.

SEC. 98. *Taxes on railroads shall be a lien on property of the same.*

The taxes upon any and all railroads in this State, including roadbed, right of way, depots, side-tracks, ties and rails, now constructed or hereafter to be constructed, are hereby made a perpetual lien thereupon commencing from the first day of May in each current year against all claims or demands whatsoever of all persons or bodies corporate, except the United States and this State; and the above described property or any part thereof may be taken and held for payment of all taxes assessed against said railroad company in the several counties of this State.

Lien for taxes on railroad property perpetual and paramount.

SEC. 99. *Removing or concealing personal property a misdemeanor.*

If any person whose duty it is to list personal property for taxation shall remove or conceal same, or cause same to be removed or concealed, for the purpose of avoiding taxation, or shall fail to list same for taxation, he shall be guilty of a misdemeanor.

Removal or concealment of property or failure to list misdemeanor.

SEC. 100. *Sheriff to keep the records of settlement of taxes.*

Every sheriff shall keep a record of the taxes collected by him from the clerk of the court, register of deeds, and under Schedule B of the Revenue Act. A suitable book for the purpose shall be provided by the State Auditor for recording all forfeitures, arrears from insolvents, double taxes and taxes on unlisted subjects; and on the first Monday in December in each year the sheriff shall deliver, on oath, to the board of commissioners a statement setting forth all sums received to that date not previously accounted for, the date of such receipts, the person from whom received, the amount received from each person, the subjects on which received, and the aggregate amounts, accompanied by an affidavit taken and subscribed before the clerk of the commissioners and attested by him that the statement is correct and that no receipts have been omitted; and the register of deeds shall record the same in a book to be kept for that purpose, and shall before the second Monday in December send an abstract of such statement, with the affidavit, to the State Auditor, on a blank to be furnished by the State Auditor, register the same in a book kept in his office for that purpose, and keep a copy of the same in a conspicuous place in the courthouse until the first day of January next ensuing.

Records to be kept by sheriff.

Book provided by State Auditor.

Annual statement of sheriff.

Report to be recorded.

Abstract to State Auditor.

Copy posted.

SEC. 101. *Sheriff to settle State taxes third Monday in January; commissioners personally liable for failure to make report.*

The sheriff or other accounting officer shall, on or before the second Monday of January in each year, settle his State tax account with the commissioners of his county and pay the amount for which said sheriff or collector is liable to the Treasurer of the State, in such manner or at such a place as he shall direct, on or before the third Monday of said month: *Provided*, the State Treasurer may extend the time on a sufficient amount to cover

Date for settlement of State tax.

Payment.

Proviso: Extension of time.

Report to Auditor. in May. The commissioners shall forthwith report to the State Auditor the amount due from such accounting officer, setting forth therein the net amount due to each fund; and the Treasurer, upon a statement from the State Auditor, shall open an account against such officer and debit him accordingly. Upon the failure of the board of county commissioners to make this report to the State Auditor on or before the third Monday of January of each year, or if a report has been filed which is not correct and the commissioners fail to file an amended and corrected report within thirty days after being notified so to do by the State Auditor, the commissioners of such county shall each personally be liable to a penalty of one hundred dollars, and it shall be the duty of the State Auditor forthwith to institute an action in the county of Wake to enforce the same. The sheriff or tax collector, in making his settlements as aforesaid, shall file with the commissioners a duplicate of the list required in this act. In such settlement the sheriff or other officers shall be charged with the amount of public tax as the same appears by the abstract of the taxables transmitted to the State Auditor; also with all double tax and taxes on unlisted property by him received, and with other tax which he may have collected or for which he is chargeable. The State Auditor shall give to each sheriff or tax collector a certified statement embracing the subjects of taxation contained in both lists and the amount of tax on each subject, which the sheriff or tax collector shall deposit with the clerk of the commissioners of his county for public inspection; that the sheriffs and tax collectors shall receive five per cent on all taxes, licenses, and privileges collected by them for State, county, township, school district, or other purposes whatsoever, up to the sum of fifty thousand dollars, and upon all such sums so collected by him in excess thereof he shall receive two and one-half per cent commission; that all laws and clauses of laws, whether general or special, in conflict herewith are hereby repealed: *Provided*, this shall not apply to or affect the compensation allowed sheriff's of the counties who receive salaries for the collection of taxes: *Provided, further*, that this section shall not apply so as to affect the compensation of the sheriff or tax collector of Buncombe County as fixed by private statute.

Amount of penalty.

Enforcement of penalty.

Duplicate list on settlement.

Amounts charged to sheriff.

Certified lists of subjects of taxation and amount of tax.

Deposit for public inspection.

Commissions on collections.

Laws repealed.

Proviso: Sheriffs receiving salaries.

Proviso: Compensation in Buncombe County.

SEC. 102. *Deductions to be made in settlement.*

Deductions from list. The State Tax Commission, in making the settlement of the amount due from the sheriff or tax collector aforesaid, shall deduct from the list returned:

Insolvents. (1) Taxes on personal property certified by the clerk of the commissioners of the county, by order of the commissioners, to be insolvent and uncollectible.

Overpayments on former settlements. (2) All overpayments made in former settlements by reason of any error in the clerk's abstract of taxables.

Commission. (3) The commission allowed by law.

SEC. 103. *Sheriff or tax collector to be paid per diem for settlement.*

For his settlement with the State Treasurer the sheriff or tax collector shall be allowed by said board of commissioners, and deducted from the amount due the State three dollars for each day he may be actually necessarily engaged therein with the commissioners at the county seat.

Payment allowed for settlement.

SEC. 104. In every case of failure by the sheriff or other accounting officer to settle his account within sixty days from the time prescribed by section one hundred and one of this act for such settlement, and to take oath required in his settlement and pay the amount due to the Treasurer, the State Auditor shall forthwith report to the Treasurer the account of such sheriff or officer, as shown by abstract of listed and unlisted taxables furnished by the register of deeds or auditor for such county, deducting therefrom for commissions, but adding thereto one thousand dollars and ten per centum of the amount of taxes with which said sheriff is charged for the amount of taxes supposed not to appear in the list transmitted by the register of deeds or auditor, and furnish him a copy of the official bond of the said officer and his sureties; and if the whole amount be not paid, the Treasurer, on motion of the solicitor in Superior Court of Wake County, before the clerk thereof, within thirty days after default shall have occurred, shall recover judgment against him and his sureties, without other notice than is given by the delinquency of the officer; and to the end that obligations and names may be known, the clerk of the Superior Court shall, on or before the second Monday in each year, transmit to the State Auditor a copy, certified under the seal of the court, of the bond of the sheriff and his sureties, upon pain for his default of forfeiting to the State one thousand dollars, which the State Auditor shall and is hereby specially charged to collect in like manner and at such times as is provided in this section.

Auditor to report account on failure to make settlement.

Deductions and additions.

Copy of official bond.

Judgment on bond by motion.

Clerk to certify copy of sheriff's bond to Auditor.

Forfeit for default. Auditor to enforce forfeit.

SEC. 105. The sheriff or tax collector shall pay the county taxes to the county treasurer or other lawful officer. He shall at no time retain over three thousand dollars for a longer time than ten days, under a penalty of two per centum per month to the county upon all sums so unlawfully retained, and shall, on oath, render a statement to the board of commissioners at their monthly meeting of the amount in his hands. On or before the first Monday of February in each year the sheriff shall account to the county treasurer or other lawful officer for all taxes due the county for the fiscal year, and on failing to do so he shall pay the county treasurer a penalty of two per centum per month on all sums unpaid, and this shall be continued until final settlement: *Provided*, the board of county commissioners may in their discretion relieve the sheriff or tax collector of said penalty of two per centum per month upon payment in full of the county taxes: *Provided further*, the county commissioners may extend the time of settlement of county taxes by the sheriff of the county to the first Monday in May.

Settlement of county tax.

Penalty for retention of money.

Monthly statements.

Final account.

Penalty for delay.

Proviso: Commissioners may remit penalty.
Proviso: Extension of time.

Treasurer may grant indulgences.

SEC. 106. The Treasurer of the State, with the advice and approval of the Attorney-General, is hereby authorized, when in the judgment of these officers it may be best to secure the interest of the State and will not lose any lien held by the State, to grant indulgence to defendants in execution and relinquish penalties upon payment of amount of dues owing to the State; and likewise to bid for in behalf of the State and purchase property of said defendant when necessary to secure the payment of the dues.

And relinquish penalties. And bid in property.

Sheriff charged with county taxes.

SEC. 107. The sheriff or tax collector shall be charged with the sums appearing by the tax list as due for the county taxes, and shall be allowed to deduct therefrom, in like manner as is prescribed in this act in regard to his settlement of the State taxes, all insolvents and uncollectible poll taxes, and also the amount of county tax on the lands bid off by the county, and costs and fees, which shall be, for making a deed, fifty cents; for registering, twenty-five cents; and such other necessary sums as were actually paid by the sheriff: *Provided*, a majority of any board of county commissioners may extend the time for collecting and settlement of county taxes in the respective counties to such time as they may deem expedient, not to extend beyond the first of May in the year following in which taxes were levied: *Provided further*,

Deductions allowed.

Costs and fees.

Proviso: Extension of time for collection and settlement.

that any sheriff, tax collector or county treasurer who shall use any part of the county or State taxes otherwise than as directed by law shall forfeit double the amount of his commission on county and State taxes for the year in which he so misused said taxes. No mortgage or lien on any property shall be superior to the taxes on said property, whether said mortgage or lien was given prior or subsequent to the levy of the taxes.

Proviso: Forfeit for misuse of tax money.

Lien for tax paramount.

Auditing committee.

SEC. 108. The board of county commissioners, at their last regular or other subsequent meeting in each year, shall appoint one or more of their number, not to exceed three, to be present at the accounting and settlement between the sheriff and county treasurer provided for in the preceding section, and also to audit and settle accounts of the county treasurer and all other county officers authorized to receive or disburse county funds. The account so audited shall be reported to the board of county commissioners and when approved by them shall be filed with the clerk and recorded on his books, and shall be *prima facie* evidence of their correctness and impeachable only for fraud or special error: *Provided*, the compensation allowed the committee for their services shall not exceed three dollars (\$3) per day each for the time actually spent in said settlement, and there shall be no allowance for extra clerical aid.

Report of audit.

Auditi filed and reported on approval.

Proviso: Pay of auditing committee.

Forfeit on sheriff for failure to account and pay.

