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PUBLIC-LOCAL LAWS

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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1915



CAPTIONS

OF THE

PUBLIC-LOCAL LAWS

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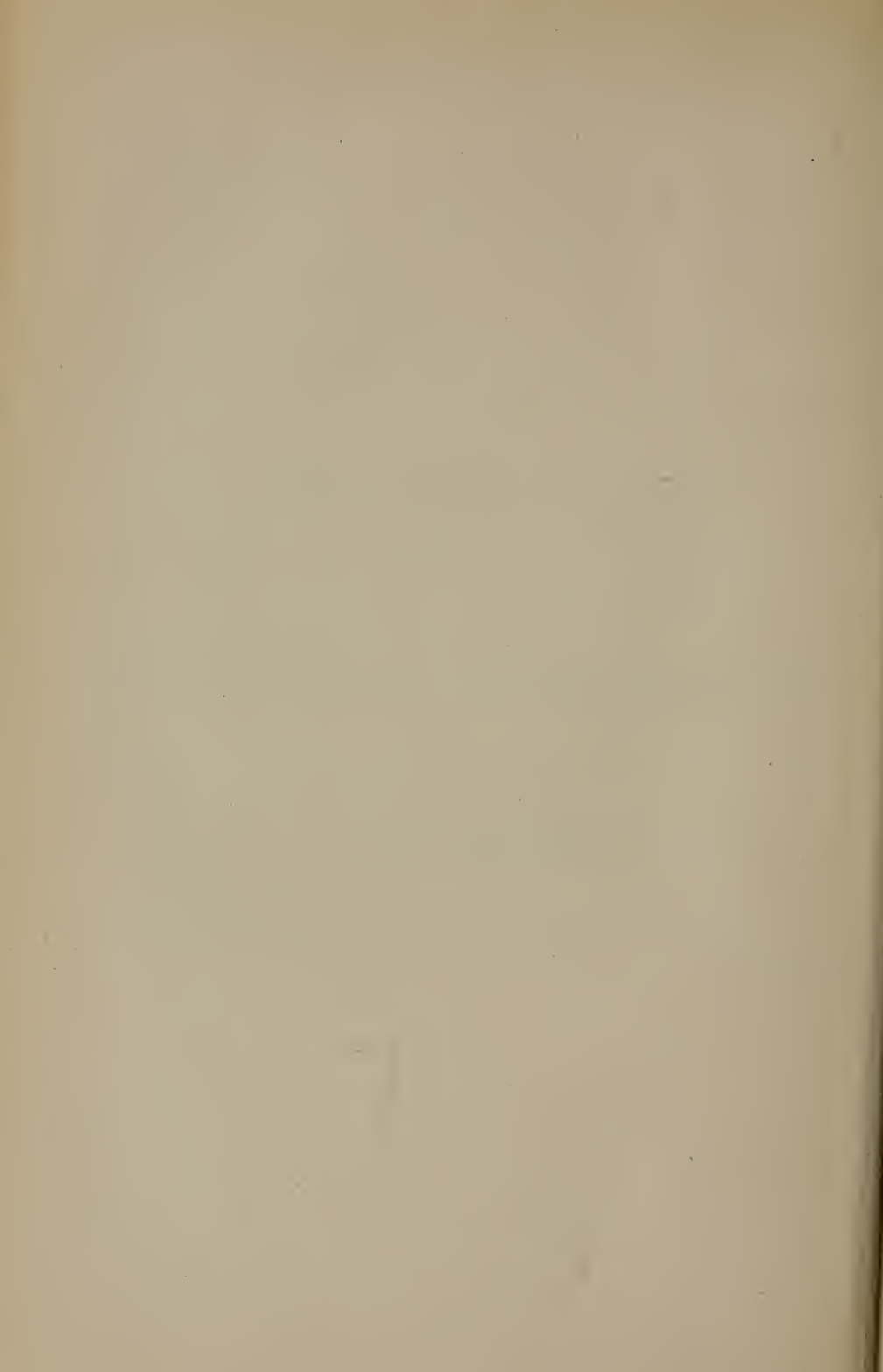
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PUBLIC-LOCAL LAWS

OF THE

STATE OF NORTH CAROLINA

SESSION 1915



PUBLIC-LOCAL LAWS

OF THE

STATE OF NORTH CAROLINA

SESSION 1915.

CHAPTER 1.

AN ACT TO AMEND CHAPTER 340, PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION OF 1911, AND FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. That section nineteen (19) of chapter three hundred and forty (340), Public-Local Laws of North Carolina, session of one thousand nine hundred and eleven, be and the same is hereby amended by adding at the end of said section the following: "*Provided, however,* that the said board of commissioners may, in its discretion, accept of any such officer a bond with individuals as sureties instead of requiring such officer to furnish bond in a surety company."

Proviso: bonds with individual sureties.

SEC. 2. That M. G. McKenzie be and he is hereby appointed as treasurer of Robeson County to fill the vacancy now existing in that office; and he shall serve out the current unexpired term and until his successor shall be elected and qualified: *Provided, however,* that such appointment shall not become effective until and unless the said M. G. McKenzie shall file with the board of commissioners of Robeson County bonds with sufficient solvent individual sureties in the form and substance and also in the amounts as required by law; and upon the said board of commissioners being satisfied with the form and substance of said bonds and the solvency and sufficiency of the sureties offered, it shall be their duty to accept the bonds so offered and tendered and to induct the said M. G. McKenzie into office under this appointment.

Appointment of county treasurer.

Proviso: appointment conditioned.

SEC. 3. That all other 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 from and after its ratification.

Ratified this the 13th day of January, A. D. 1915.

CHAPTER 2.

AN ACT RELATIVE TO JUSTICES OF THE PEACE FOR OAK LEVEL TOWNSHIP, COUNTY OF NASH.

Preamble: no justices elected.

Whereas there was no election for justices of the peace for Oak Level Township, Nash County, at the general election of one thousand nine hundred and fourteen, and said township has been without a justice of the peace since December first, one thousand nine hundred and fourteen; and whereas the term of Kenneth E. Bone, one of the former justices of the peace of Oak Level Township, expired on December first, one thousand nine hundred and fourteen, and he, honestly thinking that his term of office was for a longer period, did in several instances act as a justice of the peace after said date: Now, therefore,

Preamble: action after term expired.

The General Assembly of North Carolina do enact:

Justices named.

SECTION 1. That R. C. Winstead, J. L. Daughtridge, and Kenneth E. Bone be and they are hereby appointed, each, a justice of the peace for Oak Level Township, Nash County, to hold office until the first Monday in December, one thousand nine hundred and sixteen.

Term.

Acts validated.

SEC. 2. That all acts done by Kenneth E. Bone as a justice of the peace since December first, one thousand nine hundred and fourteen, be confirmed.

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

Ratified this the 12th day of January, A. D. 1915.

CHAPTER 3.

AN ACT TO INCREASE THE POWERS OF THE COUNTY COMMISSIONERS OF HOKE COUNTY.

The General Assembly of North Carolina do enact:

Power to hire out convicts.

SECTION 1. That the county commissioners of Hoke County shall have the right and power, if they deem advisable, to hire out to private individuals or municipalities or counties, to be worked during the terms of their respective sentences, any part or all of those convicts now confined in the jail of Hoke County under sentence to work on the roads of Anson County.

Power to work convicts on road.

SEC. 2. That the county commissioners of Hoke County shall have the right and power, if they deem advisable, to work on the public roads of Hoke County, during the terms of their respective

sentences, any part or all of those convicts now confined in the jail of said county under sentence to work on the roads of Anson County.

SEC. 3. That the county commissioners of Hoke County shall have the right and power, if they deem advisable, to hire out to private individuals or municipalities or counties, to be worked during the terms of their respective sentences, any part or all of the convicts hereafter lawfully sentenced in Hoke County to work on the roads of said county or any other county. Further power to hire out.

SEC. 4. That all laws and clauses of laws in conflict with this act be and the same are hereby repealed in so far as they may apply to Hoke County.

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

Ratified this the 13th day of January, A. D. 1915.

CHAPTER 4.

AN ACT TO REGULATE THE PAY OF THE MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF PERSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the county commissioners of Person County shall receive for their services as such commissioners the sum of three dollars per day instead of two dollars per day, as is now provided by law, and shall receive five cents per mile in going to and from their homes for each session they may attend of such board. Per diem.
Mileage.

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

Ratified this the 15th day of January, A. D. 1915.

CHAPTER 5.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF ANSON COUNTY TO BORROW MONEY AND CONTRACT INDEBTEDNESS FOR THE CONSTRUCTION OF PUBLIC ROADS IN SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the commissioners of Anson County be and they are hereby authorized and empowered to borrow money and contract indebtedness in behalf of said county for the laying out, Power to borrow money.

Purpose. repairing, and constructing public roads in said county to an amount not exceeding ten thousand dollars (\$10,000), and to execute notes and evidences of indebtedness for the same. Said notes and evidences of indebtedness to be signed "Commissioners of Anson County, by-----, Chairman," and to be attested by the clerk of said board. Said indebtedness to be an obligation against said county, with the exception of Morven Township and Lanesboro Precinct, number two, of Lanesboro Township.

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

Authentication of notes. SEC. 3. This act shall be in force from and after its ratification. Ratified this the 16th day of January, A. D. 1915.

Townships discharged of liability.

CHAPTER 6.

AN ACT TO AMEND CHAPTER 134, PUBLIC-LOCAL LAWS, EXTRA SESSION 1913, RELATIVE TO A RECORDER'S COURT FOR CHOWAN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and thirty-four, Public-Local Laws, extra session nineteen hundred and thirteen, be and the same is hereby amended by adding at the end of said chapter the sections which shall be as follows:

Salaries in lieu of fees. "SEC. 19. That the recorder of said court and the clerk of said court shall be placed on a salary, which salary shall be in lieu of all fees enumerated in section eight, or elsewhere, of said act. The salary of said officers shall be as follows: four hundred dollars per annum for the recorder, and two hundred dollars per annum for the clerk of said court, which amounts shall be paid monthly to said officers by the county commissioners of said county: *Provided*, that the fees enumerated in said section eight or elsewhere in said act shall be taxed in the bill of costs and paid by the defendant to the clerk and paid by said clerk to the treasurer of Chowan County instead of to the recorder and clerk of said court.

Amount of salaries. "SEC. 20. That there is hereby created the office of 'county prosecutor' for Chowan County, which office shall be filled by a reputable lawyer of said county. Said prosecutor shall be elected by the qualified voters of Chowan County at the first general election for county officers following the ratification of this act, at the same time and in the same manner as members of the General Assembly. The term of office of said prosecutor shall be two years from and after the first Monday in December next succeeding his election. Until said election is held, W. S. Privott be and he is hereby appointed to serve as such prosecutor in Chowan

Payable monthly.

Proviso: fees taxed to use of county.

County prosecutor.

Election.

Term of office.

First prosecutor named.

County from and after the ratification of this act and until his successor is elected and qualified as provided for in this act. Said prosecutor, before entering upon the discharge of his duties, shall take and subscribe the oath of solicitors before the clerk of the Superior Court of Chowan County, or some other person qualified to administer oaths, which oath shall be filed and recorded by the clerk.

Prosecutor to qualify.

"SEC. 21. Said prosecutor shall appear for the State in all criminal actions or matters heard before the recorder and shall receive as compensation therefor the same fees as are now prescribed by law for solicitors, and said fees shall be taxed by the clerk in the bill of cost, to be collected and paid the prosecutor as now provided by law for solicitors.

Duties and compensation.

"SEC. 22. If either the complainant or the accused shall ask for it, the recorder shall allow a trial by jury, as is provided in civil actions before justices of the peace.

Jury trials.

"SEC. 23. Any vacancies that may occur in any of the above named offices, recorder, clerk, or prosecutor, either by death, resignation, failure to qualify, or for any other cause, may be filled for the unexpired term of said officer by the board of county commissioners of Chowan County.

Vacancies.

"SEC. 24. That in all cases of assignment of prisoners by the said recorder's court to work upon the public roads of Chowan County as provided in the act creating said court, if not used by the county commissioners of Chowan County immediately upon such assignment, the said recorder is hereby authorized and required to transfer such prisoners so assigned to work upon the public roads of Pasquotank County."

Assignment of convicts to road work.

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

Ratified this the 16th day of January, A. D. 1915.

CHAPTER 7.

AN ACT TO REDUCE THE NUMBER OF COMMISSIONERS IN ORANGE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter twenty-nine, Public-Local Laws, extra session of nineteen hundred and thirteen, be and the same is hereby repealed.

Law repealed.

SEC. 2. The membership of the board of commissioners of Orange County is hereby decreased from five to three.

Membership reduced.

SEC. 3. This act shall take effect the first Monday in December, nineteen hundred and sixteen.

When act effective.

Ratified this the 19th day of January, A. D. 1915.

CHAPTER 8.

AN ACT TO REPEAL CHAPTER 730 OF THE PUBLIC-LOCAL LAWS, REGULAR SESSION OF 1913, RELATING TO THE TAXING OF DOGS IN DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

Act repealed.

SECTION 1. That chapter seven hundred and thirty of the Public-Local Laws, regular session of nineteen hundred and thirteen, entitled "An act to tax dogs and to replenish the school fund in Duplin County," be and the same is hereby repealed.

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

Ratified this the 19th day of January, A. D. 1915.

CHAPTER 9.

AN ACT TO AMEND SECTIONS 2924 AND 2928 OF CHAPTER 73 OF THE REVISAL OF 1905, REGARDING MARKETS, ETC., IN BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

Proviso: limitation on fees.

SECTION 1. That section two thousand nine hundred and twenty-four of chapter seventy-three of the Revisal of one thousand nine hundred and five be and the same is hereby amended by striking out all of said section after the word "town" in line eleven thereof, and inserting in lieu thereof the following: "*Provided*, that it shall be unlawful for the board of commissioners of any city or town to levy and collect any privilege tax or fee, from any producer selling his farm or dairy products, in excess of one dollar per annum, regardless of whether said taxes be called privilege taxes, license taxes, or inspection fee."

Dairy products.

SEC. 2. That section two thousand nine hundred and twenty-eight of the Revisal of one thousand nine hundred and five be amended by inserting after the word "farm" and before the word "products," in line nine of said section, the words "or dairy," and by adding after the last word of said section the following: "and no privilege, special, or license tax or inspection fee shall be imposed upon or collected from any producer of farm or dairy products in excess of one dollar per annum upon such person, firm, or corporation offering such products for sale."

Limitation of tax.

Veterinarians and bacteriologists.

SEC. 3. That it shall be unlawful for the board of commissioners of any city or town in Buncombe County to employ any person other than a licensed veterinarian to inspect or test dairy cattle

in said county, or to employ any person other than a licensed bacteriologist to make bacterial tests of milk, if same test is to be advertised in health bulletin.

SEC. 4. That any person, firm, or corporation violating the provisions of this act shall be guilty of a misdemeanor and fined not less than twenty-five dollars nor more than one hundred dollars for each and every offense. Misdemeanor. Punishment.

SEC. 5. That this act shall apply only to Buncombe County. Limitation of act.
North Carolina.

SEC. 6. That all laws and clauses of laws and all provisions in any city or town charter in conflict with this act are hereby repealed. Repealing clause.

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

Ratified this the 19th day of January, A. D. 1915.

CHAPTER 10.

AN ACT TO REPEAL CHAPTER 177, PUBLIC-LOCAL LAWS, SESSION 1913, RELATING TO SALES OF REAL ESTATE FOR TAXES IN CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and seventy-seven of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby repealed. Law repealed.

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

Ratified this the 20th day of January, A. D. 1915.

CHAPTER 11.

AN ACT TO ELECT THE TAX COLLECTORS OF HERTFORD COUNTY BY A VOTE OF THE PEOPLE.

The General Assembly of North Carolina do enact:

SECTION 1. That tax collectors for each of the respective townships in Hertford County shall be elected by the voters thereof at the next general election in the year one thousand nine hundred and sixteen, and biennially thereafter, under the general election laws of the State governing the election of members of the General Assembly, and such tax collectors shall be elected by the voters of the township in which the candidate resides. Tax collectors to be elected.
Time of elections.
Election by townships.

- Repealing clause. SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed.
- Application of act. SEC. 3. That this act shall apply only to Hertford County.
- SEC. 4. That this act shall be in force from and after its ratification.
- Ratified this the 20th day of January, A. D. 1915.

CHAPTER 12.

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF CASWELL COUNTY TO LEVY A SPECIAL TAX.

The General Assembly of North Carolina do enact:

- Purposes of tax. SECTION 1. That for the purpose of paying the debts incurred for the erection of the jail, improving and repairing the county home, and in providing a fireproof vault in the county courthouse and for the building of bridges, the board of county commissioners for the county of Caswell are hereby authorized and empowered
- Years included. to levy a special tax in the years one thousand nine hundred and
- Limit of rate. fifteen and one thousand nine hundred and sixteen, not to exceed thirty cents on the one hundred dollars worth of taxable property in said county and ninety cents on the poll, the constitutional equation to be observed in said levies.
- Collection of tax. SEC. 2. That the said tax shall be collected in the same manner, at the same time, and under the same penalties that the other taxes of said county are levied and collected.
- SEC. 3. That this act shall be in force from and after its ratification.
- Ratified this the 21st day of January, A. D. 1915.

CHAPTER 13.

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF NEW HANOVER COUNTY TO ISSUE BONDS FOR THE PURPOSE OF ESTABLISHING AND ERECTING A WORKHOUSE IN SAID COUNTY.

The General Assembly of North Carolina do enact:

- Purpose of bond issue. SECTION 1. That for the purpose of paying for the construction and building of a workhouse in New Hanover County, the board
- Bond issue authorized. of commissioners of said county shall be and they are hereby authorized to issue the coupon bonds of said county to an amount
- Limit of amount. not to exceed thirty-five thousand dollars (\$35,000), and to be in

denominations of not less than five hundred dollars nor more than one thousand dollars each. The said bonds shall be payable twenty years from date of issue and shall bear interest from their date of making until maturity at a rate of interest not greater than five per cent per annum, payable semiannually on the first days of January and July of each year. The semiannual payments of interest shall be represented by coupons attached to each one of said bonds, and shall be identified therewith by proper numbers and such other means as said board may determine. The bonds shall be signed by the chairman of the board of commissioners and attested by the clerk of said board, under the corporate seal of the county, and said coupons shall bear the facsimile signature of said chairman and clerk. Said bonds and coupons shall be payable at some bank to be designated by the said board of commissioners and said bonds shall be designated as "New Hanover County Workhouse Bonds."

Denominations.
Maturity.
Interest.
Authentication.
Official designation.

SEC. 2. That in order to pay the interest on said bonds as it may accrue and the principal thereof when it matures, the board of commissioners of New Hanover County shall annually levy a special tax for said county of not exceeding three cents on the one hundred dollars worth of property. Said tax shall be levied and collected as other county taxes are levied and collected, and shall be imposed upon such property and other subjects of taxation as are now or may hereafter be subject to taxation under the laws of this State, and it shall be collected by the officer or officers charged with the collection of other county taxes and who shall in respect thereof be liable officially as well as personally to all of the laws now prescribed or which may hereafter be prescribed for the faithful collection and payment of other taxes. The special tax so levied shall be kept as a separate fund and applied first to the payment of the interest on said bonds and then to the creation of a sinking fund for the redemption of said bonds of not exceeding seventeen hundred and fifty dollars per annum, and the balance to be turned into the general county fund.

Special tax.
Limit of tax rate.
Collection.
Liability of officers.
Specific appropriation of tax.
Sinking fund.

SEC. 3. That the said board of commissioners shall sell said bonds at public or private sale, and pay over the proceeds to the county auditor, who shall keep the funds derived from the sale thereof separate and apart from other funds in his hands, and said funds shall be used for the purposes herein mentioned. The purchaser or purchasers of said bonds, or any of them, shall not be required to see to the application of the purchase money thereof, and all expenses incurred by the county commissioners in having the said bonds printed, lithographed, and approved shall be paid for out of the funds provided for in this act.

Sale of bonds.
Funds kept separate.
Specific appropriation.
Purchasers not responsible for application.
Expense of bond issue.

SEC. 4. This act shall be in force from and after its ratification. Ratified this the 21st day of January, A. D. 1915.

CHAPTER 14.

AN ACT TO REPEAL CHAPTER 189, PUBLIC-LOCAL LAWS OF NORTH CAROLINA, REGULAR SESSION 1913, REQUIRING THE KEEPING OF RECORD OF RECEIPTS AND DISBURSEMENTS OF FEES BY THE COUNTY OFFICERS OF SAMPSON COUNTY.

The General Assembly of North Carolina do enact:

Law repealed.

SECTION 1. That chapter one hundred and eighty-nine of the Public-Local Laws of North Carolina, regular session of 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.

Ratified this the 20th day of January, A. D. 1915.

CHAPTER 15.

AN ACT TO REPEAL THE DOG TAX LAW OF SAMPSON COUNTY.

The General Assembly of North Carolina do enact:

Law repealed.

Proviso: taxes and penalties not affected.

SECTION 1. That chapter fifty-nine of the Public-Local Laws of North Carolina, extra session of one thousand nine hundred and thirteen, be and the same is hereby repealed: *Provided*, that the repeal of said act shall in no wise affect the collection or application of the taxes provided for by said act for the year one thousand nine hundred and fourteen or relieve any person from the penalties for failure to list for said year as provided by said act.

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

Ratified this the 21st day of January, A. D. 1915.

CHAPTER 16.

AN ACT TO REPEAL CHAPTER 596 OF THE PUBLIC-LOCAL LAWS OF 1911 AND AMEND CHAPTER 305, PUBLIC LAWS OF 1909, RELATING TO THE WORKING OF THE PUBLIC ROADS OF CASWELL COUNTY.

The General Assembly of North Carolina do enact:

Pay of trustees and commutation for road work.

SECTION 1. That chapter five hundred and ninety-six of the Public-Local Laws of nineteen hundred and eleven, amending chapter

three hundred and five of the Public Laws of nineteen hundred and nine, relating to the working the public roads of Caswell County, be and the same is hereby repealed.

SEC. 2. That section two of chapter three hundred and five of the Public Laws of nineteen hundred and nine be amended by adding at the end thereof the following: "That said trustees shall be allowed the sum of one dollar and fifty cents per day while engaged in the performance of the duties required under this act: *Provided*, that they shall not receive pay for more than five days in any one year." Pay of trustees.
Proviso: limit of time.

SEC. 3. Strike out all of section three between the word "such" in line twenty-two and the word "that" in line twenty-eight, and insert in lieu thereof the following: "That said damages thus assessed shall be paid for on an order of said road trustees out of the road funds in the hands of the county treasurer to the credit of the township assessing such damages." Payment of damages.

SEC. 4. Strike out all of section nine after the word "*Provided*" in lines five and six, and insert in lieu thereof the following: "That any person liable to such duty may pay to the supervisor of his township or road district the sum of four dollars in lieu of such labor, to be applied by said supervisor to the improvement of the roads in that district: *Provided further*, that ten hours shall constitute a day's work as required under this act, and that the four dollars paid in lieu of work be paid on or before the first Monday in July of the current road year, which road year shall begin the first day of April and end the thirty-first day of March." Commutation.

SEC. 5. Strike out the word "ten" in line three of section fifteen, and insert in lieu thereof the word "fifteen." Tax rate.

SEC. 6. That this act shall only apply to Caswell County.

SEC. 7. That all laws and clauses of laws in conflict with this act are hereby repealed. Application of act.
Repealing clause.

SEC. 8. That this act shall be in force from and after the thirty-first day of March, nineteen hundred and fifteen.

Ratified this the 21st day of January, A. D. 1915.

CHAPTER 17.

AN ACT TO AMEND CHAPTER 557, PUBLIC-LOCAL LAWS 1913, RELATING TO STANDARD KEEPER FOR BEAU- FORT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. Chapter five hundred and fifty-seven, Public-Local Laws one thousand nine hundred and thirteen, be and the same Powers reduced.

Number of in-
spections.

is hereby amended by striking out the words "water meters, gas meters, and electric light meters," in lines four and five, in section one thereof, and by striking out the word "four" in line five and inserting in lieu thereof the word "two."

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

Ratified this 21st day of January, A. D. 1915.

CHAPTER 18.

AN ACT TO AMEND SECTION 3366 OF THE REVISAL OF 1905 OF NORTH CAROLINA, MAKING IT APPLY TO YADKIN COUNTY.

The General Assembly of North Carolina do enact:

Extension of law.

SECTION 1. That section three thousand three hundred and sixty-six (3366) of the Revisal of one thousand nine hundred and five of North Carolina be and the same is hereby amended by adding the word "Yadkin" after the word "Warren" in line twenty-three.

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

Ratified this the 22d day of January, A. D. 1915.

CHAPTER 19.

AN ACT TO PROVIDE FOR THE MAINTENANCE OF THE PUBLIC ROADS OF ORANGE COUNTY.

The General Assembly of North Carolina do enact:

Road fund for
county.

SECTION 1. The board of commissioners of Orange County, after first providing for the interest and sinking fund of outstanding road bonds out of the proceeds of the road tax of the county, as directed in section two of chapter eighty-eight, Public-Local Laws one thousand nine hundred and thirteen, shall use the remainder of such proceeds in maintaining the public roads of the county at large, and not as now, by townships.

Election of super-
visor.

SEC. 2. As soon as conveniently may be after the ratification of this act, said board shall elect some competent man county supervisor of roads, for a term of two years, but it may remove him for cause at any time, upon ten days notice to him. Before entering upon his duties he shall take and subscribe an oath for the faithful performance of the same, and shall execute a bond

Oath and bond of
supervisor.

to be approved by the board, payable to the State of North Carolina in the sum of one thousand dollars, conditioned for the faithful performance of his duties and accounting for all money and property of the county which may come into his hands as such supervisor. He shall have charge of all the public roads of the county, under the direction of the board, and spend the fund herein provided for, also under the direction of the board, to the best advantage in its maintenance, repairing, and upkeeping. His compensation shall be at the discretion of the board, not to exceed, however, one hundred dollars per month.

Powers.

Compensation.

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

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

Ratified this the 22d day of January, A. D. 1915.

CHAPTER 20.

AN ACT TO REPEAL SECTION 5, CHAPTER 112, PUBLIC-LOCAL LAWS 1913, RELATIVE TO POWERS OF BOARD OF COUNTY COMMISSIONERS OF BEAUFORT COUNTY TO REDUCE PAY OF RECORDER.

The General Assembly of North Carolina do enact:

SECTION 1. That section five of chapter one hundred and twelve, Public-Local Laws of one thousand nine hundred and thirteen, be and the same is hereby repealed.

Power to reduce salaries rescinded.

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

Ratified this the 22d day of January, A. D. 1915.

CHAPTER 21.

AN ACT TO REPEAL CHAPTER 774 OF THE PUBLIC-LOCAL LAWS OF 1913, REPEALING THE RECORDER'S COURT IN BRUNSWICK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter seven hundred and seventy-four of the Public-Local Laws of one thousand nine hundred and thirteen, establishing "The Recorder's Court of the County of Brunswick," be and the same is hereby repealed.

Law repealed.

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

Ratified this the 22d day of January, A. D. 1915.

CHAPTER 22.

AN ACT TO AMEND SECTION 1283 OF THE REVISAL OF 1905, IN RESPECT TO PAY OF WITNESSES IN CRIMINAL CASES IN PERSON COUNTY.

The General Assembly of North Carolina do enact:

Law extended.

SECTION 1. That section one thousand two hundred and eighty-three of the Revisal of one thousand nine hundred and five be and the same is hereby amended by inserting after the word "Yadkin," in line fifteen on page three hundred and sixty-one, the words "and Person."

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

Ratified this the 22d day of January, A. D. 1915.

CHAPTER 23.

AN ACT TO PAY THE JURORS IN SUPERIOR COURT OF PITT COUNTY \$2.50 PER DAY INSTEAD OF \$2. AS NOW PROVIDED.

The General Assembly of North Carolina do enact:

Pay of jurors.

SECTION 1. That the jurors in Superior Court in Pitt County, North Carolina, shall receive two dollars and fifty cents per day instead of two dollars, as is now provided.

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

Ratified this the 22d day of January, 1915.

CHAPTER 24.

AN ACT TO LENGTHEN THE OPEN SEASON FOR SHOOTING QUAIL (OR PARTRIDGES) IN JERUSALEM TOWNSHIP, DAVIE COUNTY.

The General Assembly of North Carolina do enact:

Close season.

SECTION 1. That it shall be unlawful for any person or persons to hunt, shoot, trap, or in any manner whatsoever kill, take, or destroy partridges, quail, woodcock, or other game birds, or their eggs, in the township of Jerusalem, Davie County, between the first day of March and the fifteenth day of November in each and every year.

SEC. 2. That any person or persons violating the provisions of Misdemeanor. this act shall be guilty of a misdemeanor, and shall upon conviction be fined or imprisoned, or both, in the discretion of the court. Punishment.

SEC. 3. That this act shall apply to Jerusalem Township, Davie County, only. Application of law.

SEC. 4. That this act shall be in force and effect from and after the date of its ratification.

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

Ratified this the 22d day of January, A. D. 1915.

CHAPTER 25.

AN ACT RELATING TO THE PAY OF COUNTY COMMISSIONERS FOR THE COUNTY OF PASQUOTANK.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and eighty-five (485), section five (5), Public-Local Laws, session one thousand nine hundred and thirteen, be amended by striking out the word "two" in line twelve and inserting in lieu thereof the word "three," and by adding at the end of said section the following: "*Provided*, that the chairman of said board of county commissioners of Pasquotank County shall be paid an annual salary of one hundred dollars (\$100)." Per diem of commissioners. Proviso: salary of chairman.

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

Ratified this the 23d day of January, A. D. 1915.

CHAPTER 26.

AN ACT TO REPEAL CHAPTER 220, AND ALL ACTS AMENDATORY THEREOF, OF THE PUBLIC-LOCAL LAWS OF 1911, ENTITLED "AN ACT TO ESTABLISH A SPECIAL CRIMINAL COURT FOR THE COUNTY OF ANSON, AND TO PRESCRIBE THE JURISDICTION THEREOF."

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and twenty of the Public-Local Laws of one thousand nine hundred and eleven, establishing a special criminal court for the county of Anson, and all laws amendatory thereof, be and the same are hereby repealed. Laws repealed.

Removal of pending causes and processes.

SEC. 2. That all causes and processes in said court which shall not be heard or disposed of on or before the first day of March, one thousand nine hundred and fifteen, shall be returnable to and tried by the court of proper jurisdiction; and full power and authority is hereby given to said special criminal court for the county of Anson to remand such causes and processes to the court of proper jurisdiction.

Judgments, decrees and appeals validated.

SEC. 3. That all judgments and decrees which have or may be made by said court, and all appeals which have or may be taken from said court, shall be valid and in full force.

When act effective.

SEC. 4. That this act shall be in force from and after the first day of March, one thousand nine hundred and fifteen.

Ratified this the 23d day of January, A. D. 1915.

CHAPTER 27.

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF ALEXANDER COUNTY TO ISSUE BONDS IN THE SUM OF \$150,000 TO BUILD AND IMPROVE THE PUBLIC ROADS AND BRIDGES OF SAID COUNTY, AND PROVIDE FOR AND MAINTAIN THE SAME BY TAXATION.

The General Assembly of North Carolina do enact:

Purposes of bond issue.

SECTION 1. That for the purpose of grading, building, and constructing of gravel, soil, topsoil, or other material, and otherwise improving and maintaining the public roads of Alexander County, and erect the necessary bridges, the board of commissioners of said county is hereby authorized, empowered, and directed to issue bonds of the said county to an amount not exceeding one hundred and fifty thousand dollars (\$150,000), in denominations not exceeding one thousand dollars (\$1,000), bearing interest from the date thereof not exceeding the rate of five per cent per annum, with interest coupons attached, payable semiannually at such time and place as may be directed by said board of commissioners, such bonds to be of such form and tenor, and transferable in such way, and the principal thereof payable at such time or times, not exceeding forty years from the date thereof, and at such place or places, as the said board of county commissioners may determine; and the said board of county commissioners may divide the said issue into three series: *Provided*, that none of the bonds authorized by this act shall be disposed of either by sale, exchange, hypothecation, or otherwise, for a less price than their face value.

Bond issue authorized.

Amount.

Denominations.

Interest.

Maturity.

Issue in series.

Proviso: sale below par forbidden.

Authentication.

SEC. 2. Such bonds shall be numbered and shall be signed by the chairman of the said board of commissioners and attested by

the register of deeds of the said county and clerk of said board, and shall bear the corporate seal of said county; and the coupons attached to each bond shall bear the number of the bond as well as the number of the coupon, and shall be executed either by the signing by the chairman of the board of county commissioners and register of deeds of Alexander County, and the official clerk of said board, or with their lithographed signatures.

SEC. 3. A record shall be kept by the said board of commissioners in a separate book for that purpose of all bonds sold, and to whom, the amount, and date of sale and the issuing of each bond, and its number. Record of bonds.

SEC. 4. In order to pay the interest on said bonds, create a sinking fund for taking up said bonds at maturity, and establish, alter, repair, and maintain the public roads, bridges, and highways of the said county in good condition, the board of commissioners of Alexander County, or other authorities vested with the power of levying taxes for said county, shall annually compute and levy, at the time of levying other county taxes, a sufficient special tax on all polls, all real estate and personal property, and all other subjects of taxation which the said commissioners or other authorities now or hereafter may be allowed to levy taxes upon for any purpose whatever, always observing the constitutional equation between the taxes on property and the taxes on polls: *Provided*, there shall not be at any time levied in the county of Alexander for the purpose of road improvement, and including all expenditures made necessary by this act, or any act or statute now existing, a tax greater than thirty-three and one-third cents on the hundred dollars of property and one dollar on each poll. Special tax.

SEC. 5. That said taxes, when collected, shall be kept separate and apart from the other taxes, and shall be used only for the purpose for which they were collected. Constitutional equation.
Proviso: limit of tax rate.

SEC. 6. That it shall be the duty of the board of commissioners of the county of Alexander to annually invest any and all moneys received from the special tax for sinking fund in the purchase of any of said bonds at a price deemed advantageous to said county by said board of commissioners, and to be agreed upon by them and the owners thereof. But in case said county bonds cannot be purchased at a satisfactory price, then the said commissioners are authorized and directed to invest said sinking fund upon security approved by them, and upon terms advantageous to said county; and any money of said sinking fund so loaned and invested shall bear a rate of interest not less than five per cent per annum, and any interest from the said funds shall be annually invested in the same way; and the notes taken for said loan shall express on their face that the money belongs to said sinking fund. Taxes kept separate.
Specific appropriation.
Investment of sinking fund, in bonds.
Alternative investments.

- Use of road fund.** SEC. 7. That the money received from the sale of said bonds and derived from the special tax herein authorized to be levied, except a sufficient amount to pay the interest on said bonds, and the sum set apart for the sinking fund to pay the principal of said bonds, shall be used by said board of commissioners to purchase improved road-working machinery, to survey, lay out, grade, improve, and maintain the public roads and bridges of said county, and the keeping of the public roads in repair.
- Deposit and withdrawal of bonds.** SEC. 8. That the bonds herein provided for shall be deposited in some safe-deposit company or bank to be designated by said board of commissioners and drawn out on the order of the good roads commission created in this act, the proceeds of which shall be applied to the purposes herein provided for.
- Election on issuance of bonds.** SEC. 9. For the purpose of ascertaining the wishes of the voters of Alexander County upon the question of issuing said bonds, improving and maintaining the public roads and bridges of said county as provided for by this act, the commissioners of said county of Alexander shall at their regular meeting on the first day of February, one thousand nine hundred and fifteen, call an election to be held on the ninth day of March, one thousand nine hundred and fifteen. At said election all voters in Alexander County qualified to vote in said election may vote a written or printed ticket. Those who favor the purpose of this act shall vote a ticket with the words "For Good Roads Bond Issue" written or printed thereon. Those who oppose the purpose of this act shall vote a ticket with the words "Against Good Roads Bond Issue" written or printed thereon; and if the majority of the votes cast in said election shall be "For Good Roads Bond Issue," then the bonds provided for in this act shall be issued and sold according to the provisions herein contained. The said election shall be held in the manner provided by law for the election of members of the General Assembly, except as is differently provided for in this act.
- Date of election.** The registrars and judges of election shall be appointed by the board of commissioners for the county of Alexander not later than the first Monday in February, one thousand nine hundred and fifteen, and the list of persons so appointed shall be published in two issues of some newspaper published in Alexander County during the weeks ending February sixth and February thirteenth, one thousand nine hundred and fifteen, or published for ten days at the Alexander County courthouse door. There shall be appointed one registrar and two judges of election for each precinct, and the said registration and election shall be held in all respects like the election of members for the General Assembly, except as is otherwise or differently provided for in this act. At the close of the election in each precinct the vote shall be counted and returned over the signature of the registrar and judges of the election, or a majority of them, to the board of commissioners of
- Tickets.**
- Effect of election.**
- Law governing election.**
- Appointment of election officers and advertisement of appointment.**
- Election of officers.**
- Count and return of votes.**

Alexander County. Abstracts or blanks for this purpose shall be prepared by said board of commissioners and furnished to each precinct, and the registrar or one judge of election shall be chosen as a messenger to transmit said returns to said board of commissioners. Said returns shall be executed in triplicate. One copy shall be transmitted as aforesaid to the board of commissioners of the county of Alexander, one copy to the clerk of the Superior Court of said county, and one copy retained by the registrar of each precinct. On the third Monday in March, one thousand nine hundred and fifteen, being the fifteenth day of March, one thousand nine hundred and fifteen, and the Monday succeeding the election, the board of commissioners for the county of Alexander shall meet as a canvassing board, and shall receive the returns of said election and shall canvass and judicially pass upon the same, and declare the results of said election, which shall be duly recorded upon the records of said board and in the office of the register of deeds. If a majority of the votes cast at said election shall be "For Good Roads Bond Issue," then the bonds provided for in this act shall be issued and sold. At any election held under this act any person who shall not have been entitled to registration while the said registration books were open for registration, but shall have become entitled for registration after said registration books were closed and before or on the day of election, shall be entitled to register on the day of election and vote.

SEC. 10. On each Saturday during the period of registration the registrar shall attend with his registration books at the polling place of his precinct for the registration of voters. It shall be the duty of the registrars and judges of election to certify all returns made by them of the votes cast in their respective precincts in said county, the number of voters registered at their precincts on said election; and the registrar shall, on or before the dates set for the canvass of the votes so cast by the board of county commissioners, return his registration books to the clerk of the board of county commissioners. The registrars and judges of election shall keep two poll books containing the names of persons voting at their precinct at said election. The registrars shall receive for their services hereunder two cents for each name registered and one dollar a day for each Saturday; and the registrars and judges of election shall receive one dollar (\$1) for their services rendered on the day of election and for making the returns required by this act. The cost of this election to be paid by the board of county commissioners out of the general fund of Alexander County.

SEC. 11. For the purpose of carrying out the provisions of this act the good roads commission of Alexander County is hereby created, to consist of the board of county commissioners of Alex-

Canvass of returns.

Record of result.

Effect of election.

Registration on election day.

Registration.

Certificate of returns.

Returns of registration books.

Poll books.

Pay of registrar and judges.

Cost of election.

Good roads commission created.

Term of office.	ander County and the board of education of Alexander County, who shall have charge of the road work of said county and shall hold office during the terms of their office as county commissioners and board of education, and shall be succeeded on this commission by their successors on the board of county commissioners and board of education. As soon as practicable after the election, if the majority of the votes cast are "For Good Roads Bond Issue," the members of the good roads commission shall qualify by taking the oath of office before some person authorized to administer oaths, meet and organize by selecting one of their members chairman, who shall preside at their meetings and vote only in case of a tie, and one of their members secretary. The members of the good roads commission shall each be paid out of the road funds of the county the same per diem and mileage as those of the county commissioners: <i>Provided</i> , they shall be paid not to exceed twelve days in one year.
Successors.	
Commissioners to qualify.	
Meeting and organization.	
Pay of commissioners.	
Proviso: limit of pay.	
Power and authority of commission.	SEC. 12. The good roads commission of Alexander County shall have the power and authority to locate, relocate, widen, or otherwise change any public road or highway, or parts of the same of the county, or lay out and establish any new public road, when in their judgment such location, relocation, widening, or other change, or the opening of a new public road, is deemed necessary and advantageous to the public travel; and said board of good roads commissioners shall have the further right to abandon and discontinue any public road or highway if the same is unnecessary and not advantageous to public travel; but the said board of good roads commissioners, before locating, relocating, widening, or changing any public road, or establishing a new public road, shall cause a survey of the same to be made by some competent engineer, and said board shall further find that said changes, locations, relocations, and the opening of a new public road are necessary and advantageous to public travel; or, if said commissioners desire the discontinuance or abandonment of a public road, they shall state that said public road is unnecessary, and not advantageous to public travel. The said board of commissioners shall give to the landowners on and over whose lands any changes, location, or relocation of any public road, or the establishment of a new public road, is to be made, or the discontinuing and abandonment of any public road, at least twenty days notice in writing of the time and place of deciding upon such change; and if any of the landowners on or over whose land the proposed changes are to be made and the new road established, or any road to be abandoned or discontinued, are minors, idiots, or lunatics, such notice shall be given to them and their duly appointed guardians, or if no guardian has been appointed, then such notice shall be given to any person with whom they are living. If any landowner is a nonresident, the said notice shall be mailed to him
Surveys for roads.	
Findings by commission.	
Notice to landowners.	
Notice to persons under disability.	
Notice to non-residents.	

at his place of residence or be published for twenty days before the decision by said commissioners. The said commissioners upon the day of hearing set by them shall either make an order granting the change, location, or relocation of any public road, or the opening and establishing of any new public road, which order, when so made, shall be a condemnation of the land or lands mentioned over which said roads may run, or such part thereof as shall be fully set out in the order; and if the order be for discontinuing and abandoning the public roads, said order shall describe the same, ordering the discontinuance and abandonment. Any person owning land on or over which said changes are made, or said public road is discontinued or abandoned, shall have the right to appeal to the Superior Court of Alexander County for a trial *de novo* upon the order of said commissioners, but he shall give a good and sufficient bond for the costs, as in like cases of appeal; but the taking of said appeal shall not delay the changing, locating, or relocating of any public road or the discontinuing or abandoning of any public road according to the terms of the order made therein by said board of commissioners, and said appeal shall only establish the quantum of damages which may exist because of the acts of the board of good roads commissioners as contemplated in this act: *Provided*, that no dwelling-house, barn, outbuilding, or yard can be condemned under this act without the owner's consent.

SEC. 13. Any person who shall obstruct the county surveyor or engineer in making a survey, in changing the road, or the opening of a new public road or highway, shall be guilty of a misdemeanor, and upon conviction therefor shall be fined or imprisoned, or both, in the discretion of the court; and any person or persons who shall obstruct any one authorized by this act to open or change any public road or highway shall be guilty of a misdemeanor, and upon conviction therefor shall be fined or imprisoned, or both, in the discretion of the court; and it is hereby made the duty of the solicitor to prosecute all offenses against the provisions of this act; and if, after changing, locating, or relocating any public road or highway, or opening or establishing any new public road or highway, any person be aggrieved, and he and the board of good roads commissioners cannot agree and fix the amount of damages for locating or relocating such public road or highway, or opening or establishing any new public road, he may, within six months of said change, location, or relocation of said public road or highway, or the opening or establishing of a new public road, apply to the clerk of the Superior Court, who shall appoint a jury, to consist of five freeholders, to assess the damages; and the said jury in determining said damages shall take into consideration the benefits accruing to the property and the damages sustained by the property, subtract one from the other.

Order of commissioners.

Right of appeal.

Bond on appeal.

Appeal no stay to order.

Question on appeal.

Proviso: property exempt from condemnation.

Obstruction of surveys misdemeanor.

Punishment.

Obstructing work misdemeanor.

Punishment.

Solicitor to prosecute.

Proceedings for assessment of damages.

Considerations governing assessment.

Payment of damages.	and the result shall be their verdict; and the said damages, if allowed, shall be paid out of the road fund of the county; and if the jury award no more damages than the amount offered by the
Payment of costs. Proviso: right of appeal.	board of good roads commissioners, then the party aggrieved shall pay all costs for making the said assessment of damages: <i>Provided</i> , that the board of good roads commissioners or person so aggrieved shall have the right to appeal to the Superior Court, after giving good and sufficient security for costs.
Entry on land for material.	SEC. 14. That for the purpose of carrying out the provisions of this act the board of good roads commissioners, through its superintendent, after first consulting the owner or owners, agent or agents, of the land from which material for building and repairing roads is gotten, is hereby authorized to enter upon any lands near to or adjoining any public road or highway, to take or cause to be taken or carried away any gravel, sand, clay, rock, soil, stone, or other material which may be necessary to construct, improve, or repair said roads, together with the free ingress and egress from said roads for the transportation of said material; and authority is hereby given to the good roads commissioners to have the timber on either or both sides of the public road cut far enough back to allow the sun in upon the road, where it is necessary to harden it.
Removal of timber.	
Payment for material.	SEC. 15. That if any owner of land, or the agent or agents of said owner having in charge lands from which stone, gravel, soil, sand, clay, or rock or other material was taken, as aforesaid, shall present an account for the same to the board of good roads commissioners or to the superintendent, it shall be the duty of said board to pay a just and reasonable price for the same; and any owner, agent or agents, shall have the right to appeal from said board to the Superior Court to determine the value of such stone, sand, clay, rock, soil, gravel, or other material; but said board of good roads commissioners or superintendent shall not be prevented from entering upon any lands as aforesaid, and using material as aforesaid at any time desired, whether the claim of the owner is made prior to or after the entry upon said land for material.
Right of appeal.	
Entry before payment.	
Road engineer.	SEC. 16. It shall be the duty of the good roads commissioners of Alexander County to elect some competent and experienced road engineer to lay out and supervise the building, improving, and maintenance of the public roads of the county of Alexander and fix his compensation, and appoint such assistants and overseers as may be necessary. It shall be the duty of said engineer, under the direction of the said board of commissioners, to make maps and profiles of all the roads to be located, built, or otherwise improved, and furnish estimates of the dirt, stone, or other materials to be moved or used in the construction and maintaining of said roads; and if the said board of commissioners shall deter-
Compensation. Assistants and overseers.	
Maps, profiles and estimates.	

- mine to let any part of the grading, improving, or construction of said road by contract, then the corporation, partnership, and persons so bidding for said work shall bid upon the specifications for the same furnished by said engineer. The said board of commissioners is hereby authorized to let the grading of the construction by contract of any section of road to be built, or any subdivision of any road to be built, to any person, partnership, or corporation, requiring the said person, partnership, or corporation to give a bond in such amount as the said commissioners may decide to complete the said road in accordance with the said specifications of the said engineer, within the time prescribed by the said board of commissioners. Or the said board of commissioners may hire labor and have the said roads graded and constructed under its direct supervision and under such superintendents as it may employ, whichever it shall determine to be the most advantageous to the people of Alexander County.
- SEC. 17. That the board of county commissioners of the county of Alexander shall offer for sale at such time or times such number of said bonds as may be determined by the good roads commission of Alexander County, and the proceeds of sale of said bonds shall be delivered to the treasurer of the county of Alexander and shall be disbursed by him for orders duly signed by the chairman of said board of good roads commissioners and countersigned by the secretary thereof. The said treasurer is hereby directed and required to keep a separate book of the moneys received by him from proceeds of the sale of said bonds and the disbursements and date thereof made by him of the same; and the bond of the said treasurer shall be liable for the faithful accounting of the moneys received by him under this act. The treasurer shall receive no compensation for his services upon receipts of moneys derived from a sale of the bonds or taxes levied under this act, but may be paid, in the discretion of the board of good roads commissioners of Alexander County, on disbursements upon their order, not exceeding one-tenth of one per cent. The sheriff of Alexander County shall receive for the collection of the taxes under this act not to exceed one-half of one per cent, and nothing for disbursements.
- SEC. 18. The board of good roads commissioners of Alexander County shall locate and establish a uniform system of public roads for said county to radiate from Taylorsville, Stony Point, Hid-denite, and any other points that they may deem necessary, so as to serve a majority of the people in every township in the county, expending not less than twelve thousand dollars in any one township, and are hereby directed to expend the proceeds of said bonds as rapidly as it can be wisely or judiciously expended for the purposes in this act expressed, upon an equitable basis in the construction of said system of public roads.

Bids on specifications.

Work may be let to contract.

Bonds of contractors.

Work by hired labor.

Sale of bonds.

Orders on road funds.

Separate accounts.

Treasurer liable on bond.
Pay of treasurer.

Pay of sheriff.

Commissioners to establish system of roads.

Central points.

Apportionment of funds.

- Width and grade of roads. SEC. 19. The roads to be laid out, built, and constructed by the board of good roads commissioners under this act shall be of the width and grade necessary for the proper construction of said roads, which width and grade may be determined by them within their discretion, taking into consideration the locality of the road; but all roads shall have a minimum width of twenty feet, except where this width is impracticable. The said board of good roads commissioners are authorized, wherever the public roads shall cross a branch, creek, or river, to erect and construct thereover such bridges as in their judgment may be necessary.
- Minimum width.
- Bridges.
- Publication of receipts and disbursements. SEC. 20. The treasurer of the county of Alexander shall quarterly publish in some newspaper published in the county of Alexander an itemized statement of all receipts and disbursements by him made of moneys received under the provisions of this act.
- Further road tax forbidden. SEC. 21. That no tax shall be levied for road purposes except such as is provided for in this act.
- Maintenance of other roads. SEC. 22. That on or after September first, one thousand nine hundred and sixteen, the board of good roads commissioners of Alexander County are authorized and empowered to adopt a uniform system of maintaining the public roads of Alexander County not otherwise provided for in the preceding sections of this act; and are authorized to use so much of the funds raised by taxation under this act for road purposes as may not be necessary for the payment of the coupons and sinking fund aforesaid, and also use for said purposes any moneys not otherwise appropriated of the general fund of Alexander County. They shall provide the manner and method of working said roads with the view to keep them in good repair in every section of the county.
- Use of funds authorized.
- Work prescribed. SEC. 23. Should the said board of good roads commissioners of Alexander County deem it wise to provide for a convict force, then the judge of the Superior Court, justices of the peace, and mayors holding courts in Alexander County are herewith authorized to sentence to work on the public roads of said county such persons convicted in their courts held in said county, and the expense of maintaining and guarding such convicts while so employed shall be paid out of the road fund of the county.
- Convicts sentenced to road work.
- Expense of maintenance. SEC. 24. Should the issue "For Good Roads Bonds" fail in the county, but should the majority of the votes cast in Gwaltneys and Sharpes townships be "For Good Roads Bond Issue," then the authorities, as provided for in the petitions from Sharpes and Gwaltneys now filed in the office of register of deeds and presented to the commissioners in the summer of one thousand nine hundred and fourteen, may sell bonds to the sum of twenty-five thousand dollars for Sharpes and twelve thousand dollars for Gwaltneys, the said proceeds to be applied as prescribed in said petitions in conformity with the law passed by the General Assembly
- Bonds for Sharpes and Gwaltneys townships.
- Amounts.

in one thousand nine hundred and thirteen: *Provided further*, that any other township in the county may avail itself of the same privilege by presenting to the commissioners of Alexander County on February first, one thousand nine hundred and fifteen, a petition signed by twenty-five per cent of its qualified voters, setting out the sum desired, the tax to be imposed, together with the purpose, methods of operation, and conforming with the township law for bonds authorized by the Legislature of one thousand nine hundred and thirteen.

Proviso: bonds for other townships upon petition.

SEC. 25. That all laws and clauses of laws in conflict with this act are hereby repealed.

Repealing clause.

SEC. 26. Immediately after the passage of this act the Secretary of State shall send a certified copy of the same to the register of deeds of Alexander County.

Copy of law to be forwarded.

SEC. 27. If any act shall be passed at this or any subsequent session of the General Assembly authorizing the State to loan money to the counties to aid in building or improving public roads, taking county bonds as collateral for said loan, or furnishing engineering assistance or supervision, then the board of county commissioners of Alexander County or the good roads commission of Alexander County are hereby authorized and empowered to avail themselves of the privileges and benefits of any such act.

State aid to be accepted.

SEC. 28. That this act shall be in full force and effect from and after its ratification.

Ratified this the 25th day of January, A. D. 1915.

CHAPTER 28.

AN ACT TO REGULATE ELECTIONS BY THE QUALIFIED VOTERS OF COLUMBUS COUNTY ON THE QUESTION OF "STOCK LAW" OR "NO STOCK LAW" IN SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for the qualified voters living within the territory in Columbus County where the "stock law" is now in force to vote with the qualified voters living within the territory in said county where the "stock law" is not in force in any election that may hereafter be held in any territory in said county where the question of "stock law" or "no stock law" may be submitted to the qualified voters in any territory in said county.