SEC. 109. In case the sheriff of a county shall fail, neglect, or refuse to account with the county treasurer and auditing committee as above required, or to pay what may rightfully be found due in such accounts, he shall forfeit and pay to the State for the use of the county a penalty of two thousand five hundred dollars. It shall be the duty of the county treasurer (and if he neglect or refuse to perform it, it shall be the duty of the chairman of the board of commissioners) to cause an action to be brought in the

Action on bond.

Superior Court of the county on the bond of the sheriff against him and his sureties to recover the amount owing by him and the penalties aforesaid. If the sheriff shall fraudulently and corruptly fail to account as aforesaid, he shall be criminally liable thereupon in like manner and with the same penalties imposed for such criminal defalcation in section one hundred and four of this act.

Criminal liability of sheriff.

SEC. 110. In each year the county treasurer shall give five days notice to all the county officers (except the sheriff) authorized to receive or disburse the county funds to appear at the courthouse, on a certain day in January, before him and the committee appointed by the board of commissioners and present an account of all sums received or disbursed for the county, with their vouchers, and any officer failing to attend and account shall be deemed guilty of a misdemeanor. The accounts, when audited, shall be reported to the board of commissioners at their next meeting, and if approved shall be filed with the clerk and recorded in their proceedings, together with their approval, and shall be deemed *prima facie* correct.

Settlements with other county officers.

Failure to attend and account a misdemeanor.
Report, approval, and record of accounts.

SEC. 111. Whenever in this act a duty is imposed upon the sheriff of a county of which a tax collector has been or may be appointed, it shall be incumbent upon the tax collector to perform said office instead of the sheriff; and such tax collector shall collect all the taxes, have all the emoluments, and be subject to all the penalties as provided in case of sheriffs in this act; and it shall be the duty of all persons having tax moneys in hand to account for and settle with said tax collector.

Tax collectors charged with duties and powers of sheriff.

SEC. 112. If any sheriff shall die during the time appointed for collecting taxes his sureties may collect them, and for that purpose shall have all power and means for collecting the same from the collectors and taxpayers as the sheriff would have had, and shall be subject to all the remedies for collecting and settling of the taxes, on their bond or otherwise, as might have been had against the sheriff if he had lived.

Sureties to collect on death of sheriff.
Powers and liabilities.

SEC. 113. The sheriff (and in case of his death, the sureties) shall have one year, and no longer, from the day prescribed for his settlement and payment of the State taxes to finish the collection of all taxes, but the extension of time for collection shall not extend the time of his settlement of the taxes.

Time for completion of collection.

SEC. 114. The Secretary of State shall have printed five thousand copies of this act and the Revenue Act of this session and distribute the said acts among the officers whose duty it is to execute or carry into effect any portion thereof.

Acts to be printed and distributed.

SEC. 115. The Secretary of State shall in like manner have printed ten copies of said act for each member of the General Assembly and forward the same to him.

Copies for General Assembly.

SEC. 116. Upon failure to pay to the State Treasurer within thirty days after the same shall have become due any tax which by law is made payable direct to the State Treasurer, it shall be the duty of the Treasurer to report the same to the State Tax Commission, and upon receipt of such report it shall be the duty

Action for taxes payable to Treasurer.

Venue.

of the State Tax Commission to institute an action to enforce the same in the county of Wake or in the county in which the property taxed is located.

Penalty for doing business without license.

SEC. 117. Any person, firm, or corporation who is liable for any license or privilege tax under Schedules B and C, and who practice their or its profession or trade without paying said license or privilege tax, shall be subject to a penalty of two hundred and fifty dollars, the same to be recovered by the State Tax Commission in an action to enforce same in the Superior Court of Wake County or in the county of the defendant.

Action for recovery.

Repealing clause.

SEC. 118. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed: *Provided*, that such repeal shall not in any manner affect any rights heretofore acquired, or the collection of any taxes heretofore levied or assessed, or the validity of any sale heretofore made, or any rights heretofore acquired in the law of this State.

Proviso:
Vested rights.

SEC. 119. That this act shall be in force from and after its ratification.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 287.

AN ACT RELATING TO BILLS OF LADING AS EVIDENCE.

The General Assembly of North Carolina do enact:

Paper-writing competent as evidence.

SECTION 1. That in all actions by or against common carriers in which it shall be thought necessary to introduce in evidence any bills of lading issued by said common carrier or by a connecting carrier, it shall be competent to introduce in evidence any paper-writing purporting to be the original bill of lading, or a duplicate thereof, upon proof that such paper purporting to be such bill of lading or duplicate was received in due course of mail from consignor or agent of said carrier or connecting carrier, or delivered by said common carrier to the consignee or other person entitled to the possession of the property for which said paper purports to be the bill of lading: *Provided*, that such purported bill of lading shall not be declared to be the bill of lading unless the said purported bill of lading is first exhibited by the plaintiff or his agent or attorney to the defendant or its attorney, or its agent upon which process may be served, ten days before the trial where the point of shipment is in the State, and twenty days when the point of shipment is without the State.

Proof of receipt or delivery.

Proviso:
Exhibition to adverse party.

SEC. 2. That upon said proof and introduction of said bill of lading, the due execution thereof shall be *prima facie* established.

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

Execution *prima facie* proven.

In the General Assembly read three times and ratified this the 4th day of March, 1915.

RESOLUTIONS
OF THE
GENERAL ASSEMBLY
SESSION 1915

RESOLUTION No. 1.

A JOINT RESOLUTION AUTHORIZING THE APPOINTMENT OF A LEGISLATIVE COMMITTEE TO ATTEND THE CENTENNIAL CELEBRATION OF THE BATTLE OF NEW ORLEANS.

WHEREAS, the battle of New Orleans was the scene of the last Preamble. conflict between the British and the Americans, after which battle a century of peace ensued, and, we being desirous of perpetuating peace between the United States and the Mother Country, and

WHEREAS, the battle was fought on southern soil, chiefly by Preamble. southern troops, under the command of a southern general, and he a North Carolinian, General Andrew Jackson, afterwards President of the United States, and

WHEREAS, the Centennial Celebration will take place in New Preamble. Orleans on the eighth instant, and

WHEREAS, the entire General Assembly has been invited by the Preamble. Legislature of Louisiana to attend in a body, therefore be it

Resolved by the Senate, the House of Representatives concurring:

That a committee of two on the part of the Senate, to be ap- Committee to be appointed. pointed by the Lieutenant-Governor, and three on the part of the House, to be appointed by the Speaker shall at once be appointed to attend said celebration in honor of that great North Carolinian, General Andrew Jackson.

In the General Assembly read three times and ratified this the 7th day of January, 1915.

RESOLUTION No. 2.

JOINT RESOLUTION INVITING THE GOVERNOR TO APPEAR
AND DELIVER HIS MESSAGE IN PERSON.

Resolved by the House of Representatives, the Senate concurring:

Invitation to
Governor.

That his Excellency, Governor Craig, be invited to appear before the joint session of the General Assembly, and deliver his message in person, at twelve m. today.

In the General Assembly read three times and ratified this the 8th day of January, 1915.

RESOLUTION No. 3.

RESOLUTION TO APPOINT A COMMITTEE TO WAIT UPON
HIS EXCELLENCY, THE GOVERNOR, TO NOTIFY HIM OF
THE ORGANIZATION OF THE GENERAL ASSEMBLY.

Be it resolved by the Senate and House of Representatives:

Composition of
committee.

That a committee be appointed, and that the same be composed of two members on the part of the Senate and three on the part of the House, to wait upon his Excellency, the Governor, and inform him that the General Assembly is now organized and ready to receive any communication that he may desire to submit.

Duties.

In the General Assembly read three times and ratified this the 8th day of January, 1915.

RESOLUTION No. 4.

JOINT RESOLUTION EXTENDING INVITATION TO DOCTOR
EDWIN A. ALDERMAN TO ADDRESS THE GENERAL AS-
SEMBLY OF NORTH CAROLINA.

Resolved by the Senate, the House of Representatives concurring:

Invitation.

That Doctor Edwin A. Alderman be, and he is hereby invited to address the General Assembly of North Carolina on the fifteenth day of January, one thousand nine hundred and fifteen.

In the General Assembly read three times and ratified this the 9th day of January, 1915.

RESOLUTION No. 5.**RESOLUTION PROVIDING FOR PRINTING REPORT OF
SPECIAL INSURANCE COMMITTEE.**

Resolved by the House of Representatives, the Senate concurring:

That five hundred copies of the report of the Special Committee to consider fire insurance conditions in North Carolina be printed for the use of members of the General Assembly. Copies to be printed.

In the General Assembly read three times and ratified this the 14th day of January, 1915.

RESOLUTION No. 6.**A RESOLUTION FOR HOLDING A JOINT SESSION OF BOTH
HOUSES FOR CANVASSING THE ELECTION RETURNS
FOR STATE OFFICERS AND UNITED STATES SENATORS.**

Resolved by the House of Representatives, the Senate concurring:

That a joint session of both houses of the General Assembly be held in the hall of the House of Representatives today at twelve m., to canvass the election returns for State officers and United States Senators, as provided by law, and to publish the same. Joint session ordered.
Purpose.

In the General Assembly read three times and ratified this the 14th day of January, 1915.

RESOLUTION No. 7.**JOINT RESOLUTION INVITING WILLIAM J. BRYAN, SECRETARY OF STATE, TO DELIVER AN ADDRESS TO THE
GENERAL ASSEMBLY.**

Resolved by the Senate, the House of Representatives concurring:

That William J. Bryan, the Secretary of State, be and he is hereby respectfully requested to deliver an address before the joint session of the General Assembly of North Carolina on January thirtieth; that a committee of one on the part of the Senate and one on the part of the House be appointed to notify Mr. Bryan of the passage of this resolution. Invitation extended.
Date.
Committee of notification.

In the General Assembly read three times and ratified this the 15th day of January, 1915.

RESOLUTION No. 8.

JOINT RESOLUTION TO REQUIRE THE SECRETARY OF STATE TO FURNISH COPIES OF PELL'S REVISAL TO THE GENERAL ASSEMBLY.

Preamble.

WHEREAS, it is absolutely essential to the proper deliberation of the General Assembly that its members have easy access to the latest codified and annotated edition of the Statute Laws of North Carolina, and whereas Pell's Revisal is the latest edition of that character, and

WHEREAS, there is now but one complete set of said Pell's Revisal in the Library of either the Senate or House of Representatives; therefore

Resolved by the Senate, the House of Representatives concurring:

Secretary of State to furnish books. Number to be furnished.

That the Secretary of State be required to furnish at once to the library of the Senate six sets of Pell's Revisal of one thousand nine hundred and eight, and two volumes of Gregory's Supplement; and to the library of House of Representatives ten sets of said Pell's Revisal of one thousand nine hundred and eight, and two volumes of Gregory's Supplement, for the general use of all the members of the General Assembly.

Custody of books.

Resolved, second, that said Secretary of State shall be required to keep these said sets of Pell's Revisal from session to session of this body.

Purchase authorized.

Resolved, third, if said Secretary of State has not now on hand a sufficient number of sets of said Pell's Revisal owned by the State to carry out the provisions of this resolution, that he be authorized to purchase the same and the Treasurer be authorized to pay for same upon warrant of the Auditor.

In the General Assembly read three times and ratified this the 19th day of January, 1915.

RESOLUTION No. 9.

RESOLUTION FOR THE CELEBRATION OF THE BIRTHDAY OF GENERAL ROBERT EDWARD LEE.

Resolved by the House of Representatives, the Senate concurring:

Adjournment in honor of birthday.

SECTION 1. That when the General Assembly of North Carolina adjourns on Tuesday, the nineteenth day of January, one thousand nine hundred and fifteen, it shall adjourn in honor of the one hundred and eighth birthday of General Robert Edward Lee.

Use of Hall of Representatives for memorial exercises.

SEC. 2. That the United Daughters of the Confederacy be tendered the use of the Hall of the House of Representatives in which to hold suitable memorial exercises in commemoration of

the life, services and character of the great Confederate chieftain on Tuesday evening, January the nineteenth, one thousand nine hundred and fifteen, at eight o'clock.

In the General Assembly read three times and ratified this the 20th day of January, 1915.

RESOLUTION No. 10.

A JOINT RESOLUTION IN FELICITATION OF MRS. STONEWALL JACKSON.

WHEREAS, this is the day set apart for honoring the memory Preamble.
of two of the South's most illustrious leaders, General Robert E.
Lee and General Stonewall Jackson, and

WHEREAS, North Carolina is honored by being the home and Preamble.
residence of the widow of General Stonewall Jackson, and

WHEREAS, Mrs. Jackson has recently suffered a severe illness; Preamble.
now, therefore, be it

Resolved by the House of Representatives, the Senate concurring:

That the General Assembly of North Carolina express to Mrs. Admiration and esteem.
Stonewall Jackson the sentiments of its most cordial admiration
and esteem, convey to her its most earnest hope that she may be
speedily restored to health and may long be spared to us, an Hope for speedy recovery.
ornament to our State and as a golden link binding the present
to that past which Stonewall Jackson so materially helped to
make glorious.

In the General Assembly read three times and ratified this the
21st day of January, 1915.

RESOLUTION No. 11.

RESOLUTION TO PRINT THE GOVERNOR'S MESSAGE.

Resolved by the House of Representatives, the Senate concurring:

That five hundred (500) copies of the Governor's message be Number.
printed for the use of the members of the General Assembly.

In the General Assembly read three times and ratified this the
23d day of January, 1915.

RESOLUTION No. 12.

A JOINT RESOLUTION ARRANGING FOR A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES AND APPOINTING A COMMITTEE TO OFFICIALLY RECEIVE W. J. BRYAN, SECRETARY OF STATE OF THE UNITED STATES.

Preamble. WHEREAS, this General Assembly did pass a joint resolution inviting the Hon. W. J. Bryan, Secretary of State of the United States, to address the General Assembly in joint session on the thirtieth instant, and

Preamble. WHEREAS, the Hon W. J. Bryan has accepted the said invitation; now, therefore, be it

Resolved by the Senate, the House of Representatives concurring:

Joint session. That the Senate and House of Representatives, pursuant to said resolution, meet in joint session in the Hall of the House of Representatives at high noon, Saturday, January thirtieth, one thousand nine hundred and fifteen.

Be it further resolved by the Senate, the House of Representatives concurring:

Reception committee. That the President of the Senate appoint two Senators on the part of the Senate, and the Speaker of the House of Representatives appoint two Representatives on the part of the House of Representatives, as a committee to officially receive the Hon. W. J. Bryan, Secretary of State of the United States, upon his arrival in the city of Raleigh, and escort him to the Hall of the House of Representatives at high noon on Saturday, January thirtieth, one thousand nine hundred and fifteen, where the General Assembly in joint session will be in waiting.

Admission by cards. *Resolved, further,* that no person shall be admitted to the Hall of the House of Representatives or to the gallery of the Hall of House of Representatives except upon presentation of printed tickets, which tickets shall be provided by the Clerk of the Senate and the Clerk of the House of Representatives, and said tickets shall be distributed by the said clerks among the members of the Senate and the House of Representatives equally.

This resolution shall be in force from and after its ratification.

In the General Assembly read three times and ratified this the 29th day of January, 1915.

RESOLUTION No. 13.

JOINT RESOLUTION REQUESTING OUR SENATORS AND REPRESENTATIVES IN CONGRESS TO USE ALL REASONABLE EFFORT TO INDUCE CONGRESS TO DISPENSE WITH THE REQUIREMENT OF AN OATH OF LOYALTY TO THE UNION DURING THE LATE WAR BETWEEN THE STATES FROM THOSE HOLDING CLAIMS AGAINST THE UNITED STATES AND WISHING TO PROSECUTE THEM FOR PAYMENT.

WHEREAS, there are now on file and pending before the Congress of the United States, and before the United States Court of Claims many claims of citizens of North Carolina for supplies taken and used by the army and government of the United States during the late War Between the States; and

WHEREAS, these claims are just and meritorious, but our citizens cannot present and prove them because they are required to make oath that they were loyal to the Union during the late War Between the States; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring:

SECTION 1. That our Senators and Representatives in Congress be and they are hereby requested to use all reasonable effort to induce Congress to dispense with the requirement of an oath of loyalty to the Union during the late War Between the States from those who have claims to present for supplies taken and used by the army or government of the United States, during the late War Between the States, and to use all reasonable effort to assist our citizens in bringing such claims before the proper tribunal for a hearing upon their merits.

SEC. 2. That our Secretary of State be and he is hereby authorized and directed to furnish each of our Senators and Representatives in Congress a copy of this joint resolution.

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

In the General Assembly read three times and ratified this the 29th day of January, 1915.

RESOLUTION No. 14.

RESOLUTION ACKNOWLEDGING THE ACTION OF THE LEGISLATURE OF VIRGINIA IN RESPECT TO THE PRESENT SESSION OF OUR GENERAL ASSEMBLY.

WHEREAS, the General Assembly of our sister State of Virginia, now in session, adopted a resolution felicitating this State upon

the fact that its Legislature is in session under auspicious circumstances, and extended to our General Assembly good wishes for the success of our labors; therefore

Resolved by the House of Representatives, the Senate concurring:

Action appreciated.

1. That we most earnestly and cordially appreciate this action by our sister State.

Thanks for resolution.

2. That this Legislature returns thanks for the resolutions adopted by the General Assembly of Virginia, and begs to assure that honorable body of our most hearty appreciation of its action, and of our best wishes for the citizenship of that great State and for such wise, patriotic, and constructive legislation by its Legislature, now in session, as will continue the great moral and material growth of that Commonwealth, bound to us by so many strong and kindred ties.

Best wishes to Virginia and her Legislature.

In the General Assembly read three times and ratified this the 1st day of February, 1915.

RESOLUTION No. 15.

JOINT RESOLUTION RELATING TO SANITARY CONDITIONS.

Resolved by the House of Representatives, the Senate concurring:

Sanitary drinking cups.

SECTION 1. That sanitary drinking cups be provided for the use of the members of the Assembly.

Purchase and distribution.

SEC. 2. That the Sergeant at Arms of each House be directed to purchase same, and place them wherever necessary.

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

In the General Assembly read three times and ratified this the 2d day of February, 1915.

RESOLUTION No. 16.

A RESOLUTION FOR THE CURTAILMENT OF THE COTTON CROP.

Preamble.

WHEREAS, there are several million bales of cotton still held on the plantations of the planters, and other millions of bales stored, in the value of which the farmers still have a personal interest, and

Preamble.

WHEREAS, the value of all the cotton now held will be directly affected by the estimated yield of the coming crop, and

WHEREAS, an undue addition to the cotton carried over at the end of the season will result in a very low price for the cotton on hand, as well as for the cotton grown during this coming season; therefore,

Preamble.

The General Assembly of North Carolina do earnestly recommend a reduction in cotton acreage this spring of at least fifty per cent, and to that end it is recommended to all farmers' organizations, business men, and citizens generally that they exert every influence possible to secure such a curtailment of cotton acreage.

Reduction of acreage recommended.

And the General Assembly of North Carolina respectfully invites the authorities of the other Southern States interested in cotton to take whatever action is possible in the premises.

Action by other States asked.

Resolved, that the Governor of the State be requested to transmit these resolutions to the executives of the cotton-growing states.

Commission to other States.

In the General Assembly read three times and ratified this the 2d day of February, 1915.

RESOLUTION No. 17.

RESOLUTIONS OF GREETING TO VIRGINIA, TENNESSEE, ARKANSAS, TEXAS, NEW MEXICO, ARIZONA, AND CALIFORNIA FOR THE COMPLETION OF THE SOUTHERN NATIONAL HIGHWAY.

WHEREAS, a commission appointed by the Governors of all the Southern States met at Asheville, North Carolina, on February thirteenth, one thousand nine hundred and thirteen, and acting under the instruction and authority of the States whose commission they bore, designated the route of an all Southern Transcontinental Highway, which they named the Southern National Highway, and which runs as follows:

Preamble.

Washington to Richmond, Durham, across North Carolina over the Central Highway of the State, Knoxville, Nashville, Memphis, Little Rock, Hot Springs, Dallas, Fort Worth, Sweetwater, Roswell, New Mexico, Mescalero, New Mexico, to El Paso, Texas, thence by Clifton, Phoenix, and Yuma, Arizona, to San Diego, California, and

WHEREAS, so great has been the progress in the construction of the road that it is now almost completed from Washington to Knoxville, Tennessee, and an open and usable road from Dallas, Texas, to San Diego, California; with much of the intervening section completed; and a relatively small mileage yet remaining to improve until it can be thrown open to transcontinental travel, and

Preamble.