Regulation of voters.

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.

Ratified this the 26th day of January, A. D. 1915.

CHAPTER 29.

AN ACT TO VALIDATE CERTAIN ACKNOWLEDGMENTS,
PROBATES, AND EXAMINATIONS OF J. B. HARVEY,
NOTARY PUBLIC, CRAVEN COUNTY.

Preamble.

Whereas J. B. Harvey, a notary public in and for Craven County, North Carolina, while cashier, director, and stockholder of the Bank of Vanceboro, did take the acknowledgments and probates of certain deeds, mortgages, and other instruments, and did take private examinations of married women, prior to January tenth, nineteen hundred and fifteen, on instruments in which the said bank was interested: Therefore,

The General Assembly of North Carolina do enact:

Acts validated.

SECTION 1. That all such acknowledgments, probates, and examinations be and the same are hereby validated, confirmed, and made legal, binding, and regular.

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

Ratified this the 25th day of January, A. D. 1915.

CHAPTER 30.

AN ACT AUTHORIZING THE COMMISSIONERS OF SAMPSON COUNTY TO INVEST OR LOAN THE SINKING FUND TO REDEEM THEIR ROAD BONDS.

The General Assembly of North Carolina do enact:

Investment of sinking funds.

SECTION 1. That the commissioners of Sampson County are hereby authorized and empowered to invest or loan, at interest upon security approved by them, the sinking fund created and provided for by them to redeem the road bonds of said county, issued under chapter two hundred of the Public Laws of nineteen hundred and seven and chapter four hundred and fifty-one of the Public-Local Laws of the regular session of nineteen hundred and thirteen, and the acts amendatory thereof. They are likewise empowered to collect the principal and interest on such loans by due process of law, if necessary, and to reinvest such interest so collected at interest from time to time; and the treasurer of Sampson County is directed to keep a separate account in his ledger of such sinking fund, investments, and loans therefrom, and the interest upon such sinking fund, which fund and securities shall at all times be in his custody. But all investments and

Collection of loans.

Reinvestment.

Separate accounts.

County commissioners to make investment.

loans of said sinking funds shall be made by the commissioners of Sampson County, and in their own names.

SEC. 2. That this act shall apply to the sinking funds now in the hands of the treasurer of Sampson County and such other sinking funds as may be provided from time to time to redeem said road bonds. Funds subject to investment.

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

Ratified this the 27th day of January, A. D. 1915.

CHAPTER 31.

AN ACT TO AMEND SECTION 3769 OF THE REVISAL OF 1905, RELATING TO BARBED-WIRE FENCES ALONG PUBLIC HIGHWAYS IN BRUNSWICK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section three thousand seven hundred and sixty-nine of the Revisal of one thousand nine hundred and five be amended by striking out from line eight of said section the word "Brunswick." County excepted from law.

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

Ratified this the 27th day of January, A. D. 1915.

CHAPTER 32.

AN ACT TO AUTHORIZE THE LEE COUNTY HIGHWAY COMMISSION TO BORROW MONEY TO CONTINUE THE CONSTRUCTION OF THE PUBLIC ROADS.

The General Assembly of North Carolina do enact:

SECTION 1. The Lee County Highway Commission is hereby authorized to borrow not exceeding six thousand dollars (\$6,000) to continue the construction of public roads and to secure the payment thereof by executing a chattel mortgage on the mules and other equipment now used in the construction of the roads. The mortgage shall be executed in the name of the Lee County Highway Commission by the chairman of the board, attested by the secretary, and when so executed shall be a valid obligation. The proceeds of the equipment when sold shall be applied to the payment of the loan. Limit of amount.
Chattel mortgage.
Execution of mortgage.
Payment of loan.

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

Ratified this the 27th day of January, A. D. 1915.

CHAPTER 33.

AN ACT TO AMEND CHAPTER 123 OF THE PUBLIC LAWS OF 1909, RELATIVE TO PAY OF FINANCE COMMITTEE OF ASHE COUNTY.

The General Assembly of North Carolina do enact:

Per diem.

SECTION 1. That chapter one hundred and twenty-three, Public Laws of one thousand nine hundred and nine, be amended as follows: By striking out the word "two" in line one of section four of said act and insert in lieu thereof the word "three."

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

Ratified this the 27th day of January, A. D. 1915.

CHAPTER 34.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF BEAUFORT COUNTY TO LEVY A SPECIAL TAX TO PAY INDEBTEDNESS AND CURRENT EXPENSES.

The General Assembly of North Carolina do enact:

Special tax authorized.

Limit of rate.

Limit of time.

Levy and collection.

SECTION 1. That the board of county commissioners of Beaufort County be and they are hereby authorized and empowered to levy a special tax not to exceed thirteen and one-third cents on the one hundred dollars valuation of real and personal property in said county, annually for two years, to wit: the years one thousand nine hundred and fifteen (1915) and one thousand nine hundred and sixteen (1916), to be expended and applied to the payment of the indebtedness and current expenses of said county.

SEC. 2. That said taxes shall be levied and collected as other public taxes are levied and collected in said county.

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

Ratified this the 28th day of January, A. D. 1915.

CHAPTER 35.

AN ACT RELATING TO THE COMPENSATION OF THE CLERK OF THE SUPERIOR COURT OF NASH COUNTY.

The General Assembly of North Carolina do enact:

Postage on official business.

SECTION 1. That the clerk of the Superior Court of Nash County be and he is hereby allowed to charge against the county, over and

above the compensation given him by chapter three hundred and forty-four, section seven, Public Laws one thousand nine hundred and eleven, the postage on all official business necessary to be mailed from his office.

SEC. 2. That said clerk shall render to the county commissioners an itemized statement, touching his expenditure for postage, on the first Monday of every month, and for such account, if found correct by them, they shall issue a voucher to said clerk on the county treasurer, the voucher to be paid from the general county funds.

Itemized statement.

Voucher for payment.

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

Ratified this the 27th day of January, A. D. 1915.

CHAPTER 36.

AN ACT TO CREATE A HIGHWAY COMMISSION FOR WARRENTON TOWNSHIP IN THE COUNTY OF WARREN.

The General Assembly of North Carolina do enact:

SECTION 1. That there shall be established in and for Warrenton Township, in the county of Warren, a highway commission to be known as the Warrenton Highway Commission, said commission to be composed of five citizens and taxpayers of Warrenton Township, all the said members to be appointed by the present General Assembly, one for the term of two years, two for the term of four years, and two for the term of six years, and said highway commission shall be and the same is hereby created a body corporate and politic, with a common seal and with the power to sue and be sued.

Highway commission established.
Official title.
Number and qualification of commissioners.
Election and term of office.
Incorporation.

SEC. 2. That all public roads and bridges along or across the public roads within the said township shall be under the exclusive supervision and control of the Warrenton Highway Commission: that all petitions for establishing, locating, maintaining, changing, and discontinuing of any public roads, and all other matters in reference thereto, are by this act placed under the exclusive supervision and control of the Warrenton Highway Commission: *Provided*, all bridges should be built of as permanent and durable material as practicable.

Supervision and control of roads.
Powers of commission.
Proviso: bridges.

SEC. 3. That the term of office of the members of the Warrenton Highway Commission shall begin immediately after the ratification of this act. That the first one hereinafter named in this act shall hold office for a term of two years, the second two hereinafter named shall hold office for a term of four years, and the other two hereinafter named shall hold office for a term of six years; and

Beginning and term of office.

Election of successors.	their successors shall hereafter be elected by a majority of the remaining members of said commission.
Vacancies.	SEC. 4. That upon failure of any member of the Warrenton Highway Commission now or hereafter appointed to qualify, or in case of the death or resignation of any member of said highway commission, said vacancy shall be filled by appointment of the State Geologist of North Carolina.
Engineer or superintendent to act as secretary.	SEC. 5. That all the duties herein prescribed for the secretary of the Warrenton Township Highway Commission shall be performed by the township engineer or road superintendent without additional compensation other than his regular salary.
Records to be kept.	SEC. 6. It shall be the duty of the secretary of the highway commission to keep a complete record of all the acts and doings of the highway commission, showing the amount of money received for the use and benefit of the highway commission, and it shall be the duty of the secretary to keep the books and records of the convict system and audit all bills and perform all and singular the clerical duties incident to the proper road management, and purchase, as herein provided, provisions, feed for teams, and all other supplies for the road force. That the said highway commission shall select the banks doing business in the town of Warrenton to act as financial agent or treasurer for said highway commission, and such bank shall execute a bond to be approved by the said highway commission for the faithful accounting of any and all funds so deposited with it, and conditioned as now provided by law for the faithful accounting by the county treasurer: <i>Provided</i> , that such banks shall be selected for the period of two years, unless some good grounds as to the financial condition of said banks in the opinion of the said highway commission warrant them to designate some other banks or trust companies. Such banks so selected shall keep an accurate account of all moneys deposited with them, and shall, if so required by the highway commission, keep a separate account for different funds that may be designated by the said highway commission. All funds shall be paid out by the said banks upon the proper warrant signed by the chairman of said highway commission and countersigned by the secretary thereof: <i>Provided</i> , that all road funds shall be deposited equally and impartially as near as can be done among the several banks doing business in Warrenton Township, Warren County: <i>Provided further</i> , that such banks so selected shall act as treasurers for such funds and perform the duties of treasurer without commission or compensation of any character.
Further duties of secretary.	
Banks to act as treasurer.	
Proviso: duration of employment.	
Accounts.	
Warrants on road funds.	
Proviso: deposit of road funds.	
Proviso: banks to act without pay.	
Property to be turned over to road commission.	SEC. 7. That after the qualifications of said Warrenton Township Commission and their organization, the board of county commissioners shall turn over to the highway commission all road machinery, stock, and implements, and other property now in use by the Warrenton Township roads; and the said board of county commissioners is hereby directed to instruct and require the county
Funds to be paid over.	

treasurer or other custodian of the public funds, by whatever name designated, to turn over to the treasurer of the highway commission all the Warrenton Township road funds now on hand. The sheriff, after the ratification of this act and the organization of the highway commission, shall turn over to the treasurer of Warrenton Township, Warren County, all funds and taxes levied and collected, for road purposes which may come into his hands by virtue of his office.

SEC. 8. The board of county commissioners for the county of Warren shall in order to provide for the construction, improvement, and maintenance of the public roads of said township, at their regular meeting in June of each year levy a special tax on all property subject to taxation under the State law in said township of not less than fifteen cents nor more than thirty cents on the one hundred dollars property valuation, and not more than seventy-five cents on the poll, but always maintaining the constitutional equation. The highway commission shall purchase stock, material, implements, wagons, road scrapes, rollers, camp outfits, provisions and clothing for the convicts, quarters or stockades, and other things needful for the township in working the roads and for the safe keeping of the convict force as may be found necessary for the proper carrying out of the work, and for the employment of such additional labor as may be deemed necessary.

SEC. 9. The highway commission shall have power to contract all or any part of the road construction or repair to the lowest responsible bidder upon the best obtainable terms, taking such bond from the contractor to indemnify the township against breach of contract and other damages, and to fix forfeitures or liquidate damages.

SEC. 10. The highway commission is authorized, in its discretion, to create and fill any position which it may deem expedient for the proper road construction, repair, and maintenance, such as superintendent of road repair, superintendent and guards of convict force engaged in road work, a highway engineer at a price not to exceed eighteen hundred dollars per annum, or they may hire an engineer at so much per month, or by the job, and he shall be experienced and approved by the State Geologist; to fix a compensation of and prescribe the forms and amounts of bonds which shall be given by such appointees for the faithful performance of their duties; to prescribe the powers and duties of such appointees, and to authorize them to employ, subject to the approval of the board, such subordinates or employees as may be needed. The board shall have power, or causes which it deems good and of which it shall be the sole judge, of discharging any appointee or employee at any time. The board may incur such expenses as it deems needful in the examination of road work in other counties, or to secure proper instruction in road work. The permanent

Settlement of road taxes.

Special road tax.

Limits of rate.

Constitutional equation.

Purchase of stock, material, and equipment.

Employment of labor.

Work may be let to contract.

Bonds of contractors.

Appointments by road commission.

Salary of engineer.

Compensation and bonds of appointees.

Powers and duties of appointees.

Employment of subordinates.

Removal for cause.

Study of road work.

Permanent roads.

roads to be built or improved by the highway commission shall from time to time be determined upon and designated by the highway commission, taking into consideration the needs of the whole township and every part thereof, opening and improving those roads which in their opinion will be of benefit to the greatest possible number of people of the township, and treating every section of the township with equal justice.

Entry on land for material.

SEC. 11. For the purpose of construction, improving, or repairing public roads, the superintendent of road work or other person engaged in or connected with the road work, after first consulting the owner or his agent, shall have authority to enter upon any land, or to cut or carry away any timber except trees left for ornament or shade; to dig or cause to be dug or carry away any gravel, earth, or sand or clay which may be necessary to construct, improve, or repair said roads, and to enter upon any lands adjoining

Drains or ditches.

or lying near the road, to make such drains or ditches through the same as may be necessary for the benefit of the road, doing as little injury to the land as possible; and any person willfully obstructing such drains or ditches shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than five dollars

Obstructing drains or ditches a misdemeanor.
Punishment.

Presentation and settlement of claims.

himself damaged by reason of acts authorized in this section may within sixty days from the commission of the act complained of present his claim to the highway commission, who shall pass thereon within twenty days; and the owner may within ten days

Right of appeal.

from notice of the decision appeal to the Superior Court; if the owner shall not recover a greater amount than that offered in the decision of the court, he shall be taxed with all costs of the appeal.

Costs on appeal.

Drainage into roads or ditches forbidden.

Notice for discontinuance.

No person shall allow or cause to drain water from his lands into the public roads or ditches thereof, and it shall be the duty of the secretary of said highway commission to give notice in writing to the owner or owners of such lands the ditches of which now drain into the public roads, or ditches paralleling such roads, to discontinue the draining of such lands into the public roads, or ditches thereof, and the owners of such lands shall be required to discontinue the draining of said lands into the public roads or ditches thereof within two months of such notice so given; and any person failing or refusing to comply with the provisions of this act within two months of such notice shall be guilty

Misdemeanor.

Punishment.

Drains across roads.

of a misdemeanor, and fined or imprisoned, in the discretion of the court. And if any person draining across the public roads of Warrenton Township, who is required by law to keep up the bridge over the same, shall fail or refuse to repair or rebuild his bridge when notified to do so by the superintendent of highways, or other person in authority, of said public roads within ten days from such notice, the highway commission or superintendent of highways shall have power to put the bridge in good order at the ex-

Bridges at expense of landowner.

pense of the owner, and the cost of such repairing or rebuilding shall be a tax or lien upon said property so drained, and shall be collected by the sheriff when so ordered by the highway commission as other taxes are collected: *Provided*, this shall not relieve the owner from criminal prosecution according to law: *Provided further*, that all bridges so constructed across the public roads shall be constructed according to the plan approved in writing by the road superintendent.

SEC. 12. The highway commission shall have full power to prescribe rules and regulations governing the use of any public roads within Warrenton Township, and any violation of such rules and regulations shall be a misdemeanor. The highway commission shall and are hereby required to cause to be removed from the public roads of said township all telephone and telegraph poles, or other obstructions of whatever character: *Provided*, such telegraph or telephone poles or other obstructions may be removed across a ditch or drainway of any of the public roads of said township; and to the end that this section may be enforced and complied with, the said highway commission shall have the power and exercise the right of eminent domain, and may condemn, in the same manner as provided herein for the condemnation of public roads, any lands on the field side of any ditch or drainway paralleling any public roads in said township for the purpose of placing such telephone or telegraph poles; and the said highway commission shall have power to remove or cause to be removed all trees which shade any of the public roads of the township whenever it may be necessary for the better maintenance of the said roads, and they shall have the right and power to cause to be removed all of such trees to a width of seventy-five feet on each side of any public road.

SEC. 13. The highway commission shall have power to relocate, construct, widen, or otherwise change public roads or parts thereof, and to construct new roads or parts thereof, and to lay out and construct new roads when in their judgment the same will be advantageous to public travel, and for such purposes to authorize through their agents to enter upon any lands to make necessary surveys. Before doing any work of construction apart from surveys, the commission shall give the owner of the land over which the proposed new road or change of road may run at least five days notice in writing of the time and place when and where the highway commission will consider the question of condemning the land. If the landowner be a minor or insane, such notice shall be given to him and his guardian, or, if there be no guardian, the person with whom he is living. If the landowner be a nonresident, or cannot be found within the county, such notice shall be mailed to his last known address and published in some newspaper in Warren County at least twenty days before the hearing. If the highway commission shall find the proposed improvement advan-

Cost of bridges a lien on lands.
Collection.

Proviso: criminal prosecution.
Proviso: plans for bridges.

Regulations for use of roads.

Violation of regulations a misdemeanor.

Removal of poles and other obstructions.

Proviso: removal of telegraph and telephone poles.

Right of eminent domain.

Removal of trees.

Powers of commission in location and construction of roads.

Entry on lands for surveys.

Notice to landowners.

Notice to persons under disability.

Notice to non-residents.

Order of condemnation.

Order not subject to review.	tageous to public travel, and shall decide to condemn the land necessary for the road, they shall so declare, and enter the order
Possession of land upon condemnation. Procedure for assessment of damages.	of condemnation in their minutes. Upon the question of condemnation, the findings and order of the board shall not be subject to review. Upon making the order, the highway commission shall have authority through its agents to immediately take possession of the land described in the order and construct the road. If the landowner, after the road has been relocated or otherwise changed, or after the new road has been opened, shall consider himself damaged, and shall be unable to agree with the highway commission as to the amount of damages, he shall within sixty days after opening, relocating, or otherwise changing the road, or for gravel, soil, or clay, apply to the clerk of the Superior Court for an assessment of damages. Five days notice of such application shall be given to the highway commission. The clerk of the Superior Court shall appoint and cause to be summoned by the sheriff a jury of three disinterested freeholders to assess damages, and shall at the time of appointing the jury fix the time and place of their meeting. If for any cause the jurors fail to so meet, they shall meet at such time and place as may be fixed by them after giving forty-eight hours notice thereof to the highway commission and to the landowner or his attorney. The jurors, being duly sworn by some officer qualified to administer an oath, shall in considering the question of damages take into consideration the benefits of the landowner, shall render a verdict of such amount, if any, as the damages may exceed the benefits, and shall report their findings and verdict to the clerk of the Superior Court, and the clerk shall render judgment accordingly, and shall tax the landowner with the cost of the assessment, if the damages assessed shall not exceed the amount offered by the highway commission. Either the highway commission or the landowner may appeal to the Superior Court within ten days from the filing of the report. If the landowner appeals, the clerk shall require him to file a bond, or make a deposit, in a sum not exceeding one hundred dollars to secure such costs as may be recovered against him on appeal; and if the amount of damages recovered by him in the Superior Court shall not exceed the said assessment appealed from, he shall be taxed with all the costs of the appeal. If the landowner makes affidavit of inability by reason of poverty to give the required bond, or to make a deposit, he shall be allowed to appeal without bond upon making affidavit as required in pauper appeals. The bond or deposit may be increased by the judge of the Superior Court. The appellate courts shall in no wise adjudicate the necessity of relocating, widening, or otherwise changing or of the opening of the road, but shall try, under the rules of procedure of the Superior Court, only the question of damages and benefits: <i>Provided</i> , that if the highway commission shall desire to have the damages as-
Notice to highway commission.	
Considerations affecting damages.	
Costs.	
Right of appeal.	
Bond on appeal.	
Costs on appeal.	
Appeal without bond.	
Question on appeal.	
Proviso: assessment before work.	

sessed before proceeding with the work of constructing, and shall fail to agree with the landowner as to the damages, they shall give him sixty days after the order of condemnation to make application to the clerk of the Superior Court accordingly: first, however, serving upon the landowners in the manner as is hereinbefore provided for condemnation, notice of application. Upon hearing the application, the clerk shall appoint and cause to be summoned a jury of three disinterested freeholders, who shall proceed and make report as hereinbefore directed, except that they shall separately state therein the damage, if any, caused by the survey or surveys and taking of the land condemned, and the rights of appeal and proceedings on appeal shall be as hereinbefore set forth: *Provided*, that within ten days after the filing of the report or before final judgment in the Superior Court, if any appeal shall have been taken, the highway commission shall have the election to abandon the proposed road improvement or construction, and in such cases the clerk or the judge of the Superior Court, if an appeal shall have been taken, shall render the judgment so declared, setting aside the order of condemnation, awarding to the landowner the damages actually sustained, and taxing the highway commission with all costs: *Provided further*, that the said highway commission shall have the right of condemnation of any other lands for the purpose of acquiring suitable road building material, and all such lands shall be condemned in the manner hereinbefore set forth.

Proviso: right to abandon work.

Proviso: condemnation of land for material.

SEC. 14. Any person who shall obstruct a highway commissioner, the engineer, road superintendent, or other agent, subordinate, or employee, in making survey, or engaged in any road work under authority of the highway commission, shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, or both, in the discretion of the court.

Obstructing officers a misdemeanor.

Punishment.

SEC. 15. The highway commission shall have authority to discontinue any public road at their discretion which they may deem unnecessary; first, however, giving the landowners so affected not less than twenty days notice when and where they may be heard upon the question of discontinuing said road; or the highway commission may convert unnecessary public roads into cartways. It shall also have authority to establish or discontinue cartways in the manner provided in sections two thousand six hundred and eighty-six and two thousand six hundred and ninety-four of the Revisal of one thousand nine hundred and five, except that the words "highway commission" shall be substituted for the words "board of supervisors of townships," and the provision for appeal to the board of commissioners shall not apply, but an appeal may be taken from the highway commission to the Superior Court.

Power to discontinue roads.

Notice to landowners.

Cartways.

SEC. 16. The highway commission shall keep or cause to be kept an account of the road funds of the township and their dis-

Accounts of road funds.

bursement of the same, keeping, however, their disbursement on permanent road separate and distinct from the disbursement on repair work on the roads in the township.

Publication of statements.

SEC. 17. The secretary of the highway commission shall annually, within ten days before the first Monday in December in each year, make out and certify and cause to be published in some newspaper printed in the said township a statement of the preceding year showing the amount of taxes collected in the township for road purposes and turned over to the highway commission, and the amount expended.

Use of stock and machinery.

SEC. 18. The stock and road implements and machinery belonging to the township and turned over to the highway commission may be used both upon the permanent and repair work of the road of the township, and the highway commission is empowered to purchase additional road machinery, stock, and other machinery, and tools used in road building from time to time as the same may be needed for keeping the roads of the township in good condition, and also for doing permanent work, and may dispose of such machinery and stock as they may deem necessary for the best interest of the public roads.

Purchase of additional stock and machinery.

Convicts to be worked on roads.

SEC. 19. That all male prisoners confined in the county jail of Warren County under final sentence of the court for crime or imprisonment for nonpayment of costs or fines, or under the vagrant acts, all male insolvents who shall be imprisoned by any court in said county for nonpayment of costs, and all persons sentenced in said county to the State's Prison for a term of less than ten years, shall be assigned to work on the public roads of Warrenton Township until the completion of the building of the roads by the bond issue. Judges of the Superior Court, judges of the criminal courts, the justices of the peace, and the recorder, police justice, or judge of any municipal court in the county of Warren may assign such person convicted in his court to work on the public roads of Warrenton Township. All such convicts, after sentence by the respective courts, shall be delivered to such officers of the highway commission as said highway commission may direct, and shall be paid by Warrenton Township out of their road funds not exceeding one dollar for each convict so delivered. All such convicts after delivery to the highway commission shall be fed, clothed, and otherwise cared for at the expense of the highway commission, and in case of serious physical disability, certified to by the superintendent of health of the county, or other satisfactory reasons appearing to the presiding judge, said persons so convicted may be sentenced to the penitentiary or to the county jail: *Provided*, that any convict sentenced to the roads, becoming disabled, may be placed in jail upon satisfactory evidence of his disability to work. The expense of keeping said convict or convicts shall be borne by the county.

Delivery of convicts.

Fee for delivery.

Maintenance and care of convicts.

Disabled convicts to penitentiary or jail.

Proviso: disabled convicts.

Expense borne by county.

SEC. 20. That upon application of the highway commission to the judge of the Superior Court presiding in adjoining counties, or any other county in the same or adjoining district which do not otherwise provide for the working of their own convicts upon the public roads, said judge may sentence such able-bodied male persons as are described in the preceding sections from such adjoining counties in the same and adjoining judicial districts to work upon the public roads of Warrenton Township of Warren County, and the costs of transporting, guarding, and maintaining such prisoners, and such other costs as may be agreed upon in order to secure such convicts, shall be paid out of the road funds of Warrenton Township in Warren County: *Provided*, that any and all such prisoners from such other counties may at any time be returned to the keeper of the common jail of such counties at the expense of the Warrenton Township road funds.

Convicts from other counties.

Costs paid from road funds.

Proviso: return of convicts.

SEC. 21. It shall be the duty of the highway commission to purchase supplies and provisions at wholesale, or at the best price obtainable, as may be needed from time to time.

Purchase of supplies and provisions.

SEC. 22. The said highway commission, upon its or upon petition of another, have the power to fully investigate any and all crossings of the public roads of the township, whether said crossings be that of railroad company, street car company, or that of private individuals; and wherever said crossings may be constructed or maintained, and in the opinion of the highway commission the use of the public roads at such crossings has become dangerous, unsafe, or inconvenient by reason of the construction and maintenance of the crossings, the highway commission shall give ten days notice to such corporation or person maintaining the alleged obstruction to appear before the highway commission and show cause why the obstruction shall not be removed, or so changed as to render travel over and along the public roads safe, less dangerous, and more convenient.

Inspection of crossings.

Notice of hearing.

SEC. 23. That the said highway commission shall, after notice, investigate the conditions at the crossing, hear such evidence as may be offered, and may make a personal investigation as to the alleged obstruction, and determine as to whether the obstruction complained of renders the travel over the public roads dangerous, unsafe, and inconvenient, and if so, the highway commission shall order and direct its removal or change within a reasonable time; and unless said obstruction is removed or changed as directed by the highway commission within the time prescribed, said railroad company, street car company, or other corporation or person shall be guilty of a misdemeanor, and shall be fined ten dollars for each day said obstruction is allowed to remain after notice. That upon the findings of the highway commission as to the removal of such obstruction, the railroad company, street car company, or other corporation or person may appeal to the Superior Court, where the

Order on hearing.

Misdemeanor.

Punishment.

Right of appeal.

Bond on appeal. matter in controversy may be tried *de novo*. In case an appeal is taken to the Superior Court, the appellant shall give bond in the sum of two hundred dollars, unless the appellant shall make and file an affidavit as is required in pauper appeals.

Commissioners named. SEC. 24. The following named citizens and taxpayers of Warren County be and they are hereby appointed members of the Warrenton Township Highway Commission: John W. Adcock, whose term of office shall be two years from the first Monday in February, one thousand nine hundred and fifteen, or until his successor is appointed and qualified; J. A. Hudgins and Edmund White, whose terms of office shall be for four years from the first Monday in February, one thousand nine hundred and fifteen, or until their successors are appointed and qualified; W. B. Boyd and P. J. Macon, M. D., whose terms of office shall be six years from the first Monday in February, one thousand nine hundred and fifteen, or until their successors are appointed and qualified.

Meetings and pay of commission. SEC. 25. That the highway commission shall hold regular sessions on the first Monday in each month of the year, and each member receive as pay for attendance upon such regular sessions two dollars per day: *Provided*, that they are hereby required to meet as early as possible after the ratification of this act, at which time they shall organize and begin their active duties as herein prescribed.

Meeting for organization.

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

SEC. 27. That this act shall be in full force and effect from and after its ratification.

Ratified this the 28th day of January, A. D. 1915.

CHAPTER 37.

AN ACT TO PROTECT FUR-BEARING ANIMALS IN CRAVEN COUNTY.

The General Assembly of North Carolina do enact:

Enumeration of protected animals. SECTION 1. That it shall be unlawful to trap or kill the following fur-bearing animals, viz.: otters, mincks, muskrats, raccoons, and skunks, in the county of Craven, except during the months of Open season. December, January, February, and March: *Provided*, the owner of Proviso: animals depredateing. personal property shall have the right to kill such animals when they are about to destroy or in the act of destroying his personal property.

Misdemeanor. Punishment. SEC. 2. Any person violating the provisions of this act shall be guilty of a misdemeanor and fined not exceeding twenty dollars and not less than ten dollars, or imprisoned not exceeding ten days, for each and every offense.

SEC. 3. That it shall be the duty of the game warden of the county of Craven to diligently inquire into and prosecute all parties violating the provisions of this act. Duty of game warden.

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

Ratified this the 29th day of January, A. D. 1915.

CHAPTER 38.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF CUMBERLAND COUNTY TO EMPLOY ONE OF THEIR MEMBERS TO DEVOTE ALL OF HIS TIME TO COUNTY BUSINESS.

The General Assembly of North Carolina do enact:

SECTION 1. That the commissioners of Cumberland County are hereby fully authorized and empowered to employ and compensate one of their number to devote all of his time and attention to the business and affairs of the county, particularly the roads and bridges therein. Employment and compensation authorized.

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

Ratified this the 29th day of January, A. D. 1915.

CHAPTER 39.

AN ACT TO PREVENT DEPREDATIONS OF DOMESTIC FOWLS IN YADKIN AND FORSYTH COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person to allow his or her chickens, turkeys, or other domestic fowls to run at large upon the cultivated lands of another while crops are thereon, after being notified by the owner of such cultivated lands to keep them off. Allowing fowls to run at large forbidden.

SEC. 2. That any person violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction be punished by a fine of not more than fifty dollars or imprisoned not more than thirty days. Misdemeanor. Punishment.

SEC. 3. That this act shall apply only to Yadkin and Forsyth counties. Application of act.

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

Ratified this the 29th day of January, A. D. 1915.

CHAPTER 40.

AN ACT TO AMEND CHAPTER 132 OF THE PUBLIC LAWS OF 1905, RELATING TO THE ISSUING OF BONDS BY MADISON COUNTY.

The General Assembly of North Carolina do enact:

Date changed.

SECTION 1. That chapter one hundred and thirty-two of the Public Laws of one thousand nine hundred and five be and the same is hereby amended by striking out the words "one thousand nine hundred and fifteen" in the third line of section nineteen of said chapter and inserting in lieu thereof the words "one thousand nine hundred and twenty."

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

Ratified this the 29th day of January, A. D. 1915.

CHAPTER 41.

AN ACT TO AMEND CHAPTER 249 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATING TO THE SALARIES OF THE SHERIFF AND CLERK OF THE SUPERIOR COURT OF GRANVILLE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and forty-nine of the Public-Local Laws of one thousand nine hundred and thirteen be amended as follows:

Proviso: commissions on former tax lists.

(a) By adding to section two of said chapter the following: "*Provided*, that this shall not apply to commissions on the tax lists in the hands of said sheriff on the first Monday in December, one thousand nine hundred and fourteen, which shall be retained by said sheriff as part of his compensation for the year one thousand nine hundred and fourteen: *Provided further*, that on the first Monday in December, one thousand nine hundred and sixteen, the said sheriff shall turn over to his successor in office all tax lists and other executions still uncollected, and the commissions and fees collected thereon shall be paid in to the county treasurer by the officer collecting the same."

Proviso: tax lists and executions to be delivered to successor.

Commissions and fees to use of county.

Proviso: allowance for clerk hire.

(b) By adding to section seven of said act the following: "*Provided*, that said clerk shall receive the further sum of thirty dollars (\$30) per month for clerical assistance in his office."

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

Ratified this the 29th day of January, A. D. 1915.

CHAPTER 42.

AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF PITT COUNTY TO EMPLOY A FERTILIZER INSPECTOR FOR PITT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the county commissioners of Pitt County are authorized to employ a fertilizer inspector for Pitt County. Employment authorized.

SEC. 2. That the county commissioners shall name the salary, not to exceed one thousand dollars, to be paid out of the county funds. Salary.

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

Ratified this the 29th day of January, A. D. 1915.

CHAPTER 43.

AN ACT TO ALLOW THE BOARD OF COMMISSIONERS OF CABARRUS COUNTY TO SELL A CERTAIN LOT OF LAND ADJOINING THE COURTHOUSE LOT OF SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Cabarrus County be and they are hereby authorized and empowered, at and in their discretion, to sell, at public or private sale, the lot of land belonging to said county and lying and being in the city of Concord, and situate on the west side of South Church Street, between East Corbin and Means streets, adjoining the courthouse lot, German Reformed parsonage lot, the lot formerly owned by John K. Patterson and others, the same being the lot conveyed to said Cabarrus County by deed recorded in record of deeds of said county in book number sixty, page five hundred and eighty-two, or such a part thereof as they see fit and proper; and the chairman of said board of commissioners shall execute a good and sufficient deed in fee simple to said land when sold and paid for, and the clerk of said board shall attest the signature of the said chairman and affix the county seal thereto. Sale authorized.

SEC. 2. That the said board of commissioners of Cabarrus County are hereby authorized and empowered. in their discretion, to use the funds derived from the sale of said lot of land in payment for the construction of the new jail and improvements of the courthouse or for general county purposes. Description of land.

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

Ratified this the 29th day of January, A. D. 1915. Use of proceeds of sale.

CHAPTER 44.

AN ACT TO REPEAL CHAPTER 584 OF THE PUBLIC-LOCAL LAWS OF 1913, TAXING DOGS IN MONTGOMERY COUNTY.

The General Assembly of North Carolina do enact:

Law repealed.

SECTION 1. That chapter five hundred and eighty-four of the Public-Local Laws of one thousand nine hundred and thirteen, of North Carolina, be and the same is hereby repealed.

Accrued taxes not released.

SEC. 2. That this act shall in no way release the payment of taxes on dogs in said county for the years one thousand nine hundred and thirteen and one thousand nine hundred and fourteen.

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

Ratified this the 29th day of January, A. D. 1915.

CHAPTER 45.

AN ACT TO REPEAL CHAPTER 1019, PUBLIC LAWS OF 1907, RELATING TO THE ISSUANCE OF BONDS FOR BUILDING COURTHOUSE IN BEAUFORT COUNTY.

The General Assembly of North Carolina do enact:

Law repealed.

SECTION 1. That chapter one thousand and nineteen of the Public Laws of one thousand nine hundred and seven, entitled "An act to authorize the board of commissioners of Beaufort County to issue bonds and levy a special tax for the purpose of building a courthouse," be and the same is hereby repealed.

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

Ratified this the 29th day of January, A. D. 1915.

CHAPTER 46.

AN ACT TO FIX SALARIES FOR PUBLIC OFFICERS IN ORANGE COUNTY.

The General Assembly of North Carolina do enact:

Township deputies.

SECTION 1. That the sheriff of Orange County may appoint one deputy in each township in the county, except in Hillsboro Township, which is hereinafter provided for, and may allow such deputies the fees made and collected by them in serving summons, sub-

penas, notices, and processes of all kinds, and all fees and commissions made and collected by them from executions.

SEC. 2. All other fees, commissions, profits, and emoluments of all kinds now belonging or appertaining to, or hereafter by any law belonging or appertaining to, the sheriff by virtue of his office shall be faithfully collected by him and turned over to the treasurer of said county, to be disposed of as hereinafter provided.

Fees to be collected and paid to county.

SEC. 3. That the sheriff shall appoint a jailer whose compensation shall be fixed by the board of county commissioners and paid by them.

Jailer.

SEC. 4. That said sheriff shall receive a salary of sixteen hundred dollars per annum in lieu of all other compensation whatever, and shall appoint one deputy for Hillsboro Township at a salary of six hundred dollars per annum, which, together with the premium on the sheriff's bond, shall be paid by the county out of the fund herein created.

Salary of sheriff.

SEC. 5. That the clerk of the Superior Court and the register of deeds of said county shall faithfully collect, account for, and turn over to the treasurer of said county all commissions, fees, profits, and emoluments of every kind now or hereafter by any law accruing, belonging, or appertaining to them by virtue of their office.

Clerk of superior court and register of deeds to collect and pay over fees.

SEC. 6. That the clerk of the Superior Court shall receive a salary of twelve hundred dollars (\$1,200) per annum in lieu of all other compensation whatever.

Salary of clerk.

SEC. 7. The register of deeds of said county shall receive a salary of one thousand dollars (\$1,000) per annum in lieu of all other compensation whatever: *Provided*, the county commissioners may, in their discretion, allow additional compensation for making the tax books required by law, to amount not exceeding three hundred dollars, or employ some other competent person to do the work, with a like limitation of compensation.

Salary of register.

Proviso: allowance for making tax books.

SEC. 8. The treasurer of said county shall receive a salary of eight hundred dollars (\$800) per annum in lieu of all other compensation whatever; and the premium on the bond of said treasurer shall be paid out of the fund hereinafter created.

Salary of treasurer.

SEC. 9. That the officers hereinbefore mentioned shall faithfully perform all of the duties of their several offices imposed upon them by law, and shall receive no compensation or allowance whatsoever, for any extra or additional service rendered to the county or State, or other governmental agencies, under existing law or laws hereafter enacted (except as hereinbefore provided), and they shall be liable to all the pains and penalties now or hereafter provided for failure to perform the duties of their several offices.

Officers to perform duties.

Further compensation forbidden.

SEC. 10. That the officers hereinbefore named are each required to keep a fee book, upon which shall be entered, immediately upon their receipt, all fees or commissions, and are required to turn over to the treasurer of Orange County all moneys coming into their

Books to be kept.

Audit of books. hands from such source, and the treasurer shall audit the said books and diligently compare the same with the books and papers in the office of each officer at the time of the settlement, to ascertain whether it is correct or not; and on the first Monday in each month shall post at the courthouse door an itemized statement, showing the amounts received by him from each officer. The county commissioners may at any time require said officers or any of them to exhibit to them all books and accounts showing all moneys received and turned over to the treasurer under the provisions of this act.

Statements to be posted. Failure to collect or turn over fees a misdemeanor. SEC. 11. Any officer hereinbefore mentioned who shall willfully fail or refuse to collect the full fee, commission, or emolument of any kind belonging to his office, or shall fail to turn over same to the county treasurer, shall be guilty of a misdemeanor.

County commissioners may require exhibit. Separate fund. SEC. 12. All moneys coming into the hands of the treasurer of Orange County by virtue of this act shall be held by him as a separate and distinct fund; and after paying the monthly salaries and allowances provided for in this act, and after paying premiums for the bonds of sheriff and treasurer in some bonding company, the balance of said fund shall semiannually be divided equally between the public school funds and the fund for public roads: *Provided*, if there is not sufficient money in the fund herein created to pay said monthly salaries at the time they become due, the commissioners may borrow temporarily the amount necessary from the general county fund.

Failure to collect or turn over fees a misdemeanor. Specific appropriation. Distribution of surplus. Proviso: deficit supplied. Repealing clause. SEC. 13. All laws and parts of laws in conflict herewith are hereby repealed.

When act effective. SEC. 14. That this act shall be in full force and effect on and after the first Monday in December, one thousand nine hundred and sixteen, as to all officers except clerk, and as to him the first Monday in December, one thousand nine hundred and eighteen.

Ratified this the 29th day of January, A. D. 1915.

CHAPTER 47.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF YADKIN COUNTY TO ISSUE BONDS TO BUILD AND IMPROVE THE PUBLIC ROADS OF YADKIN COUNTY.

The General Assembly of North Carolina do enact:

Purpose of bond issue. Bond issue authorized. Amount. Denominations. SECTION 1. That for the purpose of building and otherwise improving the public roads and bridges of Yadkin County the board of commissioners of said county is hereby authorized, empowered, and directed to issue bonds of the county to an amount not exceeding two hundred thousand dollars of the denominations of ten dol-

lars, twenty-five dollars, fifty dollars, one hundred dollars, five hundred dollars, and one thousand dollars, bearing interest from the date thereof, not to exceed six per cent per annum, with interest coupons attached payable annually at such time and place as may be deemed advisable by said board of commissioners, said bonds to be of such form and tenor and transferable in such way and the principal thereof payable at such time or times, not exceeding thirty years from the date thereof, as the said board of county commissioners may determine: *Provided*, that none of said bonds shall be disposed of for a less price than their face value, and then only as the money is actually expended on said roads and bridges.

Interest.

Maturity.

Proviso: sale below par forbidden.

SEC. 2. The bonds and coupons shall be numbered and signed by the chairman of said board of commissioners and countersigned and attested by the treasurer of said county and bearing the corporate seal of said county of Yadkin.

Authentication.

SEC. 3. A record shall be kept by the said board of commissioners in a separate book for that purpose, and all bonds sold, and to whom, the amount, and date of sale and issuing each bond and its number shall be kept therein.

Record of bonds.

SEC. 4. In order to pay the interest on said bonds, create a sinking fund for taking up said bonds at maturity or earlier, and maintaining the public roads and bridges of said county in good condition, the board of commissioners of said county of Yadkin shall annually levy, at the time of levying other county taxes, a sufficient special tax, not to exceed thirty cents on the one hundred dollars valuation of all real estate and personal property and other subjects of taxation which said commissioners now or hereafter may be allowed to levy tax upon for any purpose whatever, and ninety cents on all polls, always observing the constitutional equation between the tax on property and the tax on polls.

Special tax.

Limit of rate.

Constitutional equation.

SEC. 5. That said tax, when collected, shall be kept separate and apart from all other taxes and shall be used only for the purposes for which it was collected.

Taxes kept separate.

SEC. 6. That it shall be the duty of the board of commissioners of Yadkin County to annually invest any and all moneys arising from the special tax for sinking fund in the purchase of said bonds at a price deemed advantageous to said county by said commissioners and to be agreed upon between them and the owners thereof; but in case said bonds cannot be purchased, the said commissioners shall invest said sinking fund upon approved security and upon terms advantageous to the county.

Investment of sinking fund in bonds.

Alternative investments.

SEC. 7. That the money arising from the sale of said bonds shall be used to purchase improved road-working machinery, to survey, lay out, grade, improve, erect, and maintain the public roads and bridges of said county by contract or otherwise.

Use of proceeds of bonds.

Deposit and withdrawal of bonds.

SEC. 8. That the bonds herein provided for shall be deposited in some safe-deposit company or bank, and only drawn out upon the joint order of the board of commissioners and the county treasurer of said county, and the proceeds shall be applied to the purposes as herein provided for.

Appropriation for bridges.

SEC. 9. That after using a sufficient amount thereof to build the bridges of the county, the remainder of the moneys received from the sale of said bonds shall be expended proportionately for the building, improvement, and maintenance of the public roads in each of the several townships of Yadkin County according to the ratio of the amount of property listed for taxation in the township to that of the total amount of property listed for taxation in the county.

Election on question of bond issue.

SEC. 10. For the purpose of ascertaining the wishes of the voters of Yadkin County upon the question of issuing bonds and improving the roads and bridges as provided in this act, an election shall be held in every voting precinct of the county at such time as the commissioners shall direct and appoint, not more than sixty days from the ratification of this act. At said election all qualified voters in said county may vote a written or printed ballot. Those who favor the purposes of this act shall vote a ticket with the words "For Good Roads" thereon, and those who oppose the purpose of this act shall vote a ticket with the words "Against Good Roads" thereon; and if the majority of the voters of Yadkin County qualified to vote at said election shall vote "For Good Roads," then the bonds provided for in this act shall be issued and sold and the taxes levied according to the provisions herein contained. The said election shall be held in the manner provided by law for the election of members of the General Assembly, except as is otherwise provided in this act. There shall be a new registration of the voters of said county for said election. The board of commissioners shall cause to be published in some newspaper published in said county a notice of said election for thirty days prior to said election. The registration books for said new registration shall be open for twenty days before said election and shall close on the last Friday night, at sunset, before said election. The registrars and judges of election of each precinct shall meet at their respective precincts on the last Saturday before the election to hear and determine all challenges. The registrars and judges of election shall be appointed by the board of county commissioners thirty days before said election, and the person so appointed shall be served with notice of their appointment by the sheriff of Yadkin County. There shall be appointed one registrar and two judges for each precinct. At the close of the election in each precinct the vote shall be counted and returned over the signature of the judges and registrar of the election, or any two of them, to the board of commissioners of Yadkin County, and the registrar or

Ballots.

Effect of election.

Law governing election.

New registration.

Notice of election.

Registration.

Challenge day.

Appointment and notification of election officers.

Election officers.

Count and return of vote.

one judge of the election shall be chosen as a messenger to transmit said returns. Said returns shall be executed in triplicate, and one copy furnished the board of commissioners, one copy furnished the clerk of the Superior Court, and one copy retained by the registrar of each precinct. On the second day after the election the said board of commissioners of Yadkin County shall meet as a canvassing board at their office in Yadkinville and shall receive the returns of said election and shall canvass and judicially pass upon and declare the results of said election. If a majority of the voters of Yadkin County qualified to vote at said election shall have voted "For Good Roads," then the bonds provided for in this bill shall be issued and this act shall become operative and the public road law of the State shall no longer apply to Yadkin County; but if a majority of the voters of said county shall fail to vote "For Good Roads," then the provisions of this act shall not be operative.

Canvass of returns.

Effect of result.

SEC. 11. The registrars shall receive for their services hereunder three cents for each name registered and the judges one dollar per day each for holding said election, and the messenger to transmit the returns one dollar per day.

Pay of registrars and judges.

SEC. 12. If a majority of the voters of Yadkin County qualified to vote at said election shall vote "For Good Roads," then F. W. Day, C. F. Reece, J. S. Bryant, S. G. Halcomb, J. W. Cook, Jones Angell, C. W. Johnson, S. A. Harding, Isaac Shore, A. Dinkins, H. E. Davis, W. P. Williams, S. E. Norman, W. A. Jones, together with the members of the present board of county commissioners of Yadkin County, viz., S. J. Doub, R. B. Long, and E. B. Vestal, shall constitute and are hereby appointed a "board of road commissioners" for Yadkin County. That the term of office of the members of the board of road commissioners of Yadkin County herein created shall begin immediately after the ratification of the provisions of this act by a majority of the voters entitled to vote at the election herein provided for casting their ballot "For Good Roads," and shall end on the first Monday in December, one thousand nine hundred and sixteen, and during said period all of the powers and jurisdiction now vested in the board of commissioners of Yadkin County with regard to the laying out, establishing, building, and repairing the public roads and bridges of said county, are hereby conferred upon and vested in the said board of road commissioners.

Road commissioners named.

Beginning and end of term.

That at the general election in November, one thousand nine hundred and sixteen, there shall be elected in Yadkin County five county commissioners, who shall qualify and enter upon the duties of said office on the first Monday in December, one thousand nine hundred and sixteen; and upon the organization of said board of commissioners all of the powers vested by this act in and delegated to the board of road commissioners of Yadkin County, and all

Powers vested.

Election of successors.

That at the general election in November, one thousand nine hundred and sixteen, there shall be elected in Yadkin County five county commissioners, who shall qualify and enter upon the duties of said office on the first Monday in December, one thousand nine hundred and sixteen; and upon the organization of said board of commissioners all of the powers vested by this act in and delegated to the board of road commissioners of Yadkin County, and all

Powers revested.

powers, duties, and jurisdiction now vested in the board of county commissioners of Yadkin County, shall be vested in and are hereby conferred upon the said board of county commissioners of Yadkin County, and the said board of road commissioners shall be dissolved and cease to exist, and all contracts, obligations, or other agreements entered into by said board of road commissioners during the term of their office shall be fulfilled and kept by the said board of county commissioners of Yadkin County.

Powers of road commissioners.

SEC. 13. The board of road commissioners of Yadkin County herein created shall have entire charge of the expenditure of the proceeds of the sale of the bonds herein authorized to be issued, and before entering upon the discharge of their duties under this act shall take and subscribe an oath for the faithful performance of their duties and file a bond, each, payable to Yadkin County, in the sum of five thousand dollars (\$5,000), for the faithful performance of their duties under this act. It shall be their duty to meet and organize within thirty days after said election, provided said election results in favor of good roads, by the election of one of their members chairman and one of their members secretary, and if for any reason any of them fail to qualify, or after qualification a vacancy shall occur by death, resignation, or otherwise, the remaining members of the board shall fill such vacancy by the election of a member or members who shall be a resident of the township of the member whose death, resignation, or failure to qualify caused such vacancy. The said board of road commissioners shall meet for the transaction of business at the courthouse in Yadkinville on Tuesday after the first Monday in January, April, July, and September, and shall receive as compensation for their services the sum of one dollar and fifty cents per day and the mileage allowed the board of county commissioners of Yadkin County; and they may have other meetings upon five days notice published at the courthouse door of Yadkin County, but shall receive no compensation therefor except mileage.

Commissioners to qualify and give bond.

Meeting for organization.

Organization.

Vacancies.

Regular meetings.

Compensation.

Special meetings.

Employment of engineer, overseers and assistants.

System of roads.

Entry on land for construction of roads.

Procedure for assessment of damages.

SEC. 14. It shall be the duty of the said board of road commissioners to employ a competent road engineer to lay out and supervise the construction of the roads of Yadkin County, and such assistants, overseers, etc., as may be needed, and same shall be so laid out as to give the said county a general system of roads connecting its principal points of business and centers of population, and connections with roads to outside markets. The said board of road commissioners of Yadkin County are hereby authorized, through themselves or their agent, to go upon the lands of any person, firm, or corporation in Yadkin County and lay out and construct new roads, widen the roads now already laid out, or take material for the building or repairing of same, by first giving the owner five days notice; and if the said board of road commissioners and the owner of the land are unable to agree upon

the amount of damages sustained by the owner of the lands, if any, then within sixty days after the completion of the road the said board shall cause three freeholders of the county to be summoned, who shall go upon the lands and assess the damages sustained by the owner, taking into consideration the benefits which the owner received by reason of the road: *Provided*, that either party may appeal from the decision of the three freeholders to the Superior Court, where the matter shall be heard *de novo* by a jury, and when said damages are determined they shall be paid by the said board of road commissioners, but no cost shall be paid by them upon appeal unless a greater amount of damages is recovered than that allowed by the three freeholders. The said engineer shall, under the directions of said board, make maps and profiles of all roads to be built, and make estimates of the quantity of dirt to be removed in the grading and construction of same, and the said board of road commissioners is hereby authorized to let the grading or building of said roads or any section or part of same to any person, firm, or corporation, to be built by contract, requiring of said contractor a good and sufficient bond for the faithful compliance with such contract. The said board of road commissioners are also authorized to hire labor and convicts and use any convict force of Yadkin County or hire convicts from other counties, and to buy the necessary machinery and stock for the use of same, and shall employ any citizen and taxpayer of Yadkin County who offers himself for hire at such wages as are paid to others until he shall have worked out his taxes levied by virtue of this act.

SEC. 15. That the proceeds of the sale of the bonds herein provided for and the moneys to be collected by the taxes herein authorized shall be paid to the treasurer of Yadkin County, who shall keep them separate from other funds and shall keep the funds allotted to each township separate from that of the other townships, and the bond of said treasurer shall be liable for the faithful accounting of the funds received by him. He shall disburse same upon the order of the board of road commissioners, and for his compensation he shall receive one-half of one per cent of his disbursements. The taxes herein authorized shall be collected by the sheriff of Yadkin County as other taxes are collected and he shall receive for his compensation one per cent of all of said taxes collected by him, and the bond of said sheriff shall be liable for the faithful accounting by him of the same. The treasurer of Yadkin County shall quarterly publish in some newspaper published in Yadkin County a full and itemized statement covering receipts and disbursements of funds coming into his hands by virtue of this act.

SEC. 16. That the said board of road commissioners herein created shall have power to sue and be sued in any of the courts of

Proviso: right of appeal.

Costs on appeal.

Maps, profiles, and estimates.

Work may be let to contract.

Bonds of contractors. Labor.

Machinery and stock. Work in payment of taxes.

Moneys paid to treasurer.

Funds kept separate.

Treasurer liable on bond. Orders on road funds. Compensation of treasurer.

Collection of taxes. Commission of sheriff.

Sheriff liable on bond. Publication of statements.

Corporate powers.

this State for the enforcement or for the violation of any contract made under the provisions of this act, and shall have power to employ counsel.

Secretary of state
to send copy of
act.

SEC. 17. That immediately upon the ratification of this act the Secretary of State is authorized and directed to make and cause to be sent to the chairman of the board of county commissioners of Yadkin County a certified copy of this act, and said board of commissioners are hereby authorized and directed to pay to the said Secretary of State the legal fees therefor.

SEC. 18. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 19. That this act shall be in full force and effect from its ratification.

Ratified this the 29th day of January, A. D. 1915.

CHAPTER 48.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF CUMBERLAND COUNTY TO ISSUE \$29,000 OF BONDS.

Preamble.

Whereas the county of Cumberland has a floating debt of twenty-nine thousand dollars, incurred on account of its roads and other necessary county purposes, for some of which notes have been given, which are now maturing; and whereas it is necessary for the said county to issue bonds at a lower rate of interest, in order to take up said debt; and whereas, on account of the early maturity of another issue of its bonds, the bond tax now levied for the purpose of creating a sinking fund to pay off its bonds at maturity is not sufficient to meet the obligations hereinafter authorized: Therefore,

Preamble.

Preamble.

The General Assembly of North Carolina do enact:

Bond issue authorized.

SECTION 1. That the board of commissioners of Cumberland County are hereby fully authorized and empowered to issue and sell, at not less than par and accrued interest, its coupon bonds to an amount aggregating twenty-nine thousand dollars, for the sole purpose of funding its aforesaid floating indebtedness.

Sale below par
forbidden.
Amount.
Sole purpose of
issue.
Denominations.

SEC. 2. That said bonds shall be in the denomination of not less than five hundred dollars nor more than one thousand dollars; shall mature in not less than twenty nor more than forty years from the date of issue; and in no event shall bear interest at a rate exceeding five and one-half per centum per annum; they shall be signed by the chairman of said board, attested by the register of deeds of said county as clerk of said board, and the

Maturity.

Interest.

Authentication.

county seal shall be thereto affixed; the bonds shall be consecutively numbered, as shall the coupons attached thereto; and said coupons shall bear the engraved or lithographed facsimile of the signatures of the aforesaid chairman and clerk of said board of commissioners.

SEC. 3. That said board of commissioners shall fix the date, maturity, denomination, rate of interest, and place of payment for the aforesaid coupon bonds. Matters to be fixed by commissioners.

SEC. 4. Said board of commissioners may sell said bonds at public or private sale, with or without notice, and with or without bids being obtained, as it may deem best. Sale of bonds.

SEC. 5. That the clerk of said board shall keep a complete and accurate record of the date, amount, and maturity of each of said bonds, when and to whom sold, and the amount received for same. Record of bonds.

SEC. 6. That out of the moneys collected by virtue of the bond tax levied in said county the aforesaid commissioners shall appropriate, set apart, and pay into the sinking fund of said county, each year said bonds are outstanding, an amount sufficient to pay said bonds at maturity, said sinking fund to be invested by the sinking fund committee of said county as provided for other sinking funds therein. And each member of said board of commissioners who shall fail to provide, set apart, and pay into said sinking fund each year such amount as shall be sufficient to pay off the bonds herein authorized at maturity shall be guilty of a misdemeanor. Sinking fund.
Investment of sinking fund.
Commissioners penalty liable for failure.

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

Ratified this the 29th day of January, A. D. 1915.

CHAPTER 49.

AN ACT TO BETTER PROVIDE FOR THE WORKING AND MAINTAINING OF THE PUBLIC ROADS IN TRANSYLVANIA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Transylvania County shall, in order for the proper construction, maintaining, and amending the said roads of Transylvania County, at the time of levying general State and county taxes, in each and every year levy a special tax on all the property subject to taxation under the State laws of North Carolina of not less than fifteen cents nor greater than twenty-five cents on the hundred Special tax for road fund.
Limits of tax rate.

dollars worth of property; said taxes to be collected as other taxes, but to be kept separate on the tax books of said county, and to be set aside as a special road fund to be used by the township from which such tax is collected for maintaining, improving, and amending the public roads, culverts, and bridges of said township, except as hereinafter provided: *Provided*, the sheriff or tax collector collecting the said taxes shall only receive three per cent of the amount collected of said funds for collecting and paying over the same to the county treasurer, and the said treasurer shall only receive two per cent for paying out said fund.

Tax used in township where collected.

Proviso: commission of sheriff and treasurer.

Road duty.

SEC. 2. That all able-bodied males of Transylvania County between the ages of eighteen and forty-five years, except regularly ordained ministers of the gospel and residents of incorporated towns, shall be subject to public road duty, and shall work on the public roads of said county four days of eight hours each in each and every year, and at such times and places and in such manner as may be designated by the road overseer of the township in which said road subject may reside, but said road subject shall not be required to work out of the section or district to which he has been assigned. The said township road overseer, or his authorized assistant overseer as hereinafter provided, shall give to each road subject three days notice by personal warning, or by leaving a printed or written notice at the house or residence of such road subject, specifying in said notice the time and place said road work is to be begun and performed, also designating in said notice the tool or implement with which said person shall be required to work: *Provided*, that any road subject may, in lieu of working four days on the public roads, pay to the said township overseer on or before the first day of April in each year, or the time when he is first warned, the sum of four dollars for the succeeding year, and shall receive from the overseer a receipt for his year's road duty, or may on or before the first day of April and October of each year pay to said overseer two dollars semi-annually in advance, for which payment the said overseer shall issue his receipt, and which receipt shall exempt said road subject from work during the half-year covered by the receipt. But if any person subject to road duty under the provisions of this act shall fail or refuse, upon demand of the overseer, to make the half-year payment in advance as above stated, then the entire yearly amount for which the road subject is liable under this act shall become immediately due and collectible: *Provided*, that any person physically unable to work the public roads may be exempt therefrom by order of the board of county commissioners.

Warning.

Proviso: commutation.

Proviso: exemption for physical disability.

Failure to perform road duty a misdemeanor.

Punishment.

SEC. 3. That any road subject who has been duly summoned and who, without legal excuse, fails to work on the said roads as summoned, or make the payments as provided for in the preceding section, shall be guilty of a misdemeanor, and shall upon conviction

be fined four dollars and the cost in every case in which he is convicted, or he may be sentenced to work on the roads for each offense for a term not exceeding four days; and it shall be the duty of the said overseer to cause a warrant to issue for the arrest and trial of said defaulting road subject, and if any road overseer fail to perform his duty in this regard he shall also be guilty of a misdemeanor, and upon conviction be fined five dollars and the cost, and shall be liable upon his bond for the time of the subject which was not worked out.

Overseer to swear out warrants.

Failure by overseer a misdemeanor.

Punishment.

SEC. 4. That the several township road overseers duly and legally elected by the qualified voters of the several townships of Transylvania County at the general election held on November third, one thousand nine hundred and fourteen, and who have qualified and assumed the duties of their office under and by virtue of said election, all of which was in conformity with and in obedience to chapter seven hundred and nine of the Public-Local Laws of one thousand nine hundred and thirteen, shall each be the township road overseer of his respective township during the time for which he was elected as aforesaid, unless he be sooner removed for good and sufficient cause and according to law; and no provision of this act shall in any manner be held or construed so as to deprive the overseer aforesaid of the office to which he was elected on the date first above mentioned. The duty of the township road overseer aforesaid shall be to take charge of, look after, and maintain, repair, and to keep in repair all the public roads in the township in which he was elected. He shall in person, or by his assistant as provided in this act, summon the various hands in the said township and work them on such roads therein to which they have been assigned, for at least four days (and in case of storms, freshets, and washouts, not over ten days) in each and every year, subject to the provision for paying cash in lieu of such time as hereinbefore designated, beginning the first day of April of each year. But before summoning the said hands as hereinbefore provided, he shall divide the roads of his township into road districts and assign the hands to the same, each said hand to be assigned to that road district in which he nearest resides; and in order to more properly care for and maintain the public roads of the county, the overseer in each township is hereby authorized and empowered, if in his judgment the size and condition of his township and its roads require it, to appoint or designate one or more competent persons as assistant overseer and assign him permanently to whatever section of the township the best interests of the roads may require; said assistant overseer shall have power and authority to summon hands in his section to work the roads therein, and shall have supervision over them during such work, but in no case shall he receive or collect any money from any road subject who pays in lieu of work; and every

Township road overseers.

Duties of township road overseers.

Road districts.

Assignment of hands.

Assistant overseers.

Power and authority of assistant overseers.

Monthly statement by assistants.	thirty days he shall render to the township overseer a written sworn statement of the total number of road subjects in his district and the names of every person he has worked on the roads,
Pay of assistants.	and the number of days each has so worked; and the said assistant overseer shall receive as compensation one dollar and fifty cents per day when working five hands or more, and one dollar and twenty-five cents per day when working less than five and more than two, but he shall not receive compensation when working less than three hands any one day. And the township road overseer shall in all respects be responsible on his bond for the acts and performances of his assistant overseer when discharging his duties aforesaid; and the said overseer shall be subject to removal by a majority of the board of the county commissioners for inefficiency, continued insobriety, willful neglect of duty, or other good and lawful reasons; and if so removed, the vacancy shall be filled by them until the succeeding general election, when he shall be elected as hereinafter provided. To this end the qualified voters of each township in Transylvania County shall elect a road overseer for their respective townships at the general election to be held in the year one thousand nine hundred and sixteen, and every two years thereafter; said election to be held under the laws governing general elections for the election of county and township officers.
Township overseers responsible for assistants.	
Removal for cause.	
Elections of overseers.	
Lists of districts and hands.	<p>SEC. 5. The said overseer shall keep a book designating the districts in his township, with the names of each person allotted thereto, and the name of the assistant overseer in charge of the section, if such be the case, and shall mark opposite each man's name the number of days worked by him, and the date such work was done, and the amount paid by such hand, when paid, and for what year or half-year said amount was paid; said overseer shall also keep in said book an itemized statement of all funds received by him for road purposes, from whom received and the date of receipt, to whom paid and for what purpose, with date of payment, and shall on or before the first Monday in April, July, October, and January of each and every year render to the county commissioners an itemized sworn statement of all his transactions and dealings as township road overseer (including reports of assistant road overseer, if such he has, as hereinbefore provided) for the preceding quarter, which itemized and sworn report shall be inspected and approved or disapproved by the county commissioners and filed as a permanent and public record in their office. And the said board of commissioners of Transylvania County are hereby commanded and directed to procure a suitable book, to be known as "Township Road Book," in which book they shall record the quarterly aggregate debit and credit items, the number of road sections in each township, the number of persons allotted thereto, the aggregate number of days worked in each road sec-</p>
Record of receipts.	
Sworn statements to be rendered quarterly.	
Record of statements.	

tion, and the total number of days worked for the entire township, and the aggregate amount of money expended in each road section, and township, as shown by the quarterly report of the overseer of the township. The entries in the aforesaid book to be similar to the following, viz.:

----- TOWNSHIP.
 REPORT OF-----OVERSEER, QUARTER
 ENDING --- DAY OF ----- 191---

Form of entries
 on records.

Number road sections in township -----
 Number road subjects allotted thereto -----
 Number days worked in sections 1, --; 2, --; 3, --; 4, ---
 Days worked in township -----

1915

Dr.

January 1.	Balance on hand -----	\$ 75.13
January 15.	Received County Treasurer-----	980.00
March 30.	Total received from road subjects (see itemized reports on file)----	56.00
		\$1,111.13

1915

Cr.

January 10.	Paid John Doe, right of way-----	\$ 50.00
February 5.	Paid note -----	36.55
March 30.	Total paid road work (see item- ized statement on file)-----	300.00
		\$ 386.55
March 30.	Balance on hand -----	724.58
		\$1,111.13

And if the commissioners aforesaid fail or refuse to keep the record above stated, they shall be guilty of a misdemeanor.

Failure by com-
 missioners a mis-
 demeanor.

And the report herein required to be made by the township overseer shall be as follows, viz.:

REPORT -----, OVERSEER, ----- TOWNSHIP,
 QUARTER ENDING -----, 191---

Form of reports.

Number road sections in township-----
 Number road subjects allotted -----
 Number days work in sections 1, --; 2, --; 3, --; 4, ---
 Number days in township-----

1915		<i>Dr.</i>
January	1. Balance on hand -----	\$ 156.75
January	5. Received County Treasurer -----	53.98
March	5. Received John Doe, one year's road tax -----	4.00
		\$ 214.73
1915		<i>Cr.</i>
January	10. Paid John Jones, one day work----	\$ 1.50
March	10. Paid John Smith, for labor-----	12.50
		\$ 14.00
March	30. Balance on hand -----	200.73
		\$ 214.73

Road Overseer ----- Township.

Sworn to and subscribed before me, this the ____ day of
 -----, 191---

Justice of the Peace.

Failure to report a misdemeanor.

Punishment.

Transmission of report.

Overseer to take receipts.

Pay of overseer.

Overseer, nor assistant, to charge for team.
 Split-log drags.

And if the said overseer shall fail or refuse to render the report aforesaid within ten days after the time hereinbefore designated, or shall violate any provision of this section, he shall be guilty of a misdemeanor, and upon conviction be fined not more than fifty dollars or imprisoned not more than thirty days. The said report must be transmitted by registered mail to the chairman of the board of county commissioners in care of the register of deeds, or handed to the register of deeds by the overseer within the time herein specified, but the overseer shall receive no per diem or other expense allowance for personally filing said report. And for each and every disbursement made by the overseer where the amount paid to one person at any one time equals or exceeds the sum of five dollars, he shall take a receipt from such person and transmit said receipt to the county commissioners securely attached to his quarterly report. The compensation of the township overseer shall be two dollars per day when working five hands or more, and one dollar and fifty cents per day when working less than five and not less than three, but he shall receive no compensation when working less than three hands. And no road overseer, or assistant overseer, shall charge for the work of his own team. Every road overseer shall provide for the use of the split-log drag over the roads of his township, and shall see that all roads under his supervision which will permit it with profit are dragged with the above named implement with whatever fre-

quency the needs of the roads may require, conditioned upon the amount of funds at his command. The amount of bond of each township road overseer shall be fixed and determined by the county commissioners.

Bonds of overseers.

SEC. 6. That upon the going into effect of this act all the road funds of the respective townships in Transylvania County then in the hands of the county treasurer shall be turned over to the road overseer of the township to which said funds belong, and his receipt taken therefor, which receipt shall be accepted by the county commissioners in their settlement with said treasurer on his road fund account. And thereafter, upon the first day of each month, the said county treasurer shall deposit in the bank of the Brevard Banking Company, to the credit of each road overseer in his official name, whatever money he may then have in charge belonging to said overseer's township as represented by the road tax money turned over to him for each township by the tax collector of Transylvania County; and after each monthly deposit is made he shall at once mail to said overseer a deposit slip showing the deposit; and this deposit made by the treasurer aforesaid shall be held and construed as a disbursement by him upon which he shall be entitled to the commission of two per cent, as set forth in section one of this act.

Funds to be turned over.

Deposit of funds monthly.

Deposit slips mailed to overseers.

Commission of treasurer.

SEC. 7. Each road overseer shall, in his official capacity and name, deposit in the bank of the Brevard Banking Company all road funds received by him, including moneys received from road subjects, and check out the same as provided in this act. To this end each overseer shall keep a bank check book with the words "Overseer's Check, ----- Township," printed in the upper left-hand corner on the face of the check, and when issuing a check therefrom shall write the name of his township in the space provided therefor, and then sign the same as "overseer." Each check shall be marked consecutively and in numerical order, beginning with the figure "1," and a correct duplicate of the same kept on the stub, together with the true balance on hand after each issue; and whenever it is necessary for the overseer to pay out any road funds in the said bank according to law and under the provisions of this act, he shall issue his check aforesaid for the necessary amount, all of which items of expenditure shall be strictly and fully accounted for in the reports hereinbefore required of him to be made.

Overseers to deposit road funds.

Overseers' checks.

Checks numbered.

Payments by check.

SEC. 8. If any assistant road overseer acting under and by virtue of the authority hereinbefore given shall have any items or charges of road expense in his section, including his own per diem, he shall issue to the person to whom the same is due an order to the overseer of his township for the amount due, who upon receipt of same will issue to the holder thereof his overseer's check for the amount specified, provided the funds allotted

Orders on overseer by assistants.

Overseers to scrutinize work.

to his section, if such have been allotted, or the funds of his township, are sufficient. And each overseer is required to carefully scrutinize the work of his assistants, to the end that the amount of their orders shall be kept within safe and proper bounds.

Procedure for laying out or altering roads.

SEC. 9. That in addition to the means of laying out new roads as now provided in chapter sixty-five of the Revisal of one thousand nine hundred and five, the board of county commissioners may, upon the recommendation of the township overseer of the township in which said new road is sought to be had, or to the laying out of a new road, the amending or widening of a new road, upon it being made to appear to said board that all persons interested in any of the lands adjoining or over which the said road or roads are to be constructed or amended have had at least ten days written notice of the time when said recommendations are to be passed upon by the said board, the said board shall have the power and are hereby authorized to order the laying out of said roads or the amending of any old road, and when said order shall have been made it shall be the duty of the said township overseer to summon three disinterested freeholders who are in no wise interested in any of the premises to be affected by said constructing or amending of said roads, to assess the damages to the land over which the new or amended road has been located by the road authorities; and in assessing the said damages the said three freeholders shall take into consideration the actual damages done to the premises over which the road is to be constructed, value it according to the amount of land taken and the damages to the land through which it goes, and shall also take into consideration the benefit to the said land on account of having a good road built through and by the same, and shall allow the said landowner damages against the county for such amount as he may sustain over and above the benefits received by him on account of the road: *Provided, however,* that if the said landowner or the board of county commissioners, or either of them, is not satisfied with the amount of damages, they may appeal to the Superior Court for the trial of said cause as to damages.

Assessment of damages.

Considerations governing assessments.

Proviso: right of appeal.

Bridges.

SEC. 10. That all bridges in Transylvania County that are now county charges shall be kept up at the expense of the county, and all new bridges to be constructed in any township of said county that cost fifty dollars or more shall be constructed by the county under the direction of the county commissioners and paid for by the county, and that chapter sixty-five of the Revisal of one thousand nine hundred and five shall apply to the roads and bridges of Transylvania County except as modified or changed by the provisions of this act.

Failure of officer a misdemeanor.

SEC. 11. That if any officer upon whom the provisions of this act impose the performance of any duty shall willfully or neg-

ligerly fail or refuse to perform such duty as required of him, he shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than fifty dollars or imprisoned not more than thirty days. Punishment.

SEC. 12. That the Secretary of State shall, upon the ratification of this act, forward a certified copy of the same to the board of commissioners of Transylvania County, who shall upon receipt thereof cause the same to be published one time in the *Sylvan Valley News*, a newspaper published at Brevard and circulating in the county aforesaid. Secretary of state to forward copy of act.
Act to be published.

SEC. 13. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed, except that this act shall in no case be construed as repealing any part of chapter four hundred and twenty-two and chapter four hundred and eighty-seven of the Public-Local Laws of one thousand nine hundred and thirteen. Repealing clause.

SEC. 14. This act shall be in force from and after its ratification. Ratified this 29th day of January, A. D. 1915.

CHAPTER 50.

AN ACT RELATIVE TO THE OFFICE OF COUNTY TREASURER OF CHOWAN COUNTY.

Whereas the present treasurer of Chowan County agreed, prior to the primaries held in Chowan County in summer one thousand nine hundred and fourteen, for the nomination of county officers, that if the General Assembly of North Carolina at its session one thousand nine hundred and fifteen would pass a law whereby one of the banks of Edenton would become financial agent of the county and act as treasurer therefor, he would resign as treasurer of the county: Therefore, Preamble.

The General Assembly of North Carolina do enact:

SECTION 1. That in the event of the resignation of said treasurer, the board of commissioners of Chowan County is hereby authorized and empowered to and shall abolish the office of county treasurer of Chowan County, and in lieu thereof the bank herein-after named as financial agent of and for said county shall perform the duties now performed by the treasurer of Chowan County. Office of treasurer to be abolished.
Bank to perform duties.

SEC. 2. That the Citizens Bank of Edenton, Chowan County, North Carolina, is hereby designated as the depository of county funds and is appointed the financial agent of said county to fill the unexpired term of said treasurer, and said bank shall be re- Bank named as depository and financial agent.
Bank to give bond.

quired to execute the same bonds for the safe keeping and proper accounting of and for such funds as may come into its possession and belonging to such county and for the faithful performance and discharge of its duties as are now required by law of county treasurers.

Compensation.

SEC. 3. That the board of county commissioners of Chowan County are hereby empowered, authorized, and directed to pay the depositary above named the sum of one hundred and twenty-five dollars (\$125) per annum, payable semiannually, June first and December first, in lieu of all commissions and fees now allowed by law to county treasurers.

County commissioners to select future depositary.

SEC. 4. That after the first Monday of December, one thousand nine hundred and sixteen, the board of county commissioners of Chowan County shall select the depositary and financial agent of the county, which may be one or more of the banks of the town of Edenton, and the compensation above named shall be paid proportionately to one or more of the banks thus selected.

Reimbursement of treasurer.

SEC. 5. The county commissioners of Chowan County are authorized to reimburse the treasurer of Chowan County for any loss he may sustain on account of the premiums on bonds occasioned by his resignation.

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

Ratified this the 1st day of February, A. D. 1915.

CHAPTER 51.

AN ACT TO PLACE A TAX EQUAL TO THE TAX ON THE POLL UPON THE OWNERSHIP OF A PISTOL AND A MINIMUM FINE UPON THE CONVICTION OF CARRYING OR FAILURE TO LIST THE SAME FOR TAXES.

The General Assembly of North Carolina do enact:

Tax on pistols.

SECTION 1. That any person owning a pistol shall pay a tax equal to that paid upon the poll, and failure to list same for taxes shall be a misdemeanor, and the minimum fine shall be not less than fifty dollars or thirty days upon the roads.

Failure to list misdemeanor. Minimum punishment.

Minimum punishment for carrying pistol.

SEC. 2. That upon the conviction of carrying a pistol the minimum punishment shall not be less than fifty dollars or six months on the roads.

Application of act.

SEC. 3. That this act shall apply to Pitt County only.

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

Ratified this the 1st day of February, A. D. 1915.

CHAPTER 52.

AN ACT TO REGULATE HUNTING AND FISHING IN
SCOTLAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons to hunt or trap game on any private land, or fish in any form in any private waters of Scotland County without written permission of the owner thereof. Hunting and fishing without written permission forbidden.

SEC. 2. That any person or persons found guilty of violating this act shall be fined not more than ten dollars and not less than one dollar, for each offense. Punishment.

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

Ratified this the 1st day of February, A. D. 1915.

CHAPTER 53.

AN ACT TO AUTHORIZE INGRAMS TOWNSHIP AND BEULAH TOWNSHIP, IN THE COUNTY OF JOHNSTON, TO ISSUE BONDS FOR THE CONSTRUCTION OF PUBLIC ROADS IN SAID TOWNSHIPS.

Whereas an election was held in the several townships of Johnston County on the question of the issuance of bonds of said county for road purposes under the provisions of chapter four hundred and forty-one of the Public-Local Laws of one thousand nine hundred and thirteen, entitled "An act to provide for a bond issue for the public roads of Johnston County," ratified March five, one thousand nine hundred and thirteen, which said election was held in the several townships of Johnston County, including Ingrams Township and Beulah Township, on the twelfth day of May, one thousand nine hundred and fourteen; and whereas said chapter four hundred and forty-one of the Public-Local Laws of one thousand nine hundred and thirteen provides that if the result of any election held under the provisions of said act should be against the issuance of bonds by the county at large for road purposes, the said act should have no force: *Provided, however*, that if in any township a majority of the qualified voters therein voted in favor of the bond issue, then and in that event the board of commissioners of Johnston County should be fully authorized and empowered to issue bonds to an amount not exceeding fifty thousand dollars for any single township, and to levy and collect the taxes Preamble.

Preamble.	therein provided for to create an interest and sinking fund, but that nothing should be construed to compel the issuance of township bonds in the event the county as a whole voted down the county-wide bond issue; and whereas at said election held on the twelfth day of May, one thousand nine hundred and fourteen, a majority of the qualified voters in the township of Ingrams and in the township of Beulah voted in favor of said bond issue:
Purpose of act.	Now, therefore, in order that bonds may be issued by and on behalf of said townships without any additional vote on the question by the people of said townships, and in order to confer ample authority on the board of county commissioners of Johnston County to issue, sell, and deliver bonds for road purposes for each of said townships of Ingrams and Beulah:
<i>The General Assembly of North Carolina do enact:</i>	
Bond issues authorized.	SECTION 1. That the board of commissioners of Johnston County, in the name of the township of Ingrams and the township of Beulah, are hereby authorized and empowered to issue and sell
Amount.	bonds to an amount not exceeding fifty thousand dollars (\$50,000)
Purpose.	for each of said townships for the purpose of grading, building, macadamizing, and otherwise permanently improving the public
Denominations.	roads in each of said townships. Said bonds shall be in denominations of one hundred dollars (\$100) each, or multiples thereof,
Interest.	shall bear interest from the date thereof at a rate not exceeding five (5) per centum per annum, payable semiannually on such dates as said board of county commissioners shall determine, with interest coupons attached, the principal and interest of said bonds to be payable at such place or places as may be designated by the board of county commissioners of Johnston County, and to be of such form and tenor as the said commissioners may determine, and shall be due and payable forty (40) years after date: <i>Provided</i> , that none of the bonds authorized by this act shall be disposed of either by sale, exchange, hypothecation, or otherwise for a less price than their face value: <i>Provided further</i> , that in the discretion of the board of county commissioners said board may arrange for the retirement and redemption of ten (10) per cent of the whole issue of bonds herein authorized for each of said townships at the end of ten (10) years from date thereof, such discretion to be exercised prior to the time of the issuance of the bonds, and, if exercised, to be stated on the face of the bonds; said bonds shall be numbered consecutively from one (1) upwards, shall be issued in the name of the township by the board of county commissioners as its corporate agent, shall be designated "Johnston County,-----Township Road Bonds." with the name of the township inserted in the blank place; shall be signed by the chairman of the board of county commissioners and attested by the treasurer of said county, shall bear the corporate seal of
Maturity. Proviso: sale below par forbidden.	
Proviso: option for redemption.	
Designation of bonds.	
Authentication.	

the county, and the coupons attached to each of said bonds shall bear the number of the bond as well as the coupon number and shall bear the facsimile printed or lithographed signatures of the chairman of the board of county commissioners and the treasurer of Johnston County. In order to pay the interest on said bonds and to create a sinking fund for taking up said bonds at maturity, the board of commissioners of Johnston County shall annually compute and levy in each of said townships of Ingrams and Beulah, at the time of levying other county taxes, a sufficient special tax on all polls, all real estate and personal property, and all other subjects of taxation which said commissioners now or hereafter may be allowed to levy taxes upon for any purposes whatever, always observing the constitutional equation between the taxes on property and the taxes on polls: *Provided*, that there shall not be at any time levied in either of said townships for the purpose of road building or road improvement a greater rate than thirty-three and one-third cents upon the one hundred dollars worth of property and one dollar on the poll.

Special tax.

Constitutional equation.
Proviso: limit of tax rate.

SEC. 2. That all the provisions of said chapter four hundred and forty-one of the Public-Local Laws of one thousand nine hundred and thirteen shall remain in full force and effect within the townships of Ingrams and Beulah, except as changed or modified by the provisions of this act.

Law continued in force.

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

Ratified this the 1st day of February, A. D. 1915.

CHAPTER 54.

AN ACT TO REPEAL SECTION 30, CHAPTER 560, OF THE PUBLIC-LOCAL LAWS OF 1913, AND CHAPTER 60 OF THE PUBLIC-LOCAL LAWS, EXTRA SESSION OF 1913, RELATING TO THE HAWK SCALP LAW OF MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section thirty, chapter five hundred and sixty, and chapter sixty of the Public-Local Laws, extra session, nineteen hundred and thirteen, be and the same are hereby repealed.

Laws repealed.

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

Ratified this the 1st day of February, A. D. 1915.

CHAPTER 55.

AN ACT TO AMEND SECTION 16 OF CHAPTER 560 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATIVE TO HUNTING SEASON IN CERTAIN PARTS OF MONTGOMERY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section sixteen of chapter five hundred and sixty of the Public-Local Laws of one thousand nine hundred and thirteen of North Carolina be and the same is hereby amended by adding the words, "*Provided*, that in the territory embraced on the south side of Morganton Road and east side of Naked Creek, in Rocky Springs Township, it shall be lawful to hunt quail or partridges, except from the first day of March until the first day of November in each year," after the words "thirty-five" in line six thereof.

Proviso: territory defined.

Close season.

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

Ratified this the 1st day of February, A. D. 1915.

CHAPTER 56.

AN ACT TO MAKE A DEBT DUE AND PAYABLE UPON THE DEBTOR DISPOSING OF ANY PART OF SECURITY HELD BY CREDITOR.

The General Assembly of North Carolina do enact:

SECTION 1. That when personal property shall be conveyed by a person as security for a debt, or shall be subject to a lien for a debt, and the debtor shall before maturity of the debt dispose of any part of said property without the consent of the creditor, then said debt shall at once become due and payable, and said security may be enforced as if said debt was due and payable upon its face, unless the debtor at the time of said disposal retain, and thereafter keep in his possession, sufficient property covered by such conveyance or lien to satisfy a debt then due: *Provided, however*, the giving of a second mortgage shall not be construed as a disposal hereunder: *Provided further*, provisions of this act shall not apply to any debt incurred prior to the day of the ratification of this act.

Disposal of part of property to mature debt.

Enforcement of collection.

Property returned.

Proviso: second mortgage.

Proviso: existing debts not affected.

Application of act.

SEC. 2. That this act shall apply only to the counties of Hertford, Union, Avery, and Lincoln.

SEC. 3. That this act shall take effect from and after its ratification.

Ratified this the 2d day of February, A. D. 1915.

CHAPTER 57.

AN ACT TO AMEND CHAPTER 80, PUBLIC LAWS, SPECIAL SESSION OF 1913, RELATING TO THE KILLING OF CALVES FOR VEAL IN ALEXANDER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter eighty, Public Laws, special session of nineteen hundred and thirteen, be and the same is hereby amended by inserting after section three of said chapter the following: "Provided, however, that this act shall not be construed as prohibiting the killing of bull calves for veal in Alexander County." Proviso: killing bull calves allowed.

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

Ratified this the 2d day of February, A. D. 1915.

CHAPTER 58.

AN ACT TO AMEND CHAPTER 396 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATING TO THE KILLING OF QUAIL OR PARTRIDGES IN PERQUIMANS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and ninety-six of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby amended by striking out the word "November" in line four, section one, and inserting in lieu thereof the word "December." Close season.

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

Ratified this the 2d day of February, A. D. 1915.

CHAPTER 59.

AN ACT TO IMPROVE THE PUBLIC ROADS OF ONSLOW COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Onslow County are authorized and directed to appoint a superintendent of public roads for each township in said county, except Jacksonville Township, whose duties shall be to consult with and direct the several Township road superintendents.

- Duties. overseers in their respective townships as to the manner and time of working the public roads in said townships, and to see that the said roads are kept in good condition.
- Apportionment of automobile tax. SEC. 2. That the moneys received by the county of Onslow from the automobile tax shall be apportioned by the said board of commissioners among the several townships in said county, and the same shall be expended under the supervision of the said superintendents, except the amount apportioned to Jacksonville Township, and that amount shall be expended under the supervision of the board of road trustees of said township.
- Pay of superintendents. SEC. 3. That the said board of commissioners are authorized to pay the said superintendents not exceeding three dollars per day for the time actually employed in the discharge of their duties under this act.
- SEC. 4. That this act shall be in force from and after its ratification.
- Ratified this the 3d day of February, A. D. 1915.

CHAPTER 60.

AN ACT TO REQUIRE THE CLERK OF THE SUPERIOR COURT OF ROCKINGHAM COUNTY TO MAKE OUT AND PUBLISH A CALENDAR FOR THE CRIMINAL COURTS OF SAID COUNTY.

The General Assembly of North Carolina do enact:

- Returns from recorders, mayors, and justices. SECTION 1. That after the ratification of this act all judges of recorders' courts, mayors of cities and towns, and justices of the peace in and for the county of Rockingham, shall on the twelfth day before the date of convening of any criminal or mixed term of Rockingham Superior Court, make out and mail to the clerk of said Superior Court their returns and the papers in all cases where defendants have been recognized to appear at said term and all cases where defendants have been convicted in their respective courts and have appealed from the judgment therein.
- Failure to report malfeasance in office. Removal from office. SEC. 2. Any judge of a recorder's court, mayor, or justice of the peace in said county failing to comply strictly with the provisions of section one of this act shall be guilty of malfeasance in office, and upon conviction shall be removed from office.
- Clerk to make out criminal calendar. SEC. 3. That on the tenth day before the convening of any criminal or mixed term of Rockingham Superior Court the clerk of said court shall make out a criminal court calendar for said term to cover the first four days thereof. Such calendar to be made out by townships by said clerk, paying due regard to the number and nature of the cases for the whole county, and he shall divide

and distribute the work over the said first four days as equally as possible: *Provided, however,* the clerk shall not be required to give the names of the different cases; but shall simply state in said calendar the day the cases from certain townships will be called for trial.

Proviso: calendar by townships.

SEC. 4. The clerk shall, immediately upon the completion of said calendar, furnish a typewritten copy to the solicitor of the district and to each practicing attorney of said county, and to any other attorney to him known to appear in any of said criminal cases so calendared, and he shall also cause said calendar to be published in each and every newspaper published in said county. In addition thereto, the clerk shall cause two copies of said calendar to be posted at the following named places in the different townships, to-wit: Reidsville Township, the post-office and Citizens Bank; Williamsburg Township, Thompsonville and Slades Schoolhouse; Ruffin Township, J. A. Benton's store and R. H. Pruitt's store; Leaksville Township, the post-office, Leaksville, and post-office, Spray; Price Township, J. W. Price's store and Matrimony Schoolhouse; Mayo Township, post-office, Stoneville, and Deep Springs Church; Madison Township, post-office, Madison, and post-office, Mayodan; Huntsville Township, W. M. Knight's store and store at Ellisboro; New Bethel Township, New Bethel and Hudson's store; Simpsonville Township, Iron Works Mill and Midway Schoolhouse; Wentworth Township, courthouse door and W. H. Settle's store.

Copies furnished solicitor and attorneys.

Calendar to be published.

Calendar to be posted.

SEC. 5. The clerk shall at all times keep a notice posted at the courthouse door of said county, setting forth the places at which copies of the calendar will be posted as required in section four of this act.

Notice of posting calendars.

SEC. 6. It shall be the duty of the solicitor of the district embracing the county of Rockingham to have all bills for each day's calendar prepared and present the same to the grand jury by nine o'clock a. m. of each day, except those on Monday's calendar, and these he shall have ready and present the same to the grand jury immediately after the charge of the presiding judge.

Bills to be presented promptly.

SEC. 7. The grand jury for said county of Rockingham shall be required to meet for the transaction of business at nine o'clock a. m. of each day, except Monday, and they shall be required to be in attendance at each term for not less than four days.

Time of meeting of grand jury.

SEC. 8. The cases shall be tried on the day that the same are calendared, and any case not reached on the day so calendared shall have precedence on the day following; and if for any cause the State or defendant is not ready for trial at the time that the case is called in its order, the same shall be continued for the term, and in no event shall any case be transferred below a succeeding day's calendar of said term.

Precedence of trials.

Appearance of
defendants and
witnesses.

SEC. 9. Defendants and witnesses recognized to appear at any criminal or mixed term or witnesses subpoenaed shall in the recognition or subpoena be required to appear on the first day of said term, as is now required by law; but shall in fact appear on the day on which the day wherein they are defendants or witnesses is calendared; and no defendant who appears on the day his township is calendared shall be called out and his bond forfeited for not appearing on an earlier day; and no witness shall prove against the State or any defendant for any day's attendance prior to the day set on said calendar for the trial of cases from that township.

Attendance of
witnesses.

Capital cases.

SEC. 10. That none of the provisions of this act shall apply to cases where defendants are to be tried for their life, and in which special venirens may be summoned.

Payment of ex-
penses.

SEC. 11. That the county commissioners of Rockingham County shall pay all expenses incurred by the clerk in carrying out the provisions of this act out of the general county fund: *Provided*, that no newspaper shall be allowed to charge more than two dollars for each insertion of the calendar required by this act.

Proviso: limit of
charge.

Term not limited.

SEC. 12. That nothing in this act shall be so construed as to limit the term of any criminal or mixed term to four days.

SEC. 13. All laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 14. That this act shall be in force from and after its ratification.

Ratified this the 3d day of February, A. D. 1915.

CHAPTER 61.

AN ACT TO PLACE THE OFFICERS OF PASQUOTANK COUNTY UPON A SALARY BASIS AND TO CREATE AND ESTABLISH THE OFFICE OF AUDITOR FOR SAID COUNTY.

The General Assembly of North Carolina do enact:

Officers to collect
and account for
fees.

SECTION 1. That the sheriff, clerk of Superior Court, register of deeds, and their several deputies and clerks, of Pasquotank County, shall collect, receive, and account for all fees to which they become entitled by virtue of their respective offices under the laws of North Carolina relative to salaries and fees, or such as may hereafter be enacted by the General Assembly, and shall pay the same, on the first day of every calendar month, to the treasurer of Pasquotank County, and said officers and each of them shall be responsible for and chargeable with all moneys of every kind which are paid into their respective offices, and shall be held to

Monthly settle-
ments.

strict account therefor; and the moneys so paid shall be kept by the treasurer of said county in a separate fund to be known as the "Salary and Fee Fund."

SEC. 2. That the said officers shall faithfully collect all fees, commissions, profits, and emoluments of all kinds now belonging to or appertaining to their respective offices; and they shall receive as compensation for their services only such salary and compensation as is provided for in this act; and for any abstraction, concealment, or misapplication of any of the moneys payable to their respective offices, which any of them have collected, the person so offending shall be guilty of a felony, and upon conviction shall forfeit his said office and be punished as is now provided by law in cases of embezzlement by public officers.

SEC. 3. Any officers of Pasquotank County, or any clerk or deputy thereof, who shall willfully fail or refuse to collect any fee, commission, or emolument of any kind belonging to his office shall be guilty of a misdemeanor, and shall be fined or imprisoned, in the discretion of the court; and all fees, commissions, or emoluments which should be collected by said officers under the laws of the State of North Carolina shall be demanded and collected by them in advance, unless otherwise provided by law, and, upon being collected, shall be turned over to the treasurer as provided by this act.

SEC. 4. That each and all of said officers shall open and keep a separate set of account books, consisting of a daily journal and ledger, in which shall be promptly, correctly, and accurately entered itemized account of all moneys collected or received by such officers by virtue of their office, or which by law are or may be payable into their respective offices; and all of such books shall at all times be open to the inspection of the public upon demand, and said books shall be safely and securely kept so as to prevent and guard against the loss or destruction thereof. Said books shall show in itemized form the name of the person paying in any sum of money, the date when paid, the purpose for which it is paid, and the amount thereof. The auditor of Pasquotank County shall have power to prescribe the form of books to be kept, not inconsistent with this act, and to prescribe rules and regulations for the keeping thereof, and said books shall be kept in the form and after the method so prescribed by said auditor.

SEC. 5. At the end of each calendar month a true and accurate account shall be transmitted by each of said officers, under oath, to the auditor of said county; said statement to contain and show in detail all of the entries made upon said books during the preceding calendar month; and upon receipt of such statements it shall be the duty of said auditor to cause such statement to be checked and compared with the books of original entry, and if upon such checking and comparison it shall be ascertained that

"Salary and fee fund."

Officers to receive salaries.

Abstraction, concealment, or misapplication of funds felony.

Punishment.

Failure to collect fees misdemeanor.

Punishment.

Fees to be collected in advance.

Account books.

Books open for inspection.

Items of accounts.

Auditor to prescribe forms and methods.

Accounts to be returned monthly.

Auditor to verify accounts.

- the statement by any officer does not conform to and correspond with the books of original entry, or if it be ascertained that the statement so submitted is not a true and correct statement of the transactions of his office for the preceding month, then it shall be the duty of the auditor of said county to ascertain and determine the true and correct amount which should be paid by such officer for moneys collected and received by him during the preceding month by virtue of his office; and upon the amount being so ascertained by the auditor, it shall be his duty to cause the officer to pay over the amount so ascertained to be due the county treasurer; and if he shall fail to do so, then the matter shall be reported to the State solicitor, and it shall be his duty to institute action against such officer on his official bond in the Superior Court or other court of competent jurisdiction in Pasquotank County and to prosecute such action to final judgment and to collect the amount due by such officer and pay over the same to the county treasurer: *Provided*, the solicitor shall be paid for such service and in such amount as may be fixed by the board of county commissioners.
- Officers to settle. Action on officer's bond. Proviso: pay of solicitor. Failure to report or making false report misdemeanor. Punishment. Pay of sheriff. Expenses allowed. Statement of expenses. Payment of expense accounts. Appointment of jailer.
- SEC. 6. Any of said officers who shall fail, neglect, or refuse to make the monthly statements as required herein, or who shall willfully submit any false or incorrect statement, shall be guilty of misdemeanor, and upon conviction thereof shall be fined or imprisoned, in the discretion of the court.
- SEC. 7. The sheriff of Pasquotank County shall receive as his salary and clerk and deputy hire the sum of twenty-seven hundred and fifty dollars (\$2,750) per annum, and shall also receive the amount of his actual expenses for conveying prisoners from the place of trial to jail and from jail to the place of trial; for taking prisoners to the chain-gang, the State's Prison, or any other penal institution; for taking insane persons to the State hospital; and it shall be the duty of the sheriff to render to the board of commissioners of said county monthly a statement of expenses herein provided for, and such expense account shall be itemized and shall show the date the expense was incurred and the amount thereof, and the expense account shall be subscribed and sworn to by the sheriff or his deputy, and thereupon, if the board of commissioners be satisfied that the amount submitted is correct, then the amount thereof shall be paid to the sheriff in the same manner as is herein provided for the payment of salaries, and the amount thereof shall be paid out of the salary and fee fund herein provided for.
- SEC. 8. That on the first Monday of December, one thousand nine hundred and sixteen, there shall be appointed by the board of county commissioners of Pasquotank County a jailer, and which jailer shall be elected by the said board, upon the recommendation and approval of the said sheriff of Pasquotank County, and

the said jailer shall discharge all the duties of the position of jailer and he shall act also as custodian and caretaker of the jail and courthouse and the grounds thereof. The jailer shall keep the buildings and grounds in a good, attractive, and sanitary condition, and for such services he shall receive such salary or compensation as may be fixed by the board of county commissioners; and the actual expenses of maintaining the common jail and the courthouse of said county, as heretofore, shall also be paid by the board of commissioners of said county from the funds of the county as now provided by law, as well as the salary of said jailer: *Provided*, the board of county commissioners may, in their discretion, employ some other competent, discreet, and reliable person to act as custodian, caretaker, or janitor of the courthouse and to keep the said courthouse and grounds thereof in a cleanly and attractive manner, but in no instance shall the care of the courthouse be left with the sheriff or other officer of said county, other than jailer. The jailer or the custodian of the courthouse, under the supervision and direction of the jailer, is hereby authorized, and he may at any and all times require any able-bodied prisoner, male or female, serving sentence in the common jail of Pasquotank County to do and perform such work as may be necessary in the proper performance of the duties of caring for and cleaning said jail, courthouse, and grounds thereof; and section three thousand five hundred and ninety-six of the Revisal of North Carolina, preventing the working of any female prisoner on the streets or roads in this State, shall not apply to the working of such convicts as herein provided.

Duties of jailer.

Salary.

Maintenance of jail and courthouse.

Janitor of courthouse.

Employment of prisoners.

SEC. 9. The clerk of the Superior Court of Pasquotank County shall receive for his salary, and for deputies and other clerical assistance, the sum of eighteen hundred dollars (\$1,800) per annum in full compensation for any and all services rendered by him in his said office, whether clerk of Superior Court, probate judge, or any other service done by him in or by virtue of said office: *Provided, however*, that nothing in this section shall apply to his duties or services as receiver, and his salary shall be paid to him in monthly installments on the first Monday in each month.

Pay of clerk of superior court.

Proviso: services as receiver.

SEC. 10. The register of deeds for Pasquotank County shall receive for his salary and for deputies and other clerical assistance the sum of eighteen hundred dollars (\$1,800) per annum, and which sum shall be paid to him in monthly installments on the first Monday in each month, and such salary shall be in full compensation for any and all services rendered by him in his said office or by virtue of his said office.

Pay of register of deeds.

SEC. 11. That the office of county treasurer of Pasquotank County is hereby abolished, and in lieu of the duties of such office the county commissioners at their regular meeting on the first Monday in December, one thousand nine hundred and six-

Office of county treasurer abolished.

Bank as financial agent.

teen, shall select some bank, banks, or trust companies as financial agent, which said banks or trust companies shall perform the duties heretofore performed by county treasurer with respect to handling the funds deposited with it during each year; and wherever the term "county treasurer" shall be used in this act it shall apply and mean such banks or trust companies as may be intrusted with the county funds: *Provided*, that such banks or trust companies shall receive no compensation for such services other than the advantage or benefit that may accrue from the deposits made with them in the regular course of business.

Proviso: bank to serve without compensation.

Bank to give bond.

SEC. 12. That such bank or banks or trust companies shall act as financial agent or depositary for said county and shall execute a bond, to be approved by the said board of county commissioners, for the faithful accounting of any and all public funds so deposited with them, and conditioned as now provided by law for the faithful accounting by the county treasurer: *Provided*, that such bank or banks or trust companies shall be selected for the period of two years, unless some good grounds shall, in the opinion of the said board of county commissioners, warrant them to designate some other bank. That such bank or trust company so selected shall keep an accurate account of all moneys deposited with them and shall keep a separate account of the school fund, road fund, or any other funds as required by the said board of county commissioners, including a salary and fee fund account, which said funds shall be paid out by the said bank or banks or trust companies upon the proper warrant as now provided in this act in like manner as if the same was on a deposit by a regular depositing customer on funds subject to check: *Provided further*, that all public funds shall be deposited equally and impartially, as near as can be done, among the several banks doing business in Pasquotank County.

Proviso: term of selection.

Accounts to be kept by bank.

Warrants.

Proviso: division of deposits.

Office let to contract.

SEC. 13. That should the said board of county commissioners fail to be able to make an advantageous arrangement with any such banks or trust companies, they shall immediately proceed to let the duties of county treasurer out to the lowest responsible bidder who will file good and solvent bond to perform the duties of such county treasurer as now provided by law. Such person so selected shall be some reliable and qualified elector of Pasquotank County, who shall file the usual bond for the faithful discharge of the duties of his office.

Salaries paid monthly.

SEC. 14. All the salaries herein provided for shall be paid by the treasurer of Pasquotank County to the person entitled to receive same in equal monthly installments, upon warrants signed by the chairman of the board of county commissioners and countersigned by the auditor, and said warrants when paid shall be charged to the salary and fee fund as herein provided for.

Warrants.

SEC. 15. On the first Monday in January in each and every year it shall be the duty of the treasurer to submit to the board of commissioners of said county a detailed statement of the condition of the salary and fee fund, the amounts received during the preceding year from each officer and the amounts paid out to each officer, and the balance remaining in said salary and fee fund to the credit of each of the respective officers; and after the payments of the salaries and allowances herein provided for, the balance remaining in said salary fund shall on the first Monday in January of each year be turned over by the treasurer into the school fund of said county, to form a part thereof, and to be at the disposal of the board of education of said county as part thereof.

Annual statements of salary and fee fund.

Balance to school fund.

SEC. 16. All officers of Pasquotank County who are now or may hereafter be required to give bond for the faithful performance of their duties shall give bond in a surety company approved by the board of commissioners of said county, and the premium thereon shall be paid out of the salary and fee fund provided in this act: *Provided*, that the board of county commissioners, in their discretion, may accept a personal bond from any officer in lieu of a surety bond.

Bonds in surety companies.

Premiums on bonds.

Proviso: personal bonds.

SEC. 17. The officers hereinbefore mentioned shall faithfully and truly perform all of the duties of their several offices which are now or which may hereafter be imposed upon them by law, and they shall receive no other compensation or allowance of any kind whatsoever for any extra services rendered to the county, State, or other governmental agency, and they shall be liable for all the pains and penalties now or hereafter provided to perform the duties of their said offices.

Officers to perform duties.

Compensation in full.

SEC. 18. That all taxes in and for the county of Pasquotank shall be due and payable on the first Monday in October of each year and at the office of the sheriff of said county. On all taxes due and unpaid on the first day of January of each year there shall be and is hereby levied and imposed a penalty of five per cent, and the sheriff of said county is hereby directed to collect this penalty of five per cent in addition to the regular taxes in the same manner as all other taxes are paid: *Provided*, that on all taxes due and unpaid on the first day of March of each year there shall be, and is hereby levied and imposed, an additional penalty of five per cent, and the sheriff of said county is required to collect this additional penalty in the same manner in which all other taxes are collected, and his official bond shall be responsible for any failure to collect the penalties herein provided for on such delinquent taxes: *Provided further*, that the board of county commissioners for said county may, in their discretion, extend the time for the final settlement of such taxes until the first Monday in June of each year: *Provided further*, that all penalties thus

Taxes due and payable.

Penalty for delay in payment.

Proviso: additional penalty.

Proviso: time for settlement.

Proviso: penalties to school fund.

collected from delinquent taxes shall be paid to the school fund of said county for the use of the schools in the township in which the tax, on which such penalty is levied, is assessed.

Office of auditor established.
Sole employment.
Office hours.
Office room and supplies.

Sec. 19. That there is hereby created and established the office of auditor of Pasquotank County. The said auditor shall be a citizen of Pasquotank County. He shall give his entire time and attention to the discharge of the duties imposed upon him by this act and by law, and he shall not, during his term of office, engage in any other business or occupation, and his office shall be kept open daily as the offices of other public officers of said county. The board of county commissioners of Pasquotank County shall furnish the said auditor a suitable room in the county courthouse, together with necessary furniture, fixtures, and supplies, stationery, postage, and so forth, the same to be paid out of the general county fund.

Bond of auditor.
Bond approved and filed.

Sec. 20. Before entering upon the discharge of his duties the said auditor shall execute a good and sufficient bond, payable to the State of North Carolina, in the penal sum of five thousand dollars, conditioned upon the faithful performance and discharge of his duties as required by law. Said bond shall be subject to approval by the board of county commissioners of Pasquotank County, and when approved shall be filed with the register of deeds of said county as other official bonds.

Auditor to qualify.
Form of oath.

Sec. 21. Before entering upon the discharge of his duties the said auditor, in addition to the oath to support the Constitution and laws of the United States and the State of North Carolina, shall take before the clerk of the Superior Court of Pasquotank County the following oath of office, which said oath shall be signed by such auditor, attested by said clerk, and recorded in the book of official oaths, to wit: "I, -----, do solemnly swear (or affirm) that I will honestly, diligently, and faithfully perform the duties of the office of auditor of Pasquotank County to the best of my knowledge, skill, and ability, without fear, favor, reward or the hope of reward, other than my salary: so help me, God."

Interest in offices or contracts forbidden.
Misdemeanor.
Forfeiture and punishment.
Penalty.

Sec. 22. It shall be unlawful for said auditor to be jointly, singly, or in any other way, either directly or indirectly, interested in any other public office of Pasquotank County, or to be interested in any contract or undertaking wherein the said county, or any department of Government thereof, is interested; and if the said auditor shall violate the provisions of this section he shall be guilty of a misdemeanor, and upon conviction shall forfeit his office and be fined or imprisoned, in the discretion of the court; and shall also forfeit or pay the sum and penalty of two hundred dollars, to be recovered by any person suing for the same in any court of competent jurisdiction.

SEC. 23. The auditor of Pasquotank County shall receive for his salary and clerk hire the sum of sixteen hundred dollars (\$1,600) per annum, and out of his allowance it shall be his duty to employ and pay the compensation of all such clerical assistance as may be necessary to enable him to carry out the provisions of this act; and it shall also be the duty of the said auditor to provide and pay, out of the allowance herein made for him, sufficient clerical assistance for the prompt and efficient discharge of his duties as auditor and all duties imposed upon him by law under this act: *Provided*, that the board of county commissioners may, in their discretion, allow him additional allowance for clerical assistance in performing all duties relative to taxes as are required from him hereunder. The salary and allowance herein made shall be paid by the treasurer of Pasquotank County to said auditor, in equal monthly installments, as all other officers are paid.

Pay of auditor.

Clerical assistance.

Proviso: allowance for clerical assistance.

Monthly payments.

SEC. 24. It shall be the duty of the said auditor to inquire into and investigate and file a detailed and itemized account of the condition of all county finances, the accounts of all public officers, including the board of education and road commission or their successors, and to make a true report thereof, and record the same in a book to be kept for that purpose and to be known and designated as the "Record of the Auditor of Pasquotank County." He shall within ten days after the first Monday in December in each and every year publish a statement of the financial condition of the county of Pasquotank, showing by itemized statement the permanent and floating debt of the county, when contracted, for what contracted, and when due; and shall also publish a statement of the receipts and disbursements of all the public funds of the county showing the total amount received and disbursed for each particular purpose, which said report shall be published at the courthouse door and also in some newspaper in general circulation published in the county, once a week for at least two weeks immediately following the filing of said report, and the expense of such publication shall be paid by the board of county commissioners of said county out of the general county fund.