- Preamble.** WHEREAS, the Lincoln Highway is now traversable from New York City to San Francisco, vastly to the benefit of the northern part of our country; therefore be it
- Action confirmed.** *Resolved, first,* that the State of North Carolina hereby confirms the action of the Asheville Convention and adopts the designation "Southern National Highway," to become effective when similar action has been taken by the other seven States traversed by the route.
- Greetings to be sent.** *Second,* that greetings be sent to the States of Virginia, Tennessee, Arkansas, Texas, New Mexico, Arizona, and California, expressing the hope that by unity of action and concentration of effort this southern route may be put in condition in time for the transcontinental travel to and from the Panama-Pacific Exposition.
- Welcome extension.** *Third,* that North Carolina would welcome the extension of the work of the Federal office of public roads, in its supervision of maintenance now in operation over the Southern National Highway from Washington to Durham, so as to include the highway westward to the Tennessee line.
- Coöperation requested.** *Fourth,* that this State requests the coöperation of the other States in requesting the Federal Government in its prospective legislation to designate the route which has been authoritatively selected by the South, as the Southern National Highway and to coöperate with the States traversed in its establishment and maintenance as the Southern National Highway.
- Governor to present resolutions.** *Fifth,* that the Governor of this State be authorized and requested to present these resolutions to the Governors of the respective States for the purpose of concentrated action to secure the result; and that a copy of these resolutions be sent to the legislatures of the several particular States for their immediate consideration.
- In the General Assembly read three times and ratified this the 2d day of February, 1915.

RESOLUTION No. 18.

A JOINT RESOLUTION AS TO THE MEETINGS OF THE COMMITTEES AND THE EXPEDITING OF THE BUSINESS OF THE GENERAL ASSEMBLY.

Resolved by the Senate, the House of Representatives concurring:

Joint committee to be raised.

First, that a committee shall be named, consisting of three on the part of the Senate, to be appointed by the Lieutenant-Governor, and five on the part of the House of Representatives, to be appointed by the Speaker, whose duty it shall be to confer with the chairmen of the various committees and with the members of both branches, from time to time, and to assist in arranging

Duty of committee.

schedules for the meetings of the more important committees and in the systematizing and expediting of the business of the General Assembly.

In the General Assembly read three times and ratified this the 11th day of February, 1915.

RESOLUTION No. 19.

JOINT RESOLUTION OF SENATE AND HOUSE OF REPRESENTATIVES, RELATIVE TO ELECTING TRUSTEES OF THE UNIVERSITY.

Resolved by the Senate, the House of Representatives concurring:

That a joint meeting of the Senate and House of Representatives be held on Friday, February twelfth, at twelve o'clock noon, for the purpose of electing trustees of the University. Joint meeting.

In the General Assembly read three times and ratified this the 15th day of February, 1915.

RESOLUTION No. 20.

JOINT RESOLUTION MEMORIALIZING THE NORTH CAROLINA SENATORS AND REPRESENTATIVES IN CONGRESS IN FAVOR OF THE ADMINISTRATION BILL TO SECURE SHIPS FOR TRANSPORTATION.

Resolved by the Senate, the House of Representatives concurring:

That the Senators and Representatives of North Carolina in the Congress of the United States are hereby memorialized and requested to do all within their power to secure the immediate passage of the administration bill to secure ships for the transportation of American products to the markets of the world. Passage of administration bill requested.

We urge prompt action by our Senators and Representatives. Prompt action urged.

Resolved, further, that copies of these resolutions be mailed immediately to each of our Senators and each of our Representatives in Congress at Washington. Copies of resolution.

In the General Assembly read three times and ratified this the 16th day of February, 1915.

RESOLUTION No. 21.

JOINT RESOLUTION INSTRUCTING THE SECRETARY OF STATE TO FURNISH THE COUNTIES OF HOKE AND AVERY COPIES OF PELL'S REVISAL.

Preamble. WHEREAS, under a joint resolution of the General Assembly of one thousand nine hundred and nine the Secretary of State was authorized to purchase and furnish to each county of the State a set of Pell's Revisal for the use of the courts of said counties, and

Preamble. WHEREAS, at that time the counties of Hoke and Avery had not been created, consequently have not been furnished with said sets of Pell's Revisal; therefore be it

Resolved by the House of Representatives, the Senate concurring:

Copies to be furnished.

That the said Secretary of State be required to purchase and to furnish said counties of Hoke and Avery each with a set of said Pell's Revisal in accordance with the provisions of said resolution of the session of one thousand nine hundred and nine.

This resolution shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified this the 17th day of February, 1915.

RESOLUTION No. 22.

A RESOLUTION IN FAVOR OF J. H. DEWEESE OF MACON COUNTY, RELATING TO A STATE GRANT IN SAID COUNTY.

Preamble. WHEREAS, on the thirtieth day of September, nineteen hundred and twelve, J. H. Deweese entered a certain lot or tract of land in Macon County, North Carolina, containing about twelve and one-fourth acres, and paid the purchase price for same to the Secretary of State, and thereupon the said J. Bryan Grimes, Secretary of State, issued to the said J. H. Deweese a grant for said land, and

Preamble. WHEREAS, it has developed that the title to said tract of land had already passed out of the State by a prior grant, and the said land was therefore not vacant at the time of the issuing of the said purported grant number seven thousand eight hundred and eighty-nine, to the said J. H. Deweese, and that the said J. H. Deweese is a poor man and an ex-Confederate soldier, who can ill-afford to donate the price paid for said land to the State; and

Preamble. WHEREAS, the State of North Carolina had already been paid for this land; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring:

SECTION 1. That the Auditor of the State of North Carolina be, and he is hereby authorized and directed to issue his warrant, payable to the said J. H. Deweese in the sum or eighteen dollars and fifty cents, and that the State Treasurer be, and he is hereby authorized and directed to pay the said warrant out of any moneys not otherwise appropriated. Repayment directed.

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

In the General Assembly read three times and ratified this the 26th day of February, 1915.

RESOLUTION No. 23.

A JOINT RESOLUTION APPOINTING A COMMITTEE TO VISIT ROCKINGHAM AND LINCOLNTON TO INSPECT THE SITES OFFERED FOR THE INSTITUTION FOR THE BLIND.

Resolved by the House of Representatives, the Senate concurring:

That a committee of six from the House of Representatives and three from the Senate, be appointed to visit Rockingham, Richmond County, and Lincolnton, Lincoln County, for the purpose of inspecting the lands offered by said cities as a site for the Institution for the Blind and Deaf. The said committee shall report in writing to the General Assembly the result of their investigation of the offers made by the cities of Rockingham, Lincolnton, Salisbury, and Raleigh. Committee raised.
Report in meeting.

In the General Assembly read three times and ratified this the 26th day of February, 1915.

RESOLUTION No. 24.

A JOINT RESOLUTION OF THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING.

WHEREAS, it is with deep regret and individual sorrow that we learn of the serious illness of our beloved Speaker, Honorable Emmett R. Wooten; be it

Resolved, that a request is hereby made that in every church in the City of Raleigh at their Sunday morning services a special prayer be offered for him and if, in the wisdom of God, that his recovery may be expedient and complete. Request for special prayer for recovery.

In the General Assembly read three times and ratified this the 1st day of March, 1915.

RESOLUTION No. 25.

JOINT RESOLUTION DEFINING AND ENLARGING THE DUTIES OF THE SPECIAL LEGISLATIVE COMMITTEE RELATIVE TO THE CARTER-ABERNETHY CONTROVERSY.

Resolved by the House of Representatives, the Senate concurring:

Powers given committee.

Counsel and clerical assistance.

Pay of members.

Compensation of counsel and clerks.

Powers in securing evidence.

Sittings.

Jurisdiction.

Proviso: Pay of witnesses.

Chairman to sign papers.

SECTION 1. That the special committee appointed by the Speaker of the House pursuant to House Resolutions numbers one thousand one hundred and fifty-five and one thousand four hundred and forty-two, adopted by the House on February twenty-sixth, A. D. one thousand nine hundred and fifteen, shall have all the powers given by law to investigating committees of the General Assembly, and shall be allowed, in its discretion, to employ counsel to protect the interests of the State, and such clerical assistance as it may deem necessary and proper; and the members of said committee shall receive the per diem of members of the General Assembly and their necessary expenses while discharging the duties imposed on them by said House resolutions, and such counsel and clerks shall receive such compensation as may be fixed by said committee, the same, together with the per diem and expenses of the members of the committee, to be paid by the treasurer on the warrant of the auditor, approved by the chairman of said committee and the Governor.

SEC. 2. Said committee shall have power in its discretion to subpoena witnesses, send for papers, records and documents, and compel the presence and production of the same, with power to attach as for contempt any disobedience of its subpoenas, orders, and mandates.

SEC. 3. Said committee is authorized to sit in the City of Raleigh, or elsewhere in the State, if in its judgment the welfare of the State will be best subserved by sitting elsewhere, and its hearings shall be public.

SEC. 4. It shall be the sole judge of the competency and materiality of witnesses, and shall have power to ascertain and adjudge what witnesses shall be entitled to prove attendance and receive pay from the State, to the end that the State shall not be liable for the payment of unnecessary, immaterial or incompetent witnesses, or for the production of cumulative evidence: *Provided*, that all witnesses entitled to prove their attendance under this resolution shall receive one dollar and fifty cents per day for each day's actual attendance, and three cents per mile each way, to be paid by the State as hereinafter provided.

SEC. 5. That the chairman or other presiding officer of said committee shall sign all subpoenas, orders and writs made necessary by virtue of the resolutions aforesaid, and only such witnesses who are duly subpoenaed as herein provided and found by

the committee to be competent and material shall be entitled to receive compensation from the State; and it shall be the duty of the various sheriffs and other officers to whom such subpoenas, orders and writs may be sent to serve the same without needless delay, and for their services they shall receive the same compensation as is now allowed by law for like processes from the superior courts of the State, but said compensation shall not be payable in advance. Service of process.

SEC. 6. That all expenses incurred by virtue of this resolution in furtherance of the duties imposed upon said committee by the House resolutions aforesaid, after said expense shall have been ascertained and found by the committee and approved by its chairman and the Governor of the State, shall, together with the per diem and necessary expenses of the committee, its counsel and clerks, be paid by the Treasurer on the warrant of the Auditor. Payment of expenses.

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

In the General Assembly read three times and ratified this the 3d day of March, 1915.

RESOLUTION No. 26.

A RESOLUTION TO ACCEPT THE BENEFITS OF AN ACT OF CONGRESS KNOWN AS THE SMITH-LEVER BILL.

WHEREAS, the Congress of the United States has passed an act approved by the President May eight, one thousand nine hundred and fourteen, entitled An act to provide for Coöperative agricultural Extension work between the agricultural colleges in the several States receiving the benefits of the act of Congress approved July two, one thousand eight hundred and sixty-two, and of acts supplementary thereto, and the United States Department of Agriculture, and Preamble.