Records to be kept by auditor.

Publication of annual statements.

Expense of publication.

SEC. 25. It shall be the duty of the said auditor to act as accountant for the county of Pasquotank in making settlement with the sheriff and treasurer; to supervise, scrutinize, and examine all books, accounts, receipts, and vouchers, and all other public records of the county, to the end that it may be seen whether the various public offices are being kept in the condition provided by law; and if it shall appear to said auditor that any provision of the law is being violated, it shall be his duty to report such violation to the solicitor of the district, whose duty it shall be to bring such civil or criminal action as may be necessary to secure the proper administration of such public offices.

Further enumeration of duties.

Reports of violations of law.

- Audit of accounts of officers.** SEC. 26. It shall be the duty of the said auditor to audit and approve for final settlement the accounts of all public officers, and to cancel all vouchers included in such settlement by a proper cancellation stamp to be adopted by said auditor for that purpose. All vouchers so canceled shall be listed, sealed, and deposited in a vault in the office of the register of deeds and in a metal case to be provided in such vault, the key whereof shall remain in the keeping of the auditor.
- Deposit of canceled vouchers.**
- Investigation and reports of conditions of offices.** SEC. 27. It shall be the duty of the auditor to perform all the duties imposed upon him by virtue of this act, and he shall investigate the condition in office of all public officers of said county and report to the board of county commissioners of said county and to the solicitor of the district any misappropriation of any public funds, violations of law, or malfeasance in office by any public officer. He shall also perform all the duties heretofore performed by the finance committee of said county under the general law.
- Duties of finance committee.**
- To prescribe system of accounts and form of books.** SEC. 28. The said auditor shall have the right from time to time to prescribe the manner of keeping all the public accounts of the county, and the power to prescribe for each of the public officers of said county the form of books to be kept by them in the receipt and disbursement of all funds which may come into their hands by virtue of their office. It shall be the duty of the board of commissioners of said county to furnish to each of the various public officers of said county the necessary books prescribed for such office by said auditor.
- Commissioners to furnish books.**
- Notice to officers to make settlements.** SEC. 29. If any clerk of the Superior Court, sheriff, county treasurer, register of deeds, or any other public officer who may hold any county or public money shall fail to account for same as provided by law, the auditor shall give such person or corporation ten days notice in writing of the time and place at which he will attend to make settlement, and every officer receiving notice and failing to make settlement as required by this act shall forfeit and pay the sum of two hundred dollars, to be sued for by said auditor for the use of the public school fund of said county, and shall also be guilty of a misdemeanor and fined or imprisoned, in the discretion of the court: *Provided, however,* that the court may, in its discretion, and for good cause shown, release any such officer from said forfeiture.
- Forfeit on officers failing.**
- Misdemeanor. Punishment.**
- Proviso: release of forfeiture.**
- To summon witnesses and administer oaths.** SEC. 30. The said auditor shall have power and authority to send for persons and papers and to administer oaths; and any person failing to obey any summons or to produce promptly any papers or books relating to or supposed to relate to any matters being investigated or inquired into by said auditor or to the public affairs of Pasquotank County, or who shall refuse to appear and give evidence of all such matters and things as he shall know of, and concerning any matters the investigation whereof is herein
- Failure to appear and give evidence a misdemeanor.**

made the duty of said auditor, shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, in the discretion of the court, and shall also be liable to forfeit and pay the sum and penalty of two hundred dollars, to be recovered in any court of competent jurisdiction, in the name of said auditor, for the benefit of the public school fund of said county.

SEC. 31. All claims or accounts against the county of Pasquotank which are chargeable against the public funds of said county shall, before being paid by the board of county commissioners or the board of education of said county or the treasurer thereof, be verified by the oath of the claimant before the auditor of said county, who is hereby authorized and empowered to administer oaths for that purpose, and shall be first filed with said auditor, and it shall be the duty of said auditor to investigate the said claim or account and to ascertain whether the same be correct, and, if found correct, to indorse the same as examined by him and found correct. If said auditor shall find any such claim so filed with him to be improper or incorrect, he shall attach thereto a statement in writing, giving the result of his investigation and his reason why such claim or any part thereof should not be paid; and before paying any such claim which has been disapproved by the auditor, it shall be the duty of the board of commissioners of said county to carefully examine into the matter and inquire whether the reasons of the auditor are sufficient to justify the rejection of said claim; and it shall be unlawful for any claim or account against the county of Pasquotank or the public moneys thereof to be paid by the board of commissioners or the board of education of said county until the same has been submitted to and approved or disapproved by the said auditor: *Provided, however,* that notwithstanding the disapproval of such auditor, the board of commissioners shall have power to pay any claim disapproved by him if said board be satisfied, after a careful investigation thereof, that said claim is just and proper and should be paid.

SEC. 32. That said auditor shall act as purchasing agent for the county of Pasquotank and for the various departments of the county government; and upon requisition made by him and duly approved by the proper and legal authority of said county he shall purchase all such supplies and other things as may be required for the proper and orderly conduct of the county government or any subdivision or department thereof; and upon such purchase, all bills or accounts therefor shall be submitted to the auditor, and he shall indorse the same with his approval or disapproval, and if he disapprove any such claim, he shall attach thereto a statement of his reasons therefor, and no claim for any supplies or other things purchased for the public use shall be paid until the same has been submitted to and passed upon by the said auditor: *Provided, however,* that notwithstanding the disapproval

Punishment.

Forfeit.

Claims to be verified.

Auditor to examine and indorse accounts.

Claims disapproved.

Payment not allowed without examination by auditor.

Proviso: allowance of disapproved claims.

Auditor as purchasing agent.

Bills to be submitted to auditor.

Proviso: allowance of disapproved claims.

of the auditor, the board of commissioners of said county may in their discretion pay any such claim if they be satisfied that the claim is just and proper and should be paid.

Auditor to attend meetings of county commissioners.

SEC. 33. It shall be the duty of the said auditor to meet with the board of commissioners of Pasquotank County on their meetings held on the first Monday in each month, and at such other times as the board of commissioners may require, for the purpose of giving said board of commissioners such information as they may require and assisting them in the discharge of their duties under the law; and for the purpose of giving them information as to the merits of claims against the county, supplies purchased or to be purchased for the use of the county, information relative to claims for rebates of taxes, or any such other information as said board of commissioners may require; and said board of commissioners of said county, when in need of any information on any subject, shall have the right to call upon the auditor of said county therefor, or to require him to make an investigation and to report to said board upon any matter coming before said board in the discharge of their official duties, and in general the said board of county commissioners shall have the power to require the auditor of said county to perform such other and further services not specifically set forth in this act as said board of commissioners may deem necessary for the public interest.

Commissioners to require information from auditor.

Commissioners may impose other duties.

Auditor to supervise tax listing.

To recommend list takers and assessors.

SEC. 34. It shall be the duty of the said auditor of Pasquotank County to supervise the listing of taxes and the assessment of the same by the various list takers and assessors of the county; and the said auditor shall recommend to the board of county commissioners, or other board which may have the appointment of list takers or assessors of said county, at least twenty days before the time prescribed by law for the appointment of list takers and assessors, the names of suitable and competent persons in the various townships of the county to be appointed by said board of commissioners, or other board as provided for in this act, as list takers: *Provided, however,* that the board of commissioners, or other board as provided for in this act, may, in their discretion, disregard such recommendation and elect other persons instead.

Proviso: list takers and assessors elected by commissioners.

Auditor to pass upon tax lists.

SEC. 35. It shall be the duty of the said auditor to examine the tax lists as made out by the various list takers and assessors after they are completed, and see that the same are neatly, accurately, and properly made out, and to approve or disapprove the same before the said list takers and assessors shall be paid for such work by the board of commissioners of said county.

Auditor to investigate listing.

SEC. 36. It shall be the duty of the said auditor to diligently inquire into and investigate the listing of all property in said county and to cause all property subject to taxation to be properly listed, and to that end it shall be the duty of the said auditor to investigate and report to the board of commissioners of said

Reports of delinquents.

county the names of all persons failing to list their property for taxation, together with a statement of the property so unlisted; and it shall also be the duty of the said auditor to investigate and report to the board of commissioners the names of all persons subject to poll tax who have failed to list their poll, and thereupon it shall be the duty of the said board of commissioners to cause such property and polls to be placed upon the tax books as provided by the general laws of the State.

SEC. 37. It shall be the duty of the said auditor to diligently inquire into and investigate the listing of all property in said county subject to tax, to the end that all such property shall be listed at its true value and in accordance with law; and to that end it shall be the duty of said auditor to investigate and report to the board of commissioners of said county the names of all persons whose property is not listed at a fair valuation as provided by law, together with a statement of the property not so listed at such valuation, and thereupon it shall be the duty of the said board of county commissioners of Pasquotank County, after giving notice to the property owner as required by law, to cause all such property to be fairly valued and placed upon the tax books as provided by the general law of the State. The said auditor shall have power, in the discharge of his duties in this section, to send for persons and papers and to administer oaths, and any person failing to obey any summons or to produce any papers or books relating to or supposed to relate to the value of any property under consideration by the auditor, or who shall refuse to appear and give evidence of all such matters and things as he shall know of and concerning any matters the investigation whereof is herein made the duty of the auditor, shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, in the discretion of the court, and also shall pay a penalty of two hundred dollars, to be recovered in any court of competent jurisdiction in the name of the auditor for the benefit of the public school fund of said county.

SEC. 38. Beginning with the first Monday in January, one thousand nine hundred and seventeen, and weekly thereafter, it shall be the duty of the said auditor to examine the records of the office of the register of deeds of Pasquotank County, and to make a list of all deeds or other transfers of real property which have been filed for registration in such office during the week preceding such examination; and it shall be his duty to carefully make out a list of all such deeds or other transfers of real property, or any interest or estate in real property, taking the names of the grantor and grantee, or grantors and grantees, the township within which such property is located, and the consideration expressed in the instrument transferring same; and upon taking such information,

Investigation as to values of property.

Powers in securing evidence.

Failure to appear and give evidence a misdemeanor.

Punishment.

Penalty.

Lists of transfers of property.

Memoranda of tax lists.

it shall be his duty to make a memorandum on the duplicate tax lists of his office, opposite the name of the person transferring such property, and shall also make a memorandum opposite the name of the person to whom such property is transferred, both to show the name of the person to whom transferred, the date of the transfer, and the consideration; and the said information shall be available to the tax listers and assessors the following year so as to assist them in the discharge of their duties and to avoid double listing.

Copies of tax lists.

SEC. 39. It shall be the duty of the said auditor 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 Auditor. 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 the school poll tax levied by the General Assembly and the board of commissioners, the amount of property school tax levied by the General Assembly and the board of commissioners, and also the amount of any special road or other special taxes levied for the county of Pasquotank, as

Disposal of lists.

is now or hereafter may be provided by law. One of the said copies shall remain in the office of the auditor and the other shall be delivered to the sheriff on or before the first Monday in September in each year, and he shall receipt for same: *Provided, however,* that in making out said tax lists the board of commissioners may require the auditor to make out one copy of said tax lists according to the form prescribed by the State Auditor as hereinbefore set forth, the same to remain in the office of the county auditor, and the other copy, in the form of a receipt book, with stubs attached, to be delivered to the sheriff as now provided by law.

Proviso: form of tax lists.

Further enumeration of duties.

SEC. 40. That it shall be the duty of the auditor of Pasquotank County to perform all things required of him by the board of commissioners of said county, and to make out, by transcribing from the original sheets delivered to him by the register of deeds, after said sheets have been properly computed by the register of deeds, two copies of the tax lists of each township and deliver the same to the sheriff of Pasquotank County, and to perform all the duties required of the register of deeds pertaining to making out and delivering said copies of tax books, except the receiving of the original tax sheets and computing the same, which shall be done by the register of deeds as heretofore provided by law, as part of the duties of registers of deeds. That before making out copies of the tax books, as herein provided, the said auditor shall prove the computations made on the original tax sheets by the register of deeds. The auditor may, at the discretion of the county commissioners, be allowed assistants, not exceeding two in number, in transcribing and making the said two copies of the

Register of deeds to compute taxes.

Auditor to prove computations.

Assistants allowed auditor.

tax books as aforesaid; the said assistants to be allowed reasonable compensation for their work by said board, to be paid by said county.

SEC. 41. It shall be the duty of the said auditor to exercise a general supervision over the tax books of said county, with a view of preventing the double listing of property and similar errors; and, in connection with the board of commissioners of said county, it shall be his duty to go over said tax list and correct any errors, omissions, or mistakes which may appear therein. All applications for rebates in taxes paid, due to erroneous listing, shall be made to said auditor, and it shall be his duty to investigate all such applications for rebate, and at every monthly meeting of the board of commissioners of said county it shall be his duty to present to said board a statement showing all applications for rebate, together with the facts in connection with each application, and to indicate whether each particular application for rebate should be allowed or disallowed; and thereupon it shall be the duty of the board of commissioners to take such action upon such application for rebate as may be just and proper.

SEC. 42. It shall be the duty of the mayor, or other officer which may be designated by the governing board of each incorporated town in the county, to report to the auditor of said county, on or before the first Monday in June, one thousand nine hundred and seventeen, and each and every year thereafter, the names of all persons in their respective towns who may be subject to the payment of what are known as Schedule "B" and "C" taxes, and it shall be the duty of said auditor to inquire what other persons in said county, residing outside the town, may be liable for the payment of such taxes, and it shall be the duty of the auditor to report to the sheriff of said county the names of all persons subject to such taxes: *Provided, however*, that this section shall not relieve the said sheriff of any duties connected with said taxes as are now or may hereafter be imposed upon him by law. It shall also be the duty of the said auditor, on or before the first Monday in May of each year, to mail to the mayor in each incorporated town in Pasquotank County a notice setting forth a copy of this section of this act, and to call the attention of such mayors to their duties under this section, and also to their duties under the next succeeding section of this act; and if any mayor, or other municipal officer, shall fail or neglect to discharge the duties and make the report required by this and the next succeeding section, he shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, in the discretion of the court.

SEC. 43. It shall be the duty of the recorder or trial justice of the county of Pasquotank, and all justices of the peace within said county, to report to the said auditor, on the first Mondays in June, October, January, and April in each and every year, begin-

General supervision of tax books.

Applications for rebates.
Duty of auditor.
Statements to and action by county commissioners.

Reports from mayors of towns.

Investigations outside of towns.

Reports to sheriff.

Proviso: duty of sheriff.

Notices to mayors.

Failure by municipal officers a misdemeanor.

Reports from recorders and justices of the peace.

- ning with the first Monday in June, one thousand nine hundred and seventeen, a statement of all fines or penalties imposed by them, together with the disposition made of the same, giving the name of the person fined and the amount thereof; and it shall be the duty of the said auditor to cause all such fines to be paid to the treasurer of said county by said recorders or trial justices and justices of the peace, and to exercise a general supervision as may be necessary, to the end that all fines are properly accounted for by the collecting officers and turned over to the county treasurer. It shall be the duty of the said auditor, on or before the first Monday in May, one thousand nine hundred and seventeen, and yearly thereafter, to transmit by mail to all recorders, trial justices, and justices of the peace of Pasquotank County a notice calling their attention to the provisions of this section, which said notice shall contain a copy of this section; and if any such officers shall fail to make the reports required by this section to the auditor, or fail to turn over or account for any fine or penalty as provided by law, the person so offending shall be guilty of a misdemeanor, and upon conviction shall be fined not more than fifty dollars or imprisoned not more than thirty days, and shall also forfeit and pay the sum and penalty of fifty dollars, to be recovered in any court of competent jurisdiction in an action in the name of the auditor of said county for the benefit of the public school fund of said county; and it shall be the duty of the said auditor to prosecute all violations of this and the next succeeding section of this act.
- Payment of fines.**
- Notice to recorders and justices.**
- Failure to report a misdemeanor.**
- Punishment. Penalty.**
- Auditor to visit assessors and list takers.**
- Monthly visits to county home, jail, and convict camp. Reports.**
- Examination of books.**
- Employment of accountant.**
- Approval of state treasurer.**
- Failure of auditor to discharge duty a misdemeanor.**
- SEC. 44. It shall be the duty of the auditor to visit the tax assessors and list takers, during the period for listing taxes, in each year, and he shall direct and supervise them to the end that the provisions of this act may be fully complied with; he shall visit, regularly, at least once in every calendar month, the county home, the county jail, the county convict camp; and it shall be his duty to submit a report of his visits and investigations to the board of county commissioners, and which report shall contain such recommendations as to him seems fit and proper, and he shall examine all the books kept by the county jailer, the keeper of the county home, the superintendent of the convict camp, and every other institution and department to which the county contributes funds.
- SEC. 45. It shall be the duty of the board of commissioners, and they are hereby required, to employ an expert accountant to open all books necessary to be used by said auditor in the discharge of the duties of his office, and such accountant shall be selected and approved by the State Treasurer of North Carolina.
- SEC. 46. Any person who shall be elected or appointed as auditor of Pasquotank County who shall willfully fail or neglect to perform any duty required of him by law or by this act, except as

herein otherwise provided, shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, or both, in the discretion of the court. Punishment.

SEC. 47. That James P. Thompson be and he is hereby appointed auditor of said county of Pasquotank, to serve as such until the first Monday in July, one thousand nine hundred and seventeen: Auditor named.
Provided, that if a vacancy shall occur in said office, for any cause, the said vacancy shall be filled for the unexpired term by the board of commissioners of said county. Proviso: vacancy.

SEC. 48. That at the general election for members of the General Assembly of North Carolina, in the year one thousand nine hundred and sixteen, an auditor for said county shall be voted for and elected, as near as may be under the same rules and regulations governing the election of members of the House of Representatives from said county, for a term of two years and biennially thereafter, said term of office to begin on the first Monday in July, one thousand nine hundred and seventeen, and continue until his successor has been elected and qualified. Election of successor.

Term of office.

SEC. 49. That nothing in this act shall be construed to affect, in any manner, any of the present officers of Pasquotank County during their present term of office to which they have been elected by the people. Present officers.

SEC. 50. That this act and all the provisions thereof shall be in full force and effect on and after the first Monday in December, one thousand nine hundred and sixteen, except so much thereof as relates to the duties of the office of the clerk of the Superior Court, and all provisions of this act relating to the office of the clerk of the Superior Court shall be in full force and effect on and after the first Monday in December, one thousand nine hundred and eighteen. When act effective.

SEC. 51. That all laws and clauses of law in conflict with this act are hereby repealed.

Ratified this the 3d day of February, A. D. 1915.

CHAPTER 62.

AN ACT TO AMEND CHAPTER 601 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, REGULAR SESSION OF GENERAL ASSEMBLY, 1913, ENTITLED "AN ACT TO PROVIDE FOR THE BETTER WORKING OF THE PUBLIC ROADS OF PERQUIMANS COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That section ten and line five be amended by striking out after the word "person" in said line five all the following: Time limit rescinded.
 "on or before October first, one thousand nine hundred and four-

teen." Amend further by striking out the word "on" in line seven of said section and substitute in lieu thereof the word "across."

Bridges across roads.

SEC. 2. That at the end of section ten shall be added the following: "*Provided further*, that all persons who are responsible for the construction and maintenance of bridges across the public roads shall construct and keep same in such repair as shall be satisfactory to the board of county commissioners. If any such persons shall fail to construct and repair such bridges within thirty days after ordered in writing by the board of commissioners, the said board of commissioners are hereby vested with the authority, and are herein directed, to construct and repair such bridge or bridges immediately in accordance with their regularly prescribed requirements for bridges of similar size and dimensions, and shall upon completion of same submit an itemized statement of the cost of same to such owner, and such cost shall be a tax or lien upon the property of such owner, and shall be collected by the sheriff in such installments as shall be ordered by the county commissioners as other taxes are collected, and such bridge or bridges shall thereafter become a county charge and the county shall be liable to the owner for the upkeep and maintenance of same."

Time for construction.

Construction by county.

Cost of construction a lien on property.

Upkeep of bridges a charge on county.

SEC. 3. 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.

Ratified this the 4th day of February, A. D. 1915.

CHAPTER 63.

AN ACT TO REPEAL CHAPTER 63 OF PUBLIC-LOCAL LAWS OF 1913, EXTRA SESSION, ABOLISHING THE OFFICE OF GAME WARDEN IN SOUTH TOE AND CRABTREE TOWNSHIPS IN YANCEY COUNTY.

The General Assembly of North Carolina do enact:

Laws repealed.

SECTION 1. That chapter sixty-three, Public-Local Laws of one thousand nine hundred and thirteen, extra session, be and the same is hereby repealed.

Moneys covered into general fund.

SEC. 2. That all money collected under the levy authorized by said act and not paid out to the said game warden shall be turned over to the general fund of said county.

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

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

Ratified this the 4th day of February, A. D. 1915.

CHAPTER 64.

AN ACT TO AUTHORIZE ANY SCHOOL DISTRICT IN AVERY COUNTY TO ISSUE BONDS FOR PERMANENT IMPROVEMENTS TO SCHOOL BUILDINGS, AND FURNISHING THE SAME WITH SUITABLE EQUIPMENT.

The General Assembly of North Carolina do enact:

- SECTION 1. That for the purpose of building, rebuilding, improving, and maintaining the public school houses of the county of Avery and furnishing the same with suitable equipment, the board of county commissioners of Avery County and their successors in office shall have the power, and it shall be their duty, if so authorized by the election hereinafter provided for, for any school district of said county in which a special school tax has been levied by virtue of section four thousand one hundred and fifteen of the Revisal of North Carolina, to sell bonds of such school district in an amount not to exceed ten thousand dollars (\$10,000). Said bonds shall not be sold for less than par value; shall be issued in denominations of not less than one hundred dollars (\$100) each, nor more than one thousand dollars (\$1,000) each, and shall be interest-bearing coupon bonds, bearing interest at the rate of not exceeding six per cent per annum, and maturing thirty years from the date of issue. Said bonds shall be prepared and issued by order of the board of county commissioners of Avery County, for and in behalf of the school district voting the same as hereinafter provided, and shall be signed by the chairman of the board of county commissioners and attested by the clerk of said board. Said bonds shall state on their face for which school district they are issued, and that they are public school bonds issued by authority of this act.
- SECTION 2. That for the purpose of paying the interest on all bonds issued and sold under this act, there shall be levied and assessed each year, at the time county taxes are levied and assessed by the tax-levying authorities of Avery County, having the authority to levy taxes for county purposes, upon all taxable property, both real and personal, of every kind and description, upon all polls of each school district on behalf of which bonds may be issued and sold under this act, a tax sufficient to pay the interest on said bonds so issued and sold and the cost of collecting and disbursing said taxes; and after said bonds shall have been running ten (10) years, said county commissioners or other tax-levying authorities as aforesaid, shall each year until all of said bonds, principal and interest, shall be paid, compute, levy, and assess upon all taxable property of every kind and upon all polls taxable in such school district, an additional tax sufficient to pay one-twentieth of the
- Purpose of bond issues.
- Elections on bond issues.
- Amount of issue.
- Sale below par forbidden.
- Denominations.
- Interest.
- Maturity.
- Issue and authentication.
- Special tax.
- Tax for sinking fund.

- Proviso : constitutional equation. principal of said district bonds at maturity: *Provided*, that in the levy and assessment of such taxes the constitutional equation shall be preserved between the property and poll.
- Bonds exempt from taxation. SEC. 3. That said bonds issued under this act shall be exempt from all State, county, and municipal tax, and this fact shall appear upon the face of said bonds.
- Petition for election. SEC. 4. That upon a petition of one-fourth of the freeholders of the proposed school district in whose name real estate in such district is listed in the tax list of the current fiscal year, indorsed by the county board of education, the board of county commissioners, after thirty (30) days notice at the courthouse door and at three public places in the proposed district, and in some newspaper published in said county (if there be a newspaper published in said county), shall hold an election to ascertain the will of the people within the said school district whether bonds to an amount fixed by the said board of county commissioners, and set forth in said notice (the amount not to exceed ten thousand dollars), shall be issued and sold; and the special tax mentioned herein shall be levied to pay the interest on said bonds and to pay the said bonds at maturity. At said election those favoring the issuance and sale of said bonds, and the taxes herein provided for, shall vote a ballot upon which shall be written or printed the words "For School Bonds," and those opposed shall vote a ballot upon which shall be written or printed the words "Against School Bonds." The election shall be held under the law governing general elections in North Carolina as near as may be, except the board of county commissioners shall appoint a registrar and two poll-holders and shall designate the polling place and order a new registration for such district, and the registrar and poll-holders shall make return of the result of said election to the said board, who shall canvass the same and declare the result thereof, and cause the returns from said election and the result thereof to be recorded in the minutes of said board by the secretary of said board. The expenses of holding said election shall be paid out of the general school funds of said county.
- Publication of notice. SEC. 5. That before selling said bonds the county commissioners of Avery County shall advertise the same for thirty (30) days immediately preceding the date of sale in a newspaper published in the said county, and in such other manner as they shall see fit, giving the time and place when bids shall be opened for the sale of said bonds and the terms upon which said bonds are issued: *Provided*, the said county commissioners shall have the right in their discretion to reject any and all bids for said bonds.
- Ballots. SEC. 6. That it shall be the duty of the said board of county commissioners to provide a suitable permanent record book for the office of register of deeds, and the register of deeds of said county, as clerk to said board of commissioners, shall make a
- Law governing election.
- Election officers.
- New registration.
- Return and canvass.
- Record of returns.
- Payment of expenses.
- Advertisement for sale of bonds.
- Proviso : right to reject bids.
- Record of bonds.

fair entry thereon of each and every bond sold, for what school district, where and when payable, both as to principal and interest, and for which school district sold, the amount received for same, and said record shall have suitable blank spaces in which to enter the various payments when made, which entries the board of county commissioners shall cause to be made so as to show all outstanding bonds, all payments made on same, and shall enter the bonds of each school district separate from those of the other school districts and provide ample space for future entries to be made so as to show a correct account of same throughout the period of time said bonds shall be outstanding.

Records of separate districts.

SEC. 7. That the proceeds arising from the sale of the bonds issued under the provisions of this act shall constitute a separate and distinct fund to be applied and appropriated for the benefit of the school district voting the same, and paid out on the order of the board of education of said county, for the purposes for which said bonds are issued as provided herein; and the county commissioners of Avery County shall cause the treasurer of Avery County to open and keep separate accounts of said funds, and the said treasurer shall be liable officially to all the requirements of the law now prescribed for other school funds, and the county commissioners shall require the said treasurer to give bond for the faithful and honest performance of his duties in respect to said funds, which bond shall in amount not be less than the aggregate amount of funds coming into his hands by virtue of this act. The said treasurer shall receive as compensation for his services in receiving, keeping, and disbursing said funds not to exceed one per cent commission thereon, the same to be fixed by the board of county commissioners of said county.

Proceeds to be kept as distinct fund.

Orders on fund.

Separate accounts.

Treasurer liable on bonds.

Bond of treasurer.

Commission of treasurer.

SEC. 8. That the building, rebuilding, improving, equipping, and maintaining the public school houses provided for in this act shall be under the control and direction of and by written contract with the county board of education of Avery County; and all building, repairing, rebuilding, improving, and equipping aforesaid shall be inspected, received, and approved by the county superintendent of public instruction of said county before full payment is made therefor.

Board of education to control work.

County superintendent to inspect and receive work.

SEC. 9. That the taxes levied hereunder shall be collected by the sheriff or other officer charged with the collection of other county 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, and the bonds given by said officers for the collection of the county taxes shall include the taxes levied hereunder.

Collection of taxes.

Officers liable on bonds.

SEC. 10. That full authority is hereby conferred upon the board of county commissioners of Avery County to do any and all acts necessary for the performance of the duties and obligations im-

Additional powers to county commissioners.

Proviso: powers
in conformity
with act.

posed upon said board by this act, whether this authority is specifically hereinbefore conferred or not: *Provided, however,* that such additional authority be not in conflict with any of the provisions of this act.

SEC. 11. That all laws and clauses of laws in conflict with this act are hereby repealed.

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

Ratified this the 4th day of February, A. D. 1915.

CHAPTER 65.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF ANSON COUNTY, IN THEIR DISCRETION, TO USE COUNTY FUNDS IN PART PAYMENT FOR THE CONSTRUCTION OF PLANK FORDS WHICH HAVE BEEN ERECTED OVER ROCKY RIVER AT POINTS BETWEEN THE COUNTIES OF ANSON AND STANLY.

The General Assembly of North Carolina do enact:

Use of funds
authorized.

SECTION 1. That the commissioners of Anson County are hereby authorized, in their discretion, to use county funds in part payment for the construction of plank fords which have been erected over Rocky River at points between the counties of Anson and Stanly.

Limit of amount.

SEC. 2. That not more than one hundred dollars of said funds shall be expended for any one of said plank fords.

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

Ratified this the 4th day of February, A. D. 1915.

CHAPTER 66.

AN ACT TO EQUALIZE THE APPROPRIATIONS, MADE FOR THE SUPPORT OF THE JAMES WALKER MEMORIAL HOSPITAL, BETWEEN THE BOARD OF COMMISSIONERS OF NEW HANOVER COUNTY AND THE COUNCIL OF THE CITY OF WILMINGTON.

The General Assembly of North Carolina do enact:

County and city
to contribute
equally.

SECTION 1. That all appropriations made by the board of commissioners of New Hanover County and the council of the city of Wilmington for the support of the James Walker Memorial Hospital shall be contributed and paid in equal proportions—one-

half by the board of commissioners of New Hanover County and one-half by the council of the city of Wilmington.

SEC. 2. The board of commissioners of New Hanover County and the council of the city of Wilmington shall jointly fix the amounts of said appropriations in such sums as they may deem wise and proper: *Provided*, the appropriations in any one year shall not be less than fifteen thousand dollars (\$15,000).

Joint action on appropriations.

Proviso: limit of amount.

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.

Ratified this the 4th day of February, A. D. 1915.

CHAPTER 67.

AN ACT TO ALLOW THE COMMISSIONERS OF STANLY COUNTY TO ABOLISH THE OFFICE OF COUNTY TREASURER.

The General Assembly of North Carolina do enact:

SECTION 1. That section four, chapter one hundred and forty-two of the Public Laws of one thousand nine hundred and thirteen, be amended by adding "Stanly County" to the end thereof, and make said act apply as fully to Stanly County as to the other counties named therein.

Law extended.

SEC. 2. That said act shall be enforced from and after its ratification.

Ratified this the 4th day of February, A. D. 1915.

CHAPTER 68.

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF NEW HANOVER COUNTY TO APPOINT SPECIAL OFFICERS AND RURAL POLICEMEN FOR SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of New Hanover County shall have the power, and they are hereby authorized, to appoint one or more special officers and one or more rural policemen for New Hanover County; and the said board shall be authorized, and they are hereby empowered, to commission and clothe said officers and policemen with powers and authority equal and similar to those now exercised by constables and deputy sheriffs in said county.

Appointments authorized.

Powers of constables and deputy sheriffs.

Powers, terms, and compensation to be fixed by county commissioners. Officers to give bonds.

SEC. 2. The powers, duties, terms of office, and compensation of said special officers and rural policemen shall be fixed by the board of commissioners of said county.

SEC. 3. The county board of commissioners shall require a good and sufficient bond from said officers and policemen before they shall enter upon their work; said bond to be not less than two hundred dollars and conditioned upon the faithful performance of their duties.

Control and direction of officers.

SEC. 4. The special officers and rural policemen appointed by virtue of the authority of this act shall be under the general control and direction of the county board of commissioners; and the

Extent of authority.

said officers and policemen shall have authority to prosecute their work and discharge their duties anywhere within the boundaries of New Hanover County.

Salaries of officers.

SEC. 5. The board of commissioners shall fix the salaries of said officers and policemen and order the same paid out of the general county fund; or, if they deem it wise, they may allow said officers and policemen to collect the usual fees prescribed by law for serving such processes as may come into their hands and retain the same in lieu of all or a part of their compensation.

County not liable for torts of officers.

SEC. 6. The board of commissioners of New Hanover County shall not be liable, individually or in their corporate capacity, for any tort or wrong committed by any special officer or rural policeman as provided for in this act, while in the discharge of his duties; nor shall they be liable for the failure of any such officer or policeman to perform his duties.

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

SEC. 8. This act shall be in force from and after its ratification. Ratified this the 4th day of February, A. D. 1915.

CHAPTER 69.

AN ACT TO ABOLISH THE OFFICE OF THE COUNTY TREASURER OF DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

Office abolished.

SECTION 1. That from and after the first Monday in December, one thousand nine hundred and sixteen, the office of county treasurer of Duplin County shall be and the same is hereby abolished.

Effect of act.

SEC. 2. That this act shall have the same effect as if the said office was abolished under section one thousand three hundred and ninety-five of the Revisal of one thousand nine hundred and five.

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

Ratified this the 4th day of February, A. D. 1915.

CHAPTER 70.

AN ACT TO AMEND CHAPTER 552 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATIVE TO THE PLACING OF CERTAIN OFFICIALS OF MECKLENBURG COUNTY UPON A SALARY.

The General Assembly of North Carolina do enact:

SECTION 1. That section five of chapter five hundred and fifty-two of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby amended by inserting after the word "offices," in line six of said section, the following: "*Provided*, that in all civil actions where solvent bonds are filed and in all special proceedings the clerk of the court may in his discretion demand only the initial costs thereof and defer the collection of other costs that may accrue until such civil actions or special proceedings are finally determined."

Proviso: collection of costs.

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.

Ratified this the 4th day of February, A. D. 1915.

CHAPTER 71.

AN ACT TO AUTHORIZE AND VALIDATE \$25,000 ROAD BONDS OF SAMPSON COUNTY, DATED JANUARY 1, 1915.

The General Assembly of North Carolina do enact:

SECTION 1. That all proceedings had or taken or attempted to be had or taken by the board of county commissioners of Sampson County in the matter of the issue of twenty-five thousand dollars road bonds dated January first, one thousand nine hundred and fifteen, due January first, one thousand nine hundred and thirty-five, under the provisions of chapter two hundred of the Public Laws of one thousand nine hundred and seven, and acts amendatory thereof and supplemental thereto, are hereby ratified and approved; that the proper officers of said county be and they are hereby authorized and directed to execute and deliver said bonds pursuant to such proceedings, and that such bonds, when so executed and delivered, shall be and constitute the valid and binding obligations of said county.

Proceedings ratified and approved.

Execution and delivery of bonds ordered.
Bonds validated.

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

Ratified this the 4th day of February, A. D. 1915.

CHAPTER 72.

AN ACT TO AMEND CHAPTER 867, PUBLIC LAWS SESSION OF 1909, RELATING TO THE HOLDING OF ELECTIONS IN NEW HANOVER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter eight hundred and sixty-seven (867) of the Public Laws of nineteen hundred and nine (1909) be and the same is hereby amended as follows:

Proviso: ballots void only when doubtful or unintelligible.

First: By adding at the end of section three of said act the following: "*Provided*, that when any ballot, other than a straight party ballot, is cast by a voter, the provision that any mark or erasure made thereon, other than the proper ones as above prescribed, will render the same void shall not apply to the whole ballot; but shall vitiate the same only in so far, and only as to those candidates, as the error, mark, or erasure may render the intention of the voter doubtful or unintelligible."

Booth may be of metal.

Second: By inserting after the word "wood" in line sixteen of section eight of said act the word "metal," so as to make the said sentence read: "Each of the said booths shall be made of wood, metal, or heavy canvas, and shall have three sides inclosed, one side, in front, to be inclosed by a curtain of some opaque cloth."

Third: By inserting after section thirteen of said act the following section:

Employees of city or county not eligible as election officers.

"SEC. 13½. That no employee of the city of Wilmington, or of the county of New Hanover, shall be appointed as an election officer, either as a poll-holder or as a judge of the election, in any election or primary election held in the city of Wilmington or in New Hanover County."

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

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

Ratified this the 5th day of February, A. D. 1915.

CHAPTER 73.

AN ACT TO ABOLISH THE OFFICE OF COUNTY TREASURER OF NORTHAMPTON COUNTY.

The General Assembly of North Carolina do enact:

County commissioners may abolish office.

SECTION 1. That the board of county commissioners of Northampton County is hereby authorized and empowered to abolish the office of county treasurer of said county, and in lieu thereof to ap-

point one or more solvent banks or trust companies located in said county as financial agent for said county, which said bank or trust company shall perform the duties now performed by the treasurer of said county: *Provided*, that such bank or trust company shall not charge nor receive any compensation for the services rendered, other than such advantages and benefits as may accrue from the deposit of the county funds in the regular course of banking.

Bank as financial agent.

Proviso: bank to serve without pay.

SEC. 2. That said bank or trust company appointed and acting as the financial agent of said county shall be appointed for a term of two years, and shall be required, at its or their own expense, to execute the same bonds for the safe keeping and proper accounting of such funds as may come into its possession and belonging to such county, and for the faithful discharge of its duties, as are now required by law of the county treasurer, and which shall be approved by the said board of county commissioners: *Provided*, that the first term of said appointment shall end on the first Monday in December, one thousand nine hundred and sixteen.

Term of appointment.

Bank to give bonds.

Proviso: first term.

SEC. 3. That whenever the said board of county commissioners shall have appointed the said financial agent for said county as herein provided for, it shall be the duty of said board to account with the present treasurer of said county for the funds in his hands belonging to said county and cause the same to be placed in the hands of the said financial agent and to pay to said treasurer such compensation for the services rendered by him as the said board may find he is entitled to receive.

Settlement with present treasurer.

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 force and effect from and after its ratification.

Ratified this the 4th day of February, A. D. 1915.

CHAPTER 74.

AN ACT TO REPEAL CHAPTER 625 OF THE PUBLIC-LOCAL LAWS OF THE SESSION OF 1913.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter six hundred and twenty-five of the Public-Local Laws of North Carolina of the session of one thousand nine hundred and thirteen be and the same is hereby repealed.

Primary election law for Martin county.

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

Ratified this the 5th day of February, A. D. 1915.

CHAPTER 75.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF McDOWELL COUNTY TO CHANGE THE NAME AND BOUNDARY LINES OF HIGGINS TOWNSHIP.

The General Assembly of North Carolina do enact:

Change of boundary.

SECTION 1. That the county commissioners of McDowell County are hereby authorized and empowered to change the boundary lines of Higgins Township to make them conform to and correspond with the school district lines in said township.

Change of name.

SEC. 2. That the county commissioners may change the name of the above named township.

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

Ratified this the 6th day of February, A. D. 1915.

CHAPTER 76.

AN ACT TO AMEND CHAPTER 603, PUBLIC-LOCAL LAWS OF 1913, ENTITLED AN ACT TO PROVIDE FUNDS FOR THE PURPOSE OF BUILDING ROADS IN YANCEY COUNTY.

The General Assembly of North Carolina do enact:

Road commissioners named.

SECTION 1. That D. M. Buck, W. S. Bryant be and they are hereby appointed road commissioners for Yancey County, each for a term of two years from and after the date of the expiration of their present terms, and they shall have all the power and duties authorized by said chapter six hundred and three, Public-Local Laws of one thousand nine hundred and thirteen, and acts amendatory thereto.

Term of office.

Powers and duties.

Highway to be surveyed and located.

Termini and route.

SEC. 2. That it shall be the duty of the board of road commissioners of Yancey County, as soon as practicable, and within six months from date of the ratification of this act, to cause to be surveyed and located a public highway from the ford of Toe River at the Yancey County side opposite Toecane station in Mitchell County, on the best practicable grade to be obtained, to the forks of the public road above the residence of A. A. Woody, in Brush Creek Township. Then on the best practicable grade to a point at or near the Pleasant Grove Baptist Church in said township, the board of road commissioners to survey, locate, and construct the roadbed not less than sixteen feet in width.

Width of road.

Road to be constructed.

SEC. 3. That within the said period of six months the said board of road commissioners of Yancey County shall proceed to

construct said road of said width, underdraining the same and to construct the same as speedily as may be and as soon as the nature of the country through which construction passes will permit, this construction not to be made other than on the survey thereof unless the said board of road commissioners are able to procure from owners of land over which the road would pass the right of way for the construction of the road thereon for a sum not exceeding five hundred dollars for the entire length of road above described.

SEC. 4. The said board of road commissioners of Yancey County shall build and construct a good steel wagon bridge sufficient for public travel across Toe River at or near Green Mountain station in Mitchell County, provided that the county of Mitchell shall agree and provide funds necessary to pay one-half of the purchase price and cost of construction of said bridge: *Provided*, that the total purchase price and cost of construction of said bridge shall not exceed five thousand dollars.

Commissioners to build bridge.

Location.

Proviso: contribution by Mitchell county.

Limit of price.

SEC. 5. That the board of road commissioners of Yancey County shall pay for the work and bridge specified in sections two and four of this act out of money derived from the sale of Yancey County road bonds heretofore issued and sold.

Fund for building bridge.

SEC. 6. That all able-bodied male persons subject to road duty shall be required to work on the public roads of said county for a period of six days during each and every year, at such time and place as he may be summoned by the supervisor of his township: *Provided*, that such person so summoned may pay at the time of such summons the sum of six dollars to such supervisor in lieu of doing physical work upon said roads for the year.

Road duty.

Proviso: commutation.

SEC. 7. That all laws and clauses of laws in conflict herewith, to the extent of such conflict, are hereby repealed.

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

Ratified this the 8th day of February, A. D. 1915.

CHAPTER 77.

AN ACT TO REGULATE THE FEES TO BE CHARGED BY THE CLERK OF THE SUPERIOR COURT OF JOHNSTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the clerk of the Superior Court of Johnston County shall charge and collect for services enumerated, as follows: For granting letters of guardianship, letters of administration, and letters testamentary, and everything connected there-

Fees in settlements of estates and matters of guardianship.

with, including renunciation, the sum of two dollars and twenty-five cents; for recording and making copies of wills, ten cents per copy sheet; issuing letters of adoption, including everything connected therewith, the sum of one dollar.

Fees to be collected and accounted for.

SEC. 2. That said fees, together with all others as now prescribed by law to be collected by clerks of the Superior Court, subject to exceptions named in section three of this act, shall be faithfully collected, accounted for, and paid over by the said clerk for the use of the "Salary Fund," as now required by law.

Collection of certain fees discretionary.

SEC. 3. That the said clerk of the Superior Court may in his discretion make no charge for the following: For apprenticing infants; swearing persons to accounts against the county when the account does not exceed five dollars; and for probating deeds to church property.

Acts validated.

SEC. 4. That the collection of fees by the said clerk, according to the schedule named in section one of this act, and his remission of fees under section three of this act, since the salary act for said county became effective, are hereby validated and made legal in all respects.

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 from and after its ratification.

Ratified this the 8th day of February, A. D. 1915.

CHAPTER 78.

AN ACT TO AMEND CHAPTER 192 OF THE PUBLIC-LOCAL LAWS OF 1913, TO ISSUE OF REFUNDING BONDS IN BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

Date changed.

SECTION 1. That chapter one hundred and ninety-two of the Public-Local Laws of one thousand nine hundred and thirteen, entitled "An act to authorize the county of Buncombe to issue refunding bonds," be and the same is hereby amended by striking out "January first," in line five of section one, and inserting in lieu thereof "July first."

Date changed.

SEC. 2. By striking out "January first" in line four of section four of said chapter, and inserting in lieu thereof "July first."

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

Ratified this the 8th day of February, A. D. 1915.

CHAPTER 79.

AN ACT TO APPOINT MEMBERS OF THE BOARD OF SUPERVISORS OF PUBLIC ROADS OF PRECINCT, NO. 2, IN LANESBORO TOWNSHIP, ANSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That E. E. Barrett, H. M. Baucom, and J. W. Thomas be and they are hereby appointed as members of the board of supervisors of public roads in Precinct Number Two in Lanesboro Township, Anson County, for a term of two years; said term to begin on the first day of April, one thousand nine hundred and fifteen.

Supervisors appointed.

Term.

Beginning of term.

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

Ratified this the 5th day of February, A. D. 1915.

CHAPTER 80.

AN ACT TO ABOLISH THE OFFICE OF COUNTY TREASURER IN MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners for Mitchell County is hereby authorized and empowered and directed to abolish the office of county treasurer in said county, and in lieu thereof to appoint one or more solvent banks located in said county as financial agents in said county, which said bank or banks shall perform the duties now performed by the treasurer of said county: *Provided*, that such bank or banks shall not charge nor receive any compensation for its services other than such advantages and benefits that may accrue from the deposit of the county funds in the regular course of banking.

County commissioners may abolish office.

Banks as financial agents.

Proviso: compensation of banks.

SEC. 2. That said bank or banks so appointed and acting as the financial agent of Mitchell County shall be appointed for a term of two years, and shall be required at its own expense to execute the same bonds for the safe keeping and proper accounting for such funds as may come into its possession and belonging to said county of Mitchell, and for the faithful discharge of its duties, as are now required by law of the county treasurer.

Term of appointment.

Bank to give bonds.

SEC. 3. That this act shall not apply to the present incumbent, who has already been inducted into office, but it shall be in full force and effect from and after the first Monday in December, one thousand nine hundred and sixteen.

Application of act.
When effective.

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 force from and after its ratification.

Ratified this the 8th day of February, A. D. 1915.

CHAPTER 81.

AN ACT TO ELECT A MEMBER OF THE FORSYTH HIGHWAY COMMISSION, AS PROVIDED UNDER CHAPTER 12, SECTION 3, OF THE PUBLIC-LOCAL LAWS OF SESSION 1913.

The General Assembly of North Carolina do enact:

Commissioner
named.

SECTION 1. That under the provisions of chapter twelve, section three, of the Public-Local Laws, session of nineteen hundred and thirteen, James A. Gray, Jr., a citizen and taxpayer of Forsyth County, be and he is hereby elected a member of the Forsyth Highway Commission for the term of six years, and the term of office as a member of the Forsyth Highway Commission of the said James A. Gray, Jr., shall begin on the last Thursday in February, nineteen hundred and fifteen, or when he shall qualify, and end on the last Thursday in February, nineteen hundred and twenty-one.

Term of office.

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

Ratified this the 8th day of February, A. D. 1915.

CHAPTER 82.

AN ACT TO AMEND CHAPTER 261 OF PUBLIC-LOCAL LAWS OF SESSION OF 1913, RELATIVE TO THE CONSTRUCTION AND KEEPING IN REPAIR THE PUBLIC ROADS OF GREENE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and sixty-one of the Public-Local Laws of session one thousand nine hundred and thirteen be amended as follows: By inserting after the word "working" in line five of section ten of said act, and before the word "Provided," the following: "That any person who shall fail to work on said road, after having been duly notified to do so, and shall fail to pay to the trustees the sum of three dollars per day in

Failure to dis-
charge duty or
pay commutation
a misdemeanor.

lieu of said labor as provided in this act, shall be guilty of a misdemeanor, and on conviction shall be fined twenty dollars, or imprisoned ten days, to be worked on the public roads of the county. That it shall be the duty of the township trustees to procure warrants and prosecute any person violating the provisions of this act.”

Punishment.

Trustees to prosecute.

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

Ratified this the 8th day of February, A. D. 1915.

CHAPTER 83.

AN ACT TO PROVIDE FOR KEEPING A RECORD OF CROSSTIES PURCHASED, WITH NAME OF SELLER AND DATE OF PURCHASE IN PENDER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be the duty of all persons buying crossties to keep a record of the same, showing the name of seller, date of purchase, and number purchased.

Record to be kept by purchaser.

SEC. 2. That any person violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not more than fifty dollars or imprisoned not exceeding thirty days.

Misdemeanor. Punishment.

SEC. 3. That this act shall apply only to the county of Pender.

Application of act.

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

Ratified this the 8th day of February, A. D. 1915.

CHAPTER 84.

AN ACT TO VALIDATE CERTAIN OFFICIAL ACTS OF DANIEL R. BRITTON, A NOTARY PUBLIC OF BERTIE COUNTY.

Whereas Daniel R. Britton, a citizen of Colerain, in the county of Bertie and State of North Carolina, is now and has been for many years a notary public; and whereas the said Daniel R. Britton is now and has been since the twenty-second day of October, one thousand nine hundred and eight, an officer and at certain periods of said time cashier of the Bank of Colerain, located

Preamble.

Preamble.

at Colerain, in said county of Bertie, and State of North Carolina; and whereas the said Daniel R. Britton, while an officer as aforesaid of said Bank of Colerain, as notary public has taken the acknowledgment and probate and has probated certain deeds, deeds of trust, mortgages, and other instruments of writing in which the said Bank of Colerain is interested; and whereas some question has been raised as to the validity of the said official acts of said Daniel R. Britton as notary public with reference to the same: Now, therefore,

The General Assembly of North Carolina do enact:

Instruments validated.

SECTION 1. That all deeds, deeds of trust, mortgages, and other instruments of writing in which the said Bank of Colerain is interested, the acknowledgment, examination, and probate of which has been taken and the execution of which was probated by the said Daniel R. Britton, notary public, since the twenty-second day of October, one thousand nine hundred and eight, be and the same are hereby validated, confirmed, and made legal, binding, and regular, to the same force and effect as if the said Daniel R. Britton at the time of the taking of such acknowledgment, examinations, and probate was not an officer of the said Bank of Colerain.

Further action forbidden.

SEC. 1 (a). *Provided*, that the said Daniel R. Britton, notary public, shall not take the acknowledgments, etc., as set forth in section one, after the passage of this act.

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

Ratified this the 8th day of February, A. D. 1915.

CHAPTER 85.

AN ACT TO AMEND CHAPTER 145 OF THE PUBLIC LAWS OF 1909, RELATIVE TO A GRADED ROAD IN ASHE COUNTY.

The General Assembly of North Carolina do enact:

Commissioner.

SECTION 1. That chapter one hundred and forty-five of the Public Laws of one thousand nine hundred and nine be and the same is hereby amended as follows: By striking out the name of Nathan Sheets in line one of section one of said act and insert in lieu thereof the name of G. C. Green.

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

Ratified this the 8th day of February, A. D. 1915.

CHAPTER 86.

AN ACT TO AMEND CHAPTER 1 OF PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1913, BEING ENTITLED "AN ACT FOR THE BETTER WORKING AND IMPROVING OF THE ROADS AND HIGHWAYS OF DAVIE COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one of the Public-Local Laws of North Carolina, session of nineteen hundred and thirteen, be amended as follows, to wit: At the end of section seven, chapter one, said Public-Local Laws, add a new section designated as follows:

"SEC. 7 (a). That the board of road commissioners of Davie County shall have the right and authority to enter upon any land through or over which any public road or highway may run or be located, and cut and remove any and all standing trees, timber, bushes, or undergrowth for a distance not exceeding sixty feet on each side from the center of said public road or highway for the purpose of keeping shade therefrom, and allowing the sun free access to same. Before cutting or causing to be cut any such standing timber or trees, the said board of road commissioners, road supervisor, or other person in charge of the road work, shall notify the owner or owners of the land through which said road may run of the intention of the board of the cutting and removing of said standing timber, trees, or bushes; if the said owner of the land objects to such work being done, he shall notify the board of road commissioners or road supervisor of the township through which the road or highway may run, stating his objections in writing. Upon such written objections being filed, the board of road commissioners may, in its discretion, condemn and cause to be cut all timber, trees, bushes, or undergrowth for a distance not exceeding sixty feet on each side from the center of said road for the purpose of maintaining and keeping the same in good condition and repair. Before any order of condemnation shall be made by said board of road commissioners, the landowner shall have at least five days notice of the time and place when the matter will be considered. Upon the question of condemnation the finding of the board shall not be subject to review. Upon making the order of condemnation, the board shall have authority to immediately enter upon said lands, and cut or cause to be cut the standing timber, trees, bushes, and undergrowth aforesaid. If the landowner shall consider himself damaged by reason thereof, and be unable to agree with the board as to the amount of damages, if any, he shall within ninety days after the cutting of said trees, timber, bushes, and undergrowth apply to the clerk of the Superior Court of Davie County for an assessment of dam-

New section.

Right to remove shade from road.

Notice to land-owners.

Objection by landowner.

Order for condemnation.

Notice to land-owners.

Finding not subject to review. Entry on land.

Application for assessment of damages.

Procedure for assessment of damages.

ages. Said assessment of damages shall thereupon be made in every respect under the same rules and regulations prescribed for the assessment of damages to land by reason of locating or relocating thereon any public road or highway or part thereof, as prescribed in section seven of said Public-Local Laws of nineteen hundred and thirteen: *Provided*, that in considering the question of damage which may be caused by cutting said trees, timber, bushes, and undergrowth, the jury shall consider the benefits to the landowner by reason of the location and betterment of the road or highway upon his land."

Proviso: benefits to be considered.

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

Ratified this the 8th day of February, A. D. 1915.

CHAPTER 87.