WHEREAS, it is provided in section three of the act aforesaid, that the grants of money authorized by this act shall be paid annually "to each State which shall by action of its Legislature assent to the provisions of this act," therefore, be it Preamble.

Resolved by the Senate, the House of Representatives concurring:

That the assent of the Legislature of the State of North Carolina be and is hereby given to the provisions and requirements of said act, and that the trustees of the North Carolina College of Agriculture and Mechanic Arts be and they are hereby authorized and empowered to receive the grants of money appropriated under said act, and to organize and conduct agriculture extension work which shall be carried on in connection with the North Carolina Assent to provisions and requirements.

College of Agriculture and Mechanic Arts, in accordance with the terms and conditions expressed in the act of Congress aforesaid.

In the General Assembly read three times and ratified this the 5th day of March, 1915.

RESOLUTION No. 27.

A JOINT RESOLUTION RELATIVE TO THE COMPENSATION OF W. M. SMITH, COMMISSIONER, W. H. MCGINN, CONSTABLE OF SHARON TOWNSHIP, N. W. WALLACE, SHERIFF OF MECKLENBURG COUNTY, AND SIXTEEN WITNESSES FOR THE STATE.

Preamble. WHEREAS, his Excellency, the Governor of North Carolina, on the seventh day of April, one thousand nine hundred and eleven, appointed W. M. Smith of Mecklenburg County, a commissioner to take evidence pertaining to the revocation of the conditional pardon of E. C. Caton of Mecklenburg County; and

Preamble. WHEREAS, W. H. McGinn, constable, summoned sixteen witnesses and N. W. Wallace, sheriff, served certain papers on the said E. C. Caton; and

Preamble. WHEREAS, there is and was at the time of taking said evidence no law providing for the compensation to be paid for the labor performed by said commissioner, officers and witnesses; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring:

Payments authorized. SECTION 1. That the said W. M. Smith be and he is hereby allowed the sum of twenty-five dollars; that W. H. McGinn, constable, be and he is hereby allowed the sum of four dollars and eighty cents; and N. W. Wallace, sheriff, be and he is hereby allowed the sum of ninety cents, as compensation for their services; and that the said W. M. Smith be and he is hereby allowed an additional sum of sixteen dollars to be disbursed by him to the witnesses which attended said hearing, and that the State Treasurer be and he is hereby directed to pay said amounts upon the warrant of the State Auditor when said warrant shall have been approved and countersigned by his Excellency the Governor.

SEC. 2. This resolution shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified this the 5th day of March, 1915.

RESOLUTION No. 28.

JOINT RESOLUTION RECALLING H. B. 596, S. B. 800, ENTITLED "A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 184 OF THE PRIVATE LAWS OF 1905, INCORPORATING THE GRAHAM COUNTY RAILROAD COMPANY; TO AMEND CHAPTER 243 OF THE PRIVATE LAWS OF 1909, AMENDING SAID CHAPTER 184 OF THE PRIVATE LAWS OF 1905; AND ALSO TO AMEND CHAPTER 266 OF THE PRIVATE LAWS OF 1911, FURTHER AMENDING SAID CHAPTER 184 OF THE PRIVATE LAWS OF 1905," FROM THE OFFICE OF THE ENROLLING DEPARTMENT.

WHEREAS, by error, H. B. 596, S. B. 800, entitled as above set forth, passed its second and third readings in the Senate without roll-call vote on March first, one thousand nine hundred and fifteen, having been regularly passed by the House of Representatives, and was ratified on March second, one thousand nine hundred and fifteen, and Preamble.

WHEREAS, such passage fails to meet the Constitutional requirements, and Preamble.

WHEREAS, for want of time it is impossible at this session to remedy the defect by the passage of another act, and Preamble.

WHEREAS, the original bill under the above numbers and title is now in the office of the enrolling department of the General Assembly, now therefore, Preamble.

Resolved by the Senate, the House of Representatives concurring:

SECTION 1. That H. B. 596, S. B. 800, entitled An act to amend Chapter 184 of the Private Laws of one thousand nine hundred and five, incorporating the Graham County Railroad Company; to amend Chapter two hundred and forty-three of the Private Laws of one thousand nine hundred and nine, amending said Chapter one hundred and eighty-four of the Private Laws of one thousand nine hundred and five; and also to amend Chapter two hundred and sixty-six of the Private Laws of one thousand nine hundred and eleven, further amending said Chapter one hundred and eighty-four of the Private Laws of one thousand nine hundred and five, be recalled from the office of the enrolling department of the General Assembly and placed upon its passage in the Senate to the end that the Constitutional requirements be complied with. Recall of document.

SEC. 2. That the Secretary of State be and he is hereby directed to omit from the printed laws of the present session the act under the above numbers and title which was erroneously ratified on March second, one thousand nine hundred and fifteen. Omission directed.

SEC. 3. This resolution shall be in effect from and after its ratification.

In the General Assembly read three times and ratified this the 5th day of March, 1915.

RESOLUTION No. 29.

JOINT RESOLUTION TO PAY EXPENSES OF VISITING COMMITTEE FOR EXPENSES INCURRED BY VISITING ROCKINGHAM AND LINCOLNTON TO INSPECT LANDS OFFERED FOR A SITE FOR THE BLIND INSTITUTION.

Be it resolved by the House of Representatives of North Carolina, the Senate concurring:

Payments authorized.

SECTION 1. That the following persons be paid their expenses as follows: J. T. Wall, \$10.56; W. G. Long, \$10.30; J. Carawan, \$13.50; R. L. Carr, \$10.50, members upon the part of House, and J. S. McNider, \$13.50; W. L. Morris, \$12.85, upon the part of the Senate, and the Auditor is hereby authorized to issue his warrant on the State Treasurer for the same.

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

In the General Assembly read three times and ratified this the 8th day of March, 1915.

RESOLUTION No. 30.

JOINT RESOLUTION TO PAY THE EXPENSES OF THE HOUSE AND SENATE EDUCATIONAL SUB-COMMITTEE WHILE VISITING THE APPALACHIAN TRAINING SCHOOL AT BOONE, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Payments authorized.

SECTION 1. That the sum of one hundred and three dollars and twenty-three cents (\$103.23) is hereby appropriated to pay the expenses of the subcommittee on education of the House of Representatives and Senate while visiting the Appalachian Training School at Boone, and the Auditor is hereby authorized to issue his warrants on the State Treasurer for one hundred and three dollars and twenty-three cents (\$103.23), payable to J. C. Galloway, who will distribute the same to the several members of the subcommittee as follows:

A. H. Etheridge	\$34.41
J. E. Lineback	34.41
J. C. Galloway	34.41

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

In the General Assembly read three times and ratified this the 8th day of March, 1915.

RESOLUTION No. 31.

JOINT RESOLUTION TO PAY THE EXPENSES OF THE HOUSE AND SENATE VISITING COMMITTEES TO THE STATE HOSPITALS AT MORGANTON AND GOLDSBORO.

Resolved by the House of Representatives, the Senate concurring:

That the State Auditor be authorized to issue his warrants on the State Treasurer for the following amounts to the persons hereinafter named, to defray the actual expenses incurred by the committee. Payments authorized.

Expenses of Committee to Morganton.

Senator B. F. Davis.....	\$14.50
Senator Ezra Parker	14.50
Senator W. L. Cohoon	12.40
Representative A. A. Kent	14.50
Representative A. M. Dula	13.60
Representative T. M. Hall	11.00
	\$80.50

Expenses of Committee to Goldsboro.

Senator R. L. Ballou	\$ 2.75
Representative A. A. Kent	2.75
Representative D. L. Hewett	2.90
Representative C. H. B. Leonard.....	2.75
Representative J. E. Hoover	2.75
	\$13.90

In the General Assembly read three times and ratified this the 8th day of March, 1915.

RESOLUTION No. 32.

RESOLUTION TO PAY THE EXPENSES OF THE MEMBERS OF THE SUBCOMMITTEE ON EDUCATION VISITING THE EAST CAROLINA TEACHERS TRAINING SCHOOL.

Resolved by the House of Representatives, the Senate concurring:

SECTION 1. That the Auditor be and he is hereby authorized and directed to draw his warrant on the Treasurer of North Carolina for the sum of twenty-five dollars and eighty cents (\$25.80) in favor of Fred W. Bynum, subchairman of the visiting committee to pay the actual expenses of the subcommittee visiting the East Carolina Teachers Training School, such amount to be disposed of as follows: Payments authorized.

T. N. Hall	\$ 4.30
M. Shepherd	4.30
H. L. Nettles	4.30
R. G. Kittrell	4.30
J. Y. Killian	4.30
Fred W. Bynum	4.30
Total	\$25.80

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

In the General Assembly read three times and ratified this the 6th day of March, 1915.

RESOLUTION No. 33.

A JOINT RESOLUTION TO PAY THE EXPENSES OF THE COMMITTEE FOR INSTITUTION FOR THE BLIND WHO VISITED AND INVESTIGATED THE OFFER MADE BY THE CITY OF SALISBURY TO THE STATE FOR AN INSTITUTION FOR THE BLIND.

Resolved by the House of Representatives, the Senate concurring:

Payments
authorized.

SECTION 1. That J. T. Wall, chairman of the House committee for the Institution of the Blind be and he is hereby allowed the sum of seventy-six dollars, the same being the expenses of said committee incurred in visiting the land and buildings offered by the citizens of Salisbury for a site for the Institution for the Blind.

J. T. Wall	\$ 9.11
M. H. Norman	8.85
Dr. A. A. Kent	8.95
Dr. R. L. Carr	6.85
Jordan Carawan	8.85
C. H. B. Leonard	8.95
Senator McNider	8.14
Senator Morrison	8.14
Senator Muse	8.16

\$76.00

SEC. 2. That the State Treasurer is hereby authorized to pay said amount upon warrant of the State Auditor.

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

In the General Assembly read three times and ratified this the 8th day of March, 1915.