AN ACT TO AMEND CHAPTER 703 OF THE PUBLIC LAWS OF 1905, RELATING TO THE OFFICE OF TAX COLLECTOR OF BUNCOMBE COUNTY, ETC.

The General Assembly of North Carolina do enact:

Commission reduced.

SECTION 1. That section seven of chapter seven hundred and three of the Public Laws of nineteen hundred and five be amended by striking out the words "three and one-half per cent," and in lieu thereof insert the words "three per cent."

Repealing clause.

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

When act effective.

SEC. 3. That this act shall be in force and effect from and after the first day of September, one thousand nine hundred and fifteen.
Ratified this the 8th day of February, A. D. 1915.

CHAPTER 88.

AN ACT TO VALIDATE CERTAIN ACKNOWLEDGMENTS, PROBATES, AND EXAMINATIONS OF H. R. HARRIS AND B. S. STANCELL, BOTH NOTARIES PUBLIC IN AND FOR THE COUNTY OF NORTHAMPTON, STATE OF NORTH CAROLINA, AND THE TOWN OF SEABOARD.

Preamble.

Whereas H. R. Harris and B. S. Stancell, both of them notaries public in and for the county of Northampton, State of North Carolina, town of Seaboard, while stockholders of the Farmers Bank of Seaboard, North Carolina, in the county of Northampton, State

of North Carolina, did take the acknowledgments and probates of certain deeds, mortgages, and other instruments, and did take the private examinations of married women, prior to the twentieth of January, one thousand nine hundred and fifteen, on instruments in which said Farmers Bank of Seaboard was interested: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That all such acknowledgments, probates, and examinations be and the same are hereby validated, confirmed, and made legal, binding, and regular. Acts validated.

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

Ratified this the 5th day of February, A. D. 1915.

CHAPTER 89.

AN ACT TO REPEAL CHAPTER 80 OF THE PUBLIC-LOCAL LAWS OF THE EXTRA SESSION OF 1913.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter eighty of the Public-Local Laws of the extra session of one thousand nine hundred and thirteen, entitled "An act to authorize the road trustees of Sylva and Cullowhee townships to construct a bridge across the Tuckaseige River in Jackson County," ratified the sixth day of October, one thousand nine hundred and thirteen, be and the same is hereby repealed. Act repealed.

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

Ratified this the 5th day of February, A. D. 1915.

CHAPTER 90.

AN ACT TAXING DOGS IN WARREN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That any person or persons owning or keeping or having a dog, claimed or owned by a minor or any other member of the family, must pay annually on each dog so kept a license tax or privilege tax of two dollars for each male dog and three dollars for each female dog. The taxes shall be listed during the month of May in each year and at such times and places as may License tax. Tax to be listed.

- Exemption from municipal tax. Further listing. Tax payable at time of listing. Collection by levy and garnishment. Tax payable to list taker and collector. Bond of list taker and collector. Apportionment. Apportionment of road and school fund. Proviso: tax of Warrenton township. Game warden made list taker and collector. Tax. License tag. Failure to list dog a misdemeanor. Punishment. Dogs to be taken and advertised.
- be designated by the dog-list taker and dog-tax collector, as hereinafter provided. It is provided that no municipal corporation shall impose a town tax on any dog listed as herein prescribed.
- SEC. 2. That any person or persons coming into possession of a dog after the first day of June of each year shall report to said list taker and collector that since list-taking he or she has come into the possession of such dog or dogs, and the same shall be listed and tagged.
- SEC. 3. That at the time of listing the owner of the dog or dogs shall pay said taxes to the lister and shall receive from him a tag for each dog listed, upon which tag shall be the number and year for which said dog or dogs are listed; and the said list taker and tax collector shall have the authority and power to collect said taxes by levy or garnishee upon the property of the owner in the same manner that other property taxes are collected.
- SEC. 4. That all taxes collected under this law shall be paid to the list taker and collector as herein provided. The said list taker and collector shall enter into a good and sufficient bond as approved of by the game commission for the faithful performance of his duties and the proper management and disbursement and distribution of such funds as may come into his hands by reason of the power and authority vested in him by this act. After deduction of all expenses, said funds shall be disbursed as follows: One-third of the entire amount of taxes collected are to be paid to the game commission of said county for the preservation and protection of the game of said county; one-third to the roads of said county; and one-third to the school fund of said county. Said funds for roads and schools shall be distributed among the different townships of the county in proportion to the license taxes paid in each: *Provided*, that the funds or taxes of Warrenton Township shall be applied to the roads of said township.
- SEC. 5. That the game warden appointed by the game commission for Warren County is by this act made and denominated the list taker and tax collector for the listing and collection of all dog taxes for said county under and by the power authorized under this act. That he shall keep a tax book in which the name of the lister shall be registered and the date of listing and the payment of said taxes.
- SEC. 6. That every person or persons shall and is hereby required to keep the license tag upon each and every dog upon which he has paid taxes.
- SEC. 7. That any person failing to list any dog as required by this act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than five dollars and not more than ten dollars, or imprisoned not more than thirty days in jail.
- SEC. 8. That any dog found without a license tag, and owner not known to the list taker and collector, shall be taken and

advertised for ten days; and if not claimed within that period it shall be the duty of the list taker and collector to kill or otherwise dispose of said dog. To be killed after ten days.

SEC. 9. That this act shall apply to Warren County only. Application of act.

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

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

Ratified this the 5th day of February, A. D. 1915.

CHAPTER 91.

AN ACT TO PROTECT THE PUBLIC ROADS OF GREENE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons to place or put any obstructions of any kind or nature in any of the drains or side-ditches across or alongside of any of the public roads of Greene County so as to in any manner impede, interfere with, hinder, or obstruct the free flowing of water in and along said drains or ditches alongside of said public roads. Placing obstructions in drains forbidden.

SEC. 2. That the placing or putting into any of the said drains or ditches alongside of any of said public roads by any person or persons any timber, logs, chunks, sticks, straw, brush, dirt, or any such or like substance, or the digging down the embankment dirt into said drain or ditch, or allowing or permitting the dirt by plowing or cultivating any land or field to be emptied or dragged into said drain or ditch shall constitute an obstruction to said drain or ditch within the meaning of this act. Obstructions defined.

SEC. 3. That any person violating the provisions, or any of them, of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than five dollars nor more than fifty dollars for each offense, or imprisoned not exceeding thirty days for each offense: *Provided*, that if any landowner or tenant alongside of any public road desires ingress and egress to his field or land from any such public road, and finds it necessary to temporarily obstruct any part of said drain or ditch, and does so place obstruction therein, if he shall, immediately after the use of said obstruction, remove the same from the said drain or ditch and at once repair the said drain or ditch and place it in as good condition for the free flowing of water therein as it was before he placed said obstruction therein, and shall not permit the said obstruction to remain in said ditch or drain during the nighttime, then the penalty provided for in this section shall not apply. Misdemeanor. Punishment. Proviso: temporary obstructions.

to such person; but upon the failure to comply with this proviso the full penalty shall apply as in case of any other person being convicted of obstructing said drain or ditch.

Application of act.

SEC. 4. That this act shall apply to Greene County only.

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

Ratified this the 9th day of February, A. D. 1915.

CHAPTER 92.

AN ACT TO AMEND CHAPTER 659, PUBLIC-LOCAL LAWS OF 1913, AND TO REPEAL CHAPTER 75, PUBLIC-LOCAL LAWS OF THE EXTRA SESSION OF 1913, WHICH IS AN AMENDMENT TO CHAPTER 659, PUBLIC-LOCAL LAWS OF 1913, RELATIVE TO HUNTING GAME IN LINCOLN COUNTY.

The General Assembly of North Carolina do enact:

Close season.

SECTION 1. That chapter six hundred and fifty-nine, Public-Local Laws of nineteen hundred and thirteen, being an act relative to game hunting in Lincoln County, is hereby amended by striking out the word "January" wherever it appears in said act and substituting the word "February" therefor.

Hunting on owned land.

SEC. 2. That chapter seventy-five, Public-Local Laws, extra session of nineteen hundred and thirteen, being an amendment to chapter six hundred and fifty-nine, Public-Local Laws of nineteen hundred and thirteen, is hereby repealed.

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

Ratified this the 9th day of February, A. D. 1915.

CHAPTER 93.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF TYRRELL COUNTY TO LEVY A SPECIAL TAX.

The General Assembly of North Carolina do enact:

Special tax authorized.

SECTION 1. That the board of commissioners of Tyrrell County be and it is hereby authorized and empowered to levy a special tax on all taxable property and polls of said county during the years nineteen hundred and fifteen and nineteen hundred and sixteen, not exceeding in any one year ten cents on the one hundred dollars valuation of property and thirty cents on polls, observing the constitutional equation in levying said tax, for the pur-

Limit of rate.
Constitutional equation.

pose of building and repairing bridges in said county, paying Purposes.
jurors, and supplementing the poor fund, or for any of said pur-
poses.

SEC. 2. Said tax shall be levied, collected, and accounted for Levy and collec-
as other county taxes are, and should there be a surplus remain- tion.
ing in the hands of the county treasurer in any one year not Surplus to gen-
needed for the above purposes, the same shall be turned over to eral fund.
the general county fund.

SEC. 3. That this act shall be in force from and after its rati-
fication.

Ratified this the 8th day of February, A. D. 1915.

CHAPTER 94.

AN ACT TO ALLOW THE COMMISSIONERS OF RUTHER- FORD COUNTY TO LEVY A SPECIAL TAX FOR BRIDGE PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. The board of commissioners of Rutherford County Special tax
are hereby authorized to levy a special tax of not exceeding authorized.
twenty (20) cents on the one hundred dollars (\$100) worth of Limit of rate.
property for the purpose of building bridges in Rutherford County, Purpose of tax.
and paying for bridges already constructed or contracted for; said Years of levy.
tax to be levied for the years one thousand nine hundred and
fifteen (1915) and one thousand nine hundred and sixteen (1916).

SEC. 2. That this act shall be in force from and after its rati-
fication.

Ratified this the 9th day of February, A. D. 1915.

CHAPTER 95.

AN ACT TO VALIDATE CERTAIN ACKNOWLEDGMENTS AND EXAMINATIONS OF L. G. SHELL, A NOTARY PUB- LIC IN AND FOR THE COUNTY OF HALIFAX, STATE OF NORTH CAROLINA.

Whereas L. G. Shell, a notary public in and for the county of Preamble.
Halifax, State of North Carolina, residing in the town of Rose-
mary, while a stockholder and director of the Rosemary Banking
and Trust Company, did take the acknowledgments and probates
of certain deeds, deeds of trust, mortgages, and other instruments,
and did take the private examinations of certain married women

prior to the thirteenth day of January, one thousand nine hundred and thirteen, on instruments in which said Rosemary Banking and Trust Company was interested: Now, therefore,

The General Assembly of North Carolina do enact:

Probates validated.

SECTION 1. That all such acknowledgments, probates, and examinations be and the same are hereby validated, confirmed, and made legal, binding, and regular, in so far as such acknowledgments, probates, and examinations are irregular and void on account of the interest of said notary public in said Rosemary Banking and Trust Company: *Provided*, that this act shall not affect vested rights or apply to any pending litigation.

Proviso: vested rights and pending actions not affected.

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

Ratified this the 9th day of February, A. D. 1915.

CHAPTER 96.

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF STOKES COUNTY TO LEVY SPECIAL TAXES.

The General Assembly of North Carolina do enact:

Special tax authorized.

SECTION 1. That the board of county commissioners of Stokes County be and it is hereby authorized and empowered at the time of levying the general State and county taxes for said county for the year one thousand nine hundred and fifteen and at such time in each succeeding year thereafter as said board of commissioners may find to be necessary for such purpose, to levy an additional special tax on all taxable property and polls therein for the purpose of paying off and discharging the indebtedness of Stokes County incurred in the construction and erection of necessary public bridges in said county, which special levy shall not exceed in any one year the sum of twenty-five cents on each one hundred dollars valuation of taxable property and seventy-five cents on each taxable poll therein; and that in making such levy or levies the constitutional equation between property and polls shall always be observed and maintained.

Years of levy.

Purpose of tax.

Limit of rate.

Constitutional equation.

Collection and settlement.

Sheriff liable on bond.

Treasurer liable on bond.

SEC. 2. That the said special taxes hereinbefore recited shall be collected by the sheriff of said county in the same like manner as other taxes, whose official bond shall be liable therefor as for other county taxes, and he shall pay over the same to the county treasurer in like manner as other county taxes are paid.

SEC. 3. That said county treasurer shall receipt for said special taxes and be liable on his official bond for the same as for other

taxes, and shall use the same for the payment of said bridge debt, with interest thereon, together with the costs and charges incident to the collection and disbursement thereof. Specific appropriation.

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.

Ratified this the 9th day of February, A. D. 1915.

CHAPTER 97.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF ASHE COUNTY TO LEVY A SPECIAL TAX FOR THE PURPOSE OF BUILDING BRIDGES.

The General Assembly of North Carolina do enact:

SECTION 1. The board of commissioners of Ashe County are hereby authorized and empowered to cause to be erected across the North and South forks of New River either wooden or metal bridges, in their discretion, and at such points as it may appear to them necessary, and upon such terms and conditions as they may deem best. Building of bridges authorized.

SEC. 2. That said board of commissioners are hereby authorized to levy a special tax, at the time for levying the other taxes for said county, not to exceed twenty-five cents on the one hundred dollars valuation of property, for the purpose of defraying the expenses of erecting said bridges. Special tax.
Limit of rate.

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

Ratified this the 9th day of February, A. D. 1915.

CHAPTER 98.

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF GREENE COUNTY TO ISSUE BONDS TO REFUND CERTAIN BONDS OF SAID COUNTY HERETOFORE ISSUED IN BEHALF OF CERTAIN TOWNSHIPS THEREIN.

Whereas the board of county commissioners of Greene County, under authority of and in accordance with the provisions of chapter one hundred and twenty-two of the Public Laws of North Carolina, session of one thousand nine hundred and thirteen, has Preamble.

Preamble. issued certain bonds for the improvement of roads in certain townships therein; and whereas it is deemed to be to the best interests of said county to refund said bonds: Now, therefore,

The General Assembly of North Carolina do enact:

Bonds to be refunded.

Snow Hill township.

Shine township.

Olds township.

Ormonds township.

Bull Head township.

Jason township.

Issue of refunding bonds authorized.

Date of new bonds.

Interest.

Denominations.

Maturity.

Proviso: limit of time.

Authentication.

SECTION 1. That the board of commissioners of Greene County, for the purpose of refunding following described issues of its coupon bonds, towit, an issue in the aggregate sum of twenty thousand dollars, maturing May first, one thousand nine hundred and thirty-four, issued for and on behalf of Snow Hill Township; also an issue in the aggregate sum of ten thousand dollars maturing May first, one thousand nine hundred and forty-four, issued for and on behalf of Shine Township; also an issue in the aggregate sum of twenty thousand dollars maturing May first, one thousand nine hundred and fifty-four, issued for and on behalf of Olds Township; also an issue in the aggregate sum of twenty thousand dollars, maturing May first, one thousand nine hundred and fifty-four, issued for and on behalf of Ormonds Township; also an issue in the aggregate sum of twenty thousand dollars maturing May first, one thousand nine hundred and fifty-four, issued for and on behalf of Bull Head Township; also an issue in the aggregate sum of ten thousand dollars maturing May first, one thousand nine hundred and fifty-four, issued for and on behalf of Jason Township, all of said bonds bearing date of May first, one thousand nine hundred and fourteen, with interest at five per cent per annum, payable semiannually, in denominations of five hundred dollars, and issued for the purpose of improving roads in said townships, be and they are hereby authorized to issue for the purpose of refunding said several issues of bonds, by and with the consent of the holders of said bonds now outstanding, the coupon bonds of said county for and on behalf of the said several townships in amounts equal to the amount of bonds now outstanding and for and on behalf of the respective townships as hereinbefore set forth, all of which bonds so to be issued shall bear such date as shall be specified by the board of county commissioners, bear interest at five per cent per annum, payable semiannually, both principal and interest to be payable at such place as the board of county commissioners shall determine, in denominations of not less than five hundred dollars or more than one thousand dollars each, be numbered consecutively and made to mature serially in such amounts and at such dates, without option of prior payment, as may be deemed by the board of county commissioners advisable: *Provided, however,* that none of said bonds shall mature more than nineteen years from and after the date thereof.

SEC. 2. The said bonds shall be signed by the chairman of the board of county commissioners and attested by the official seal

and signature of the register of deeds of said county, and the coupons may be executed by the facsimile signatures of said officers. The said refunding bonds issued for and on behalf of any of said townships may be exchanged for a like amount of the outstanding bonds issued for and on behalf of said townships.

Exchange of bonds.

SEC. 3. That the county commissioners of said county are authorized and directed to levy taxes to provide for the payment of said bonds and interest thereon, as provided in said chapter one hundred and twenty-two of the Public Laws of the session of one thousand nine hundred and thirteen, and all taxes heretofore levied and collected for the payment of said bonds dated May first, one thousand nine hundred and fourteen, and now in the hands of the county treasurer, shall be used for the payment of the bonds herein authorized as the same shall mature, and for no other purpose.

Special taxes.

Taxes heretofore collected.

SEC. 4. All provisions of chapter one hundred and twenty-two of the Public Laws of the session of one thousand nine hundred and thirteen which are not in conflict herewith shall remain and be in full force and effect: *Provided, however*, that nothing in this act shall be construed to require the authorization of said refunding bonds by a vote of the electors of said townships.

Act continued in force.

Proviso: election not required.

SEC. 5. This act shall be in full force and effect from and after its ratification.

Ratified this the 10th day of February, A. D. 1915.

CHAPTER 99.

AN ACT TO REPEAL CHAPTER 84 OF THE PUBLIC-LOCAL LAWS OF THE EXTRA SESSION OF 1913, RELATIVE TO JACKSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter eighty-four of the Public-Local Laws of the extra session of one thousand nine hundred and thirteen, being an act "to amend the road laws of Jackson County so as to allow trustees to cross township lines and build, construct, and maintain public roads through adjoining townships under certain circumstances, and for other purposes," ratified the sixth day of October, one thousand nine hundred and thirteen, be and the same is hereby repealed.

Authority to cross township lines rescinded.

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

Ratified this the 10th day of February, A. D. 1915.

CHAPTER 100.

AN ACT TO AMEND CHAPTER 586, PUBLIC-LOCAL LAWS OF 1911, SO AS TO AUTHORIZE THE LEE COUNTY HIGHWAY COMMISSION TO EMPLOY A SUPERINTENDENT WHO IS NOT AN ENGINEER.

The General Assembly of North Carolina do enact:

Requirement rescinded.

SECTION 1. All of section seventeen in chapter five hundred and eighty-six, Public-Local Laws one thousand nine hundred and eleven, after the words "road builder" in line seventeen is hereby stricken out.

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

Ratified this the 10th day of February, A. D. 1915.

CHAPTER 101.

AN ACT TO ABOLISH THE OFFICE OF COUNTY TREASURER IN CERTAIN COUNTIES.

The General Assembly of North Carolina do enact:

Abolished in Vance and Person.

SECTION 1. That the office of county treasurer in the counties of Vance and Person be abolished at the expiration of the present terms of the treasurers now in office.

Banks as financial agents.

SEC. 2. That the board of county commissioners in each county specified in this act is hereby authorized, empowered, and directed to appoint one or more solvent banks or trust companies located in its county as a depositary and financial agent, or depositaries and financial agents for said county for a term of two years.

Banks named for Person county.

That as to Person County, it shall be the duty of the board of county commissioners to arrange with the two banks located in Roxboro to act jointly as financial agents, in lieu of the county treasurer.

Banks to perform duties. Proviso: compensation.

SEC. 3. That the banks or trust companies so appointed shall perform the duties required by law of the county treasurer: *Provided*, that such banks or trust companies shall not charge or receive any compensation for their services as county financial agents other than such advantages or benefits as may accrue to them from the deposit of the county funds in the regular course of banking.

Banks to give bond.

SEC. 4. That any bank or trust company acting as financial agent of the county shall be required to execute the same bond as the law requires of the county treasurer for the safe keeping,

proper disbursing and accounting of such county funds as may come into its possession, and for the faithful discharge of such duties as are required by law of county treasurers.

SEC. 5. That the sheriffs of the counties specified in section one of this act are hereby authorized and directed to deposit all county funds in the banks or trust companies designated as depositories and financial agents for their respective counties. Deposit of county funds.

SEC. 6. That all laws and clauses of laws in conflict with this act are hereby repealed. Repealing clause.

SEC. 7. That this act shall be in force and effect on and after the first Monday in December, one thousand nine hundred and sixteen. When act effective.

Ratified this the 10th day of February, A. D. 1915.

CHAPTER 102.

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF STOKES COUNTY TO BUILD A PUBLIC BRIDGE AND TO AUTHORIZE THE PERMANENT ROADS COMMISSIONERS OF MEADOWS TOWNSHIP IN SAID COUNTY TO BUILD FILLS TO THE APPROACHES OF CERTAIN BRIDGES.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Stokes County shall proceed as soon as may be to employ a competent engineer or surveyor to make plans and specifications for a steel bridge across Buffalo Creek at a point on the public road leading from Germanton to the railroad station on the east side of said creek, and that the said board of county commissioners shall erect and construct in accordance with said specifications and plans, at a suitable place, a suitable and efficient modern steel bridge, and suitable steel approaches thereto, over said stream, at the expense of the county of Stokes, out of funds available therefor, by a loan to said county of Stokes, or from the collection of taxes levied specially for bridge purposes, and to be completed not later than December thirtieth, one thousand nine hundred and fifteen. Employment of engineer.
Plans and specifications.
Location of bridge.
Bridge and approaches.
Time for completion.

SEC. 2. That the permanent roads commissioners of Meadows Township, Stokes County, shall proceed at once to build proper fills to the approaches to the public bridge across Townfork Creek near the town of Germanton, and pay for the same out of the funds now in the hands of the treasurer of said roads commission. That as soon as an additional span is placed to the public bridge across Neatman Creek near Germanton, as has already been ordered by the board of county commissioners of Stokes County, it Commissioners to build fills for approaches at Townfork creek.
Fills for bridge across Neatman creek.

Fills for bridge
across Buffalo
creek.

shall be the duty of said permanent roads commissioners of Meadows Township to proceed to build suitable fills to the approaches to said bridge, and pay for same out of funds now in the hands of their treasurer. That when a bridge shall have been built across Buffalo Creek in accordance with section one of this act, the permanent roads commissioners of Meadows Township shall proceed at once to build suitable fills to the approaches to said bridge, to be paid for out of the money that may come into the hands of the treasurer of said roads commission by virtue of chapter seven hundred and eighty-one of the Public Laws of North Carolina of one thousand nine hundred and seven, or any other act amending said act, and in case said fund is insufficient for said purpose, that they pay the deficiency out of any other moneys then in the hands of their treasurer, or that may thereafter come into his hands for roads purposes.

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.

Ratified this the 10th day of February, A. D. 1915.

CHAPTER 103.

AN ACT TO AMEND CHAPTER 172, PUBLIC-LOCAL LAWS, SPECIAL SESSION 1913, RELATIVE TO STOCK-LAW FENCE IN CLAY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and seventy-two, Public-Local Laws of special session of one thousand nine hundred and thirteen, section two, be amended by striking out all of section two and inserting in lieu thereof the following:

"SEC. 2. That the county commissioners of Clay County are hereby authorized to sell the fence that now exists between Clay and Cherokee counties, beginning at the Georgia line and running to Brasstown Creek; said sale to be at whatever place said commissioners may select, and not later than the first Saturday in April, one thousand nine hundred and fifteen; and the fund or funds received from the sale of said fence to be applied to the two roads in Brasstown Township on the road from Jenkins' Store to Warne and on the road from Jenkins' Store to the Hayesville Township line. Said funds to be expended by two men in said township appointed by the county commissioners, who shall receive not over two dollars per diem, and that said men shall receipt said commissioners for all funds turned over to them,

Sale of fence
authorized.

Time and place
of sale.

Application of
proceeds.

Expenditure of
funds.

and shall make to said commissioners an itemized statement of the expenditures of all funds turned over to them by said commissioners."

SEC. 2. That work on said roads shall begin within ten days from day of sale of said fence.

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

Ratified this the 10th day of February, A. D. 1915.

CHAPTER 104.

AN ACT TO PROVIDE GOOD ROADS IN CROSS ROADS TOWNSHIP, MARTIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That S. F. Everett, J. H. D. Peel, and J. Alexander Roebuck are hereby constituted a board of trustees for the public roads of Cross Roads Township in Martin County. That S. F. Everett shall hold the said position of trustee for six years, J. H. D. Peel for four years, and J. Alexander Roebuck for two years from the date of their qualification as hereinafter provided for. All vacancies caused by death, resignation, or otherwise shall be filled for the unexpired term by the remaining members of said board. That at the expiration of the term of any of said trustees their successors shall be elected by the qualified voters of Cross Roads Township at the same time and place and under the same rules and regulations as prescribed for the election of officers of the town of Everetts, in said township: *Provided*, that the position of trustee shall not constitute an office within the meaning of article seven, section fourteen, of the Constitution of North Carolina.

SEC. 2. That the said board of trustees and their successors shall be and are hereby constituted a body corporate by the name and style of "The Board of Road Trustees of Cross Roads Township," and by that name may sue and be sued, make contracts, acquire real and personal property by gift, purchase, or devise, hold, exchange, and sell the same, and exercise such other rights and privileges as are incident to other municipal corporations.

SEC. 3. That it shall be the duty of said board of trustees to take the control and management of all the roads of the said Cross Roads Township, including streets in the town of Everetts, as follows: Main and Railroad streets entire. And the said board of trustees are hereby vested with all the rights and powers for such control and management of same as are now vested in and exercised by the board of commissioners of Martin County and the governing body of the town of Everetts above named.

Road trustees named.

Terms of office.

Vacancies.

Election of successors.

Provido: position not an office.

Trustees incorporated.

Corporate name.

Corporate powers.

Control and management of roads.

Streets.

Rights and powers vested in trustees.

Appointment and salary of road superintendent. Delegation of powers.	SEC. 4. That for the purpose of carrying out the provisions of this act the said board of trustees shall annually appoint a road superintendent and fix his salary, and may delegate to said superintendent any power conferred in this act as said board of trustees may deem wise.
Organization of board.	The said board of trustees shall annually elect a chairman and secretary from among the members of said board, who shall hold office for one year and until their successors are elected and qualified; and said board shall elect a treasurer whose salary shall not exceed fifty dollars per annum and to be fixed by said board, who shall have charge of all road funds of said township, and shall require a bond of said treasurer, to be approved by said board, in an amount sufficient to cover all funds that may come into his hands.
Election and salary of treasurer.	
Bond of treasurer.	
Pay and term of superintendent.	SEC. 5. That the superintendent of roads as herein provided for shall be paid out of the road funds for said township, and said superintendent shall hold office for one year or until his successor shall be elected and qualified: <i>Provided</i> , that said superintendent may at any time be removed by said board, after ten days notice, when in the opinion of the board there exists good and sufficient cause for removal. It shall be the duty of said superintendent, subject to the approval of the board, to supervise, direct, and have charge of the construction and maintenance of all the public roads in Cross Roads Township, including the streets hereinbefore mentioned, and he shall submit to said board a weekly report concerning the work in progress and the moneys expended, and such other and further reports as may be required of him by said board of trustees. As a guarantee of the faithful and honest discharge of the duties of this office, the said board may require of said superintendent such bond as they may see fit.
Proviso: removal for cause.	
Duty of superintendent.	
Weekly reports.	
Further report.	
Bond of superintendent.	
Purchase of equipment.	SEC. 6. That said board of trustees may purchase such machinery, teams, and other implements and tools as may be needed for the proper working, construction, and maintenance of the roads of said township and the streets hereinbefore mentioned, and may exercise such other powers and privileges as may be needed for carrying out the purposes and provisions of this act.
Other powers and privileges.	
Entry on land for material.	SEC. 7. That the superintendent of roads of Cross Roads Township is hereby authorized to enter upon any uncultivated lands near to or adjoining any public road of said township, to cut and carry away timber, except trees or groves on improved lands planted or left for shade or ornament; to dig or cause to be dug and carried away any gravel, sand, clay, dirt, or stone which may be necessary to construct, improve, or repair or maintain such roads, and enter upon any land adjoining or lying near such roads in order to make such drains or ditches through the same as he may deem necessary for the betterment of the road, and the drains and ditches so made shall not be obstructed by the occupants of such lands or any other person, and any person obstructing such
Drains or ditches.	
Obstructing drains or ditches a misdemeanor.	

drain or ditch shall be guilty of a misdemeanor and fined not exceeding fifty dollars or imprisoned not more than thirty days. If the owner of any lands from which timber, stone, clay, sand, gravel, or dirt were taken as aforesaid shall present an account for the same to said board of trustees within thirty days after the taking thereof, it shall be the duty of the said board of road trustees to pay for same at a fair price; and in case of any disagreement as to the value, the said board shall appoint one freeholder, the person claiming the damages a second, and these two a third, which said three freeholders shall assess said damage and report the same to said board of trustees.

Punishment.

Presentation and payment of accounts.

Arbitration of claims.

SEC. 8. That subject to the approval of the said board of trustees, the said superintendent of roads shall have the power to locate, relocate, or change any part of any public road in said township when in his judgment the same will prove advantageous to public travel. That when any person on whose lands the new roads or part of the road is to be located claims damages therefor, and within ten days makes petition to said board for a jury to assess the damages, the said trustees shall, within not less than thirty days after the completion of said roads, order a jury of three disinterested freeholders of Cross Roads Township to be selected and summoned by the sheriff of Martin County, as provided by law, who shall give said landowner forty-eight hours notice of the time and place when and where the said jury will meet to assess his damages; and said jury in considering the question of damages shall also take into consideration the benefits to the owner of the land, and if such benefits be considered equal to or greater than the damage sustained, the jury shall so declare; and it shall report its findings in writing to said trustees for revision and confirmation: *Provided*, that such owner may appeal to the Superior Court of Martin County from the decision of said trustees.

Location and changes of roads.

Assessment of damages.

Notice to land-owners.

Benefits to be considered.

Proviso: right of appeal.

SEC. 9. That the said board of road trustees shall be and they are hereby authorized and empowered to issue bonds of said Cross Roads Township, to be styled "Cross Roads Township Road Bonds," to an amount not to exceed thirty thousand dollars, of such denomination and of such proportion as said board may deem advisable, bearing interest from the date of issue at a rate not exceeding six per cent per annum, with interest coupons attached, payable annually or semiannually, as may be deemed wise, at such time or times and at such place or places as may be deemed advisable by said board; said bonds to be signed by the chairman and the secretary of said board, and to be of such form and tenor, and transferable in such way, and the principal thereof payable or redeemable at such time or times, not exceeding thirty years from the date thereof, and at such place or places as the said board of trustees may determine; none of said bonds shall be disposed of

Bond issue authorized.

Entitlement of bonds.

Amount.

Denomination.

Interest.

Authentication.

Maturity.

Sale below par forbidden.

Issue.	for a less price than their par value, and the said bonds may be issued at such time or times and in such amount or amounts as
Obligation of bonds.	may be deemed best to meet the expenditures provided for in this act. The liability for the payment of said bonds, together with all interest that may be due thereon, shall be attached to and imposed upon the political division of Martin County known as Cross Roads Township, as constituted at the time of the ratification of this act.
Trustees to levy special tax.	SEC. 10. That for the purpose of providing a sinking fund for the payment of said bonds and the interest thereon, and for the construction, improvement, and maintenance of the public roads of said township, including the streets hereinbefore mentioned, the said board of road trustees and their successors in office shall annually on the first Monday in June, one thousand nine hundred and fifteen, and every year thereafter, levy and lay a special tax on all persons and property subject to taxation within the limits of Cross Roads Township of not more than thirty-three and one-third (33 $\frac{1}{3}$) cents on the one hundred dollars assessed valuation of real and personal property and not less than one dollar on each taxable poll. The taxes so levied shall be collected by a tax collector to be appointed by said board upon such terms as may be agreed upon, and said taxes so collected shall be paid to the treasurer of said board of trustees, who may require a bond as they may deem sufficient.
Limit of tax rate.	SEC. 11. That the provisions of all the preceding sections of this act, except section one, shall be submitted to a vote of the qualified voters of said Cross Roads Township at an election to be held on a day to be named by the board of county commissioners of Martin County. For the holding of said election the said county commissioners shall appoint a registrar and two poll-holders and any other officers necessary to said election, and the registration books of said township shall be delivered to said registrar by the register of deeds of Martin County. Said registrar shall revise said registration books so as to show only the names of persons entitled to vote in said township, and shall register all duly qualified voters applying for registration, whose names do not appear on said book. That the chairman of the board of commissioners for Martin County shall give notice of said election by publishing a notice thereof in the <i>Enterprise</i> for thirty days immediately preceding such election, and by posting a notice thereof at three public places in Cross Roads Township. At the close of said election said registrar and poll-holders shall count and canvass the votes cast and declare the result thereof, and shall report such canvass to the board of county commissioners, which said report shall be recorded in the minutes of said commissioners; and no other canvass, report, or recording shall be necessary. At said election all voters who shall favor the issue of bonds, the levy of the special tax, and the other provisions of this act, shall cast ballots on which shall be printed or written
Collection and settlement of taxes.	
Bond of treasurer.	
Act submitted to voters of township.	
Election officers.	
Registration.	
Advertisement of election.	
Canvass of votes.	
Report of canvass. Record.	
Ballots.	

"For Good Roads"; those opposed to such shall cast a ballot on which shall be written or printed "Against Good Roads." In all other respects said election shall be held and conducted in the manner prescribed for the election of members of the General Assembly. If a majority of the votes cast at said election shall be in favor of "For Good Roads," then said bonds shall be issued and said tax levied and the other powers and duties exercised as provided for in this act: *Provided*, that if a majority of the votes cast at said election shall be "Against Good Roads," said board of county commissioners shall order another election or elections to be held in the manner and with the same effect as above provided at any time within four years of the date of the first election, when requested to do so by said board of trustees.

Law governing election.

Effect of election.

Proviso: subsequent election.

SEC. 12. That all funds derived from the sale of any bonds by said board of trustees and all taxes collected hereunder shall be paid over to the treasurer of said board of trustees, and shall be used for the purpose of constructing, improving, and maintaining the public roads in said township and the streets hereinbefore mentioned, the purchase of such material, team, machinery, and implements, and the employment of such officers and labor as may be found necessary in the carrying out of this work.

Specific appropriation of funds.

SEC. 13. That the said trustees hereinbefore named shall have exclusive control of all the bridges on all the roads of said township, and no ditch shall be cut across any of the roads of said township by any person or persons, firm or corporation, without the consent and approval of a majority of said trustees.

Control of bridges.

Ditches across roads.

SEC. 14. That in the working and construction and maintenance of said roads, either convict labor or hired labor, or both, may be used, as may be ordered by the said board of trustees.

Convict or hired labor.

SEC. 15. That all laws and parts of laws in conflict with the provisions of this act, so far as they relate to Cross Roads Township, are hereby repealed.

SEC. 16. That this act shall be in force from and after its ratification.

Ratified this the 11th day of February, A. D. 1915.

CHAPTER 105.

AN ACT TO AMEND CHAPTER 716 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATING TO LAYING OUT AND WORKING PUBLIC ROADS IN BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter seven hundred and sixteen of the Public-Local Laws of one thousand nine hundred and thirteen, entitled

Proviso: county commissioners may regulate prison garb.

“An act to amend chapter eighty of the Public-Local Laws of North Carolina, session one thousand nine hundred and nine, relative to laying out and working public roads of Buncombe County,” be and the same is hereby amended by striking out the period and placing a comma after “camps” in the last line of section six of said chapter, and adding: “*Provided*, that the board of county commissioners of Buncombe County may regulate and designate the prison garb worn by the prisoners in the county jail and on the public roads in said county, and may under such rules and regulations as the board prescribes from time to time prohibit clothing prisoners in said county in stripes; and said board of county commissioners may, in its discretion, abolish the use of striped prison clothing or garb in said county of Buncombe altogether.”

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

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

Ratified this 12th day of February, A. D. 1915.

CHAPTER 106.

AN ACT TO AMEND THE PROVISIONS OF SECTION 1, CHAPTER 181, PUBLIC LAWS OF 1913, RELATIVE TO PUBLIC HEALTH, IN SO FAR AS IT APPLIES TO JOHNSTON COUNTY.

The General Assembly of North Carolina do enact:

Proviso: compensation of county health officer.

SECTION 1. That section one, chapter one hundred and eighty-one, Public Laws of one thousand nine hundred and thirteen, relating to public health, be and the same is hereby amended by inserting between the words “county” and “That,” in line nineteen, the following: “*Provided, however*, that the compensation of the county physician, county health officer, or superintendent of health shall in no event exceed one thousand dollars per annum, except by and with the consent and approval of the board of county commissioners, who may fix such compensation in excess of one thousand dollars as they may deem just and proper.”

Repealing clause.

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

Application of act.

SEC. 3. That this act shall only apply to Johnston County and shall be in force and effect from and after its ratification.

Ratified this the 12th day of February, A. D. 1915.

CHAPTER 107.

AN ACT TO AMEND CHAPTER 586, PUBLIC-LOCAL LAWS OF NORTH CAROLINA OF 1911, SO AS TO PERMIT THE HIGHWAY COMMISSION OF LEE COUNTY TO DESIGNATE A BANK TO ACT AS TREASURER OF THE ROAD FUND.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and eighty-six of the Public-Local Laws of North Carolina of one thousand nine hundred and eleven be and the same is hereby amended by inserting after the last word in section seven thereof, as a part of said section, the following: "*Provided further*, that instead of turning over the funds from such sale of bonds to the treasurer of Lee County, the highway commission may designate some reliable incorporated bank or banks to act as treasurer of said fund, without compensation, instead of the treasurer of the county; and upon the giving of a bond in the usual form, payable to the county of Lee as herein prescribed for the treasurer, the highway commission shall turn over to the said bank or banks the proceeds of said sale of bonds; and the said bank or banks shall keep and disburse said funds in all respects as herein required of the county treasurer, and to keep such accounts and make such reports as are required of said treasurer.

Proviso: bank may be designated as treasurer.

Bank to give bond.

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

Ratified this the 12th day of February, A. D. 1915.

CHAPTER 108.

AN ACT TO AMEND CHAPTER 115 OF THE PUBLIC-LOCAL LAWS OF 1911, AND CHAPTER 90 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATIVE TO PUBLIC ROADS IN MACON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the word "four" be stricken out and the word "three" be substituted in lieu thereof, and the word "two" be stricken out and the word "three" be substituted in lieu thereof wherever they occur in section eight of chapter one hundred and fifteen of the Public-Local Laws of nineteen hundred and eleven.

Road duty.

Commutation.

SEC. 2. That before any new road shall be constructed in Macon County the road trustees of the township in which said road is to be located, or the county commissioners of said county, if the proposed road be in more than one township, shall cause a jury

Jury to condemn right of way and assess damages.

of three freeholders to view out and condemn the right of way of the proposed road on the adopted survey, and assess such damage to the property owner as is just and reasonable, as the first eleven lines of section four of chapter one hundred and fifteen of the Public-Local Laws of nineteen hundred and eleven require: *Provided*, that in case an appeal is taken, nothing herein shall impede or stop the construction of the proposed road.

Proviso: appeal not to delay work.

Damages from township road funds.

SEC. 3. That all damages paid by reason of the construction of new roads shall be paid by the road trustees or highway commission out of the road funds of the township in which said damage is sustained, and not out of the county funds as required by section four of chapter one hundred and fifteen of the Public-Local Laws of nineteen hundred and eleven, and section twenty-one of chapter ninety of Public-Local Laws of nineteen hundred and thirteen, and section sixteen of chapter one hundred and ninety-seven of Public-Local Laws of nineteen hundred and thirteen; and any damage which may have been paid under the provisions of chapter one hundred and ninety-seven, section six, of Public-Local Laws of nineteen hundred and thirteen, shall be refunded by said highway commission of Franklin Township to said county of Macon out of the Franklin Township road funds.

Damages paid by county to be refunded.

SEC. 4. That section six of chapter one hundred and fifteen of Public-Local Laws of nineteen hundred and eleven be amended by adding the following between the words "day" and "that" in line fourteen, viz.: "*Provided*, that if said road trustees shall deem it proper and advisable, they may and are hereby authorized and empowered to sell out the road making and repairing in their respective townships to the lowest responsible bidder, who shall be termed the supervisor of the township or road district, as the case may be, said sale to be advertised for ten days by notices at three public places in said township. The free labor allotted to said supervisor shall be counted in and charged to said supervisor as first money paid. The trustees shall not settle in full with said supervisor until their requirements outlined on day of sale relative to the condition of the roads, quality of labor, etc., have been complied with.

Proviso: work may be let to contract.

Labor charged as money.

Settlements.

SEC. 5. The secretary and treasurer of the road trustees or highway commission of the various townships shall keep an itemized record of the receipts and disbursements of the road fund in his township, which shall at all times be open for inspection.

Accounts of road funds.

Accounts open for inspections. Application of act.

SEC. 6. That sections two and four of this act shall not apply to Franklin, Cowee, Cartoogechaye, Ellijay, and Smiths Bridge townships.

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 from and after its ratification.

Ratified this 12th day of February, A. D. 1915.

CHAPTER 109.

AN ACT TO REPEAL CHAPTER 154, PUBLIC LAWS OF THE SESSION OF 1907, RELATIVE TO THE MANNER OF WORKING THE SAND-CLAY ROAD FROM KENANSVILLE TO MAGNOLIA.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and fifty-four of the Public Laws of North Carolina of one thousand nine hundred and seven be and the same is hereby repealed. Law repealed.

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

Ratified this the 11th day of February, A. D. 1915.

CHAPTER 110.

AN ACT TO EXTEND THE TIME FOR SETTLEMENT OF P. P. MARSH, EX-COUNTY TREASURER OF ANSON COUNTY.

Whereas, upon the twenty-eighth day of October, one thousand nine hundred and fourteen, P. P. Marsh, county treasurer of Anson County, had upon deposit in the Southern Savings Bank of Wadesboro, North Carolina, as such treasurer, the sum of two thousand two hundred and twenty-five hundredths dollars, which sum had not been commingled with his own funds or used for his own benefit, but were deposited in good faith as county treasurer, of which sum one thousand thirty-five and sixty-three hundredths dollars belonged to the general county fund; five hundred dollars to the Lanesboro Precinct, Number Two, road fund; five hundred sixty-one and twenty hundredths dollars to the county road fund, and one hundred three and forty-two hundredths to the county school fund; and upon said date the State bank examiner took charge of said bank and a receiver has been appointed for the same, and its affairs are in such condition as to require at least two years to liquidate said institution; and said P. P. Marsh has assigned said deposit in the sum of two thousand two hundred and twenty-five hundredths dollars to S. H. Gaddy, his successor as treasurer of Anson County: Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the time for the final settlement of P. P. Marsh, ex-treasurer of Anson County, and for paying over the sums set forth in the premises of the several funds therein described, be Time for settlement extended.

and the same is hereby deferred to the first Monday in February, one thousand nine hundred and seventeen, and final settlement for said amounts and payment of the same shall not be required of said ex-treasurer before or until the first Monday in February, one thousand nine hundred and seventeen.

Dividends apportioned.

SEC. 2. When dividends may be paid to the treasurer of Anson County upon the deposit assigned to him as set forth in the premises, he shall apportion the same to the several funds which are entitled to receive the same.

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

Ratified this the 12th day of February, A. D. 1915.

CHAPTER 111.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO CREATE A HIGHWAY COMMISSION FOR WARRENTON TOWNSHIP IN THE COUNTY OF WARREN," BEING HOUSE BILL 88, SENATE BILL 180, RATIFIED JANUARY 28, 1915.

The General Assembly of North Carolina do enact:

Act amended.

SECTION 1. That an act entitled "An act to create a highway commission for Warrenton Township in the county of Warren," being House bill eighty-eight, Senate bill one hundred and eighty, ratified January twenty-eighth, one thousand nine hundred and fifteen, be amended by adding in section seven, line fourteen (enrolled act), after the word "collected," the words "in said township."

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

Ratified this the 12th day of February, A. D. 1915.

CHAPTER 112.

AN ACT TO AMEND CHAPTER 269 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATIVE TO ROAD LAW IN DILLSBORO TOWNSHIP IN JACKSON COUNTY.

The General Assembly of North Carolina do enact:

Trustees named.

SECTION 1. That chapter two hundred and sixty-nine, section five, be amended as follows: Immediately after the word "Bryson" in line two of said act, insert the following: "E. B. Monteith and John M. Leatherwood," and in line four strike out the word "six"

and insert in lieu thereof the word "two," and in line six strike out the word "six" and insert the word "two," and strike out all after the word "county" in line six to and including the word "party" in line eight of said section.

Term of office.

Party affiliation.

SEC. 2. That section six of said chapter be amended by inserting after the word "dollars" in line ten and before the word "of" in said line ten, the following: "that the fifteen thousand dollars (of the thirty thousand dollars authorized to be issued and sold) of said bonds remaining unissued and unsold cannot be issued and sold until the said board of road trustees of Dillsboro Township shall have been petitioned in writing to issue and sell the same, said petition being signed by at least a majority of the qualified voters of said township, which said petition shall be filed with the board of said road trustees for Dillsboro Township and be copied upon the records of said board of road trustees and made a part of the permanent records of said board."

Sale of bonds.

Petition for issue.

Filing and record of petition.

SEC. 3. That section seven of said act be amended by striking from said section all of the words after the word "taxes" in line thirty of said section, and insert in lieu thereof the following: "shall be applied to a sinking fund for the redemption of said bonds at maturity, or before maturity if said bonds can be redeemed at par, and that said redemption fund shall be deposited in some bank at interest at four per cent or more, compounded each four or six months."

Sinking fund.

SEC. 4. That section eleven of said chapter be amended as follows: That after the word "intervals" in line nine and before the word "as" in said line nine, insert the following: "at least once each month on a certain day in each month," and that said section eleven be further amended by adding at the end of said section the following: "that all meetings, whether regular or special, shall be deemed public meetings, at which time any person interested may attend, and that the records of said meetings and all other records of the board of road trustees for Dillsboro Township shall be deemed public records and subject to the inspection of any person interested."

Meetings of executive committee.

Meetings public.

Records open for inspection.

SEC. 5. That said chapter two hundred and sixty-nine be further amended by adding after section twenty-two thereof the following sections:

Per diem and mileage.

"SEC. 23. That the executive committee of the board of road trustees of Dillsboro Township shall be entitled to the same per diem and mileage as the board of commissioners of Jackson County.

"SEC. 24. That within thirty days after the ratification of this act the said E. B. Monteith and John M. Leatherwood shall qualify as members of the board of road trustees of Dillsboro Township, and that the said board of road trustees of Dillsboro Township shall elect one of their number as chairman and also one of their

Trustees to qualify.

Organization.

number as secretary, and shall also elect a treasurer who shall hold office until the next regular annual meeting of said board of road trustees."

Repealing clause. SEC. 6. That all laws and parts of laws in conflict herewith are hereby repealed.

Application of act. SEC. 7. That this act shall apply only to Dillsboro Township in Jackson County, and to the board of road trustees in said township.

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

Ratified this the 12th day of February, A. D. 1915.

CHAPTER 113.

AN ACT TO REPEAL CHAPTER 596, PUBLIC-LOCAL LAWS OF 1913, REPEALING THE SALARY BILL FOR BRUNSWICK COUNTY.

The General Assembly of North Carolina do enact:

Law repealed. SECTION 1. That chapter five hundred and ninety-six of the Public-Local Laws of one thousand nine hundred and thirteen, the same being an act to fix salaries for the public officers of Brunswick County and to appoint an auditor for said county, be and the same is hereby repealed.

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.

Ratified this the 12th day of February, A. D. 1915.

CHAPTER 114.

AN ACT TO AMEND CHAPTER 469 OF PUBLIC-LOCAL LAWS OF 1913, RELATING TO THE PUBLIC ROADS IN CARTERET COUNTY.

The General Assembly of North Carolina do enact:

Township highway commissioners. SECTION 1. That chapter four hundred and sixty-nine of Public-Local Laws of one thousand nine hundred and thirteen be amended by striking out the words "one highway commissioner" in lines four and five of section four of said chapter and insert in lieu thereof the words "three highway commissioners."

SEC. 2. Strike out all of section four between the word "of" in line eight and the word "the" in line ten, and insert in lieu thereof

the following: "their respective townships, who shall serve without compensation, and at all times be subject to such rules and regulations as the county commissioners may prescribe from time to time, and may be dismissed for good cause."

Commissioners to serve without compensation.

SEC. 3. That section fifteen of chapter three hundred and thirty-two of Public-Local Laws of one thousand nine hundred and thirteen be added and made a part of this act and be numbered section seven and one-half.

Dismissal for cause.
Entry on lands and assessment of damages.

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.

Ratified this the 12th day of February, A. D. 1915.

CHAPTER 115.

AN ACT TO PROVIDE FOR BUILDING A BRIDGE OVER TOE RIVER, WHICH IS THE COUNTY LINE BETWEEN YANCEY AND MITCHELL COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That section two thousand six hundred and ninety-six of the Revisal of one thousand nine hundred and five be and the same is hereby amended by striking out the word "hundred" in line eleven and inserting in lieu thereof the word "thousand."

Limit of cost.

SEC. 2. That this act shall apply to the counties of Yancey and Mitchell only.

Application of act.

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.

Ratified this the 12th day of February, A. D. 1915.

CHAPTER 116.

AN ACT TO ALLOW THE QUALIFIED VOTERS OF PENDER COUNTY TO VOTE UPON THE QUESTION OF STOCK LAW OR NO STOCK LAW.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be the duty of the board of county commissioners of Pender County to call an election and submit the question of stock law or no stock law to the qualified voters

County commissioners to call election.

Date for election. of Pender County on Tuesday after the first Monday in November, nineteen hundred and fifteen, and if at such election a majority of the votes cast be in favor of stock law, then the provisions of chapter thirty-five, Revisal of nineteen hundred and five of North Carolina, relating to the stock law, shall be in force over the whole of Pender County from and after the first day of March, one thousand nine hundred and sixteen. But if at such election a majority of the votes cast be against stock law, then the provisions of section one thousand six hundred and sixty of chapter thirty-five of the Revisal of nineteen hundred and five, and any other sections in said chapter relating to fence law, shall be in full force and effect in said county from and after the first day of March, one thousand nine hundred and sixteen: *Provided further*, that this act shall not apply to any district or territory in said county under stock law prior to January first, one thousand nine hundred and twelve: *Provided further*, that if a majority of the votes cast in said election shall be against stock law, then in that event, and before the provisions of this act shall become operative, the board of commissioners of Pender County shall, at the expense of said county, erect and maintain a sufficient and substantial fence along the county line of said county, where stock law in the counties adjoining obtains.

Proviso: territory under stock law.

Proviso: county to erect fence.

Law governing election.

SEC. 2. That the election provided for under this act shall be held and conducted in accordance with section one thousand six hundred and seventy-six of chapter thirty-five of the Revisal of one thousand nine hundred and five of North Carolina.

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

Ratified this the 12th day of February, A. D. 1915.

CHAPTER 117.

AN ACT TO REGULATE THE DISTRIBUTION OF CERTAIN TAXES IN CHEOAH AND YELLOW CREEK TOWNSHIPS IN GRAHAM COUNTY.

Preamble. Whereas the citizens of Cheoah and Yellow Creek townships of Graham County are contemplating the voting and issuing of bonds to be applied to the building of a railroad into one or both of said townships; and whereas the other township of said county is not interested in said road: Now, therefore,

Preamble.

The General Assembly of North Carolina do enact:

Railroad taxes kept separate.

SECTION 1. That if a bond issue is voted by Cheoah and Yellow Creek townships, or either of them, to be applied to the building of a railroad into said townships, or either of them, then the

board of county commissioners are hereby authorized and directed to keep all county tax paid upon the property of said road, including the rolling stock and equipment of said road, whether owned and operated by said road or a lessee or lessees thereof, separate and apart from all other county taxes, and are authorized and directed to apply the said tax to the payment of said bonds and interest thereon, and for no other purpose.

Application of tax.

Sec. 2. That said county commissioners of Graham County shall apply all county tax collected from any road built by the assistance of said bond issue to the payment of said bond issue and interest thereon until said debt is paid; and after the said debt is paid, the said board of county commissioners shall apply the tax derived from said railroad property to the road and school funds of said Cheoah and Yellow Creek townships until said townships shall be fully reimbursed for all taxes paid by other property and polls in said townships, the same to be prorated between the said townships according to the amount of taxes paid by each township.

Apportionment of tax.

Sec. 3. That after said bonds are paid and said townships are fully reimbursed for all taxes levied against property, other than the railroad property, for the payment of said bonds and interest, then this act shall cease to be operative, and said tax shall be paid into the general county funds.

Tax to county after reimbursement of townships.

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

Ratified this the 12th day of February, A. D. 1915.

CHAPTER 118.

AN ACT TO ABOLISH THE OFFICE OF COUNTY TREASURER OF HOKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Hoke County is hereby authorized and empowered and directed to abolish the office of county treasurer of said county, and in lieu thereof to appoint one or more solvent banks or trust companies located in said county as financial agent for said county, which said bank or trust company shall perform the duties now performed by the treasurer of said county: *Provided*, that such bank or trust company shall not charge nor receive any compensation for the services, other than such advantage and benefit as may accrue from the deposit of the county funds in the regular course of banking. That this act is hereby intended to be and is mandatory upon the commissioners of Hoke County.

Appointment of banks as financial agents.

Proviso: compensation of banks.

Act mandatory.

Bank to give
bonds.

SEC. 2. That said bank or trust company appointed and acting as the financial agent of said county shall be appointed for a term of two years, and shall be required, at its or their own expense, to execute the same bonds for the safe keeping and proper accounting of such funds as may come into its possession and belonging to such county, and for the faithful discharge of its duties, as are now required by law of the county treasurer.

Present treasurer
not affected.
When act effect-
ive.

SEC. 3. That this act shall not apply to the present incumbent, who has already been inducted into office, but it shall be in full force and effect from and after the first Monday in December, one thousand nine hundred and sixteen.

Repealing clause.

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

When act effect-
ive.

SEC. 5. That this act shall be in full force and effect from and after the first Monday in December, one thousand nine hundred and sixteen.

Ratified this the 12th day of February, A. D. 1915.

CHAPTER 119.

AN ACT TO REPEAL CHAPTER 269 OF THE PUBLIC-LOCAL LAWS OF 1913 IN SO FAR AS IT APPLIES TO WEBSTER TOWNSHIP, JACKSON COUNTY.

The General Assembly of North Carolina do enact:

Law repealed.

SECTION 1. That chapter two hundred and sixty-nine of the Public-Local Laws of North Carolina of nineteen hundred and thirteen, being "An act to provide good roads in Sylva, Dillsboro, and Cullowhee townships in Jackson County, and to issue bonds," be and the same is hereby repealed in so far as it applies in any way to Webster Township.

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

Ratified this the 12th day of February, A. D. 1915.

CHAPTER 120.

AN ACT RELATIVE TO THE PAY OF JURORS OF CAMDEN COUNTY.

The General Assembly of North Carolina do enact:

Regular jurors.

SECTION 1. That all jurors who are summoned and who serve on the jury in the Superior Courts of Camden County shall receive one dollar and fifty cents per day for their services, and five cents

per mile each way, each day, and all tales jurors who serve shall receive one dollar per day and no mileage, and all jurors summoned in capital cases, and who serve as special veniremen, shall receive one dollar and fifty cents per day for their services and five cents per mile each day, each way; and those who were summoned and do not serve shall receive one dollar per day and no mileage.

Tales jurors.

Special veniremen serving.

Not serving.

SEC. 2. That this act shall only apply to Camden County.

Application of act.

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

Ratified this the 12th day of February, A. D. 1915.

CHAPTER 121.

AN ACT TO AMEND CHAPTER 251 OF THE PUBLIC LAWS OF 1911, RELATIVE TO THE PAY OF THE COMMISSIONERS OF ASHE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and fifty-one of the Public Laws of one thousand nine hundred and eleven be amended as follows: By striking out the word "three" and the figures "\$3.00" wherever the same appear in said chapter and inserting in lieu thereof the word "four" and the figures "\$4.00" respectively.

Per diem.

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

Ratified this the 12th day of February, A. D. 1915.

CHAPTER 122.

AN ACT FOR THE RELIEF OF S. D. MANN, CLERK SUPERIOR COURT OF HYDE COUNTY.

Whereas chapter sixty-eight of the Public-Local Laws of one thousand nine hundred and thirteen changed the pay of grand and petit jurors for Hyde County from one dollar and fifty cents per day, but made no provision for changing the per diem of tales jurors; and whereas several terms of court for Hyde County intervened between the enactment of the law providing for such change of per diem and the printing and distribution of the laws of said session of the General Assembly, and the clerk of the Superior Court of Hyde County having received no notice of the provisions of said act, except the notice thereof printed in the newspapers, has issued jury tickets to the tales jurors for same

Preamble.

Preamble.

amount per diem as for grand and petit jurors, and the county commissioners of Hyde County have allowed claims upon said tickets, which have been paid: Now, therefore,

The General Assembly of North Carolina do enact:

Acts validated.

SECTION 1. That the acts of S. D. Mann, clerk Superior Court of Hyde County, in issuing jury tickets to tales jurors of Hyde County in the manner and for amounts above set out, and the audit and approval of said tickets and allowance of claims therefor by the board of commissioners of Hyde County, be and they are hereby validated.

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

Ratified this the 12th day of February, A. D. 1915.

CHAPTER 123.

AN ACT TO AMEND CHAPTER 476 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATIVE TO THE PUBLIC ROADS OF MARION TOWNSHIP IN McDOWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and seventy-six of the Public-Local Laws of one thousand nine hundred and thirteen be amended by adding after section 11 the following, to wit:

Entry on lands.

“SEC. 11½. That said highway commission, or its agents, servants, and employees, are hereby authorized and empowered to enter into and upon any lands in said township for the purpose of laying out any new road or changing the present location of any road, or for the purpose of getting any rock, timber, sand, gravel, topsoil, or other material necessary to macadamize, improve, or repair the roads of said township; and if any person over whose land any road shall be constructed, altered, or changed, or from whose land any rock, timber, sand, gravel, topsoil, or other material may have been taken, he may file his claim in writing before said highway commission within sixty days from the completion of such road, or use of such material, setting forth his reasons why he claims damages, together with the amount of such claim, whereupon it shall be the duty of the clerk of the Superior Court of McDowell County, within sixty days, to appoint a jury of three disinterested freeholders of said township, of no relation to claimant, to view the premises and assess any damages resulting to claimant's land by reason of said change or location of said road, or taking material from off of such land, taking into consideration any benefit which may result to said claimant's

Claims for damages.

Proceedings for assessment of damages.

Benefits considered.

land, and report the said damages, or benefits, if any, they may find to the said highway commission: *Provided*, that the said claimant or the said highway commission may appeal to the Superior Court from said report: *Provided further*, that the filing of such claim before said highway commission for any damage sustained or to be sustained shall not have the effect to hinder or delay the construction of such road, but the said highway commission shall proceed with the building or changing such road and the taking of such material as above provided, as if no claim for damage had been filed.”

Proviso: right of appeal.

Proviso: work not delayed.

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

Ratified this the 12th day of February, A. D. 1915.

CHAPTER 124.

AN ACT TO INCREASE THE PAY OF JURORS IN ASHE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all jurors who are summoned and serve on the jury in the Superior Courts of Ashe County shall receive two dollars per day for their services and five cents per mile to and from the county-seat.

All jurors.

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.

Ratified this the 12th day of February, A. D. 1915.

CHAPTER 125.

AN ACT TO AUTHORIZE THE ISSUE OF ROAD BONDS IN PASQUOTANK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of improving and making more permanent the roads in Pasquotank County, the Pasquotank Highway Commission shall, and it is hereby authorized, empowered, and directed to submit to the vote of the qualified voters of Pasquotank County, on such day as may be fixed by it, after thirty days notice, the question of issuing two hundred and fifty thousand dollars in bonds; and they may require a new registration for such election.

Purpose of bond issue.

Highway commission to submit question to voters.

Notice of election.

New registration.

- Advertisement of election. SEC. 2. That the said election shall be advertised for thirty days immediately preceding the day of the election in some newspaper published in Pasquotank County, and the election shall be held under the rules and regulations provided for the election of State and county officers.
- Law governing election. SEC. 3. Those who are in favor of issuing bonds shall vote a written or printed ticket with the words "For Bonds" thereon, and those who are opposed shall vote a written or printed ticket with the words "Against Bonds" thereon.
- Tickets. SEC. 4. If the majority of the votes cast at such election shall be cast "For Bonds" the said Pasquotank Highway Commission shall be authorized and are hereby directed and empowered to issue bonds of said Pasquotank County, to be styled "Pasquotank County Road Bonds," to an amount not to exceed two hundred and fifty thousand dollars, of such denomination and of such proportion as the said highway commission may deem advisable, bearing interest from the date of issue thereof at a rate not exceeding six per cent per annum, with interest coupons attached, payable annually or semiannually, as may be deemed the best, at such time or times and at such place or places as may be deemed advisable by said highway commission; said bonds to be signed by the chairman and secretary of said highway commission, and to be of such form and tenor and transferable in such way, and the principal thereof payable or redeemable at such time or times not exceeding forty years from the date thereof, and at such place or places as said highway commission may determine. None of said bonds shall be disposed of for a less price than their par value, and the said bonds may be issued at such time or times and in such amount or amounts as may be deemed best to meet the expenditures provided for in the act creating the said Pasquotank Highway Commission and providing for the improvement and more permanent construction of the highways in Pasquotank County, together with the provisions of this act.
- Highway commission to issue bonds. SEC. 5. A record shall be kept by the said highway commission in a separate book for the purpose of showing all bonds sold, to whom sold, the amount and date of same, the maturity of each bond and its number; also in the same book shall be kept a like record of bonds redeemed, and bonds shall be destroyed after the same are redeemed.
- Entitlement of bonds. SEC. 6. That for the purpose of providing for the payment of said bonds and the interest thereon, and for the construction, improvement, and maintenance of the roads of said county, the board of county commissioners shall, annually, and at the time of levying the county taxes, levy and lay a special tax on all persons and property subject to taxation within the limits of said Pasquotank County of not more than thirty-five cents on the one hundred dollars assessed valuation of property and not more than one dollar
- Amount. Interest.
- Authentication. Maturity.
- Sale below par forbidden. Times of issue.
- Record of bonds. Special tax.
- Limit of tax.

and five cents on each taxable poll. The taxes so levied shall be collected and paid to the treasurer of said highway commission.

SEC. 7. Said tax, when collected, shall be kept separate and apart from all other taxes, and shall be used only for the purpose for which it was levied and collected. Any commissioner or other person who shall by vote or otherwise appropriate said taxes for any other purpose shall be guilty of a misdemeanor: *Provided*, that if the tax collected in any one year shall exceed the sum required for maintenance and to pay interest, the same may be used in purchasing any of the said bonds, provided the same can be purchased at par.

Taxes kept separate.

Specific appropriation.

Diversion of funds a misdemeanor.

Proviso: purchase of bonds.

Proviso: purchase at par.

SEC. 8. For the purpose of creating a sinking fund with which to pay the principal of said bonds when due, said highway commission shall, at and after the expiration of five years from the date of said election, set apart out of all funds received for road purposes, annually, a certain amount for the sinking fund. This amount to be set apart annually shall be determined by the number of years the bonds have to run, making a reasonable allowance for interest on the sinking fund.

Appropriation for sinking fund.

Determination of amount.

SEC. 9. That it shall be the duty of the Pasquotank Highway Commission to annually invest any and all moneys arising from the special tax and sinking fund in the purchase of said bonds at not more than par; but in case none of said bonds can be purchased, the said highway commission may deposit such funds in any safe bank or banks, at such rate of interest as it may be able to secure, but no bonds shall be signed until actually needed for issue.

Investment of sinking fund.

SEC. 10. That for the purpose of receiving and paying out the money received for said bonds, the bank acting as treasurer of said highway commission, as hereinbefore provided, shall act as trustee, to receive and pay out said money upon the order of the chairman of said highway commission, countersigned by the secretary of said highway commission, and said trustee shall receive no compensation for receiving or disbursing said money.

Bank as treasurer and trustee.

SEC. 11. That if at the election hereinbefore provided for a majority of the votes cast in said election shall be cast "Against Bonds" the said highway commission is hereby authorized, empowered, and directed to resubmit the question of issuing bonds as provided for in this act to the qualified voters of the county at another election, to be called under the provisions of this act relating to the first election hereinbefore provided for: *Provided*, that said election shall not be called later than April first, one thousand nine hundred and sixteen; and *Provided further*, that a new registration may be required.

Subsequent elections.

Proviso: limit of time.

Proviso: new registration.

SEC. 12. That the permanent roads to be built or improved by the highway commission shall be determined upon from time to time and designated by the highway commission, taking into con-

Roads selected for permanent improvement.

sideration the needs of the whole county and every part thereof, opening and improving those roads which, in its opinion, will be of benefit to the greatest possible number of people of the county and treating every section of the county with equal justice.

SEC. 13. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 14. That this act shall be in full force from and after its ratification.

Ratified this the 12th day of February, A. D. 1915.

CHAPTER 126.

AN ACT TO CREATE A HIGHWAY COMMISSION FOR THE COUNTY OF PASQUOTANK.

The General Assembly of North Carolina do enact:-

Highway commission.

Composition of board and election of members.

Incorporation.

Corporate powers.

Supervision and control of bridges and roads.

Terms of office.

Election and terms of successors.

Vacancies.

SECTION 1. That there shall be established in and for the county of Pasquotank a highway commission to be known as the Pasquotank Highway Commission, said highway commission to be composed of three citizens and taxpayers of Pasquotank County, North Carolina, all of said members to be appointed by the present General Assembly, one for the term of two years, one for the term of four years, and one for the term of six years; and said highway commission shall be and the same is hereby created a body corporate and politic, with a common seal and with the power to sue and be sued.

SEC. 2. That all public roads and bridges along or across the public roads shall be under the exclusive supervision and control of the Pasquotank Highway Commission; that all petitions for establishing, locating, changing, and discontinuing any public road, and all other matters in reference thereto, are by this act placed under the exclusive supervision and control of the Pasquotank Highway Commission.

SEC. 3. That the terms of office of the members of the Pasquotank Highway Commission shall begin on the first Monday in March, one thousand nine hundred and fifteen. The first one hereinafter named in this act shall hold office for two years, the one second named shall hold office for four years, and the one third named shall hold office for six years; and their successors shall hereafter be elected by the General Assembly of North Carolina at its biennial session, and their respective terms of office shall last for a term of six years and begin on the first Monday in March following their appointment.

SEC. 4. That upon failure of any member of the Pasquotank Highway Commission, now or hereafter appointed, to qualify, or in

case of the death or resignation of any member of said highway commission, said vacancy shall be filled by appointment made by the State Geologist of North Carolina.

SEC. 5. That all the duties hereinafter prescribed for the secretary of the Pasquotank Highway Commission shall be performed by the county auditor without additional compensation other than his regular salary; and wherever the term secretary shall be used in this act it shall apply and mean the auditor of said county: *Provided*, that the present treasurer of Pasquotank County shall act as secretary of the highway commission until the first Monday in December, one thousand nine hundred and sixteen, and for the extra duties herein imposed upon the said treasurer, who shall act as secretary for the said highway commission, he shall be paid a salary of twenty-five dollars (\$25) per month.

SEC. 6. It shall be the duty of the secretary of the highway commission to keep a complete record of all the acts and doings of the highway commission, showing the amount of money received for the use and benefit of the highway commission, and it shall be the duty of the secretary to keep the books and records of the county convict system and audit all bills for same and perform all and singular the clerical duties incident to the proper road management; and purchase, by bid, as herein provided, provisions, feed for team, and all other supplies for the road force. That the said highway commission shall select such bank or banks or trust companies doing business in the county of Pasquotank to act as financial agent or treasurer for said highway commission; and such bank or banks or trust companies shall execute a bond to be approved by the said highway commission for the faithful accounting of any and all funds so deposited with it, and conditioned as now provided by law for the faithful accounting by the county treasurer: *Provided*, that such bank or banks or trust companies shall be selected for the period of two years unless some good grounds as to the financial condition of said bank, in the opinion of the said highway commission, warrant it in designating some other bank. Such bank or banks or trust companies so selected shall keep an accurate account of all moneys deposited with them, and shall, if so required by the highway commission, keep a separate account for different funds that may be designated by the said highway commission. All funds shall be paid out by the said bank or banks or trust companies upon the proper warrant signed by the chairman of the said highway commission and countersigned by the secretary thereof: *Provided*, that all road funds shall be deposited equally and impartially, as near as can be done, among the several banks doing business in Pasquotank County: *Provided further*, that such bank or trust company so selected shall act as treasurer of all such funds and perform the duties of treasurer without commission or compensation of any character.

County auditor to act as secretary.

Proviso: treasurer to act temporarily.

Salary as secretary.

Records to be kept.

Books and record of convict work.

Purchases.

Financial agent.

Bond of financial agent.

Proviso: selection for two years.

Accounts to be kept.

Warrants on funds.

Proviso: deposits of road funds.

Proviso: no compensation.

Equipment and other property to be turned over to highway commission.

SEC. 7. That after the qualification of said Pasquotank Highway Commissioners, and their organization, the board of county commissioners shall turn over to the highway commission all road machinery, stock, and implements and other property now in use by the county of Pasquotank; and said board of county commissioners is hereby directed to instruct and require the county treasurer, or other custodian of public funds, by whatever name designated, to turn over to the treasurer of the highway commission all taxes levied and collected for road purposes which may come into his hands by virtue of his office; and said county treasurer or other custodian of public funds shall take from the treasurer of the Pasquotank Highway Commission a receipt for such funds, which shall be a voucher for the county treasurer, or other custodian of county funds, in the settlement with the board of county commissioners.

Funds to be turned over.

Special road tax.

SEC. 8. The board of county commissioners for the county of Pasquotank shall, in order to provide for the construction, improvement, and maintenance of the public roads of said county,

Limit of rate.

at its regular meeting in June of each year, levy a special tax on all property subject to taxation under the State law in said county of not less than ten cents and not greater than thirty-three and one-third cents on the one hundred dollars valuation of property, and not less than thirty cents and not greater than one dollar on the poll, the constitutional equation to be observed at all times; that all able-bodied male persons of the county, between the ages of twenty-one and forty-five years, except residents of incorporated cities and towns, shall pay, on or before the first day of July, one thousand nine hundred and fifteen, and on or before the first day of April of each year thereafter, to the sheriff of said county, the sum of two dollars (\$2), to be levied on the poll, and all taxes herein provided for shall be collected as all other taxes are collected and to be kept separate in the tax books of the county, to be set aside as a road fund to be used in the construction, improvement, and maintenance of the public roads of Pasquotank County and the streets of the town of Elizabeth City; the highway commission shall purchase stock, material, implements, wagons, road scrapers, rollers, camp outfits, provisions and clothing for the convicts, quarters or stockades or other things needful for the use of the county in working the roads and streets of Elizabeth City, and for the safe keeping of the convict force as may be found necessary in the proper carrying out of the work, and for the employment of such additional labor as may be deemed necessary: *Provided, however,* that the moneys raised under this section shall, as far as possible, be used for permanent road improvements in the county and for such other street improvement in the town of Elizabeth City as may be designated by the governing body of said town, after estimating sufficient amount to

Constitutional equation.

Road duty.

Collection of tax.

Tax kept as road fund.

Purchase of stock and equipment.

Proviso: permanent improvement of roads and streets.

maintain the convict force and to keep the roads in good repair in the several townships, together with the use of the said convict force upon the streets of Elizabeth City as herein provided: *Provided*, that not less than seventy-five per cent of the road tax collected in the county in any one year shall be used in permanent road building and repairing of such permanent roads as have already been built. The board of county commissioners shall also apply to road improvement and construction as much of the general county funds as may not be needed for other necessary purposes.

Proviso: apportionment for permanent improvements.

Appropriation from general fund.

SEC. 9. The highway commission shall have power to contract all or any part of the road construction or repair to the best responsible bidder and upon the best obtainable terms, taking sufficient bond from the contractor to indemnify the county against breach of contract and other damages and to fix forfeitures or liquidated damages.

Work may be let to contract.

Bonds of contractors.

SEC. 10. The highway commission is authorized, in its discretion, to create and fill any positions which it may deem expedient for the proper road construction, repair and maintenance, such as superintendent of road construction and repair, superintendent of convict force engaged in road work, a highway engineer at a price not to exceed two thousand dollars per annum, or it may hire an engineer at so much per month or by the job, and he shall be experienced and approved by the State Geologist; to fix the compensation of and prescribe the forms and amounts of bonds which shall be given by such appointees for the faithful performance of their duties; to prescribe the powers and duties of such appointees, and to authorize them to employ, subject to the approval of the board, such subordinates or employees as may be needed. The board shall have power, for causes which it deems good and for which it shall be the sole judge, to discharge any appointee or employee at any time. The board may incur such expense as it deems needful in the examination of road work in other counties or to secure proper instruction in road work.

Officers and employees.

Highway engineer and salary.

Bonds of appointees.

Powers and duties prescribed. Employment of subordinates.

Discharge for cause.

Expense for instruction.

SEC. 11. The permanent roads to be built or improved by the highway commission shall from time to time be determined upon and designated by the highway commissioners, taking into consideration the needs of the whole county and every part thereof, opening and improving those roads which in its opinion will be of benefit to the greatest possible number of people of the county, and treating every section of the county with equal justice.

Selection of roads for permanent improvement.

SEC. 12. For the purpose of construction, improving, or repairing public roads, the superintendent of road work, or other person engaged in or connected with the road work, after first consulting the owner or his agent, shall have authority to enter upon any land, to cut or carry away any timber except trees left for ornament or shade; to dig or cause to be dug or carried away any

Entry on land for material.

- gravel, earth, or sand which may be necessary to construct, improve, or repair said road, and to enter upon any land adjoining or lying near the road, to make such drains or ditches through the same as may be necessary for the benefit of the road, doing as little injury to the land as possible; and any person willfully obstructing such drains or ditches shall be guilty of a misdemeanor, and on conviction thereof shall be fined not less than five dollars for each day the obstruction remains. Any landlord considering himself damaged by reason of acts authorized in this section may, within sixty days from the commission of the acts complained of, present his claim to the highway commission, who shall pass thereon within twenty days thereafter, and the owner may, within ten days from notice of the decision, appeal to the Superior Court. If the owner shall not recover a greater amount than that offered in the decision of the board, he shall be taxed with all costs of the appeal.
- Drains and ditches.**
- Obstructing drains or ditches a misdemeanor. Punishment.**
- Claims for damage.**
- Right of appeal.**
- Costs of appeal.**
- Draining water onto roads forbidden. Notice to land-owners.**
- Drains to be discontinued.**
- Failure a misdemeanor. Punishment.**
- Bridges across roads.**
- Work done by highway commission at cost of owner. Cost a lien on lands.**
- Proviso: criminal prosecution.**
- Proviso: plans approved by road superintendent.**
- Traffic regulations.**
- Removal of obstructions.**
- SEC. 13. No person shall allow or cause to drain water from his lands into the public roads or ditches thereof, and it shall be the duty of the secretary of the said highway commission to give notice in writing to the owner or owners of such lands the ditches of which now drain into the public roads, or ditches paralleling said roads, to discontinue the draining of such lands into the public roads or ditches thereof, and the owners of such lands shall be required to discontinue the draining of said lands into the public roads or ditches thereof within six months after such notice be given, and any person failing or refusing to comply with the provisions of this act within six months after such notice shall be guilty of a misdemeanor and fined or imprisoned, in the discretion of the court. And if any person draining across the public roads of Pasquotank County, and who is required by law to keep up the bridge over the same, shall fail or refuse to repair or rebuild his bridge when notified to do so by the superintendent of highways or other person in authority of said public roads, within ten days from such notice, the highway commission or superintendent of highways shall have power to put the bridge in good order at the expense of the owner, and the cost of such repairing or rebuilding shall be a tax or lien upon said property so drained and shall be collected by the sheriff, when so ordered by the highway commission, as other taxes are collected: *Provided*, that this shall not relieve the owner from criminal prosecution according to law: *Provided further*, that all bridges or pipes so constructed across the public roads shall be constructed according to plans approved in writing by the road superintendent.
- SEC. 14. The highway commission shall have full power to prescribe rules and regulations governing the use of any public road within Pasquotank County, and any violation of such rules and regulations shall be a misdemeanor. The highway commission

shall and is hereby required to cause to be removed from the public roads of said county all telephone and telegraph poles or other obstructions of whatever character: *Provided*, such telegraph or telephone poles or other obstruction may be removed across the ditch or drainway of any of the public roads of said county; and to the end that this section may be enforced and complied with, the said highway commission shall have the power and authority to exercise the right of eminent domain, and may condemn, in the same manner as is provided herein for the condemnation of public roads, any lands on the field side of any ditch or drainway paralleling any of the public roads in said county, for the purpose of placing such telegraph and telephone poles. And the said highway commission shall have power to remove or cause to be removed all trees which shade any of the public roads of the county, whenever it may be necessary for the better maintenance of said roads, and they shall have a right and power to cause to be removed all of such trees to a width of seventy-five feet on each side of any public road.

SEC. 15. The highway commission shall have power, on petition, or on its own motion, to relocate, construct, widen, or otherwise change public roads or parts thereof, and to lay out and construct new roads or parts thereof, and to lay out and construct new roads, when in its judgment the same will be advantageous to public travel, and for such purposes is authorized, through its agents, to enter upon any lands to make the necessary surveys. Before doing any work of construction, apart from surveys, the board shall give the owner of the land over which the proposed new road or change of road may run at least five days notice in writing of a time and place when and where the highway commission will consider the question of condemning the land. If the landowner be a minor or insane, such notice shall be given to him and his guardian, or if there be no guardian, the person with whom he is living. If the landowner be a nonresident or cannot be found within the county, such notice shall be mailed to his last known address and published in a newspaper of Pasquotank County at least twenty days before the hearing. If the highway commission shall find the proposed improvement advantageous to public travel and shall decide to condemn the land necessary for the road, it shall so declare and enter the order of condemnation in its minutes. Upon the question of condemnation, the findings and order of the board shall not be subject to review. Upon making the order of the board, the highway commission shall have authority, through its agent, to immediately take possession of the land described in the order and construct the road. If the landowner, after the road has been relocated or otherwise changed, or after the new road has been opened, shall consider himself damaged, and shall be unable to agree with the

Proviso: right of eminent domain.

Removal of trees shading roads.

Location, construction, and change of roads.

New roads.

Entry on lands.

Notice to landowners.

Notice to persons under disability.

Notice to non-residents.

Order for condemnation.

Order not subject to review.

Possession of land.

Procedure for assessment of damages.

Benefits to be considered.	highway commission as to the amount of damages, he shall, within sixty days after opening, relocating, or otherwise changing the road, apply to the clerk of the Superior Court for an assessment of damages. Five days notice of such application shall be given to the highway commission. The clerk shall appoint and cause to be summoned by the sheriff a jury of three disinterested freeholders to assess damages, and shall at the time of appointing the jury fix the time and place of their meeting. If for any cause the jurors shall fail to so meet, they shall meet at such time and place as may be fixed by them, after giving forty-eight hours notice thereof to the highway commission and to the landowner or his attorney. The jurors, being duly sworn by some officer qualified to administer an oath, shall, in considering the question of damages, take into consideration the benefits to the landowner, and shall render a verdict for such amount, if any, as the damages may exceed the benefits, and shall report their findings and verdict to the clerk, and the clerk shall render judgment accordingly and shall tax the landowner with the cost of the assessment, if the damages assessed shall not exceed the amount offered by the highway commission. Either the highway commission or the landowner may appeal to the Superior Court within ten days from the filing of the report. If the landowner appeals, the clerk shall require him to give bond or make a deposit in a sum not exceeding one hundred dollars to secure such costs as may be recovered against him on appeal, and if the amount of damages recovered by him in the Superior Court shall not exceed the assessment appealed from, he shall be taxed with all the costs of the appeal.
Costs of assessment.	
Right of appeal.	
Bond on appeal.	
Cost on appeal.	
Appeal without bond.	If the landowner make affidavit of inability, by reason of poverty, to give the required bond or to make a deposit, he shall be allowed to appeal without bond upon making affidavit as required in pauper appeals. The bond or deposit may be increased by the judge of the Superior Court. The appellate courts shall in no wise adjudicate the necessity of relocating, widening, or otherwise changing or of the opening of the road, but shall try under the rules of procedure of the Superior Court only the question of damages and benefits: <i>Provided</i> , that if the highway commission shall desire to have the damages assessed before proceeding to the work of construction, and shall fail to agree with the landowner as to the damages, it shall, within sixty days after the order of condemnation, make application to the clerk accordingly, first, however, serving upon the landowner, in the manner as hereinbefore provided for condemnation, notice of application. Upon hearing the application, the clerk shall appoint and cause to be summoned a jury of three disinterested freeholders, who shall proceed and make a report as hereinbefore directed, except that they shall separately state therein the damage, if any, caused by the survey or surveys and taking of land condemned, and the
Questions tried on appeal.	
Proviso: damages assessed before work.	
Procedure for assessment.	

rights of appeal and proceedings on appeal shall be as hereinbefore set forth: *Provided*, that within ten days after the filing of the report, or before final judgment in the Superior Court, if any appeal shall have been taken, the highway commission shall have the election to abandon the proposed road improvement or construction, and in such cases the clerk, or the judge of the Superior Court, if an appeal shall have been taken, shall render judgment so declaring, setting aside the order of condemnation, awarding to the landowner the damages actually sustained, and taxing the highway commission with all costs: *Provided further*, that the said highway commission shall have the right of condemnation of any other lands for the purpose of acquiring suitable road building material, and all such lands shall be condemned in the manner hereinbefore set forth.

Proviso: election to abandon work.

SEC. 16. Any person who shall obstruct a highway commissioner, the engineer, road superintendent, or other agent, subordinate, or employee in making survey or who is engaged in any road work under authority of the highway commission, shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, or both, in the discretion of the court.

Proviso: condemnation of land for material.

Obstruction of work a misdemeanor.

Punishment.

SEC. 17. The highway commission shall have authority to discontinue any public road at discretion which it may deem unnecessary, first, however, giving the landowners so affected not less than twenty days notice when and where they may be heard upon the question of discontinuing such road; or the highway commission may convert unnecessary public roads into cartways. It shall also have authority to establish or discontinue cartways, in the manner as provided in sections two thousand six hundred and eighty-six and two thousand six hundred and ninety-four of the Revisal of one thousand nine hundred and five, except that the words "highway commission" shall be substituted for the words "board of supervisors of the township," and the provision for appeal to the board of commissioners shall not apply, but an appeal may be taken from the highway commission to the Superior Court.

Power to discontinue roads.

Notice to landowners.

Roads converted into cartways.

Establishment and discontinuance of cartways.

SEC. 18. The highway commission shall keep or cause to be kept a separate account of the road funds of the county, and of its disbursements of the same; keeping, however, the disbursements on permanent roads separate and distinct from the disbursements on the repair work done on the roads in the several townships, keeping each township's disbursements separate, and it shall make a written report thereof to the board of county commissioners on the first Mondays in January, March, July, and October of each year, giving a statement of the disbursements from the road funds since the last report to the board, which report shall be filed with the clerk of the board.

Accounts of road funds.

Quarterly reports.

Publication of annual statements.

SEC. 19. The secretary of the highway commission shall annually, within ten days next before the first Monday of December of each year, make out and certify and cause to be published in a newspaper printed in the county a statement of the preceding year showing the amount of taxes collected in the county for road purposes and turned over to the highway commission, the amount expended in each township for repair of roads in such township, for the building of bridges and repairs thereof; the amount paid out for opening new roads; the amount paid out for road machinery purchased during the year, and the amount of stock purchased, and the cost of each, and the amount of road machinery and stock on hand; the amount of permanent road work done and the cost thereof in each township separately.

Use of implements and machinery.

SEC. 20. The stock and road implements and machinery belonging to the county and turned over to the highway commission may be used upon both the permanent and repair work upon the roads of the county, and the highway commission is empowered to purchase additional road machinery, stock, and other machinery and tools used in road building from time to time as the same may be needed for keeping the roads of the county in good condition, and also for doing permanent road work.

Purchase of additional equipment.

Convicts to be worked on roads.

SEC. 21. That upon application of the highway commission all male prisoners confined in the county jail of Pasquotank County under final sentence of the court for crime, or imprisonment for nonpayment of cost or fines, or under the vagrant acts, all male insolvents who shall be imprisoned by any court in said county for nonpayment of costs, and all male persons sentenced in said county to the State's Prison for a term of less than ten years, shall be assigned to work on the public roads of the county.

Convicts assigned to road work.

Judges of the Superior Court or the judges of the criminal courts, the justices of the peace, and the recorder, police justice or judge of any municipal court in the county, may assign such persons convicted in his court to work on the public roads of said county upon application of said highway commission. All such convicts after sentence by the respective courts shall be committed to the common jail in said county or delivered immediately to the sheriff of Pasquotank County, who shall deliver said convict or convicts to such officers of the highway commission as said highway commission may direct, and shall be paid by the county, out of the general county funds, not exceeding one dollar for each convict so delivered. All such convicts, after delivery to the highway commission, to be fed, clothed, and otherwise cared for at the expense of the highway commission: *Provided*, that in case of serious physical disability certified to by any licensed physician, or other satisfactory reason appearing to the presiding judge, said person so convicted may be sentenced to the penitentiary or to the county jail: *Provided*, that any convict sentenced to the road,

Delivery of convicts to highway commission.

Fee of sheriff for delivery.

Care and maintenance of convicts.

Proviso: convicts physically incapable.

Proviso: disabled convicts returned to jail.

becoming disabled, may be placed in jail upon satisfactory evidence of his disability to work, the expense of keeping said convict or convicts to be borne by the county.

SEC. 22. Upon application of the highway commission to the judge of the Superior Court presiding in adjoining counties or any other counties in the same or adjoining districts which do not otherwise provide for the working of their own convicts on the public roads, said judge may sentence such able-bodied male persons as are described in the preceding section, from such adjoining counties in the same and adjoining judicial districts, to work the public roads of Pasquotank County; and the cost of transporting, guarding, and maintaining such prisoners, and such other costs as may be agreed upon in order to secure such convicts, shall be paid out of the road fund of Pasquotank County: *Provided*, that any and all such prisoners from such other counties may at any time be returned to the keeper of the common jail of such counties at the expense of the Pasquotank County road fund.

Convicts from adjoining counties and judicial districts.

Costs paid from road fund.

Proviso: return of prisoners.

SEC. 23. It shall be the duty of the highway commission to purchase supplies and provisions at wholesale, or at the best price obtainable, as may be needed from time to time, and it shall advertise for bids for supplies for the support of the convicts and all other necessaries during each year, and the same shall be awarded to best bidder. Said bids shall be sealed and filed with the highway commission.

Purchase of supplies and provisions.

SEC. 24. The highway commission shall have power, in its discretion, to expend part of the county road funds in the construction, improvement, and repair of public highways and bridges leading out of or through any incorporated city or town in the county. Said highway commission may, with the consent of the governing board of such city or town, conduct the work on such highways and bridges under the provisions of this act. And the highway commission of Pasquotank County is hereby and expressly required to permit the entire convict force of said county to work the streets of the town of Elizabeth City, under direction of the governing board of said town, during the months of June, July, August, and September of each year.

Work in incorporated towns.

Work in Elizabeth City.

SEC. 25. The said highway commission shall, upon its motion or upon petition of another, have the power to fully investigate any and all crossings of the public roads of the county, and whether said crossings be those of railroad companies, street car companies, or other corporations or private individuals. And wherever any crossing may be so constructed or maintained as in the opinion of the highway commission the use of the public roads at such crossing has become dangerous, unsafe, or inconvenient by reason of the construction and maintenance of the crossing of the public road, the highway commission shall give

Examinations of crossings.

Notice for changes or repairs.

ten days notice to such corporations or persons maintaining the alleged obstruction to appear before the highway commission and show cause why the obstruction shall not be removed or so changed as to render travel over and along the public road safe, less dangerous, or more convenient.

Order for removal or change of crossing.

SEC. 26. That the said highway commission shall, after notice, investigate the conditions at the crossing, hear such evidence as may be offered, and may make personal investigation as to the alleged obstruction, and determine as to whether the obstruction complained of renders the travel over the public road dangerous, unsafe, and inconvenient, and if so, the highway commission shall order and direct its removal or change within a reasonable time; and unless said obstruction is removed or changed as directed by the highway commission within the time prescribed, said railroad company, street car company, other corporation or person shall be guilty of a misdemeanor, and shall be fined ten dollars for each day said obstruction is allowed to remain after notice.

Failure to remove or change crossing a misdemeanor.

Right of appeal.

That upon the findings of the highway commission as to the removal of such obstruction the railroad company, street car company, other corporation or person, may appeal direct to the Superior Court, where the matter in controversy may be tried *de novo*. In case an appeal is taken to the Superior Court, the appellant shall give bond in the sum of two hundred dollars, unless the appellant shall make and file an affidavit as is required in pauper appeals.

Bond on appeal.

Power to borrow money.

SEC. 27. That said highway commission is hereby authorized and empowered, when it shall deem it necessary, to borrow not exceeding fifteen thousand dollars in any one year to be used in road construction, to be repaid out of the road funds coming into its custody by virtue of this act.

Highway commissioners named.

SEC. 28. That the following named citizens and taxpayers of Pasquotank County be and they are hereby appointed members of the Pasquotank Highway Commission: Jesse J. Morris, whose term of office shall be two years from the first Monday in March, one thousand nine hundred and fifteen, or until his successor is appointed and qualified; William J. Albertson, whose term of office shall be four years from the first Monday in March, one thousand nine hundred and fifteen, or until his successor is appointed and qualified; J. T. McCabe, whose term of office shall be six years from the first Monday in March, one thousand nine hundred and fifteen, or until his successor is appointed and qualified.

Regular sessions.

SEC. 29. That the highway commission shall hold regular sessions on the last Monday in January, April, July, and October of each year, and may at the request of any two of its members hold not to exceed ten special sessions during any one year, and receive as pay for attendance upon such session, regular and spe-

Special sessions.

cial, five dollars per day. But no session shall continue longer than two days at any one time: *Provided*, that said members are hereby required to meet on the second Monday in March, one thousand nine hundred and fifteen, at which time they shall organize and begin their active duties as herein prescribed.

Sec. 30. That said highway commission shall hold its meetings in the courthouse, and in the office of the county auditor, or in the room of the county commissioners, when said room shall not be in use by the board of county commissioners. That all expense necessary to be incurred by the highway commission in putting into effect this act shall be paid for by the highway commission out of the road fund coming into its custody by virtue of this act.

Sec. 31. That the present road law as enacted by the General Assembly of one thousand nine hundred and five, chapter five hundred and ninety-six, Public Laws, placing Pasquotank County's public roads in the hands of county commissioners, shall remain in force until the highway commission, created by this act, shall qualify and organize for the purpose declared in this act.

Sec. 32. That all laws and clauses thereof in conflict with this act are hereby repealed.

Sec. 33. That this act shall be in full force and effect from and after its ratification.

Ratified this the 12th day of February, A. D. 1915.

CHAPTER 127.

AN ACT RELATING TO HUNTING DEER IN HARNETT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That hereafter the open season for hunting deer in Harnett County shall be from the first day of November until and including the first day of December, one thousand nine hundred and fifteen, and each and every year thereafter.

Sec. 2. That it shall be unlawful for any person or persons to hunt with a dog or dogs, or with gun or guns, or in any manner whatever to destroy any deer in Harnett County any time except during the open season as provided for in section one of this act.

Sec. 3. That any person violating the provisions of this act shall be guilty of a misdemeanor and fined not more than fifty dollars or imprisoned not more than thirty days.

Sec. 4. That all laws and clauses of laws in conflict with this act are hereby repealed in so far as they apply to Harnett County.

Sec. 5. That this act shall be in full force and effect from and after its ratification.

Ratified this the 15th day of February, A. D. 1915.

Pay of commissioners.
Proviso: meeting for organization.

Place of meetings.

Expenses.

Present road law continued.

Open season.

Hunting in close season unlawful.

Misdemeanor.

Punishment.

CHAPTER 128.

AN ACT REQUIRING THE BOARD OF COMMISSIONERS OF PITT COUNTY TO HAVE ALL THE BOOKS OF ALL THE OFFICERS HANDLING COUNTY FUNDS TO BE AUDITED EACH YEAR AND A REPORT OF THE SAME MADE TO THE BOARD, AND AN ACT PERMITTING THE BOARD OF COMMISSIONERS TO LEVY AN ADDITIONAL TAX.

The General Assembly of North Carolina do enact:

Commissioners to require annual audit.

SECTION 1. That the board of commissioners of Pitt County are hereby required to have all the books of all the officers of Pitt County receiving funds belonging to said county audited by certified public accountant on or before November first of each year, and report of the same filed with said board of commissioners to be put upon public exhibition in the office of the register of deeds of said county, under the certificate of said certified accountant, with the approval of the said board of county commissioners.

Public exhibition of report.

Additional tax authorized.

SEC. 2. That the board of commissioners of Pitt County are hereby authorized to levy an additional tax on all the real and personal property in said county of ten cents on the hundred dollars worth of property, the proceeds from such levy and collection of taxes to go into the general fund for general county purposes.

Limit of rate.

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

Ratified this the 15th day of February, A. D. 1915.

CHAPTER 129.

AN ACT TO REGULATE HUNTING IN CASWELL COUNTY.

The General Assembly of North Carolina do enact:

Open season for deer.

SECTION 1. That it shall be unlawful for any person or persons to hunt with gun or dog any deer in the county of Caswell, except between the fifteenth of November and the fifteenth of December of each year.

Open season for game birds.

SEC. 2. That it shall be unlawful for any person or persons to hunt with gun or dog any partridge or quail or any game birds in the county of Caswell, except between November the fifteenth and March the first of each year.

Open season for wild turkeys.

SEC. 3. That it shall be unlawful for any person or persons to hunt with gun or dog any wild turkeys in the county of Caswell, except between November the fifteenth and March the first.

SEC. 4. That it shall be unlawful for any person or persons to Trapping. trap or in any manner catch and kill any game birds in the county of Caswell, except during the open season for game birds.

SEC. 5. Any person or persons violating the provisions of this Misdemeanor. act shall be guilty of a misdemeanor and shall be fined not more Punishment. than fifty dollars or imprisoned not more than thirty days.

SEC. 6. That 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.

Ratified this the 15th day of February, A. D. 1915.

CHAPTER 130.

AN ACT TO REPEAL SECTION 3 OF CHAPTER 292 OF THE PUBLIC-LOCAL LAWS OF SESSION 1913, RELATING TO HUNTING AND KILLING RABBITS IN PERSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter two hundred and ninety-two of the Public-Local Laws, passed at the session of one thousand nine hundred and thirteen, be and the same is hereby repealed. Protection for rabbits rescinded.

SEC. 2. That this act shall apply to the county of Person only.

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

Ratified this the 15th day of February, A. D. 1915.

CHAPTER 131.

AN ACT TO CREATE CANE CREEK TOWNSHIP IN MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That a new township to be named and called Cane Creek Township be and is hereby created in Mitchell County, New township created. the boundaries of which township shall be as follows: Beginning Boundaries. on top of Lick Ridge Mountain, thence with the Little Rock Creek Township line to the top of the Little Yellow Mountain where the Avery and Mitchell County line joins; thence with said Avery County line to the top of the White Rock Mountain; thence with Snow Creek Township line to the top of Bear Creek Mountain;

thence with Bakersville Township line to Moses Young's mill on the waters of Cane Creek; thence with said Bakersville Township line to the beginning.

Powers, rights,
and privileges.

SEC. 2. That the said Cane Creek Township shall have all of the powers and rights and privileges now granted to townships by law.

Voting place.

SEC. 3. That voting place in said township shall be the same as that now lawfully established for Cane Creek Precinct in Bakersville Township.

Justices of the
peace.

SEC. 4. That the justices of the peace resident in the territory embraced in the new township hereby created shall continue justices of the peace in said new township until the expiration of their respective terms of office.

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

Ratified this the 15th day of February, A. D. 1915.

CHAPTER 132.

AN ACT TO ABOLISH THE OFFICE OF COUNTY TREASURER IN THE COUNTIES OF CATAWBA AND LINCOLN.

The General Assembly of North Carolina do enact:

Office abolished.

SECTION 1. That the office of county treasurer is hereby abolished, and in lieu thereof the board of county commissioners is hereby empowered, authorized, and directed to designate one or more solvent banks or trust companies located in the county as depositary for said county, upon such terms as shall be most advantageous to the county, which said bank or trust company shall perform the duties now performed by the county treasurer: *Provided*, no compensation shall be allowed to any bank or trust company for such services.

Banks as depositaries.

Proviso: no compensation allowed.

Term of appointment.

Depositary to give bond.

SEC. 2. That said bank or trust company so designated and acting as depositary of its county shall be appointed for a term of two years and shall be required to execute the same bonds for the safe keeping and proper accounting of such funds as may come into its possession belonging to the county, and for the faithful discharge of its duties, as are now required by law of county treasurers.

When act effective.

Treasurers now in office.

SEC. 3. That this act shall be in force and effect from and after its ratification; but the treasurers now in office in the counties to which this act applies shall be permitted to continue to perform the duties of their respective offices, with the same compensation and liabilities as now provided, until their present term of office shall expire.

SEC. 4. That this act shall apply to the counties of Catawba and Lincoln. Application of act.

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

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

Ratified this the 15th day of February, A. D. 1915.

CHAPTER 133.

AN ACT TO APPOINT D. L. TEAGUE GAME WARDEN FOR ALEXANDER COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That D. L. Teague be and he is hereby appointed game warden for Alexander County, North Carolina, for a term of two years. He shall be subject to all the provisions of chapter seven hundred and fifty-four, Public-Local Laws of nineteen hundred and eleven. At the expiration of his term of office, or upon death or resignation, the county commissioners shall fill the vacancy. In case the said D. L. Teague shall refuse to act and qualify, the county commissioners of Alexander County shall appoint a game warden for said county. Appointment.
Law governing actions.
Appointment by county commissioners.

SEC. 2. This act shall be in force from and after its ratification. Ratified this the 15th day of February, A. D. 1915.

CHAPTER 134.

AN ACT TO ALLOW THE COMMISSIONERS OF ALEXANDER COUNTY TO LEVY A SPECIAL TAX TO PAY INDEBTEDNESS INCURRED AND TO BE INCURRED IN ERECTING A NEW COUNTY HOME FOR THE AGED AND INFIRM.

The General Assembly of North Carolina do enact:

SECTION 1. That the county commissioners of Alexander County be and they are hereby authorized and empowered to levy a special tax, not to exceed twenty-five cents on the one hundred dollars valuation of property in said county and not exceeding seventy-five cents on each poll, for the purpose of paying off any indebtedness incurred and to be incurred in the erection of a new county home for the aged and infirm. Special tax authorized.
Limit of rate.

SEC. 2. That said tax shall be levied for the year one thousand nine hundred and fifteen, and for the year one thousand nine Years of levy.

hundred and sixteen such proportion of the levy of twenty-five cents as in the discretion of the commissioners of Alexander County shall be necessary to pay off and discharge the entire indebtedness incurred for the erection and completion of said county home.

Specific appropriation.

SEC. 3. That no part of any funds arising from the funds afore-said shall be applied to any other purpose.

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

Ratified this the 15th day of February, A. D. 1915.

CHAPTER 135.

AN ACT RELATING TO HUNTING AND TRAPPING IN HENDERSON COUNTY.

The General Assembly of North Carolina do enact:

Trapping forbidden.

SECTION 1. That it shall be unlawful for any person to set any trap for any bird or animal upon the lands of another, in Henderson County, without first obtaining permission therefor from the owner or agent in charge of said land; and any person violating this act shall, upon conviction thereof, be fined not exceeding fifty dollars or imprisoned not exceeding thirty days.

Punishment.

Law repealed.

SEC. 2. That chapter five hundred and forty-one of the Public-Local Laws of the regular session of one thousand nine hundred and thirteen, relative to hunting, killing, and catching foxes in Edneyville Township in Henderson County, be and the same is hereby repealed.

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

Ratified this the 15th day of February, A. D. 1915.

CHAPTER 136.

AN ACT TO PROTECT GAME AND REGULATE HUNTING IN YANCEY COUNTY.

The General Assembly of North Carolina do enact:

Close season for birds.

SECTION 1. That it shall be unlawful for any person to kill or in any manner catch or destroy any wild turkeys, pheasants, partridges, or quail in Yancey County from and after the first day of January till the first day of November following in each and every year.

SEC. 2. That it shall be unlawful for any person to hunt, trap, or in any manner catch or kill any raccoon, mink, otter, or opossum in Yancey County from and after the first day of January till the first day of November following in each and every year: *Provided*, that if any of the above named animals shall be committing depredations among the poultry, the same may be taken or killed at any time.

Close season for fur-bearing animals.

Proviso: animals depredating.

SEC. 3. That it shall be unlawful for any nonresident of the county of Yancey to hunt with gun or dog or with gun and dog on any of the lands in Yancey County without first obtaining a written permit from the clerk of the Superior Court of said county or a justice of the peace of said county, for which permit the said nonresident shall pay to the said clerk or justice of the peace the sum of one dollar for each day or part of a day that the said nonresident desires to hunt: *Provided*, that nothing herein contained shall be construed to grant any rights or privileges to hunt on any of the lands in Yancey County without a written permit from the owner or owners of the lands on which the said nonresident desires to hunt.

Hunting without license by non-residents forbidden.

License fees.

Proviso: license not to carry right of entry.

SEC. 4. That all money collected by the clerk of the Superior Court of Yancey County or by any justice of the peace of said county under the provisions of section three of this act shall be paid to the treasurer of said county, or to the party acting as such treasurer, and shall be placed by him to credit of the school fund of said county.

License fees to school funds.

SEC. 5. That any person violating any of the provisions contained in any of the foregoing sections of this act shall be guilty of a misdemeanor and fined not less than five dollars nor more than ten dollars for each offense, or imprisoned at the discretion of the court.

Misdemeanor.

Punishment.

SEC. 6. That all laws and clauses of laws in conflict with this act, to the extent of such conflict, are hereby repealed.

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

Ratified this the 15th day of February, A. D. 1915.

CHAPTER 137.

AN ACT TO PROTECT GAME IN WARREN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person to hunt with or without dog, shoot, kill, or capture or destroy any quail, partridge, wild turkey, woodcock, rabbits, squirrel, or duck in the county of Warren, State of North Carolina, except between the

Open season.

- first day of December and the first day of February in each and every year: *Provided*, that any person may catch or trap rabbits in the old manner, that is, in gums, at any time.
- Proviso: rabbit gums.
- SEC. 2. That it shall be unlawful for any person or persons to destroy the nest or eggs or young of any of the game mentioned in the foregoing section, with the proviso not excepted.
- Destruction of nests or young forbidden.
- SEC. 3. That any nonresident of the State of North Carolina who desires to hunt in Warren County shall pay a county license tax of ten dollars to the clerk of the Superior Court of said county, which said license shall expire at the termination of the annual hunting season for said county.
- License tax on nonresidents.
- SEC. 4. That it shall be unlawful for any person or persons to dispose of by sale, or for any compensation, or expose for sale, any of the above named game in said county, or to ship or take or carry out of said county any game embraced in this act: *Provided*, that nonresident hunters shall be allowed to take with each hunter not more than twenty-five quail and one turkey during one season.
- Selling or shipping game forbidden.
- Proviso: transportation by nonresidents.
- SEC. 5. That if any person be found off his premises with gun, or dog and gun, during the closed season it shall be held to be *prima facie* evidence of his hunting.
- Prima facie evidence.
- SEC. 6. That all hunters' license taxes paid into the hands of the clerk of the Superior Court of Warren County as provided shall constitute a fund for the protection and preservation of the game of said county as directed by the game commission, which said fund shall be paid out by him as hereinafter directed; and the said clerk shall be entitled to five per cent of said funds as compensation for his services.
- License taxes to constitute game fund.
- Commission of clerk.
- SEC. 7. That Stephen W. Rose, Edmund White, M. P. Perry, J. W. Clements, and M. P. Burwell are hereby constituted a committee to be known as the "Game Commission of Warren County," which said commission is hereby empowered to use the game license tax fund collected by the clerk of the Superior Court of Warren County for the employment of a game warden, which game warden shall be removable from office at any time upon the majority vote of the game commission. The said game warden shall enforce the provisions of this act, and shall be clothed with all the authority and power, and, after qualification, shall exercise all the power and authority held and exercised by the constable at common law and under the statutes of this State for the prosecution of all violators thereof, and for such other purposes as the game commission may deem necessary for the protection, preservation, and propagation of the game of Warren County.
- Game commission.
- Employment of game warden.
- Duty and power of game warden.
- SEC. 8. That the said game commission of Warren County are hereby empowered to fill all vacancies occurring in its body, and they shall receive no compensation, and shall make out and advertise biennially a full and complete report of their actions and
- Vacancies in game commission.
- No compensation. Commission to report biennially.

expenditures or disbursements, and advertise same in some newspaper published in Warren County, for one week.