RESOLUTION No. 34.**RESOLUTION IN BEHALF OF THE CLERKS OF THE
GENERAL ASSEMBLY.**

WHEREAS, the clerks of the House of Representatives and Senate Preamble. have been true and faithful servants of the General Assembly and have discharged the arduous duties incumbent upon them in a faithful and efficient manner; and

WHEREAS, the work of the General Assembly has increased to Preamble. such an extent that they have been required to work both day and night in order to keep their work and prepare their records; be it therefore

Resolved by the Senate, the House of Representatives concurring:

SECTION 1. That the Principal Clerk of the Senate, the Prin- Allowances. cipal Clerk of the House of Representatives, and their assistants, the reading clerks of both branches of the General Assembly, the Engrossing Clerk of the Senate and his assistants, the Engrossing Clerk of the House and his assistants, and the clerks to the different committees of both Senate and House be and they are hereby allowed the sum of fifty cents per day extra for sixty days, in addition to their salary as now allowed by law.

SEC. 2. That the principal clerks of the Senate and House of Representatives, respectively, are hereby authorized and directed to issue vouchers therefor.

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 6th day of March, 1915.

RESOLUTION No. 35.

A RESOLUTION OF SENATE AND HOUSE OF REPRESENTATIVES CALLING A JOINT MEETING, SENATE AND HOUSE, TO ELECT TRUSTEES OF THE UNIVERSITY OF NORTH CAROLINA TO FILL VACANCIES.

Resolved by the Senate, the House of Representatives concurring:

SECTION 1. That there shall be a joint meeting of the Senate Time fixed. and House today, March sixth, at two o'clock p. m., for the purpose of electing trustees of the University of North Carolina, to fill the vacancies which have occurred since the last meeting.

SEC. 2. That this resolution shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified this the 8th day of March, 1915.

RESOLUTION No. 36.

JOINT RESOLUTION PROVIDING FOR THE APPOINTMENT OF A COMMITTEE TO ATTEND THE INAUGURATION OF E. K. GRAHAM, PRESIDENT OF THE UNIVERSITY OF NORTH CAROLINA.

Preamble. WHEREAS, the trustees and faculty of the University of North Carolina have made preparations to have President E. K. Graham formally inducted into office April twenty-first, one thousand nine hundred and fifteen; and

Preamble. WHEREAS, many distinguished visitors from our sister States are expected to be present on this occasion; and

Preamble. WHEREAS, it is fitting that the General Assembly be formally and officially represented at this inauguration; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring:

Joint committee. SECTION 1. That a committee of five Senators and nine Representatives be appointed by the presiding officers of the Senate and of the House of Representatives to attend the inaugural exercises of President Graham.

President and Speaker. SEC. 2. That the President of the Senate and the Speaker of the House of Representatives shall be members of this committee.

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

In the General Assembly read three times and ratified this the 8th day of March, 1915.

RESOLUTION No. 37.

A JOINT RESOLUTION TO PAY THE EXPENSES OF VISITING COMMITTEE TO THE STATE FARM IN HALIFAX COUNTY.

Resolved by the House of Representatives, the Senate concurring:

Payment allowed. That the following persons be paid the expenses incurred by them in visiting the State farm in Halifax County, as follows, to wit:

R. A. Doughton	\$ 8.80
H. P. Grier	9.05
R. S. Hutchison	8.05
J. B. Clark	8.05
J. J. Laughinghouse	7.38
T. J. Renfrow	7.38
J. H. Darden	7.38
A. D. Ward	8.70

T. T. Speight.....	\$ 8.20
R. L. Ballou	6.60
W. L. Morris	7.50
— — Stevens	6.60

In the General Assembly read three times and ratified this the 8th day of March, 1915.

RESOLUTION No. 38.

JOINT RESOLUTION TO PAY THE EXPENSES OF THE HOUSE COMMITTEE APPOINTED TO ATTEND THE FUNERAL OF THE LATE SPEAKER OF THE HOUSE, HON. E. R. WOOTEN, AT KINSTON, N. C.

Resolved by the House of Representatives, the Senate concurring:

SECTION 1. That the sum of sixty-two dollars is hereby appropriated to pay the expenses of the committee appointed to attend the funeral of the late Speaker of the House, Hon. E. R. Wooten, at Kinston, N. C., and the Auditor is hereby authorized to issue his warrant on the State Treasurer for sixty-two dollars, payable to M. H. Allen, who will distribute the same to the several members of the committee, as follows:

Payment authorized.

Allen	\$6.20
Mintz	6.20
Roberts of Buncombe	6.20
Tucker	6.20
Hutchison	6.20
Grant	6.20
Hanes	6.20
Noland	6.20
Kittrell	6.20
Ebbs	6.20

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 8th day of March, 1915.

RESOLUTION No. 39.

JOINT RESOLUTION TO PAY EXPENSES OF THE HOUSE AND SENATE VISITING COMMITTEE TO THE NORTH CAROLINA SCHOOL FOR THE DEAF, AT MORGANTON, NORTH CAROLINA.

Resolved by the House of Representatives, the Senate concurring:

Payment allowed. That the State Auditor be authorized to issue his warrants on the State Treasurer for the following amounts of the committee incurred in making said visit:

Senator E. F. Upchurch.....	\$12.00
Senator Dorlan Thompson	11.90
Senator N. L. Stedman	12.00
Representative L. H. Bost	11.75
Representative J. H. Vernon	11.85
Representative A. W. Smith	12.40
Representative Capehart	12.40
Representative G. A. Whitford	11.00

In the General Assembly read three times and ratified this the 8th day of March, 1915.

RESOLUTION No. 40.

JOINT RESOLUTION TO PAY THE EXPENSES OF THE HOUSE AND SENATE VISITING COMMITTEE TO THE NORTH CAROLINA SCHOOL FOR THE FEEBLE MINDED, AT KINSTON, NORTH CAROLINA.

Resolved by the House of Representatives, the Senate concurring:

Payment authorized. That the State Auditor be authorized to issue his warrants on the State Treasurer for the following amounts to the persons hereinafter named, to defray the actual expenses of the committee incurred in making said visit:

Senator Mark Majette	\$ 1.92
Senator R. L. Haymore	4.00
Senator R. D. Johnson	4.00
Senator R. L. Ballou	1.25
Senator W. B. Cooper	4.00
Representative A. A. Kent	1.25
Representative C. H. B. Leonard	1.25
Representative J. E. Hoover	1.25
Representative R. L. Carr	4.00

\$22.92

In the General Assembly read three times and ratified this the 8th day of March, 1915.

RESOLUTION No. 41.

JOINT RESOLUTION TO PAY EXPENSES OF THE HOUSE AND SENATE EDUCATIONAL SUBCOMMITTEE WHILE VISITING THE CULLOWHEE NORMAL AND INDUSTRIAL SCHOOL AT CULLOWHEE.

Resolved by the House of Representatives, the Senate concurring:

SECTION 1. That the Auditor be authorized to issue his warrants on the Treasurer for the following amounts to the persons hereinafter named to defray the actual expenses necessarily incurred by the House and Senate committee visiting Cullowhee Normal and Industrial School, at Cullowhee: Payment authorized.

C. Paxton	\$32.50
J. L. Mayo	35.00
C. M. Faircloth	35.00

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 8th day of March, 1915.

RESOLUTION No. 42.

RESOLUTION IN BEHALF OF THE CLERKS IN THE ENROLLING DEPARTMENT.

WHEREAS, the clerks of the Enrolling Department of the General Assembly have rendered true and faithful service to the General Assembly and have discharged the arduous duties incumbent upon them in a faithful and efficient manner; and Preamble.

WHEREAS, the work of the General Assembly has increased to such an extent that they have been required to work both day and night in order to keep up with the work of the General Assembly and make their report; be it therefore Preamble.

Resolved by the Senate, the House of Representatives concurring:

SECTION 1. That the Chief Clerk of the Enrolling Department and his assistants, not exceeding six, be and they are hereby allowed the sum of fifty cents extra per day, in addition to their per diem allowed by law, and only from the date of their employment. Allowances.

SEC. 2. The vouchers for such pay are to be issued and paid as other vouchers from the Enrolling Department. Vouchers.

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 8th day of March, 1915.

RESOLUTION No. 43.

A RESOLUTION RELATIVE TO THE APPOINTMENT OF A COMMISSION FOR THE PURPOSE OF REVISING THE SYSTEM OF COURT PROCEDURE AND TO FORMULATE A UNIFORM SYSTEM OF INFERIOR COURTS.

Preamble. WHEREAS, the system of procedure which now obtains in the courts of North Carolina is, in many respects, cumbersome and antiquated; and

Preamble. WHEREAS, it is manifest that certain changes in said system would greatly facilitate the trial of causes and safeguard the interest of parties; and

Preamble. WHEREAS, many useless technicalities now exist which do not subserve any good purpose; and

Preamble. WHEREAS, many inferior courts have been established in this State, with varying jurisdiction; and

Preamble. WHEREAS, the jurisdiction of said inferior courts should be uniform; therefore, be it

Resolved by the House of Representatives, the Senate concurring:

Governor to appoint commission.

SECTION 1. That the Governor of the State be, and he is hereby authorized and empowered to appoint a commission of five members, one of whom shall be a member of the supreme court, one of whom shall be superior court judge, and the other two shall be active practitioners of the law, and one a layman whose duty it shall be to revise and simplify the present system of procedure. Said commission is hereby authorized to make such other changes in the rules of procedure as to them may seem wise and proper, and to make such general recommendations which they may deem practicable.

Commission to formulate system.

SEC. 2. That said commission shall devise and formulate a uniform system of inferior courts for the State, and prescribe the jurisdiction thereof.

SEC. 3. That said revision and changes and said system of inferior courts made by said commission shall only be recommendatory, and not binding unless the same shall be enacted into law.

Revision recommendatory only.

SEC. 4. It shall be the duty of the said commission to submit their report to the Governor of the State on or before January first, one thousand nine hundred and seventeen, and the Governor shall cause a copy of the same to be transmitted to each branch of the General Assembly at its regular session in the year one thousand nine hundred and seventeen.

Expense allowance, and to hire clerk.

SEC. 5. That each member of said commission shall receive for his services his actual expenses, together with the hire of a clerk during the time actually engaged in the work herein contemplated: *Provided*, that not more than five hundred dollars shall be expended for this purpose.

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 9th day of March, 1915.

RESOLUTION No. 44.

A JOINT RESOLUTION TO PAY THE EXPENSES OF THE SUBCOMMITTEE FROM THE GENERAL COMMITTEE ON EDUCATION VISITING THE AGRICULTURAL AND MECHANICAL COLLEGE FOR THE COLORED RACE AT GREENSBORO.

Resolved by the Senate, the House of Representatives concurring:

SECTION 1. That the Auditor be, and he is hereby authorized and directed to draw his warrant on the Treasurer of North Carolina for the sum of seven dollars and sixty cents in favor of Senator Giles, chairman of the Committee on Education, to pay the actual expenses of the subcommittee who visited the Agricultural and Mechanical College for the Colored Race at Greensboro, such amount to be distributed as follows: Payment authorized.