SEC. 9. That the clerk of the Superior Court of Warren County, North Carolina, is hereby authorized to pay out the aforesaid game license tax fund which may come into his hands from time to time, upon a warrant or order duly signed by a majority of the said game commission of Warren County. Warrants on game fund.

SEC. 10. That any person or persons violating this act shall be guilty of a misdemeanor, and fined not less than ten dollars, nor exceeding fifty dollars, or thirty days imprisonment. Violation of act misdemeanor. Punishment.

SEC. 11. That this act shall apply to the county of Warren, State of North Carolina. Application of act.

SEC. 12. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 13. That this act shall be in force from and after its ratification.

Ratified this the 15th day of February, A. D. 1915.

CHAPTER 138.

AN ACT TO REGULATE THE FEES OF THE REGISTER OF DEEDS OF WAKE COUNTY FOR REGISTERING LIEN BONDS, CHATTEL MORTGAGES, AND SHORT-FORM NOTES.

The General Assembly of North Carolina do enact:

SECTION 1. The register of deeds of Wake County shall charge and receive the following fees for registration of the papers herein mentioned, towit: For registering lien bond, fifty cents; for registering short form of chattel mortgage provided for securing a sum not exceeding three hundred dollars, thirty cents; for registering short form of agricultural lien and chattel mortgage for advances, thirty cents; for registering short form of crop lien to secure advances and chattel mortgage to secure preëxisting debt, and to give additional security to the lien, thirty cents; for registering short form notes given for the purchase price of personal property or combining also a conveyance of the property or other additional property as security, and retaining title to the property sold, twenty cents. Register to charge and receive fees. Schedule of fees.

SEC. 2. That chapter two hundred and fifty-five of the Public Laws of one thousand nine hundred and thirteen, and all other laws and clauses of laws in conflict with this act, are hereby repealed. Repealing clause.

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

Ratified this the 15th day of February, A. D. 1915.

CHAPTER 139.

AN ACT TO ESTABLISH A TOLLGATE ON MULBERRY GAP ROAD.

The General Assembly of North Carolina do enact:

Supervisors.

SECTION 1. For the purpose of keeping in repair and improving Mulberry Gap road, Robbins Miller of Alleghany County, and Jesse G. Bare of Ashe County, North Carolina, are hereby appointed a board of supervisors for a term of four years, and until their successors have been appointed and qualified.

Removal of supervisors.

SEC. 2. That the county commissioners of each of the above named counties shall have power to remove from office the supervisor of said county at any time, upon the signed request of twenty or more citizens of the county in which said supervisor resides, provided the county commissioners of said county think sufficient cause has been shown to warrant such removal. In all cases where a vacancy occurs in this board, by removal, death, or resignation, it shall be the duty of the board of county commissioners in the county where the vacancy occurs to fill said vacancy at its first opportunity.

Proviso: sufficient cause to be shown.

Vacancies.

Election of successors.

SEC. 3. At their first meeting in January, one thousand nine hundred and nineteen, and each two years thereafter, it shall be the duty of the county commissioners of Ashe and Alleghany counties, respectively, to select, or appoint, one supervisor each, to serve for a term of two years and until their successors are appointed and qualified, beginning at the expiration of the terms of the supervisors appointed by this act. The supervisors provided for in this act shall, before entering upon their duties, take an oath before some justice of the peace, or other person authorized by law to administer oaths, for the faithful performance of their duties according to the provisions of this act, and also shall each give bond in their respective counties in the sum of two hundred dollars, to be approved by the county commissioners, and deposited with the register of deeds for the county in which said supervisor resides. Said supervisors shall meet at some convenient place on the first practicable date after the ratification of this act and designate one of their members chairman and the other secretary. The chairman or secretary may also be treasurer of said board, and said board shall be a body corporate under the name of "Supervisors of Mulberry Gap Road," with all the necessary powers to carry out the provisions of this act.

Supervisors to qualify.

To give bond.

Organization.

Treasurer.

Incorporation.

Corporate name.

Erection and maintenance of tollgate.

Gate-keeper.

Contract with gate-keeper.

SEC. 4. The said board shall erect and maintain a tollgate on said road at some convenient place, and shall have same kept by some competent person or persons, who shall at all times be under the supervision and control of said board of supervisors. Said board shall make such contract with said gate-keeper at

a fixed salary or commission upon the receipts of said tollgate, not to exceed twenty per cent of the income of said gate for any one month, and said gate-keeper shall execute a good and sufficient bond of two hundred dollars to the board of supervisors for the faithful performance of his duties. Also said gate-keeper shall take an oath to faithfully perform his duties, and duly account for and turn over all moneys coming into his hands as gate-keeper of said road. Also said gate-keeper shall keep a daily record of the names of all persons passing through the gate, subject to toll, and amounts collected from each person, which record shall at all times be open to inspection by the supervisors of said road or any other person desiring to see the same.

Gate-keeper to give bond and take oath.
Records to be kept.

Record open to inspection.

SEC. 5. Said supervisors shall receive as compensation for their services a sum not to exceed twenty cents per hour, or two dollars a day each, for the time actually required to look after the affairs of said road, said amount to be paid out of the income of said road.

Compensation of supervisors.

SEC. 6. The receipts of said tollgate, except so much as is necessary to pay the gate-keeper and supervisors of said road, shall be applied by the supervisors, or under their direction, to keeping in order and improving said road.

Receipts applied to road.

SEC. 7. The gate-keeper shall report to the chairman of the board of supervisors at least once each month, and oftener if called upon, the amount received in toll, and shall pay over to said chairman, whenever called upon, the amount so received. The members of the board of supervisors shall each report to the chairman of the board of county commissioners of their respective counties at least once each three months, giving amounts received and disbursed, and for what purposes expended. Such statement shall be under oath and shall give the number of days served by each supervisor and amount received for same.

Gate-keeper's monthly reports.

Supervisors to report quarterly.

Statement under oath.

SEC. 8. That the board of supervisors shall regulate the rate of toll to be charged, not to exceed the following, towit: For a four-horse wagon, thirty-five cents; two-horse wagon, twenty-five cents; surrey, twenty-five cents; two-horse buggy, twenty cents; one-horse buggy, fifteen cents; hacks, twenty-five cents; for ox teams, same as horses.

Toll rates.

SEC. 9. That said supervisors may, if they deem advisable, allow any person or persons who may wish to do so to work on said road, or to furnish hands to do the same, and shall be allowed one dollar per day for doing said work, same to be taken up in travel on said road at specified rates; but said supervisors shall not run accounts with any one, or allow any person to travel on said road without paying regular toll, except as herein provided.

Road work in payment of tolls.

Running accounts forbidden.

SEC. 10. That it shall be a misdemeanor for any person to pass over said road and refuse to pay the toll as prescribed by this act, or to construct any road or passway around said tollgate to avoid payment of toll on said road, or in any way willfully violate

Refusal to pay or avoidance of toll a misdemeanor.

- Punishment. the provisions of this act; and upon conviction for the violation of the provisions of this act, the punishment shall not exceed a fine of fifty dollars or imprisonment for thirty days, at the discretion of the court.
- Allowance to ministers. SEC. 11. That the supervisors may, if they deem proper, instruct the gate-keeper to allow ministers of the gospel to pass through said gate free of toll; but this shall be allowed only in such cases as the said minister may be known to the gate-keeper, and be on his way either to or from a regular appointment as minister.
- Mail carrier to pass free. SEC. 12. That the supervisors are authorized and directed to allow the star route carrier, or mail carrier, who passes over this road, to do so free of charge until the expiration of his present contract, after which time the mail carrier shall pay same toll as other travelers.
- Receipts expended monthly. SEC. 13. That it shall be the duty of the supervisors of this road to expend each month, as nearly as practicable, all the money on hand, so as to keep the road in the best possible condition with the available assets, and it shall not be permissible for said supervisors to carry over from month to month any considerable sum or sums of money belonging to said road.
- Route of road. SEC. 14. The road embraced in this act lies from the first ford of Mulberry in Wilkes County, at the foot of the Blue Ridge, to the top of the Blue Ridge Mountain at Mulberry Gap; then with the public road in Ashe and Alleghany counties to the first ford of Meadow Fork Creek, and with public road from Mulberry Gap in Ashe and Wilkes counties, via the James Pender store place in the direction of Ore Knob, same distance as from top of mountain at Meadow Fork Creek.
- Jurisdiction of offenses. SEC. 15. That in all criminal proceedings in any court concerning this road it shall remain a public road of the State, but proceedings for any violation of the provisions of this act may be instituted in either of the two counties above named.
- Money and property to be turned over. SEC. 16. That the board of supervisors in charge of this road at the time of the enactment of this law shall turn over to the supervisors named in this act all moneys, tools, material, etc., in their possession belonging to said road, when called upon to do so by the supervisors named in this act.
- Act recorded on minute-books. SEC. 17. It shall be the duty of the supervisors under the provisions of this act to place upon the minute-books a copy of this act, also furnish the gate-keeper with a copy of the same, for his guidance at all times. That chapter two hundred and seventy-two of the Public-Local Laws of one thousand nine hundred and thirteen, and all laws and clauses of laws in conflict with this act, are hereby repealed.
- Copy to gate-keeper.
Repealing clause. SEC. 18. That this act shall be in effect from and after its ratification.
- Ratified this 15th day of February, A. D. 1915.

CHAPTER 140.

AN ACT TO PREVENT THE SALE OF PARTRIDGES OR
QUAIL IN DAVIE COUNTY, OR THE SHIPPING OF THE
SAME OUT OF SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm, or corporation to sell or offer for sale, either directly or indirectly, any partridges or quail in Davie County. Sale of partridge or quail forbidden.

SEC. 2. That it shall be unlawful for any person, firm, or corporation to ship or cause to be shipped by express, or in any other manner whatsoever, or to carry or cause to be carried any quail or partridges out of Davie County for the purpose of sale, either directly or indirectly. Shipping or transportation forbidden.

SEC. 3. Any person, firm, or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and fined or imprisoned, in the discretion of the court. Misdemeanor. Punishment.

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

Ratified this the 15th day of February, A. D. 1915.

CHAPTER 141.

AN ACT AUTHORIZING THE COLLECTION OF BACK TAXES
IN SURRY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Caleb H. Haynes, former sheriff of Surry County, North Carolina, be and he is hereby authorized and empowered to collect all arrears of taxes, including poll taxes, taxes on property, real and personal, county and State taxes, special school taxes, township and road taxes, all railroad taxes, corporation excess taxes, and all other taxes in his hands, charged to him, said former sheriff, for the years one thousand nine hundred and nine, one thousand nine hundred and ten, one thousand nine hundred and eleven, and one thousand nine hundred and twelve, under such rules and regulations as are provided by law for the collection of taxes according to provisions of chapter seventy-two of the Revisal of one thousand nine hundred and five, or may hereafter be prescribed for the collection of taxes. Collection of arrears authorized.
Years to be collected for.

SEC. 2. That Caleb H. Haynes, former sheriff, is hereby authorized and empowered to appoint as his agents such persons as he may designate in each township in Surry County, who when sworn by the clerk of the Superior Court of Surry County to faith- Appointment of agents.

fully perform such duties, are hereby authorized and empowered, as such agents, to likewise collect for the benefit of Caleb H. Haynes any and all taxes mentioned and defined in section one of this act; and all such powers as are vested in sheriffs for the collection of taxes are hereby vested in such sworn agents or deputies of Caleb H. Haynes.

Persons not compelled to pay.

SEC. 3. That no person shall be compelled to pay any taxes under this act who holds said former sheriff's receipt for the same.

Termination of power.

SEC. 4. That the power and authority herein given shall cease and terminate on the thirty-first day of December, one thousand nine hundred and sixteen.

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

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

Ratified this the 15th day of February, A. D. 1915.

CHAPTER 142.

AN ACT TO REPEAL CHAPTER 73 OF THE PUBLIC-LOCAL LAWS OF THE EXTRA SESSION OF 1913, RELATIVE TO SELLING PARTRIDGES IN FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

Act repealed.

SECTION 1. That chapter seventy-three of the Public-Local Laws of the extra session of one thousand nine hundred and thirteen, entitled "An act to prohibit the sale of quail and partridges in Franklin County," be and the same is hereby repealed.

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

Ratified this the 15th day of February, A. D. 1915.

CHAPTER 143.

AN ACT TO ABOLISH THE OFFICE OF COUNTY TREASURER IN CLEVELAND COUNTY.

The General Assembly of North Carolina do enact:

Office abolished.
Bank as financial agent.

SECTION 1. That the office of county treasurer in Cleveland County be and the same is hereby abolished, and the board of county commissioners of said county are hereby empowered and directed to appoint in lieu thereof one or more solvent banks

located in said county, as financial agent for said county, upon such terms and conditions as the county commissioners shall deem advantageous, which said bank or banks shall perform the duties now performed by the treasurer of said county: *Provided*, that such bank or banks shall not charge or receive any compensation for its or their services other than such advantages and benefits as may accrue to the bank or banks by reason of the county funds being deposited therein, in the regular course of banking.

Proviso: no compensation.

SEC. 2. That said bank or banks so appointed and acting as the financial agent for Cleveland County shall be appointed for a term of two years and shall be required at its own expense to give good and sufficient bond to be approved by the county commissioners of said county, for the safe-keeping and proper accounting for such funds as may come into its possession, and belonging to said county of Cleveland, and for the faithful discharge of such other duties as are now required by law of the county treasurer.

Bank to give bonds.

SEC. 3. That this act shall not apply to the present incumbent, who has already been inducted into office; but it shall be in full force and effect from and after the expiration of the term of the present incumbent.

Present treasurer not affected.

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 force from and after its ratification.

Ratified this the 15th day of February, A. D. 1915.

CHAPTER 144.

AN ACT TO AMEND CHAPTER 286 OF THE PUBLIC LAWS OF 1899, SO AS TO CHANGE THE AGE AT WHICH PERSONS SHALL WORK PUBLIC ROADS IN ALLEGHANY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and eighty-six (286) of the Public Laws of one thousand eight hundred and ninety-nine be and the same is hereby amended by striking out the words "forty-five" in line two of section six of said chapter and inserting in lieu thereof the word "sixty." Road age.

SEC. 2. That this act shall apply to the county of Alleghany only.

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

Ratified this the 15th day of February, A. D. 1915.

CHAPTER 145.

AN ACT TO CORRECT AN ERROR IN CHAPTER 527, PUBLIC-LOCAL LAWS OF 1913, RELATIVE TO THE PUBLIC ROAD LAW OF SILVER CREEK TOWNSHIP, BURKE COUNTY.

The General Assembly of North Carolina do enact:

Error corrected.

SECTION 1. That chapter five hundred and twenty-seven, Public-Local Laws of one thousand nine hundred and thirteen, be and the same is hereby amended by striking out the word "Morganton" wherever the same appears in said act, and insert in lieu thereof the words "Silver Creek."

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

Ratified this the 15th day of February, A. D. 1915.

CHAPTER 146.

AN ACT TO PROVIDE FUNDS FOR THE PURPOSE OF BUILDING ROADS IN GATESVILLE TOWNSHIP IN GATES COUNTY.

The General Assembly of North Carolina do enact:

Township made road district.

Road law for township.
Road commissioners.

Board created.

Term of commissioners.
Commissioners named.

Terms of office.

Meeting for organization.

Organization.

SECTION 1. That from and after the passage of this act Gatesville Township in Gates County shall constitute a road district, and the provisions of this act are hereby substituted for any road law or laws now in force in said township, and the public roads in said township shall be under the management of three commissioners as hereinafter provided for.

SEC. 2. That for the purpose of working, improving, and maintaining the public roads in Gatesville Township, in Gates County, a board of commissioners is hereby created, which said board shall consist of three members, who shall be elected for a period of six years; that J. Frank Speight, Dr. J. R. Parker, and C. M. Lawrence be and they are hereby appointed and shall constitute a board of commissioners for Gatesville Township in Gates county; that the term of office of J. Frank Speight shall be two years, the term of office of Dr. J. R. Parker shall be four years, and the term of office of C. M. Lawrence shall be six years from the date of their qualification and organization under this act, and until their successors shall be duly elected and qualified; that immediately after the ratification of this act the three members aforesaid shall meet in Gatesville in said county and organize by electing one of their number as chairman of the board and one of

their number as secretary of the board; that the members of the said board shall serve without compensation except as hereinafter provided; that after the expiration of their respective terms of office, or if a vacancy on the said board shall occur by reason of death or resignation of any member, the remaining members of the board shall elect some well qualified elector of the said township, by and with the consent of the board of county commissioners, to fill the vacancy. Each member of the board shall take and subscribe an oath before the clerk of the Superior Court of Gates County for the faithful performance of his duties as a member of the said board. The secretary of the said board shall make and keep a record of all the proceedings of the said board in a book especially provided for that purpose, and shall make and file with the register of deeds of Gates County an annual statement showing such proceedings.

SEC. 3. That the said board of road commissioners of Gatesville Township in Gates County, and its successors in office, be and it is hereby constituted a body corporate under and by virtue of the laws of the State of North Carolina and by this act, under the name and style of the "Highway Commission of Gatesville Township," and in that name may sue and be sued, make contracts, and exercise such other rights and powers as are incident to other municipal corporations of like nature, such as the condemnation of lands for the construction, widening, and changing of any roads in the said township, and to carry out all the provisions of this act; and in the event the said board shall deem it necessary to condemn any land for the purpose aforesaid, it shall adopt the same method of procedure as now obtains.

SEC. 4. That it shall be the duty of the said highway commission to take charge of the working, repairing, maintaining, altering, and constructing of any and all roads in Gatesville Township now maintained by the county as public roads, and it is hereby vested with all the powers, rights, and authority now vested in the board of county commissioners of Gates County for Gatesville Township for the general supervision of the roads of said township, and for the construction and repair thereof; and the said highway commission of Gatesville Township is hereby authorized and empowered to borrow money in whatever manner and from whatever person or persons or institution it shall deem most expedient, or, in its discretion, to issue bonds of the said township of not less than three thousand dollars and not to exceed five thousand dollars for the construction and maintenance of the public roads in said township. If bonds are issued, they shall be styled "Gatesville Township Good Roads Bonds," and the same shall be of such denominations and of such proportion as the said commission may deem advisable, bearing interest from the date of issue, not to exceed six per cent per annum, with interest

Compensation.

Vacancies.

Commissioners to qualify.

Record.

Annual statements.

Incorporation.

Corporate name.

Corporate powers.

Charge of roads and road work.

Power and authority vested in board.

Power to borrow money or issue bonds.

Limit of amount.

Entitlement of bonds.

Denomination.

Interest.

Bonds issued by majority of commission. Authentication.	coupons attached, payable annually, and payable at such time or times and at such place or places as the said commission may elect. The bonds, if they are issued, must be issued with the approval of a majority of the said commission, signed by the chairman thereof and countersigned by the secretary; and such bonds are to be of such form and tenor and transferable in such way, and the principal thereof payable and redeemable at such time or times and at such place or places, not to exceed twelve years from the date thereof, as the said highway commission may determine. None of the said bonds shall be disposed of for less than par value. Such bonds may be issued at such times and in such amounts, not to exceed five thousand dollars and payable and redeemable within twelve years, as may be deemed best in the opinion of the commission to meet the needs of the township in the construction, repair, and maintenance of the said roads.
Maturity.	The commission shall adopt a seal, and any bonds issued under this act shall have the corporate seal of the commission attached thereto. All the taxable property, real, personal, and mixed, and all polls in said township, shall be liable for the payment of any bonds issued hereunder and by virtue of this act, together with all interest that may be due thereon, and the liability herein shall be inserted in the body of the said bonds; and the taxes for the payment thereof shall be levied and collected as other taxes are levied and collected in Gatesville Township in Gates County. The bonds issued under and by virtue of this act by the highway commission shall be as valid in law, and the same liability for the payment therefor imposed upon Gatesville Township, as if the same had been issued by the county commissioners of Gates County under the same law, power, and authority.
Sale below par forbidden. Times and amount of issue.	SEC. 5. That for the purpose of providing a sinking fund for the payment of the bonds issued under this act, and the interest thereon, and to provide for the expenditures provided for in this act for the maintenance of the said roads, the board of county commissioners of Gates County are authorized and directed, and shall, when requested by the commission herein provided, and at the time of levying State and county taxes, levy and cause to be collected a special tax on all property, real, personal, and mixed, and on all persons subject to poll tax within the limits of Gatesville Township, of not more than twenty-five cents on the one hundred dollars assessed valuation on property and not more than seventy-five cents on each taxable poll: <i>Provided</i> , that in levying the said tax the constitutional equation between polls and property shall be observed by the said commission. The amount of taxes to be levied hereunder is to be determined by the said commission, but always within the limitations prescribed in this act. The taxes so levied shall be collected by the sheriff of Gates County as other taxes, and the sheriff shall receive only two and
Seal of commission.	
Liability for payment of bonds.	
Levy and collection of tax.	
Validity of bonds.	
Special tax.	
Limit of rate.	
Proviso: constitutional equation.	
Amount determined by commission.	
Collection of tax.	
Commission of sheriff.	

one-half per cent commissions for collecting and depositing the taxes with the treasurer; that all of the taxes thus collected by the sheriff shall be deposited with the Bank of Gates, Gatesville, North Carolina, which institution, with its consent, shall act as treasurer to the said commission without compensation and shall pay out money only when duly authorized by orders of the said commission as hereinafter mentioned. In addition to the foregoing tax, all able-bodied male persons in said township, between the ages of twenty-one and fifty years, both inclusive, shall pay to the sheriff when called upon to do so, a road tax of three dollars: *Provided, however,* that in lieu of paying the road tax of three dollars aforesaid each person of the ages above enumerated may work on the said roads of said township four days in each year; that ten hours shall constitute a day hereunder; that each person choosing to work rather than pay the road tax aforesaid shall be under the direct supervision of the road supervisor hereinafter mentioned and may be called upon at any time, to work anywhere on the said roads and with such tools, implements, or road machinery as the said road supervisor may direct. Any person subject to road tax or road duty as herein provided who shall willfully fail or refuse to comply with the provisions of this act shall be guilty of a misdemeanor, and, upon conviction, shall be fined not less than five nor more than twenty-five dollars: *Provided,* the payment of the road tax and costs herein provided shall be a bar to prosecution hereunder. All the funds collected from the special and road tax shall be turned over to the aforesaid treasurer and shall be used by the said commission in the payment of the bonds and interest, if bonds be issued; for constructing and repairing the said roads, and for properly maintaining them after construction.

Sec. 6. That for the purpose of construction and the repair of the roads of the township, the highway commission shall employ a road superintendent by the year and such other subordinate employees as may be necessary for the proper construction and repair and maintenance of the roads of the township, and the commission shall pay such compensation to the road superintendent and the subordinate employees as the commission may deem sufficient to compensate them for services rendered. The commission may delegate to the road supervisor such powers as will enable him to carry out for the commission the provisions of this act effectually. He shall hold office for such length of time as agreed on between him and the said commission, but may be removed at any time for incompetency or for other and sufficient causes, in the discretion of the commission. Subject to the approval of the said commission, he shall have general supervision of the roads of the township and shall have in charge the construction and repair of the said roads, and shall employ such sub-

Depository.

Orders on road funds.

Road tax.

Proviso: work in lieu of road tax.

Day's work.

Supervision of road work.

Noncompliance with law a misdemeanor.

Punishment.

Proviso: bar to prosecution.

Disposal and use of road funds.

Road superintendent and other employees.

Compensation.

Powers may be delegated to superintendent.

Term of office.

Removal for cause.

General supervision of roads.

Employment of subordinates.

Commission may require reports.	ordinates as are necessary, subject at all times to the approval of the said commission. The commission may require of the road supervisor such reports in regard to construction, expenditure of money, and needs in regard to road improvement as it may deem necessary. The road supervisor shall not be required to furnish bond for the faithful performance of his duties.
No bond required of supervisor.	
Purchase of equipment.	SEC. 7. The commission is hereby empowered and authorized to purchase or otherwise lawfully acquire for use in the construction, change, or repair of roads, any machinery, tools, implements, and teams as may be necessary, and to exercise such rights and authorities as will enable them to lawfully and properly carry out the provisions of this act. That the commission, through its officers and agents, is hereby authorized to enter upon any uncultivated land near or adjoining any public roads of said township, to cut and to carry away any timber, except trees or groves on improved land planted or left for shade or ornament; to dig, or cause to be dug, and carried away any sand, clay, or other road-building materials for the proper repair and construction of the aforesaid
Entry on land for material.	
Drains or ditches.	roads in said township; to enter upon any lands adjacent to any road in said township in order to make such drains or ditches through the same that the said highway commission may deem necessary for bettering the roads; and the drains and ditches so made shall not be obstructed by the occupants or owners of such lands; that any person obstructing such drains or ditches shall be guilty of a misdemeanor and fined not exceeding fifty dollars or imprisoned not exceeding thirty days.
Obstructing drains or ditches misdemeanor. Punishment.	
Claims for damages.	SEC. 8. That the owner of any land from which any timber or other material has been removed may present to the commission his claim therefor in writing, and upon presentation it shall be the duty of the commission to set a day, unless agreed upon, for the hearing of his claim. The landowner may waive such hearing and demand a jury, and upon such demand being made the commission shall appoint three disinterested freeholders whose duty it shall be to assess the damage. The jury shall make its report in writing to the commission and communicated by the commission to the landowner. If the landowner is then dissatisfied, he may appeal to the Superior Court of Gates County to have the cause heard as in other civil cases. The commission shall notify the landowner at least three days before the jury shall meet to assess the damage alleged to have been done. Unless such landowner shall present his claim as aforesaid within six months from and after the removal of the trees and building material, his action shall be forever barred, and unless the landowner shall recover more, in the event of an appeal to the Superior Court, than the said commission offers by way of compensation for the damage done, the said appellant shall not recover costs against the said commission.
Procedure for assessment of damages.	
Right of appeal.	
Notice to landowner.	
Claim to be presented within six months.	
Costs on appeals.	

SEC. 9. Nothing herein shall be construed to prevent the commission from constructing, repairing, and maintaining the roads, or any part thereof, of the said township by contract if, in their judgment, such course is better than working the said roads by the road supervisor as aforesaid. Work may be let to contract.

SEC. 10. In the case of any issue of bonds under this act, before the sale thereof the commission is not required to advertise for competitive bids on the same, but the said bonds shall not be sold for less than par value. Sale of bonds.
Sale below par forbidden.

SEC. 11. Any person to whom the road funds are intrusted under this act who shall unlawfully misapply or misuse such funds shall, upon conviction, be guilty of a misdemeanor and fined or imprisoned, in the discretion of the court. Misapplication of funds a misdemeanor.
Punishment.

SEC. 12. The highway commission shall meet and travel over the said roads of the said township, officially, at least once every three months for the purpose of inspecting the said roads, and for this official inspection each member of the commission shall be paid two dollars per day: *Provided*, that no member shall receive a greater compensation for this inspection than twelve dollars during any one year. Quarterly meetings and inspection.
Pay of commissioners.
Proviso: annual limit.

SEC. 13. No funds shall be paid out by the treasurer except by order of the commission and warrant issued thereby, signed by the chairman and countersigned by its secretary. Moneys paid only on warrant.

SEC. 14. All roads built under and by virtue of this act shall be of such nature as the said commission shall deem best, commensurate with the funds at its disposal. Construction of roads.

SEC. 15. The commission shall meet as often as it may deem necessary to carry out the provisions of this act. Meetings of commission.

SEC. 16. The roads first to be built by the said commission shall be as follows: Roads given precedence.

The road leading from Gatesville to Gates Station, beginning at Bennett's Creek to the township line.

The road leading from Gatesville to Middle Swamp, beginning at Jaw Bone Fork to the township line.

The road from Main Street in Gatesville to Cole's Creek.

The road from Merchant Mills to the township line toward Willeyton.

The road leading from the fork of the road at Dr. C. D. Bell's to Green's Mill.

The remaining of the roads of the said township to be built in the discretion of the said commission: *Provided*, it may at any time transfer the road force elsewhere to work places in need of immediate attention. Other work.
Proviso: emergency work.

SEC. 17. That the construction, repairing, and maintenance of the roads in Gatesville Township be and the same is hereby declared a necessary county expense for Gatesville Township. Expense declared necessary.

Bridges.

SEC. 18. That all bridges heretofore kept up and maintained by the county in said township shall continue to be kept up and maintained by the said county.

Definition of terms.

SEC. 19. Whenever the word "commission" or "highway commission" is used in this act, it shall be held to mean and refer to the "highway commission of Gatesville Township," as created by this act.

SEC. 20. All laws and clauses of laws in any way in conflict with this act are hereby repealed.

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

Ratified this the 15th day of February, A. D. 1915.

CHAPTER 147.

AN ACT TO AMEND CHAPTER 761, PUBLIC-LOCAL LAWS, SESSION OF 1913, BEING AN ACT TO PREVENT THE DEGRADING OF PUBLIC MORALS IN GUILFORD COUNTY, SO AS TO MAKE SAID ACT APPLY TO HENDERSON AND NEW HANOVER COUNTIES.

The General Assembly of North Carolina do enact:

Law extended.

SECTION 1. That chapter seven hundred and sixty-one of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby amended by adding at the end of section thirty-six of said act the words, "Henderson and New Hanover counties."

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

Ratified this the 15th day of February, A. D. 1915.

CHAPTER 148.

AN ACT TO AMEND THE PUBLIC-LOCAL LAWS OF 1913, CHAPTER 267, IN RELATION TO MOUNT AIRY TOWNSHIP ROAD, AND TO APPOINT HIGHWAY COMMISSION.

The General Assembly of North Carolina do enact:

Expiration of terms.

SECTION 1. That whereas the term of office of Vestal Taylor, Thomas Faucett, and G. M. Sparger, members of the said highway commission of Mount Airy Township, expires March first, one thousand and nine hundred and fifteen: that said Vestal Taylor, Thomas Faucett, and G. M. Sparger be and they are hereby appointed to succeed themselves as members of said Mount Airy

Reappointment.

Township Highway Commission for a term of two years from the ratification of this act.

Sec. 2. That this act shall apply to Mount Airy Township, Surry County, only. Application of act.

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.

Ratified this the 15th day of February, A. D. 1915.

CHAPTER 149.

AN ACT TO PREVENT THE USE OF NARROW-TIRED WAGONS ON THE PUBLIC ROADS OF HOKE, RICHMOND, AND MOORE COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm, or corporation to sell or offer for sale for use upon any of the public roads of Hoke, Richmond, and Moore counties, or either of said counties, any wagon or wagons with tires narrower than two inches for one-horse wagons, three and one-half inches for two-horse wagons, and five inches for four-horse wagons: *Provided*, that the provisions of this section shall not apply to sales of wagons now on hand in any of said counties, when such sale is made on or before January first, one thousand nine hundred and sixteen. Sales forbidden.
Width of tires specified.
Wagons now on hand.

Sec. 2. That it shall be unlawful for any person, firm, or corporation to buy for use or use within the limits of any of said counties after the first day of January, one thousand nine hundred and sixteen, any wagon or wagons with tires narrower than two inches for one-horse wagons, three and one-half inches for two-horse wagons, and five inches for four-horse wagons: *Provided, however*, that the provisions of this section shall not apply to the use of wagons now owned and operated within any of said counties for ordinary farm work or to the use for ordinary farm work of any such wagon or wagons purchased on or before January first, one thousand nine hundred and sixteen, from any dealer or dealers within either of said counties from the stock of such dealer or dealers now on hand. Purchases forbidden.
Width of tires.
Proviso: wagons now in use or on hand.

Sec. 3. That any person, firm, or corporation violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days. Misdemeanor.
Punishment.

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

Ratified this the 15th day of February, A. D. 1915.

CHAPTER 150.

AN ACT TO PROTECT GAME IN ROCKY POINT TOWNSHIP,
PENDER COUNTY.

The General Assembly of North Carolina do enact:

Close season.

SECTION 1. That it shall be unlawful in Rocky Point Township, Pender County, for any person or persons to kill or take in any manner whatsoever, by trap, net, or otherwise, any quail, partridge, woodcock, robins, doves, wild turkeys, or squirrels between the first day of January and the first day of December of each year.

Selling or shipping game forbidden.

SEC. 2. That it shall be unlawful to sell or offer for sale, or to ship or carry from said township for sale, at any season of the year, any partridge, quail, woodcock, robins, doves, wild turkeys, or squirrels.

License tax for nonresident hunters.
Tax to use of road fund.
Proviso: invitations from landowner.
Violation of act a misdemeanor.
Punishment.
Distribution of fine.

SEC. 3. That it shall be unlawful for any nonresident to hunt in said township without having paid a license tax of five dollars, which tax shall go to the road fund of said township: *Provided, however,* that any landowner in said township may invite friends to hunt on his own land without paying said tax.

SEC. 4. That any person violating any of the provisions of this act shall be guilty of a misdemeanor and fined not exceeding ten dollars or imprisoned not exceeding twenty days; one-half of said fine shall go to the school fund and the other to the party who secured the conviction.

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

Ratified this the 15th day of February, A. D. 1915.

CHAPTER 151.

AN ACT TO RELIEVE TOWNSHIPS IN CHATHAM COUNTY
FROM THE GENERAL COUNTY ROAD TAX WHEN SUCH
TOWNSHIPS SHALL VOTE BONDS FOR PERMANENT
ROAD IMPROVEMENT.

The General Assembly of North Carolina do enact:

Amount of bond issue required.

SECTION 1. That whenever any township in Chatham County shall vote bonds for not less than ten thousand dollars for permanent road improvement in any township in said county, and said bonds shall have been sold and the taxes shall have been properly levied to pay the interest, or principal and interest, on

Taxes levied.

Exempt from general road tax.

said bonds, all property within such township shall be exempt

from the payment of the general county road tax as now levied, whether such tax shall be known as a general or special county road tax.

SEC. 2. That no person within such township shall be compelled to work on the public roads of such township in lieu of said tax as now levied under the present road law now in force in said Chatham County, when said bonds shall have been sold and the taxes levied thereunder.

Road duty abolished.

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

Ratified this the 15th day of February, A. D. 1915.

CHAPTER 152.

AN ACT TO FIX THE SALARIES FOR CERTAIN OF THE COUNTY OFFICERS OF WARREN COUNTY, AND TO CREATE AND ESTABLISH THE OFFICE OF AUDITOR FOR SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff of Warren County may appoint one or more deputies in each township in said county outside of Warrenton Township, and may allow such deputies one-half the fees made and collected by them in serving summons, subpoenas, notices, and processes of all kinds, and the fees and commissions made and collected by them from executions. They shall be allowed two and one-half per cent on such taxes as they may be allowed to collect, and do collect in their respective townships, by the board of county commissioners. The said sheriff and his office deputies shall serve all summons and other processes in Warrenton Township directed to such sheriff.

Deputies for townships.

Allowance to deputies.

Commission on tax collections.

Summons and process in Warrenton township.

SEC. 2. All other fees, commissions, profits, and emoluments of all kinds now belonging to or appertaining to the office of sheriff by virtue of his office shall be faithfully collected by him and turned over to the treasurer of said Warren County, or if there be no treasurer, then to such bank or banks in said county as the board of county commissioners shall name.

Fees collected to use of county.

SEC. 3. That the said sheriff shall appoint a jailer and one office deputy, whose salaries shall be fixed by the board of commissioners of said county. The said office deputy shall collect the taxes of said Warrenton Township which is now the duty of the said sheriff to collect, or such as may be his duty to collect hereafter in said township, and shall also collect the taxes of such other townships in said county as far as practicable or as the board of commissioners of said county may determine: *Provided*,

Jailer and office deputy.
Salaries.
Taxes of Warrenton township.

In other townships.

Proviso: sheriff liable on bond.

- that said sheriff and his bond shall be liable for the faithful performance of the duties of their office on the part of his said deputy and jailer hereinbefore referred to, and nothing herein shall be taken or construed to relieve said sheriff or his bond of any liability heretofore existing or imposed by law. That the said sheriff shall receive a salary of two thousand dollars per annum.
- Salary of sheriff.
- Clerk of superior court and register of deeds to collect and account for fees.
- SEC. 4. That the clerk of the Superior Court and the register of deeds of said county shall faithfully collect, account for, and turn over to the treasurer of said county, or if there be no treasurer, then to such bank or banks in said county as the board of county commissioners shall name, all fees, commissions, profits, and emoluments of every kind that may now or hereafter accrue, belong to, or appertain to them by virtue of their offices.
- Salary of clerk.
- SEC. 5. That the said clerk of the Superior Court shall receive a salary of sixteen hundred dollars per annum as clerk, as compensation as said officer. The said register of deeds shall receive a salary of fifteen hundred dollars per annum as register of deeds, as compensation as said officer. The said register of deeds shall appoint a deputy clerk or register, and said deputy clerk or register shall receive a salary of one thousand dollars per annum.
- Salary of register of deeds.
- Deputy register.
- Salary.
- SEC. 6. The officers hereinbefore mentioned shall perform all the duties of their several offices imposed on them by law and shall receive no other compensation or allowance whatsoever than that which is hereinbefore provided, for any extra or additional services rendered to the county, State, or other governmental agency, and they and their several bonds shall be liable to all the pains and penalties that may now or hereafter be provided by law for failure to perform the duties of their several offices.
- Officers to discharge duties.
- Further allowance forbidden.
- Liability on bonds.
- SEC. 7. That the said sheriff, clerk of the Superior Court, and register of deeds shall open and keep a separate set of account books in which shall be promptly and accurately entered itemized accounts of all fees, commissions, emoluments and moneys collected or received by said officers, or which by law are or may be payable into their respective offices; and all of said books shall at all times be open to the inspection of the public upon demand, and said books shall be safely and securely kept so as to prevent loss or destruction thereof.
- Account books to be kept.
- Books open for inspection.
- SEC. 8. The salaries and allowances herein provided for shall be paid by the treasurer, or if there be no treasurer, then by such bank or banks in said county having in hand any funds belonging to said county, upon warrants issued by order of the board of commissioners of said county, as required by law, in monthly installments.
- Payment of salaries.
- SEC. 9. The officers hereinbefore referred to shall turn over to the treasurer of said Warren County, or if there be no treasurer
- Monthly settlements.

then to such bank or banks in said county as the board of county commissioners of said county shall name, all fees, commissions, emoluments, and moneys coming into their hands, and shall make settlement with said treasurer, bank or banks, within the first five days of each and every month; and the said board of county commissioners may at any time require said officers, or any of them, to exhibit to them all books and accounts showing all moneys received and turned over to the said treasurer, bank or banks, under the provisions of this act.

Exhibit of books and accounts.

SEC. 10. Any officer, clerk, deputy, or assistant herein mentioned who shall willfully fail or refuse to collect full fees, commissions, or emoluments of any kind belonging to his office shall be guilty of a misdemeanor.

Failure to collect fees a misdemeanor.

SEC. 11. That the office of auditor of Warren County is hereby created and established; and the auditor of said county shall, after his election hereinafter provided for, receive a salary of fifteen hundred dollars per annum as compensation for his services, to be paid in monthly installments. The said auditor shall furnish bond in some bonding company, acceptable to the board of county commissioners of said Warren County, in the sum of five thousand dollars, payable to the county of Warren, conditioned that he shall diligently, truly, and faithfully perform all the duties of his office and shall faithfully account for all penalties or any moneys or other things of value which may come into his hands by virtue of his office, and shall be liable for any negligence, default, malfeasance, or misconduct in office.

Office of auditor created.
Salary.

Auditor to give bond.

SEC. 12. It shall be the duty of the auditor of Warren County to make out one copy of the tax list of each township as a permanent copy, and to deliver the original copy to the sheriff or tax collector of said county and to supervise and direct the performance of all duties now required by law of the register of deeds relative to the tax list and taxes; to make out and prepare for publication all annual statements required by law; to investigate and to inquire for all delinquent taxpayers, and to require all delinquent property, including polls, to be placed on tax list; to instruct, direct, and supervise tax listers and assessors, and also direct and supervise the listing and assessment of all property liable to taxation in said county; to act as accountant for the county, settling with the county officers; to supervise, scrutinize, and examine at least once in every calendar month all books, accounts, receipts and vouchers and other records of all the officers of Warren County which show fees and commissions collected and received by them; to examine at least twice each year the dockets of all justices of the peace and mayors of said county, and report his findings to said board of county commissioners; and he is hereby authorized to administer oaths of verification of claims

Copy of tax list.

Supervision of tax listing.

Annual statements.
Investigation for delinquents.

Accountant for county.
Examination of books and accounts.

Examination of dockets.

Power to administer oaths.

Accounts with officers.	which may be filed against the county and county board of education of Warren County and to open a set of account books in which shall be shown the total monthly receipts of fees and commissions of all officers of said county in an expert and intelligent manner, assigning distinct and separate accounts for each and every of said officers, which books shall be permanently kept as records of his office and always open to public inspection; he shall likewise, when so directed by the board of county commissioners, visit the county jail and other county institutions, and examine the same, also the books and accounts kept by the jailer and others; it shall likewise be his duty to audit all bills and claims presented to the board of county commissioners of said county and the said board of education, for payment, and no claim or bill filed with said board of commissioners or said board of education shall be allowed or paid until it has been audited by said auditor, and all warrants drawn upon claims or bills allowed by said board of commissioners or by said board of education shall be countersigned by said auditor before they shall be honored or paid.
Books open for inspection. Examination of institutions and accounts.	
Audit of bills and claims.	
Payment before audit forbidden.	
Warrants countersigned by auditor.	
Purchase of supplies for county.	SEC. 13. That it shall be the duty of said auditor to familiarize himself with the market prices, and to assist in buying the supplies of said county, and he shall have full authority to purchase all supplies for said county whenever the said board of commissioners for said county shall so order.
Election of auditor.	SEC. 14. That at the next general election for members of the General Assembly of North Carolina, and biennially thereafter, an auditor for said county, to fill the office created by this act, shall be voted for and elected, as near as may be under the same rules and regulations governing the election of members of the House of Representatives from said county, for a term of two years, said term of office to begin on the first Monday in December, one thousand nine hundred and sixteen, and continue until his successor shall have been elected and qualified: <i>Provided</i> , that if a vacancy shall occur in said office from any cause, the said vacancy shall be filled for the unexpired term by the said board of commissioners for said county. Said board of county commissioners of Warren County shall furnish the said auditor a suitable room in the county courthouse, together with necessary furniture, fixtures, supplies, stationery and postage, the same to be paid for out of the general fund of said county.
Law governing election.	
Term of office.	
Proviso: vacancy.	
Office room and supplies.	
Fees to general fund.	SEC. 15. That all fees, commissions, profits, and emoluments coming to said county of Warren from the offices mentioned herein, under the provisions of this act, shall be placed to the general fund of said county, and all salaries provided for in this act shall be paid out of said general fund: <i>Provided</i> , the said county board of education of Warren County shall pay its pro rata part of the salary and expenses of said auditor and his office.
Fund for payment of salary. Proviso: pro rata to auditor from board of education.	

SEC. 16. That nothing in this act shall be construed to affect Present officers
in any manner any of the present officers of said Warren County not affected.
during their present term of office to which they have been elected
by the people.

SEC. 17. That this act and all the provisions hereof shall be When act effect-
in full force and effect on and after the first Monday in Decem- ive.
ber, one thousand nine hundred and sixteen, except so much here-
of as relates to the office of clerk of the Superior Court of said
Warren County, and this act and all the provisions of this act
relating to the office of the clerk of the Superior Court of said
Warren County shall be in full force and effect on and after the
first Monday in December, one thousand nine hundred and eighteen.

SEC. 18. That all laws and clauses of laws in conflict with this
act are hereby repealed.

Ratified this the 15th day of February, A. D. 1915.

CHAPTER 153.

AN ACT TO PROVIDE FOR WORKING THE PUBLIC ROADS OF BLADEN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and fifty-eight of the Former laws
Public-Local Laws of North Carolina, one thousand nine hundred repealed.
and thirteen, and chapter four hundred and eighty-five of the
Public-Local Laws of the extra session one thousand nine hun- Distribution of
dred and thirteen be and the same are hereby repealed, and all funds.
funds which have arisen or may hereafter arise by virtue of the
same shall be paid over by the commissioners of Bladen County
to the board of supervisors of each township as near as may be
in accordance with the amount thereof collected from each town-
ship, and same shall be expended by the board of supervisors of Expenditures by
each township in improving the public roads thereof as is herein townships.
provided and under the same provisions and restrictions.

SEC. 2. All able-bodied male residents of Bladen County be- Road duty.
tween the ages of twenty-one and forty-five years, except those
living in incorporated towns, are hereby required to do, upon the
public roads of said county, between the first day of January and
the thirtieth day of June, inclusively, of each year, three full days
work of not less than eight or more than ten hours, and between
the first day of July and the thirty-first day of December, in-
clusively, of each year, three full days work of like tenor. No
person shall be required to work more than two days in succes- Commutation.
sion and no person shall be excused from road duty save for in-
firmity: *Provided*, any person who shall on or before the first

day of February pay to the secretary of the board of supervisors of the township in which he resides the sum of one dollar and fifty cents (\$1.50) shall be excused from road duty for the first six months of the year, and any person who shall on or before the first day of August pay to said secretary the sum of one dollar and fifty cents (\$1.50) shall be excused from road duty for the last six months of the year; and any person so desiring may pay to the said secretary the sum of three dollars (\$3) on or before the first day of February, and in that event shall be excused from road duty for the entire year: *Provided further*, that any person who shall furnish in his stead one able-bodied hand shall be excused from road duty for the time such hand is furnished.

Proviso: substitutes.

Discharge of road duty.

SEC. 3. Every person liable to road duty shall attend and work at the times and places mentioned in the summons, with the tool thereby required, and shall work under the direction of the overseer in a satisfactory manner until discharged, or for the number of hours herein required. Any person who shall fail to appear and work in a satisfactory manner when legally summoned, and shall not have paid the amount necessary to excuse him from road duty as provided in section two of this act, or been excused from road duty as provided by law, shall be guilty of a misdemeanor; and any person who shall be discharged by the overseer for failure to work in a satisfactory manner shall be guilty of a misdemeanor, unless such person shall show that his discharge is not due to his own fault.

Failure to appear and work a misdemeanor.

Discharge for failure a misdemeanor.

Meeting and organization of supervisors.
Meetings called by chairman.

SEC. 4. The supervisors of each township shall, within thirty days after the first Monday in December following each election, meet and organize by electing a chairman and secretary, and shall meet thereafter at the call of the chairman, or at such time and place as the board may select, or upon the written request of any two members, and shall meet as often as may be necessary for the proper discharge of the duties herein fixed upon them. The duties of the chairman shall be to call a meeting of the board whenever he shall deem it necessary or when requested as above to do so; to preside over all meetings, to receive and act upon all reports made to him, and to look after, in a general way, the affairs of the board. It shall be the duty of the secretary to keep a full and accurate record of all the proceedings of the board, to keep an accurate set of books showing the amount of money paid to said board, by whom and from what section of road, the amount of money expended by said board, to whom paid, for what purpose, and upon what section of road. Said secretary shall give receipts for all money paid to him by virtue of this act and shall take receipts for all money expended by the board, and the said secretary and chairman and the other members of the board of supervisors shall do and perform all such acts and things as are re-

Duties of chairman.

Duty of secretary.

Receipts for money.

quired of them in this act, and in default thereof shall be guilty of a misdemeanor: *Provided*, no supervisor shall be liable to work on the public road and no supervisor shall receive any compensation for his services as such, except that the board may, in its discretion, pay the secretary thereof a sum not in excess of one dollar (\$1) per day for the time actually necessary to do the work required of said secretary.

Default in duty a misdemeanor.
Proviso: supervisor not liable to road duty.

Pay of secretary.

SEC. 5. The board of supervisors shall have the power to excuse any person from road duty on account of infirmity whenever it shall be satisfied that such person ought in justice to be excused, and in the reports required of said board in this act they shall set forth the names of all persons excused from road duty on account of infirmity and the circumstances connected therewith.

Power to excuse from road duty.

Reports of excuses.

SEC. 6. The board of supervisors shall have the right to purchase such books, stationery, blank receipts, etc., as may be necessary in carrying out the provisions of this act, and to purchase drag scoops and other simple road machinery that cannot be obtained in the neighborhood, in connection with such teams as may be hired for road work, and to pay for all of the same out of the common fund of the township: *Provided*, the amount of money so expended shall not exceed ten per cent of the total amount paid in to said board.

Purchase of books and office supplies.

Purchase of implements.

Proviso: limit of expense.

SEC. 7. The board of supervisors, together with the overseers, shall be responsible for the condition of the public roads in their township and are hereby charged with the duty of carrying into effect the provisions of this act and the general law with reference thereto; and if any section of road shall be allowed to get in an unnecessarily bad condition, and it shall appear that the provisions of the law have not been carried out with reference thereto, then the board of supervisors of the township and the overseer of such section shall, each of them, be guilty of a misdemeanor: *Provided*, that any overseer who can show that the condition of the road is due to no neglect of his shall be deemed to have complied with the law.

Supervisors and overseers responsible for roads.

Neglect of roads a misdemeanor.

Proviso: relief for overseer.

SEC. 8. The board of supervisors at their first meeting shall divide the public roads of the townships into sections and allot hands to the respective sections, and shall designate the boundaries or points to which each resident shall be liable to work on each section, and shall appoint an overseer for each section, and shall, within five days after their meeting, certify to each overseer written notice of his appointment, with a list of the hands assigned to his section. The said board may at any time alter the sections or allotment of hands, and after such alteration shall notify the overseers and hands affected thereby. It shall be the duty of said board to assign to the various sections all able-bodied male citizens between the ages of twenty-one and forty-five who

Division of roads and allotment of hands.

Overseers.

Notice to overseers.

Alteration of sections and allotment.

Hands subject to allotment.

Neglect of duty.	reside in their township, except those living in incorporated towns and except those who may have been excused from road duty as provided by law; and if the said board of supervisors shall fail to assign all such citizens, they shall be guilty of a neglect of duty: <i>Provided</i> , that where a road is a dividing line between townships the county commissioners shall, upon suggestion from the board of supervisors from either township, divide the said road into sections and instruct the supervisors of the respective townships to what portion of the said road they shall assign hands.
Proviso: roads dividing townships.	
Bond of secretary determined.	SEC. 9. As soon as the board of supervisors shall have determined the number of hands liable to road duty in the township they shall determine the amount of bond to be given by the secretary, which amount shall be equivalent to the greatest amount of money which is likely to be in the hands of the secretary at any one time. The secretary shall thereupon enter into a justified bond in said sum payable to the State of North Carolina, and conditioned for the faithful performance of his duty and the faithful accounting for and paying over of all money coming into his hands as secretary, and which bond shall be delivered to and kept by the chairman of the board of supervisors. In the event that no member of the board of supervisors can give the bond required, then the board may elect some person not a member of it as secretary and who shall give the required bond and do and perform all of the acts and things herein required of the secretary, but who shall have no voice in directing the affairs of said board.
Secretary to give bond.	
Secretary chosen outside of board.	
Designation of depositary.	The board of supervisors may designate any bank or trust company in Bladen County as depositary of the fund herein mentioned, to be paid on the order of the board of supervisors as herein provided, and in that event shall require of the secretary only such bond as will, in their judgment, secure the prompt payment over to such depositary of all money collected by the secretary from those liable to road duty. On behalf of the board of supervisors the said secretary shall receive all money that may be paid or tendered by those liable to road duty for the purpose of excusing them therefrom and issue a receipt to each person so paying, in which shall be stated the amount paid and term for which such person is excused from road duty, and such money shall be credited to the section of road to which the person so paying is assigned as a road hand; all the money coming into the hands of the said secretary shall be kept by him or deposited by order of the board in such bank or trust company, subject to and payable only upon the order of the board of supervisors, duly signed by the chairman and countersigned by the secretary thereof.
Bond of secretary.	
Moneys to be paid to secretary.	
Safe keeping of money.	
Orders on road funds.	
Books kept by secretary.	SEC. 10. The said secretary shall keep a book in which he shall set down each section of road in the township by name or num-

ber, and under each section he shall make and keep a complete list of hands assigned to said section by the board of supervisors, and shall leave opposite or adjacent to the name of each hand a sufficient blank space to keep a record of such hand. When any hand shall pay over to the said secretary any amount of money for the purpose of being excused from road duty, said secretary shall make a notation thereof opposite or adjacent to the name of such hand, stating the amount of money paid, the date when paid, and the term for which such hand has been excused from road duty. If any hand shall elect to work the time prescribed by law in preference to paying the amount necessary to be excused from road duty, the secretary shall from time to time enter up the number of days worked by such hand so that his record with reference thereto will be complete. On or before the fifth day of February and August of each year, and as often as the board of supervisors shall think necessary, they shall cause the said secretary to furnish the overseers of the various sections a statement showing what hands have been excused from road duty under section two of this act.