Senator Giles	\$3.60
Senator Johnston of Duplin	2.00
Representative Kittrell	2.00
	Total
	\$7.60

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

In the General Assembly read three times and ratified this the 9th day of March, 1915.

RESOLUTION No. 45.

RESOLUTION IN FAVOR OF W. D. TERRY.

WHEREAS, W. D. Terry has been required to attend to the mechanical ventilation of the halls of the Senate and the House, in addition to his regular duties, during the session of the Legislature, therefore, be it Preamble.

Resolved by the Senate, the House of Representatives concurring:

That W. D. Terry, for the extra services above enumerated, be allowed the sum of one dollar per day during the Legislative session, to be paid by the State Treasurer upon warrant of the Auditor. Allowance. Payment.

In the General Assembly read three times and ratified this the 8th day of March, 1915.

RESOLUTION No. 46.

A JOINT RESOLUTION TO PAY THE EXPENSES OF THE SUBCOMMITTEE FROM THE GENERAL COMMITTEE ON EDUCATION VISITING THE STATE NORMAL COLLEGE AT GREENSBORO.

Resolved by the Senate, the House of Representatives concurring:

Payment
authorized.

SECTION 1. That the Auditor be, and he is hereby authorized and directed to draw his warrant on the Treasurer of North Carolina for the sum of twenty-five and seventy one-hundredths dollars in favor of D. F. Giles, chairman of the Committee on Education, to pay the actual expenses of the subcommittee who visited the State Normal College at Greensboro, such amount to be distributed as follows:

Senator Giles	\$ 8.57
Senator Johnson of Duplin	8.57
Representative Kittrell	8.57

Total.....\$25.71

In the General Assembly read three times and ratified this the 8th day of March, 1915.

RESOLUTION No. 47.

JOINT RESOLUTION TO PAY THE EXPENSES OF THE COMMITTEE APPOINTED BY SENATE RESOLUTION TO ACCOMPANY THE REMAINS OF W. T. AYCOCK, ENGROSSING CLERK.

Resolved by the Senate, the House of Representatives concurring:

Payment
authorized.

That the sum of forty-eight dollars is hereby appropriated to pay the actual expenses of the committee to accompany the remains of the late W. T. Aycock, and the Auditor is hereby authorized to issue his warrant on the State Treasurer for forty-eight dollars, payable to Ney McNeely, who will distribute the same to the several members of the committee as follows:

R. D. Johnson	\$8.00
Frank McAuley	8.00
L. A. Stevens	8.00
Geo. B. McLeod	8.00
R. L. Haymore	8.00
Ney McNeely	8.00

That this resolution shall be in force from and after its ratification.

In the General Assembly read three times and ratified this the 8th day of March, 1915.

RESOLUTION No. 48.

JOINT RESOLUTION IN REGARD TO EXTRA PAY FOR THE PAGES OF THE SENATE AND OF THE HOUSE OF REPRESENTATIVES.

Resolved by the Senate, the House of Representatives concurring:

SECTION 1. That the pages of the Senate and of the House of Representatives be and they are hereby allowed fifty cents per day extra to the amount allowed, and also their actual railroad fare from their respective homes to the City of Raleigh and return. Allowance.

SEC. 2. The principal clerks of the Senate and House are hereby authorized to issue their vouchers, and the State Auditor shall issue his warrant for the same, which shall be paid by the State Treasurer. Vouchers.

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

In the General Assembly read three times and ratified this the 8th day of March, 1915.

RESOLUTION No. 49.

RESOLUTION TO PAY SENATORS WHO ATTENDED THE FUNERAL OF THE LATE LAMENTED SPEAKER EMMETT R. WOOTEN.

Resolved by the Senate, the House of Representatives concurring:

SECTION 1. That thirty-seven dollars and twenty cents is hereby appropriated to pay the expenses of the Senate committee who attended the funeral of Speaker Emmett R. Wooten, at Kinston, and the Auditor is hereby authorized to issue his warrant on the Treasurer, payable to Senator G. B. McLeod, who will distribute the same as follows: Payment authorized.

George B. McLeod	\$6.20
Frank Thompson	6.20
A. D. Ward	6.20
A. M. Dixon	6.20
R. D. Johnson	6.20
T. M. Washington	6.20

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 8th day of March, 1915.

RESOLUTION No. 50.

RESOLUTION AUTHORIZING AND DIRECTING T. G. COBB, PRINCIPAL CLERK OF THE HOUSE OF REPRESENTATIVES, TO ISSUE VOUCHER TO MRS. E. R. WOOTEN, WIDOW OF THE LATE SPEAKER WOOTEN, FOR THE SUM OF THREE HUNDRED AND FIFTEEN DOLLARS.

Resolved by the House of Representatives, the Senate concurring:

Issue of voucher directed.

SECTION 1. That T. G. Cobb, Principal Clerk of the House of Representatives, be authorized and directed to issue voucher to Mrs. E. R. Wooten, widow of the late Speaker, Hon. E. R. Wooten, for the sum of three hundred and fifteen dollars, the same being the per diem of said late Speaker for sixty days, and mileage, less thirty dollars drawn by said E. R. Wooten.

Amount.

SEC. 2. That this resolution be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified this the 8th day of March, 1915.

RESOLUTION No. 51.

JOINT RESOLUTION IN FAVOR OF CLARENCE R. AYCOCK, ADMINISTRATOR OF THE ESTATE OF W. T. AYCOCK, LATE ENGROSSING CLERK OF THE SENATE.

Resolved by the Senate, the House of Representatives concurring:

Issue of warrant ordered.

That the State Auditor be, and he is hereby authorized and directed to draw his warrant on the State Treasurer in favor of Clarence R. Aycock, administrator of the estate of W. T. Aycock, late Engrossing Clerk of the Senate, for the sum of one hundred and thirty-six dollars, the same being balance of amount which would have been due on the sixth day of March, one thousand nine hundred and fifteen, to said W. T. Aycock as per diem as Engrossing Clerk of the Senate, and the State Treasurer is hereby authorized and directed to pay the same.

Amount.

Payment directed.

In the General Assembly read three times and ratified this the 9th day of March, 1915.

RESOLUTION No. 52.

JOINT RESOLUTION FOR THE RELIEF OF FANNIE T. CHAPPELL, WIDOW OF W. H. CHAPPELL, DECEASED.

Preamble.

WHEREAS, W. H. Chappell, late of Wake County, was employed by the Senate at its present session in the capacity of laborer; and

WHEREAS, the said W. H. Chappell died while serving this body Preamble. in said capacity, leaving a wife, Fannie T. Chappell, who survives him; and

WHEREAS, the said W. H. Chappell was a brave Confederate Preamble. soldier and his said widow is totally without means of support; and

WHEREAS, the said W. H. Chappell, at the time of his death was Preamble. receiving the sum of two dollars and fifty cents (\$2.50) per day as salary, and had drawn from the treasury the sum of twelve dollars and fifty cents (\$12.50) on account of services; now, therefore, be it

Resolved by the Senate, the House of Representatives concurring:

SECTION 1. That the auditor be and he is hereby authorized Issue of warrant and directed to draw his warrant on the Treasurer of North ordered. Carolina for the sum of one hundred and thirty-seven dollars and Amount. fifty cents (\$137.50) in favor of Fannie T. Chappell, widow of W. H. Chappell, deceased.

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

In the General Assembly read three times and ratified this the 9th day of March, 1915.

RESOLUTION No. 53.

JOINT RESOLUTION RELATING TO THE PAY OF CLERKS TO THE SEVERAL COMMITTEES OF THE HOUSE AND SENATE.

Be it resolved by the House, the Senate concurring:

SECTION 1. That the clerks to the committees on Appropria- Per diem. tions, Finance, Judiciary, Counties, Cities and Towns, and Propo- sitions and Grievances, in the House and Senate, be paid their Mileage. per diem for the full session of sixty days and one-half mileage.

SEC. 2. That this resolution be in force from its ratification.

In the General Assembly read three times and ratified this the 9th day of March, 1915.

RESOLUTION No. 54.

A JOINT RESOLUTION SUPPLEMENTAL TO H. R. 1679 AND S. R. 1778, RELATIVE TO PAYING THE EXPENSES OF THE VISITING COMMITTEE TO THE STATE FARM.

Resolved by the House of Representatives, the Senate concurring:

Payment authorized.

SECTION 1. That the following members be paid the expenses incurred by them in visiting the State Farm in Halifax County, as follows, to wit:

Representative R. A. Doughton	\$8.80
Representative H. P. Grier	9.05
Representative R. S. Hutchinson	8.05
Representative J. B. Clark	8.05
Representative J. J. Laughinghouse	7.38
Representative T. J. Renfrow	7.38
Representative J. H. Darden	7.38
Senator A. D. Ward	8.70
Senator T. T. Speight	8.20
Senator R. L. Ballou	6.60
Senator W. L. Morris	7.50
Senator A. E. Stevens	6.60

Warrant and payment.

SEC. 2. That the State Auditor is hereby authorized and directed to draw his proper warrant or warrants in payment of said sum or sums and the Treasurer of the State is hereby directed to pay the same.

SEC. 3. That this resolution is in force from and after its ratification.

In the General Assembly read three times and ratified this the 9th day of March, 1915.

RESOLUTION No. 55.

A JOINT RESOLUTION TO PAY THE EXPENSES OF THE HOUSE AND SENATE VISITING COMMITTEE TO THE UNIVERSITY AT CHAPEL HILL.

A resolution by the House of Representatives, the Senate concurring:

Payment authorized.

That the State Auditor be authorized to issue his warrants on the State Treasurer for the following amounts to the persons hereinafter named, to defray the actual expenses incurred by the committee.

Expenses of Committee to Chapel Hill:

Senator George B. McLeod	\$3.40
Senator R. D. Johnson	3.40

Representative M. H. Allen.....	\$3.40
Representative J. E. Pegram	3.40
Representative M. L. Davis	3.30
Representative W. L. Small	4.50
Representative R. S. Hutchinson	3.40

In the General Assembly read three times and ratified this the 9th day of March, 1915.

RESOLUTION No. 56.

JOINT RESOLUTION EMPOWERING THE NORTH CAROLINA HISTORICAL COMMISSION TO PLACE ADDITIONAL NAMES IN THE ROSTER OF NORTH CAROLINA TROOPS.

WHEREAS, notwithstanding the intelligent and careful labor of the late John W. Moore in the compilation of the "Roster of North Carolina Troops" in the great war of one thousand eight hundred and sixty-one-sixty-five, it appears that it contains numerous errors and that the names of many soldiers from North Carolina who served in behalf of the Confederate States are not enrolled in said roster; and

WHEREAS, it is desirable and proper that the State should make every effort to prepare a correct and complete list of the names of all soldiers, rank and file, who rendered services to the Confederate States, and who were counted with the regiments, battallions, and companies organized and formed by the State of North Carolina: Now, therefore, be it

Resolved by the House of Representatives, the Senate concurring:

SECTION 1. That the North Carolina Historical Commission be, and it is hereby authorized and directed to have carefully corrected all errors that appear in said roster, and to make publication for and receive applications for the permanent enrollment of the names of such soldiers as are referred to and described in the preamble whose names do not appear in said roster prepared by the said John W. Moore.

SEC. 2. That when said North Carolina Historical Commission shall have had corrected all errors that now appear in said roster and shall have enrolled all the additional names which, after carefully considering the merits of all applications for permanent enrollment, said Historical Commission shall decide to be entitled to be so enrolled, it shall have printed by the State printer as other public printing a correct and complete roster of all such soldiers as are described in the above preamble.

SEC. 3. That said North Carolina Historical Commission shall send by mail, or other reliable means, two copies of said publication to the office of each Superior Court Clerk of the several

Preamble.

Preamble.

Correction of errors.

Permanent enrollment.

Publication of corrections.

Distribution of publication.

counties in the State of North Carolina, to be kept there for the use of the public; two copies to each of the departments of State Government; five copies to the State Library, and one copy to each of the several educational institutions in the State empowered to confer degrees; and the remaining copies the said Commission shall be authorized to distribute as it may deem proper.

Certificate.

SEC. 4. That said North Carolina Historical Commission shall have power and authority to issue to any such soldier above described who shall request it, a certificate signed by the chairman and secretary of said Historical Commission, setting forth the record of such soldier, and that he is entitled to have his name enrolled on the permanent roster of the soldiers of the Confederate States of America from the State of North Carolina.

SEC. 5. That this resolution shall be in effect from and after its ratification.

In the General Assembly read three times and ratified this the 9th day of March, 1915.

RESOLUTION No. 57.

RESOLUTION TO INCREASE THE PAY OF LABORERS OF THE HOUSE OF REPRESENTATIVES AND SENATE.

Preamble.

WHEREAS, the laborers of the House of Representatives and Senate have faithfully performed all the duties required of them; and

Preamble.

WHEREAS, the cost of living is much higher than it was during any previous session of the General Assembly; and

Preamble.

WHEREAS, there has been a great deal of sickness among the laborers; therefore, be it

Resolved by the House of Representatives, the Senate concurring:

Allowance.

SECTION 1. That an additional ten dollars each and actual railroad fare shall be allowed the laborers of the House of Representatives and the Senate.

SEC. 2. That this resolution be effective from and after its ratification.

In the General Assembly read three times and ratified this the 9th day of March, 1915.

RESOLUTION No. 58.

JOINT RESOLUTION AUTHORIZING THE SECRETARY OF STATE TO MAKE USE OF THE STENOGRAPHERS IN THE VARIOUS GOVERNMENTAL DEPARTMENTS IN THE ENROLLMENT OF BILLS.

WHEREAS, it is necessary to enroll a large number of bills during the day in order that the General Assembly may adjourn, therefore,

Preamble.

Resolved by the House of Representatives, the Senate concurring:

SECTION 1. That for the purpose of enrolling the bills of the General Assembly this day the Secretary of State be, and he is hereby authorized to use the stenographers of the various governmental departments during office hours today, and to pay them at the rate now provided by law.

Employment authorized.

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

In the General Assembly read three times and ratified this the 9th day of March, 1915.

RESOLUTION No. 59.

A RESOLUTION TO PAY T. G. CURRIN HIS EXPENSES WHILE VISITING THE NORTH CAROLINA SCHOOL FOR THE FEEBLE MINDED.

Resolved by the Senate, the House of Representatives concurring:

That the Auditor shall audit and the State Treasurer shall pay to T. G. Currin four dollars (\$4.00), it being his actual expenses for visiting and inspecting the North Carolina School for the Feeble Minded, at Kinston, N. C.

Payment authorized.

This resolution shall be in force from and after its ratification.

In the General Assembly read three times and ratified this the 9th day of March, 1915.

RESOLUTION No. 60.

RESOLUTION OF THANKS TO THE RALEIGH POSTOFFICE.

WHEREAS, the members of the General Assembly have received from the postoffice, Station "A," in charge of Mr. Bedford Brown, the most courteous and efficient service possible, and,

Preamble.

Preamble.

WHEREAS, the said Mr. Bedford Brown has shown active, gentlemanly, and courteous treatment to each member, now, therefore, be it

Resolved by the House of Representatives, the Senate concurring:

Thanks to officers.

First. That the General Assembly of North Carolina hereby extends its thanks to the postmasters, W. G. Briggs and B. M. Gatling, and to Mr. Bedford Brown for such efficient and courteous service.

Copies to be forwarded.

Second. That a copy of this resolution be forwarded to the Postmaster-General of the United States, and to the Secretary of State, and a copy be sent to Mr. Briggs, to Mr. Gatling, and to Mr. Brown.

In the General Assembly read three times and ratified this the 9th day of March, 1915.

RESOLUTION No. 61.

JOINT RESOLUTION RELATIVE TO PENSIONS FOR CONFEDERATE SOLDIERS AND THE WIDOWS OF CONFEDERATE SOLDIERS.

Resolved by the House of Representatives, the Senate concurring:

To report to Auditor.

SECTION 1. The General Assembly requests that every Confederate soldier and the widows of Confederate soldiers who are not on the pension roll shall report on or before the first day of January, one thousand nine hundred and seventeen, to the Auditor of the State of North Carolina, stating in what company and regiment they served.

Report to General Assembly

SEC. 2. The Auditor of the State shall report to the General Assembly of one thousand nine hundred and seventeen the number on the pension roll as reported to him for the year one thousand nine hundred and sixteen.

In the General Assembly read three times and ratified this the 9th day of March, 1915.

RESOLUTION No. 62.

RESOLUTION TO PAY THE EXPENSES OF CERTAIN MEMBERS OF THE GENERAL ASSEMBLY WHO ATTENDED THE FUNERAL OF THE LATE SPEAKER WOOTEN.

Preamble.

WHEREAS, by an inadvertence, the names of D. G. Brummitt, J. B. Smith, and T. F. Cherry were left out of a former resolution which has passed the House and Senate, now therefore, be it

Resolved by the House of Representatives, the Senate concurring:

SECTION 1. That the Auditor be, and he is hereby authorized and directed to draw his warrant on the Treasurer of North Carolina for the sum of twelve dollars, to be distributed as follows: Payment authorized.

D. G. Brummitt	\$4.00
J. B. Smith	4.00
T. F. Cherry	4.00

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

In the General Assembly read three times and ratified this the 9th day of March, 1915.

RESOLUTION No. 63.

JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES REQUIRING THE GOVERNOR TO COMMUNICATE HIS APPOINTMENTS OF SUCH OFFICERS AS REQUIRE THE CONSENT OF THE SENATE, TO THAT BODY ON A DAY CERTAIN.

Resolved by the Senate, the House of Representatives concurring:

First. That hereafter the Governor shall be requested to communicate to the Senate all appointments which are to be made with the advice and consent of the Senate, on or before the twentieth day of February of each session of the Senate. Date.

In the General Assembly read three times and ratified this the 9th day of March, 1915.

RESOLUTION No. 64.

A RESOLUTION RELATING TO THE APPOINTMENT OF CAPTAIN COMMANDANT UNITED STATES REVENUE CUTTER SERVICE,

WHEREAS, the Congress of the United States has by recent enactment consolidated the present Life Saving Service and the present Revenue Cutter Service and thereby created a new Bureau of the Treasury Department, to be known as the Coast Guard Service, with powers of administration of the duties of the two former services, and Preamble.

WHEREAS, Captain John C. Cantwell, United States Revenue Cutter Service, an officer of long and distinguished service, and whose affiliations with the Life Saving Service has extended over Preamble.

a period of more than thirty years and has won for him the respect and confidence of the rank and file of the members of the Life Saving Service, and

Preamble.

WHEREAS, the members of the Life Saving Service on the coast of North Carolina have unanimously endorsed the said Captain John C. Cantwell as being an officer eminently qualified of his long experiences and extended acquaintance with the personnel of the Life Saving Service to fill the office of Captain Commandant of the United States Guard Service for a period of four years, beginning with the expiration of the tour of duty of the present incumbent in the office of the Captain Commandant of the Revenue Cutter Service, which expires by limitation of law in May, one thousand nine hundred and fifteen, and be it

Resolved by the Senate, the House of Representatives concurring:

Request for certification.

That the Honorable Secretary of the Treasury be requested to certify his selection of Captain John C. Cantwell, United States Revenue Cutter Service, to be the Captain Commandant of the United States Coast Guard Service for a period of four years, beginning with the expiration of the tour of duty of the present incumbent in the office of the Captain Commandant of the Revenue Cutter Service, which expires by limitation of law in May, one thousand nine hundred and fifteen, and be it further

Certificate to President.

Resolved, that the Honorable Secretary of the Treasury be requested to certify his selection of Captain John C. Cantwell, United States Revenue Cutter Service, to the President for appointment to the position named, and be it further

Resolution to Senators and Representatives.

Resolved, that a copy of these resolutions be forwarded to the Honorable Secretary of the Treasury, and to each of the Senators and Representatives in Congress from the State of North Carolina, with the request that they use every effort to secure for Captain John C. Cantwell, United States Revenue Cutter Service, the position named.

In the General Assembly read three times and ratified this the 9th day of March, 1915.

RESOLUTION No. 65.

A JOINT RESOLUTION AS TO TUITION IN THE VARIOUS INSTITUTIONS OF HIGHER EDUCATION SUPPORTED BY THE STATE.

Resolved by the Senate, the House of Representatives concurring:

That the boards of trustees of the various State institutions of higher education be and they are hereby directed to inquire into the advisability of collecting more tuition from the students of their respective institutions who are able to pay, and to report their conclusions to the Governor prior to the first day of November, A. D. one thousand nine hundred and sixteen.

Inquiry by trustees.

Report to Governor.

In the General Assembly read three times and ratified this the 9th day of March, 1915.



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