Accounts of payments.

Accounts of road work.

Statements furnished overseers.

Sec. 11. All money received by the board in lieu of work shall be expended by them to the greatest possible advantage in improving the section of road from which the money was paid. In the expenditure thereof said board may employ the overseer of the said section or such person as they may see fit; but it is recommended that the overseer be so employed, and that teams and machinery be used in doing such work, to the end that the greatest possible amount may be accomplished for the money: *Provided*, the board of supervisors may contract with any competent and reliable person to keep in good condition any section or sections of road for any period of time, not in excess of two years, and pay therefor from the funds arising from such section or sections.

Expenditures of road funds.

System of work recommended.

Proviso: work may be let to contract.

Sec. 12. The board of supervisors shall, on or before the first Monday in January and July of each year, make a written report to the clerk of the Superior Court of the county, and the same shall be sworn to by the chairman and secretary of the board, and which shall show the number of hands liable for road duty in their township, the estimated number of miles of public road in the township, the number and names of all hands in the township liable to road duty who have failed to work the full six days as prescribed by law or paid the amount prescribed in lieu thereof, the names of all persons excused from road duty on account of infirmity, with a brief statement of the reasons therefor, the amount of money received by the board during said period, through whom and for what purposes expended. And the said board shall cause to be posted in at least three public places in the township, on or before the first Monday in January and

Semiannual reports.

Statements to be posted.

Reports of delinquencies by road hands.

July of each year, notices showing in detail the amount of money received by the board and from what sources and the amount of money expended by the board, through whom and for what purposes; and the books and records herein provided to be kept by the said secretary shall be at all times open to inspection. If the overseer of any section shall report to the chairman of the board of supervisors that any person has been legally summoned by him and has failed to appear and work as required by law, or that any person has been discharged by him for failure to do a satisfactory day's work, and it shall appear that such person has not been excused from road duty by paying the amounts necessary therefor as prescribed in section two of this act, the said chairman of the board of supervisors shall immediately report to the clerk of the Superior Court of Bladen County the name of such person, together with such facts as they may be able to obtain with reference to such failure to work or such discharge by the overseer, and give the names, as witnesses, of at least two reliable persons who know the facts.

Overseers required to serve.

SEC. 13. Any person appointed overseer shall serve as such, unless there shall be some meritorious reason why he should not; but no person shall be required to serve as overseer against his will for a longer time than twelve months consecutively, and the board of supervisors shall have the right to discharge any overseer for just cause: *Provided*, that in the event any person appointed overseer shall elect to pay his three dollars (\$3) per annum and be excused from road duty, then the board of supervisors may pay such person for performing the duties of overseer such sums as they deem proper, not in excess of two dollars (\$2) per day, and the board may appoint as overseer a person not liable to road duty, but only with the consent of such person, so appointed.

Limit of requirement.

Proviso: pay of overseer.

Overseer to warn hands.

SEC. 14. The overseer of each section of road shall as often as the road shall require, not more than three days during the first six months and three days during the last six months of the year, summon to work on the road all the hands on his section who shall not have been excused from road duty by paying the amount necessary therefor as provided in section two of this act. The summons shall be at least three days before the day named for the work, shall specify the day on which the person summoned is required to attend, the place on the road to be worked, the kind of tools to be brought or used, and the overseer may notify personally the hands allotted to his section, and if he shall be unable to notify each hand personally it shall be sufficient if he leave at the house of such hand a written summons as above.

Specifications of notice.

Overseer to report delinquent hands.

SEC. 15. If any hand shall fail to appear and work when summoned, the overseer shall immediately report the same to the chairman of the board of supervisors, with such information as

he may be able to obtain with reference thereto, and the names of two witnesses. If any hand shall fail to work in a satisfactory manner it shall be the duty of the overseer to discharge such hand and report the same immediately to the chairman of the board of supervisors, together with all the facts in connection therewith and the names of two witnesses. On or before the first day of June and December of each year the overseer shall make a report to the board of supervisors showing the number of days worked since the last report, how many days work has been done by means of any funds belonging to his section and expended through him, by whom such work was done, whether or not team and machinery was used, the amounts expended on the various portions of his section, and such other information as the board may request, which said report shall be in writing and sworn to before some person authorized to administer oaths.

Semiannual reports of overseers.

SEC. 16. The board of supervisors shall cause to be set up at the forks of the respective roads of the township post or posts, with arms pointing the way of each road, with plain and durable directions to the most public places to which such roads lead, and the number of miles to such place as near as can be computed, and shall cause all public roads to be exactly measured, where it has not already been done, and at the end of each mile mark in plain, legible, and durable manner the number of miles.

Guide and mile posts.

Roads to be measured.

SEC. 17. If the board of supervisors shall meet and organize on or before the first day of March, one thousand nine hundred and fifteen, it shall be deemed a compliance with this act; and any person who shall pay the amount necessary to excuse him under section two of this act on or before the twentieth day of March, one thousand nine hundred and fifteen, shall be deemed to have complied with the provisions hereof.

Time for compliance with law.

SEC. 18. Any person who shall make a false report under the provisions of this act, or who shall misapply any of the funds arising hereunder, or who shall wrongfully convert the same to his own use and benefit so that the section of road shall not receive the full benefit thereof, or who shall willfully and deliberately waste or squander any of the funds arising under the provisions of this act, shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, or both, in the discretion of the court.

Acts declared misdemeanors.

Punishment.

SEC. 19. Any person operating on the public roads of Bladen County any traction engine, tractor, or other heavy machinery, and any person hauling over the roads of said county any unusually heavy load or loads, such as sawmill machinery and things of that character, shall, before crossing any bridge or bridges that are not kept up by the county, see that the same are sufficiently strong to bear the weight of such unusual load, and if the same be not sufficiently strong, the owner or operator of such

Traffic regulations for heavy hauling.

- Haulers to repair damages. so that it will bear such unusual load. Should damage be done to any of such bridges the owner of such traction engine, tractor, or other heavy and unusual load shall immediately repair the same, so that such bridge or bridges be put in as good condition as formerly; and upon failure so to do such owner shall be liable for all damage done, and in addition thereto and by way of penalty, a sum equivalent to the amount of actual damages recovered, all of which shall be sued for by the board of supervisors of the township, and the proceeds therefrom credited to the section or sections of road on which such damage occurred.
- Liability for damages. Penalty. SEC. 20. Overseers, or other persons working under the direction of the board of supervisors, may lawfully cut poles and other necessary timber for repairing the roads, making bridges and causeways, and whenever earth, clay, or sand shall be necessary on the public road, such persons may take the same from any place most convenient or desirable on account of the quality or location of the material needed, except trees planted or left for ornamental purposes and cultivated ground: *Provided*, the landowner shall be done as little damage as possible in the taking of such material, and any landowner who feels himself aggrieved may file an application in writing before the board of supervisors for an assessment of his damages, and thereupon said board and said landowner shall each appoint a competent and thoroughly disinterested person, and the two thus appointed shall select a third disinterested person, and the three thus selected shall view the premises and take into consideration the damage done and the benefit accruing by reason of improving the road, and the difference between the damage done and the benefit of the improvement shall be the amount of their judgment. And if any amount be awarded the landowner, the same shall be paid by the board of supervisors out of the fund which is or may be to the credit of the section of road on which the work is done; and in the event that there is no fund to the credit of such section, by reason of the fact that all the hands have elected to work, then said amount shall be paid by the county commissioners. Either party may appeal from the judgment of the appraisers to the Superior Court of the county.
- Overseers may take material. Procedure for assessment of damages. SEC. 21. Immediately upon the coming in of any report from any overseer, as provided in this act, the clerk of the Superior Court shall call the same to the attention of the prosecuting attorney of Bladen County, who shall immediately investigate the same. The officers herein mentioned shall furnish all possible information in regard to such matters, and said prosecuting attorney shall have the right to demand the same, as well as the production of all books and papers connected therewith. If in the judgment of such prosecuting attorney an indictment will lie,
- Proviso: damage to land. Payment of award. Right of appeal. Reports referred to prosecuting attorney. Officers to furnish information. Indictments.

he shall cause a warrant or warrants to be issued and put such person on trial as soon as may be possible, and it shall be the duty of such prosecuting attorney to see that any violation of the provisions of this act are punished.

SEC. 22. The lawful width of public roads and highways in Bladen County shall be thirty (30) feet, and so much in width may be taken in laying out such roads and highways. Width of roads.

SEC. 23. It shall be unlawful for any person to plow into the public roads of Bladen County or use the same for a turn-row or in any other manner obstruct the same, or to obstruct the drains thereof in any manner, or to turn any considerable amount of water into such road or the drains thereof without making adequate provision for carrying the same off. Any person violating any provision of this section shall be guilty of a misdemeanor. Plowing into or obstructing roads or drains forbidden.
Misdemeanor.

SEC. 24. The law applicable to the roads of Bladen County prior to January first, one thousand nine hundred and thirteen, is hereby declared to be still the law applicable thereto, except as herein otherwise provided, and this act shall apply only to Bladen County. Former law applicable.
Application of act.

SEC. 25. That this act shall be in force from and after its ratification.

Ratified this the 15th day of February, A. D. 1915.

CHAPTER 154.

AN ACT RELATING TO BONDS BY SYLVA TOWNSHIP,
AUTHORIZED BY CHAPTER 269, PUBLIC-LOCAL LAWS
1913.

The General Assembly of North Carolina do enact:

SECTION 1. The board of road trustees of Sylva Township, Jackson County, are hereby authorized and empowered to issue the bonds authorized by chapter two hundred and sixty-nine, Public-Local Laws one thousand nine hundred and thirteen, and cause the interest on same to be payable semiannually instead of annually, as prescribed by said act. Issue of bonds authorized.
Interest paid semiannually.

SEC. 2. That the board of county commissioners of Jackson County are hereby authorized and empowered to levy annually at the time other taxes are levied and collected a special tax upon all taxable property within Sylva Township, Jackson County, of sufficient rate and amount to pay the interest on said bonds as it becomes due and the principal at maturity. Special tax.

SEC. 3. That said chapter two hundred and sixty-nine, except as amended by this act, shall be and remain in full force and effect. Act as amended in force.

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

Ratified this the 16th day of February, A. D. 1915.

CHAPTER 155.

AN ACT TO AMEND CHAPTER 48 OF PUBLIC-LOCAL LAWS OF 1913, RELATIVE TO STOCK LAW IN MACON COUNTY.

The General Assembly of North Carolina do enact:

Proviso: minimum of territory.

Proviso: territory taken out by petition.

Proviso: stock-law territory protected.

SECTION 1. That chapter forty-eight of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby amended by adding after the word "boundary," in line fifteen of section three, the following: "*Provided*, that the commissioners of said county shall not declare any boundary a stock-law boundary unless it embraces an entire school district, or the remaining part of a school district not now wholly within stock-law territory: *Provided further*, that if three-fourths of the qualified voters of any school district in Macon County now wholly or partly embraced in stock-law territory, or which may hereafter be so embraced, shall petition the board of county commissioners of said county that they desire their district to be taken out of the stock-law boundary, so that they may enjoy the free range of said district, the said board of county commissioners shall so order: *Provided further*, that nothing herein contained shall be construed to permit live stock of said district to run at large on stock-law territory."

SEC. 2. That the foregoing amendment shall be in full force and effect from and after June first, one thousand nine hundred and fifteen.

Ratified this the 15th day of February, A. D. 1915.

CHAPTER 156.

AN ACT TO AMEND SECTION 2799 OF THE REVISAL OF 1905 OF NORTH CAROLINA, RELATING TO JAILER'S FEES IN DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

Allowance for feeding prisoners.

Application of act.

SECTION 1. That section two thousand seven hundred and ninety-nine of the Revisal of nineteen hundred and five be and the same is hereby amended by striking out the words "twenty-five" in line four thereof and inserting in lieu thereof the words "fifty cents."

SEC. 2. That this act shall apply only to Duplin County.

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

Ratified this the 16th day of February, A. D. 1915.

CHAPTER 157.

AN ACT TO VALIDATE CERTAIN PROBATES OF M. L. HAM,
A NOTARY PUBLIC OF ANSON COUNTY.

Whereas M. L. Ham, an acting notary public, resident at Morven in the county of Anson and State of North Carolina, while cashier of the Bank of Morven, a corporation duly chartered and organized under the laws of the State of North Carolina, has taken the acknowledgment and probate of certain deeds, deeds of trust, mortgages, and other instruments in which the said Bank of Morven was interested: Therefore,

Preamble.

The General Assembly of North Carolina do enact:

SECTION 1. That all such acknowledgments, examinations, and probates so taken by the said M. L. Ham be and the same are hereby validated, confirmed, and made legal, regular, and binding: *Provided*, this act shall not apply to any pending litigation.

Probates validated.

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

Proviso: pending litigation not affected.

Ratified this the 16th day of February, A. D. 1915.

CHAPTER 158.

AN ACT TO ALLOW THE COUNTY OF ONSLOW TO PAY ITS
FINANCIAL AGENT A REASONABLE COMPENSATION.

The General Assembly of North Carolina do enact:

SECTION 1. That whereas the board of county commissioners of Onslow County abolished the office of county treasurer under chapter one hundred and forty-two of the Public Laws of one thousand nine hundred and thirteen, and the amendments thereto; and whereas the said board of commissioners is unable to get a bank or trust company to act as its financial agent without compensation, for keeping the necessary books and making the required reports: The board of county commissioners and the board of education of said county are authorized to pay its financial agent, for keeping the necessary books and making the reports required by the said boards or by the laws of the State, for said services, an amount not to exceed the sum of three hundred and fifty dollars per annum.

Office abolished.

Banks refuse to act.

Payment authorized.

Limit of amount.

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

Ratified this the 16th day of February, A. D. 1915.

CHAPTER 159.

AN ACT TO APPOINT F. L. POTTER A JUSTICE OF THE PEACE FOR KENANSVILLE TOWNSHIP, DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

Appointment.
Term.

SECTION 1. That F. L. Potter be and he is hereby appointed a justice of the peace for Kenansville Township, Duplin County, for the term of two years.

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

Ratified this the 16th day of February, A. D. 1915.

CHAPTER 160.

AN ACT TO PRESCRIBE THE FEES OF ROAD SUPERVISORS IN THE COUNTY OF MARTIN.

The General Assembly of North Carolina do enact:

Per diem.

SECTION 1. That all justices of the peace of the county of Martin, when acting in the capacity of road supervisors for the various townships of said county, shall each be paid the sum of two dollars per day for the time actually engaged in said work, and said fees shall be paid by the county commissioners of said county as is now provided by law for the payment of other claims against the county.

Payment by
county.

SEC. 2. That all laws and clauses of laws in conflict with this act, in so far as the same may relate to Martin County, are hereby repealed.

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

Ratified this the 16th day of February, A. D. 1915.

CHAPTER 161.

AN ACT FIXING THE COMPENSATION OF COUNTY SURVEYOR FOR CASWELL COUNTY.

The General Assembly of North Carolina do enact:

Per diem.

SECTION 1. That the county surveyor for the county of Caswell is hereby authorized to charge the sum of three dollars per day for his services as surveyor to persons employing him as such.

Application of
act.

SEC. 2. That this act shall apply only to Caswell County.

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.

Ratified this the 16th day of February, A. D. 1915.

CHAPTER 162.

AN ACT RELATIVE TO BUYING AND SELLING QUAIL IN CERTAIN COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person to sell or offer for sale, or to buy or offer to buy quail within the counties of Chatham, Randolph, Davidson, Guilford, Anson, Union, Montgomery, and Macon. Sale or purchase unlawful. Counties affected.

SEC. 2. That it shall be unlawful for any person to carry or ship or in any manner transport quail out of either of said counties to any other place for the purpose of selling same; and the fact of taking quail out of any of said counties shall be *prima facie* evidence that such quail were taken out of said counties for the purposes of sale. The possession of any quail or partridges by any hotel, restaurant, or café keeper, or by any produce dealer, within the above named counties shall be *prima facie* evidence of the violation of this section of this act. Shipment for sale forbidden. Shipment prima facie evidence.

SEC. 3. That any person violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not more than fifty dollars or imprisoned not more than thirty days. Possession prima facie evidence. Misdemeanor. Punishment.

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

Ratified this the 16th day of February, A. D. 1915.

CHAPTER 163.

AN ACT FIXING AND REGULATING THE FEES TO BE PAID FOR PROBATING AND REGISTERING CROP LIENS OR LIEN BONDS IN BERTIE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the clerk of the Superior Court of Bertie County shall collect and account for the same, as required by law, the sum of fifteen cents for each crop lien or lien bond probated by him for registration in Bertie County, including all services connected therewith. Probate fee.

Registration fee. SEC. 2. That the register of deeds for the county of Bertie shall collect and account for, as required by law, the sum of forty cents for registering each crop lien or lien bond in the form herein prescribed, including all certificates thereon, and for each lien bond or crop lien not in the form herein prescribed the sum to be collected and accounted for by the register of deeds for registration of the same shall be as now required by law.

Record books. SEC. 3. That for the convenience of registration of such lien bonds or crop liens, the board of commissioners of Bertie County shall furnish to the register of deeds of the county bound record books of the following form, to-wit:

Form. NORTH CAROLINA—BERTIE COUNTY.

Whereas _____ ha___ this day agreed to make advances of supplies and money to _____ from time to time as required, during the year 191___, to an amount not to exceed _____ dollars, to be by _____ expended in the cultivation of a crop during said year upon the following described lands:

Now, therefore, in consideration of the premises, _____ do promise to pay the full amount advanced to _____ on or before the _____ day of _____, 191___, and do hereby give to the said _____ a lien upon all the crops which may be made by _____ upon said land during said year to the extent of such advances, in accordance with the statute in such case made and provided. And if _____ fail to pay the amount so advanced by the time specified, said _____ shall have power to take possession of said crop and sell the same, the proceeds to be applied to the payment of said advances, and the surplus, if any, to _____.

And for the further securing said advances to be made to _____ by said _____ do hereby sell and convey to _____ these articles of personal property:

And whereas the said _____ is justly indebted to the said _____ by note dated _____ day of _____, 191___, in the sum of _____ dollars, for value received, in addition to the amount above agreed to be advanced during the year 191___, and is desirous of securing the payment of the said note:

Now, therefore, in order to secure the payment of the said note, and also to further secure the payment of the advances to be made as before mentioned, the said _____ do___ hereby sell and convey to the said _____ all the crops which may be made by _____ during the year 191__ upon the above described lands, and also the following described articles of personal property, towit:

But on this special trust, that if _____ shall fail to pay the full amount of said advances made in pursuance of said agreement, or the note above mentioned, on or before the _____ day of _____, 191__, _____ may take into possession and sell said crops and personal property, or so much thereof as may be necessary, for cash, at public auction, first giving twenty days notice at three public places in Bertie County, of the time and place of sale, and apply the proceeds of such sale to the payment of the amount then due on account of said note and advances, and pay any surplus to _____.

It is further agreed and understood that if the party of the first part should from any cause fail to cultivate said crops, or do any act the effect of which would defeat the objects of this conveyance, then the party of the second part shall not be obliged to make any further advances, and the indebtedness already incurred shall become due and collectible at once and in the manner herein provided.

Witness _____ hand__ and seal__, this ____ day of _____, 191__.

----- (Seal)
----- (Seal)

Witness:

-----, the owner__ of the land described in the foregoing instrument, do__ hereby agree with the said _____ in consideration of the advances to be made to _____ by _____, that the above given lien shall have priority to the extent of the advances made by _____ to said _____ during the year 191__, over any lien to which _____ may be entitled upon the crop to be made by said _____ on said land during said year.

Release by land-owner.

----- (Seal)
----- (Seal)

Witness:

Form for acknowledgment.

NORTH CAROLINA—BERTIE COUNTY.

The execution of the foregoing instrument was this day acknowledged before me by _____, the grantor, for the purposes therein expressed.

Witness my hand and private seal, this ____ day of _____, 191__.

_____, J. P.

Form for probate.

NORTH CAROLINA—BERTIE COUNTY.

The execution of the foregoing instrument was this day proven before me by the oath and examination of _____, the subscribing witness thereto. Let the same, with this certificate, be registered.

Witness my hand and _____, this ____ day of _____, 191__.

_____, Clerk Superior Court.

Adjudication.

NORTH CAROLINA—BERTIE COUNTY.

The foregoing certificate of _____, a justice of the peace of Bertie County, is adjudged to be correct. Let the instrument, with the certificates, be registered.

Witness my hand and _____, this ____ day of _____, 191__.

_____, Clerk Superior Court.

(Form indorsed on back.)

Form of indorsement.

LIEN BOND.

TO

Book _____ Page _____

FEES.

Probate, \$-----
Passing upon certificate, \$-----
Registration, \$-----
\$-----

Filed for registration at ----- o'clock --- M., -----
 191--, and registered in the office of the Register of Deeds for
 ----- County, in Book -----, page -----, -----,
 191---, -----,
Register of Deeds.

SEC. 4. That all laws in conflict with this act be and the same are hereby repealed.

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

Ratified this the 16th day of February, A. D. 1915.

CHAPTER 164.

AN ACT TO ABOLISH THE OFFICE OF TREASURER IN WASHINGTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners in Washington County, in the State of North Carolina, are hereby authorized and empowered to abolish the office of county treasurer in said county, and in lieu thereof to appoint one or more solvent banks or trust companies located in said county as financial agents of said county, which said bank or trust company shall perform the duties now performed by the treasurer of said county. And that such bank, banks, or trust companies so appointed shall not charge nor receive any compensation for its services other than such advantages and benefits as may accrue from the deposit of the county funds in the regular course of banking.

Commissioners may abolish office.
 Bank as financial agent.
 Bank to serve without pay.

SEC. 2. That said banks or trust companies appointed as financial agents of said county shall be appointed for a term of two years and shall be required to execute the same bond for the safe keeping and proper accounting of such funds as may come into its possession and belonging to said county, and for the faithful discharge of its duties, as are now required by law of county treasurer: *Provided*, that said county shall pay for the cost of executing said bonds.

Term of appointment.
 Bond to be given.
 Proviso: bond at expense of county.

SEC. 3. That all laws and clauses 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 Monday in December, one thousand nine hundred and sixteen.

When act effective.

Ratified this the 16th day of February, A. D. 1915.

CHAPTER 165.

AN ACT TO VALIDATE THE ACTS OF C. D. McCORMICK,
DEPUTY CLERK OF THE SUPERIOR COURT OF SCOT-
LAND COUNTY.

Preamble.

Whereas there exists certain irregularities in the appointment of C. D. McCormick as deputy clerk of the Superior Court of Scotland County; and whereas the records of the office of the clerk of the Superior Court and of the register of deeds of Scotland County do not disclose any evidence of his appointment and qualification since his first appointment in one thousand nine hundred and six; and whereas he has served continuously as deputy clerk of the Superior Court for several terms without being re-appointed, and at various times has discharged all the duties which are allowed by law to be performed by a deputy clerk; and whereas his acts as deputy clerk affect large property interests: Now, therefore,

The General Assembly of North Carolina do enact:

Acts validated.

SECTION 1. That each and every official act done or performed by C. D. McCormick as deputy clerk of the Superior Court of Scotland County, during the several terms of office of H. H. Covington, clerk of the Superior Court of Scotland County, be and the same are hereby made valid, and the same shall have the same force and effect as though the said C. D. McCormick had been regularly appointed as deputy clerk of the Superior Court of Scotland County and the record thereof had been regularly made as provided by section eight hundred and ninety-nine of the Revisal of one thousand nine hundred and five.

Appointment.

SEC. 2. That the said C. D. McCormick be and he is hereby appointed and made deputy clerk of the Superior Court of Scotland County, and his term of office shall terminate at the expiration of the term of office of the present clerk of the Superior Court of Scotland County, or his office may be vacated by the clerk of the Superior Court of Scotland County as now allowed by law.

Term of office.

Powers and
duties.

SEC. 3. That the said C. D. McCormick as deputy clerk is hereby authorized and empowered to do and perform any and all of the duties pertaining to the office of the clerk of the Superior Court of Scotland County, whether the same be judicial duties or ministerial duties, subject, however, to the provisions of section two of this act.

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.

Ratified this the 17th day of February, A. D. 1915.

CHAPTER 166.

AN ACT TO ALLOW THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY TO LIQUIDATE CERTAIN INDEBTEDNESS OF SAID COUNTY.

The General Assembly of North Carolina do enact:

- SECTION 1. That the board of county commissioners of Washington County be and they are hereby authorized to issue bonds on the faith and credit of said county, to be paid out of the taxes collected in said county applicable therefor, for the purpose of paying off the present outstanding debt of said county created for necessary expenses in said county and other necessary expenses herein set out. Bond issue authorized.
Fund for payment.
- SEC. 2. That said bonds shall not exceed a total principal amount of thirty thousand dollars, to be evidenced by coupon bonds in denominations of five hundred dollars and one thousand dollars, with interest not to exceed six per cent per annum, payable annually. Said bonds and coupons to be in form prescribed by said board of county commissioners. Limit of amount.
Denominations.
Interest.
- SEC. 3. That out of the proceeds of the bond issue aforesaid an amount not to exceed ten thousand dollars may be appropriated by said board of county commissioners for the purpose of repairing and rebuilding the public road in said county well known as Plymouth and Pungo turnpike road, said repairing and rebuilding to be carried on under the present road law of said county, and under the rules and regulations of said county commissioners as now provided by law. Appropriation for road.
- SEC. 4. That said county commissioners are hereby authorized to pay the interest arising on said indebtedness and said bonds out of the revenues of said county as allowed by law. Payment of interest and bonds.
- SEC. 5. That said bonds shall fall due within such periods as said county commissioners may designate, not to exceed in duration twenty-five years from date of the ratification of this act: *Provided further*, that one bond of one thousand dollars or two bonds of five hundred dollars each may be retired each year without premium, at the option of said board of county commissioners. Maturity of bonds.
Proviso: bonds subject to call.
- SEC. 6. That the treasurer of said county shall receive as his entire compensation and fee from said fund created by sale of the said bonds a commission of one per centum on disbursements and nothing for receipt of said fund. Commission of treasurer.
- SEC. 7. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.
- SEC. 8. That this act shall be in force from and after its ratification.
- Ratified this the 17th day of February, A. D. 1915.

CHAPTER 167.

AN ACT TO PREVENT THE DEPREDATIONS OF DOMESTIC FOWLS IN DAVIE COUNTY.

The General Assembly of North Carolina do enact:

Permitting fowls to trespass after notice forbidden.

SECTION 1. That it shall be unlawful for any person to permit or allow, after having been notified in writing as provided for in section two of this act, any chickens, turkeys, ducks, or other domestic fowls to run at large or trespass on any land cultivated or planted in any kind of grain or feedstuff or used for garden or ornamental purposes.

Misdemeanor.

SEC. 2. That any person permitting or allowing his domestic fowls to run at large or trespass upon any such land planted in any kind of grain or feedstuff or used for garden or ornamental purposes, after being notified in writing to keep them up, shall be guilty of a misdemeanor, and fined not exceeding fifty dollars or imprisoned not exceeding thirty days, in the discretion of the court.

Punishment.

Application.

SEC. 3. That this act shall apply to Davie County only.

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

Ratified this the 17th day of February, A. D. 1915.

CHAPTER 168.

AN ACT TO ALLOW OFFICERS AND WITNESSES OF THE COURTS OF HALIFAX COUNTY, NORTH CAROLINA, FULL FEES IN ALL CRIMINAL ACTIONS IN WHICH THE DEFENDANT IS CONVICTED AND SENTENCED TO BE IMPRISONED, TO BE ASSIGNED TO WORK UPON THE PUBLIC ROADS OF HALIFAX COUNTY.

The General Assembly of North Carolina do enact:

Full fees allowed.

SECTION 1. That the board of county commissioners of Halifax County, North Carolina, is hereby authorized, empowered, and directed to allow and pay full fees to all witnesses and officers of the court of Halifax County, North Carolina, in all criminal actions in Halifax County, North Carolina, in which said witnesses are legally entitled to pay and in which the officers of the court perform their proper duties according to law, when the defendant is convicted and sentenced to be imprisoned, to be worked upon the public roads of Halifax County.

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

Ratified this the 17th day of February, A. D. 1915.

CHAPTER 169.

AN ACT TO AMEND CHAPTER 158, PUBLIC-LOCAL LAWS OF 1911, RELATIVE TO THE RECORDER'S COURT IN VANCE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section five of chapter one hundred and fifty-eight of the Public-Local Laws of one thousand nine hundred and eleven be amended by striking out all of subsection "(d)" between the word "person" in line thirteen and the word "selling" in line fifteen, and by substituting therefor the following: "retailing spirituous, vinous, fermented, or malt liquors or intoxicating bitters without license, or selling or giving away any of said liquors or intoxicants to a minor." Further jurisdiction.

SEC. 2. That the following be added at the end of subsection "(d)" of section five: "*Provided*, that the grand jury of the county shall have concurrent jurisdiction with the said recorder's court in investigating cases where a person is charged with retailing spirituous, vinous, fermented, or malt liquor, or intoxicating bitters without license, or of selling or giving away any of said liquors or intoxicants to a minor." Proviso: jurisdiction concurrent with grand jury.

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

Ratified this the 17th day of February, A. D. 1915.

CHAPTER 170.

AN ACT TO REPEAL THE ROAD LAW OF WAYNE COUNTY IN SO FAR AS IT AFFECTS BROGDEN TOWNSHIP.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and twenty-seven (327) of the Public-Local Laws of nineteen hundred and thirteen and chapter forty (40) of the Public-Local Laws of the extra session of nineteen hundred and thirteen be and the same are hereby repealed in so far as they are applicable to and affect Brogden Township in Wayne County and no further, and all elections held under said acts in Brogden Township are hereby invalidated, it being the purpose and intent of this act that said laws shall remain in full force and unimpaired as to all of Wayne County, except Brogden Township, and that Brogden Township shall be eliminated from the provisions thereof. Bond laws repealed and elections invalidated.

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

Ratified this the 17th day of February, A. D. 1915.

CHAPTER 171.

AN ACT TO PROTECT GAME IN CUMBERLAND AND WAYNE COUNTIES.

The General Assembly of North Carolina do enact:

Selling and shipping game forbidden.

SECTION 1. That it shall be unlawful for any person, partnership, firm, or corporation to sell, barter, or offer for sale any bobwhite, quail or partridge, snipe, or woodcock within the counties of Cumberland and Wayne, or to ship, take, forward, or transport the same therefrom.

Misdemeanor.
Punishment.

SEC. 2. That any person violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not more than fifty dollars or imprisoned not more than twenty days.

Game wardens.

SEC. 3. That each township constable be and hereby is constituted a game warden as provided by the laws of North Carolina.

Application of act.

SEC. 4. That this act shall apply only to the counties of Cumberland and Wayne, and this act shall not be construed to repeal any law or clauses of laws relative to the protection of game in the counties of Cumberland and Wayne, except as the same are inconsistent with the provisions of this act.

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

Ratified this the 17th day of February, A. D. 1915.

CHAPTER 172.

AN ACT FOR THE CONSTRUCTION AND MAINTENANCE OF THE PUBLIC ROADS AND BRIDGES OF MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

Road commissioners named.

SECTION 1. That D. W. Tipton, George M. Young, and T. A. English be and they are hereby appointed and constituted a board of road commissioners for Mitchell County. That immediately after the ratification of this act, and as soon as may be, the above mentioned parties, constituting said board, shall meet in the town of Bakersville and organize by electing one of their members chairman of said board and one of their members secretary of said board. The term of office of said members of said board shall be two years from the ratification of this act, or until their successors are elected and qualified. In case of death or resignation or failure to qualify, such vacancy shall be filled

Commissioners to meet and organize.

Organization.

Term of office.

Vacancies.

by the remaining members of said board. Each member of said board, and such successor of such member, shall take and subscribe an oath before the clerk of the Superior Court of Mitchell County for the faithful performance of his duties as a member of such board. At the expiration of the term of office by limitation of any member of said board, such member shall continue to act as such member until the next meeting of the General Assembly of North Carolina, when it shall appoint some qualified elector of Mitchell County to fill such vacancy.

Commissioners to qualify.

Election of successors.

SEC. 2. That said board of road commissioners of Mitchell County and its successors in office be and the same are hereby appointed and constituted a body corporate under and by virtue of this act, under the name and style of "The Board of Road Commissioners of Mitchell County," and as such corporation shall have the power to sue and be sued in any of the courts of this State or any other State, territory, or district of the United States; with the power of perpetual succession; the right to adopt a common seal and to change same at its pleasure, and have all the powers and authority necessary and incident to their existence to carry out the purposes of this act; and shall have the power to purchase, acquire, and hold property for the use of said Mitchell County, whether real or personal, as may be necessary and proper to carry out the spirit and intention of this act in improving, constructing, and maintaining the public roads of Mitchell County; and shall have the power to lay off, maintain, or discontinue, whenever and wherever necessary, any public road or bridge in said county, and shall exercise such other rights and privileges as are incident to and connected with the duties of their office in the construction and general supervision of said public roads, with the power to condemn such lands for the construction, widening, or changing of any of the public roads in said county, and shall have the power to let to contract the construction, improvement, or change of any such public road, or the erection, repairing, or improving of any public bridge in said county, and such other and incidental powers and privileges as are necessary and proper to carry out the provisions of this act.

Incorporation.

Corporate name.

Corporate powers.

To purchase and hold property.

Powers as to roads and bridges.

Other rights and privileges.

Work may be let to contract.

SEC. 3. That it shall be the duty of said board to take charge of the working, repairing, maintaining, altering, and constructing of any and all roads and bridges in said county now maintained by the county as public roads, and it is hereby vested with all the power, rights, and authority now vested in the board of county commissioners of Mitchell County for the general supervision of the public roads and bridges in said county and for the construction and repair thereof.

Board to take charge of roads and bridges.

Power, rights, and authority vested.

SEC. 4. That said board is hereby authorized and empowered to purchase or otherwise lawfully acquire for use in construction,

Purchase of equipment.

change, or repair of the public roads and bridges, any implement, machinery, or tools that may, in their discretion, be necessary and proper to carry out the provisions and intentions of this act, and exercise such rights and authority as will enable them to lawfully and properly carry out the provisions of this act; and for that purpose the said board is authorized to meet on the first Monday in each and every month in the courthouse in Bakersville for the transaction of the business imposed by this act upon said board, and such board shall receive the same compensation as is now paid by law to the members of the board of county commissioners of said county.

Monthly meetings.

Pay of board.

Entry on land for material.

SEC. 5. That the said board, through its officers, agents, and employees, is hereby authorized to enter upon any land contiguous or adjoining any public road of said county, as now constructed or hereafter to be constructed, to cut and carry away any timber necessary for the construction and maintenance of the said public roads of said county, excepting ornamental or fruit trees, and dig, or cause to be dug, and carry away any gravel, sand, clay, earth, stone, or other material of a native nature which may be necessary and proper for the proper repair and construction of roads in said county, and shall make such drains or ditches as the board may deem necessary and advisable for bettering the condition of said roads; and such drains or ditches when so constructed, using care to produce as little injury to the landowner as the nature of a proper construction of such road will admit, shall not be obstructed or interfered with by the owner or occupant of the land over which the same may be constructed; and any person so obstructing such ditch or drain shall, upon conviction thereof, be guilty of a misdemeanor and punished in the discretion of the court.

Drains and ditches.

Obstructing drains or ditches a misdemeanor.

Claims for damages.

SEC. 6. That the owner of any land through or over which such public road is authorized to be laid out by the board of road commissioners, under this act, or amendment or change has been made, or from which any timber or other material has been taken or removed and used in the construction of said road, may present his claim, in writing, to said board of road commissioners within sixty days after the completion or alteration or change of such road on his premises, or the taking of any timber or other material from his lands as herein provided, asking that same be allowed as damages for such construction, change, or amendment of said road, or for the taking of such timber or other material, when, if in the opinion of such board such demand be reasonable and just, they may allow the same; the payment thereof shall forever bar such claimant from all right of action or claim for any further damages arising thereunder: *Provided*, should such board of road commissioners deem the amount of damages prayed exorbitant or excessive, they may, in their discretion, refuse to

Payment of claim.

Proviso: procedure for assessment of damages.

allow such claim, and in such event shall appoint three competent and disinterested freeholders, residents of said county, qualified to act as jurors, to assess such damages as such claimant has sustained; and in estimating such damages such jurors shall take into consideration the advantages of the road to the landowner and deduct such amount of benefit from their finding of damages, when the remaining amount shall be considered as damages and so reported to such board of road commissioners as their findings. Upon the coming in of such report of damages the said board of road commissioners having the right to make such reasonable rules of procedure in the matter as to them may appear reasonable and just, either the claimant or the board of road commissioners may appeal to the Superior Court in term, where the issue of damages shall be tried by a jury, and, if desired by either, thence to the Supreme Court. And should any person or persons obstruct, attempt to obstruct, interfere with or hinder the said board of road commissioners or their agents, contractors, or employees in the laying out, changing, constructing, or altering any public road or repairing any public bridge in said county, or any other thing or matter authorized and empowered by this act, shall upon conviction be guilty of a misdemeanor and punished in the discretion of the court.

Right of appeal.

Obstructing officers a misdemeanor.

SEC. 7. That the said board of road commissioners are hereby authorized to employ a competent engineer, for such compensation as may be agreed upon between said board and such engineer, whose duty it shall be, under the direction of said board, to locate, relocate, alter or change any grade upon any public road now constructed or to be hereafter constructed in said county, putting such roads upon the best grade obtainable not to exceed six feet in each hundred feet, locating all roads so laid out, altered, or changed, of not less than twenty feet in width, excepting where it is not practicable to construct such road of said twenty feet width on account of local conditions in the territory over which such road is located or on account of its excessive costs in constructing such width at such point.

Employment and compensation of engineer.

Duty of engineer.

Grade.

Width.

SEC. 8. That for the purpose of constructing, maintaining, and repairing of the roads and bridges in said county, the board of road commissioners shall annually employ or appoint a road superintendent for each of the townships in said county, and shall pay such road superintendent as compensation a sum of not less than one dollar nor more than two dollars per day, in the discretion of such board, for such days service as such road superintendent shall actually and *bona fide* be engaged in work upon his said roads; and the said board of road commissioners may delegate to him such powers as the said board may think necessary to carry out the provisions of this act; and the said road superintendent, when so appointed, shall hold his office for one year from such

Employment and pay of road superintendents.

Powers delegated to superintendent.

Term of superintendent.

Removal for cause.	appointment or until his successor is elected and qualified. Such road superintendent may be removed by the said board at any time for sufficient cause or dereliction of duty. It shall be the
Monthly statements from superintendent.	duty of said road superintendent to make an itemized statement, under oath, monthly, of all moneys received by him, stating by whom paid, for what purpose paid, and the amount; such statement to be made to the board of road commissioners at the regular meeting of said board on the first Monday in each month.
Superintendent to give bond.	Such road superintendent so appointed shall, before entering upon the duties of his office, enter into a bond, payable to the State of North Carolina in a sum of not less than two hundred and fifty dollars, conditioned upon the faithful performance of his duties as such road superintendent, and to account for all moneys, tools, machinery, and supplies which may come into his hands by virtue of his said appointment intrusted to his care, and for the performance of the duties imposed upon him by this act
Work under direction of commissioners.	and by the said board of road commissioners, and it shall be the duty of such road superintendent to work all roads and amendments to the public roads under the advice and direction of the board of road commissioners. That any road superintendent or other officer who shall misappropriate any funds, or shall fail to report and account for any money coming into his possession by virtue of his office, shall be guilty of embezzlement, and upon conviction thereof shall be punished for embezzlement.
Misappropriation of funds embezzlement.	
Road duty.	SEC. 9. That all able-bodied male persons between the ages of twenty-one and forty-five years shall be liable to work on the public roads of Mitchell County for four days, of ten hours each, in each and every year; and the road superintendent and township supervisors shall, under this act, be required, if subject to road duty, to perform the same amount of work upon the public roads of said county as if they did not occupy the positions above mentioned.
Superintendents and supervisors.	
Superintendent to warn out hands.	SEC. 10. That the road superintendent shall give to each person subject to road duty in his township at least two days notice, except in case of washout, in which case he shall appear and work immediately upon being warned by such road superintendent, by personal notice or by leaving written notice at the home or residence of such person, stating when and where the work is to be done, and naming the tool or implement such person so warned is required to bring. Such road superintendent shall use discretion in having such person work as near his own residence, if he desires to do so, as the nature of the work will permit:
Location of work.	<i>Provided</i> , that any person desiring to do so may pay to the road superintendent the sum of one dollar for each day he is summoned to work, on or before the day he is notified to work, in lieu of labor for each day, and in all cases where such person, liable for road duty as aforesaid, shall pay the four dollars or
Proviso: commutation.	

any part thereof, as herein provided, it shall be the duty of the road superintendent to whom such payment is made to issue to such person a printed receipt, keeping a stub of same, for such payment, stating the amount paid and the year for which the same was paid, which receipt shall be valid to discharge such persons as pay the same for the number of days so paid.

SEC. 11. That any person subject to road duty under this act who shall fail or refuse to work after being duly summoned by the road superintendent of his township, and having failed to pay the sum or sums hereinbefore mentioned and provided for, shall upon conviction thereof be guilty of a misdemeanor and fined not less than five nor more than twenty dollars, or imprisoned not more than twenty days for each and every such offense. Or if any person, after having been so warned, and attending at the place summoned to attend and appointed for work, shall fail, refuse, or neglect to do reasonable work by idling and wasting time, then and in such event every road superintendent under whom such party is by law required to work may discharge such person and immediately procure a warrant to issue for the arrest of such person for failure to work upon said road as required by this act, and upon conviction thereof shall be punished as hereinbefore provided.

Failure to discharge road duty a misdemeanor.

Punishment.

Neglect of work.

SEC. 12. That the board of county commissioners shall, at their regular meeting on the first Monday in June, one thousand nine hundred and fifteen, and at such other times as may be fixed by law, and annually thereafter, levy a special tax of not more than fifty cents on each hundred dollars valuation of property subject to taxation in said county for the purpose of constructing, maintaining, and improving the public roads and bridges of the county. Said taxes are to be levied by said commissioners as other taxes of the county are levied, and to be collected and accounted for by the sheriff or tax collector, or other person intrusted with the charge of collecting the public taxes of said county; said taxes to be faithfully applied by the board of road commissioners of said county: *Provided*, the said board of commissioners of Mitchell County may, in their discretion, exempt any incorporated town from the provisions of this section, allowing said town to levy, collect, and expend the taxes from its own municipality.

Special tax.

Limit of rate.

Levy and collection of tax.

Specific appropriation.

Proviso: exemption of towns.

SEC. 13. That the treasurer or other disbursing officer shall keep a separate account of all road funds coming into his possession or control, and shall faithfully and honestly account for and pay over the same when required by law to such person or persons as may be entitled to the same. General disbursements are to be made only upon the order or warrant of the said board of road commissioners, signed by its chairman and countersigned by its secretary, when such warrant, so signed, shall be a voucher and evidence of proper payment by such treasurer.

Separate accounts of road funds.

Warrants on road funds.

- Inspection of roads and bridges. SEC. 14. That the board of road commissioners of said county shall inspect all public roads and bridges of said county, and for this purpose they may divide the county into three districts, making a record of the same and assigning one district to each commissioner or member of said board, as may be agreed upon by them. Said commissioner shall go over and inspect all of said public roads and bridges in his section at least once each ninety days, and shall ascertain and determine if the said roads and bridges are being maintained and constructed as directed by said board. Each member shall make a report of the condition of the roads and bridges inspected by him at the regular meeting of said board, which report shall be filed for reference.
- Road districts.
- Quarterly inspections.
- Reports.
- Dragging logs or timber forbidden. SEC. 15. That it shall be unlawful for any person, firm, or corporation, under any pretext whatever, to drag over, upon, or along any public road in said county any log or timber which does or may be calculated to injure such road. Any person, firm, or corporation so offending shall, upon conviction thereof, be guilty of a misdemeanor and fined or imprisoned, in the discretion of the court.
- Misdemeanor.
- Exemption from road duty. SEC. 16. That no person between the ages of twenty-one and forty-five years shall be exempt from working upon the public roads of said county, except such person be exempted by the board of road commissioners, only upon condition that such person file with said board a certificate or statement of some reputable physician practicing in said county certifying that such person is physically unable to perform and do ordinary manual labor. However, the said board of road commissioners shall, in their discretion, have the right to ignore and refuse to honor such certificate or statement to exempt such applicant from such road duty.
- Road fund apportioned to townships. SEC. 17. That the board of road commissioners of said county shall ascertain from the board of commissioners of Mitchell County the amount of taxes levied and likely to be derived from each township in said county, and said board of road commissioners shall keep an accurate account of the same, in sum furnished them by said board of county commissioners, and, after deducting from the general fund so collected or liable to be collected from all of said townships collectively, the per diem and mileage of the members of the board of road commissioners, and other just general costs and expenses against said fund, then the said board of road commissioners shall expend the net remaining sum collected from each township upon the public roads of the township whence collected. All tools, machinery, and appliances purchased by said board shall be considered as general costs and expenses, and shall be deducted from the general collection of all the townships of said county before apportionment to the townships be made; and in event of purchase of such tools, machinery,
- Cost of equipment general expense.

and appliances after such apportionment, the same shall be paid for as out of a general fund.

SEC. 18. That the board of road commissioners of said county is hereby authorized and empowered, in its discretion, to issue bonds of Grassy Creek Township, in said Mitchell County, for the construction and repair of the public roads and bridges of said township, in a sum not to exceed thirty thousand dollars. The bonds so issued shall be styled "Grassy Creek Township Good Road Bonds of Mitchell County," and the said bonds shall be of such denomination and of such proportion as said board may deem advisable, bearing interest from date of their issue not to exceed six per cent per annum, with interest coupons attached, payable annually or semiannually as said board may provide, and at such time or times and at such place or places as said board may fix. The bonds authorized hereunder shall be approved by a majority of the board and signed by the chairman thereof and countersigned by its secretary; such bonds to be in such form and tenor and transferable in such way, and the principal thereof payable and redeemable at such time or times not to exceed thirty (30) years from the date thereof, and at such place or places as said board of road commissioners may determine. None of said bonds shall be disposed of for less price than their face value. Such bonds may be issued at such time or times and in such amounts as may be deemed best in the opinion of said board of road commissioners to meet the needs of said Grassy Creek Township in the construction and repair of the public roads and bridges of said township. The board shall adopt a corporate seal, and any bonds issued for the use of said Grassy Creek Township under this act shall have the corporate seal of said board attached thereto. Nothing herein contained shall be construed as compulsory upon the said board of road commissioners to issue said bonds, but it is to be a matter in their discretion, acting as such board. The liability for the payment of any and all bonds issued under and by virtue of this act, together with all interest that may be due thereon, shall be attached thereto, and the entire, whole, and complete taxable property situated within the now present bounds of said Grassy Creek Township, or any property of a taxable nature hereafter existing in or coming into said township at any time during the life payment of such bonds, shall be irrevocably subject to a sufficient rate of taxation to pay off and discharge said bonds at their maturity, and the interest on the same as same shall mature and become payable, and the taxes for the payment thereof shall be levied upon such property in said township and collected as other taxes are levied and collected in said Mitchell County. The bonds issued under and by virtue of this act by said board of road commissioners of Mitchell County shall be valid in law and the liability for the payment thereof imposed

Bond issue for
Grassy Creek
township.

Amount.

Entitlement of
bonds.

Denominations.

Interest.

Authentication.

Maturity.

Sale below par
forbidden.

Seal of board.

Issue of bonds
discretionary.

Obligation of
bonds.

upon Grassy Creek Township, in said county, as fully and amply as if the same had been issued by the board of county commissioners of Mitchell County under the same law and authority.

Special tax on townships.

SEC. 19. For the purpose of providing for a sinking fund for the payment of the bonds of Grassy Creek Township, authorized to be issued hereunder, and the interest thereon, the board of commissioners of Mitchell County and their successors in office shall annually, on the first Monday in June of each year following an issue of bonds for Grassy Creek Township, under and by virtue of this act, or at such other times as may be fixed for levying taxes, and every year thereafter, levy and lay a special tax on all the property subject to taxation within the limits of Grassy Creek Township as now established and bounded, as in

Limit of tax rate.

the case of other taxes for general county purposes, of not more than fifty cents on the hundred dollars valuation of real, personal, and mixed property. The taxes so levied shall be collected

Collection of tax.

by the sheriff or tax collector of the county upon such terms as may be agreed upon between such sheriff, tax collector, and the said board of county commissioners. Such sum agreed upon shall in no event exceed the sum allowed by law for collecting the general taxes of the county. The funds so collected from the sale of such bonds shall be turned over and delivered to the treasurer or other person authorized by the board of road commissioners.

Settlement.

and shall be used by said board of road commissioners in the construction, maintenance, and repair of the public roads and bridges in said Grassy Creek Township, and for the payment of its employees and appointees under and by virtue of this act in the construction, improvement, and maintenance of the public roads and bridges in said Grassy Creek Township.

Specific appropriation.

Superintendent for Grassy Creek township.

SEC. 20. That for the purpose of the construction and repair of the public roads and bridges of said Grassy Creek Township the board of road commissioners of said county shall employ and appoint a road superintendent and such subordinates thereto as it may deem proper and necessary to carry out the provisions of this act as affecting the public roads and bridges of said Grassy Creek Township, and shall pay him such salary as will compensate him for the work to be done and performed by him; and the said board may delegate to him such powers as the said board may think necessary and proper to carry out the intention and provisions of this act in constructing and repairing the public roads and bridges of said Grassy Creek Township. The said board of road commissioners shall elect a treasurer to handle the funds to be derived from the sale of bonds for said Grassy Creek Township who shall have charge of all the road funds of said township under the provisions of this act. The said board shall fix his salary commensurate with the amount of time involved in the handling of said road funds so derived to the use

Salary.

Delegation of powers.

Treasurer.

Salary.

of said township. The treasurer so appointed shall enter into a bond payable to Grassy Creek Township, Mitchell County, for the faithful performance of his duties, and, further, to indemnify the said township for all funds coming into his possession by reason of his appointment as such treasurer: *Provided*, said board of road commissioners may designate some State bank of the State of North Carolina, which in their discretion they may select, as such treasurer, and upon said bank, through its proper officers, executing and delivering to said board of road commissioners a bond of like condition and tenor as herein provided, when such bank so designated shall receive, pay out, disburse, and account for all funds as shall come into its possession from the use of said Grassy Creek Township by virtue of this act from the sale of bonds herein provided for, by virtue of such designation and appointment, such payment to be upon the warrants or orders of said board of road commissioners, signed by its chairman and countersigned by its secretary. All valid orders so paid by it shall be vouchers in its favor as disbursements of such amounts of said fund, and shall be allowed in all settlements and accountings between such bank and said board of road commissioners.

Sec. 21. That said board of road commissioners are hereby authorized to appoint a road superintendent for said township, and shall pay him such compensation as said board may deem sufficient to compensate him for his services. The board may delegate to him such powers as will enable him to carry out effectually the provisions of this act as affecting the public roads and bridges of the said Grassy Creek Township. He shall hold his office for one year, or until his successor is elected and qualified. He may be removed at any time for such cause as the board, in its discretion, may deem proper. Subject to the supervision and approval of said board, such superintendent shall have supervision of the roads of said Grassy Creek Township, and shall have in charge the construction and repair of all the public roads and bridges in said township, and may employ such subordinates as are necessary, subject always to the approval of said board of road commissioners. The board may require of such road superintendent such reports in regard to road construction, expenditure of money, and needs in regard to road construction and improvement as it may deem necessary. The road superintendent so appointed shall enter into a good and sufficient bond, payable to Grassy Creek Township in Mitchell County, for the faithful performance of the duties imposed by his appointment, and by this act, and by the board of road commissioners: *Provided*, that the board may, in its discretion, appoint only such officers as it may deem necessary to carry out the provisions of this act as affects said Grassy Creek Township.

Bond of treasurer.

Proviso: bank as treasurer.

Vouchers.

Township road superintendent.

Compensation.

Delegation of powers.

Term of office.

Removal for cause.

Supervision and care of roads.

Employment of subordinates.

Board may require reports.

Superintendent to give bond.

Proviso: discretionary appointments.

Equipment for township.

SEC. 22. That the board is hereby authorized and empowered to purchase or otherwise lawfully acquire for use in the construction, change, or repair of the public roads and bridges of Grassy Creek Township any machinery, tools, implements and teams as may be necessary in exercise of such right and authority as to enable them lawfully and properly to carry out the provisions of this act as applying to said Grassy Creek Township. The board, through its officers and agents, is hereby authorized to enter upon any uncultivated lands near or contiguous to any public road now constructed in said township, or to be hereafter constructed, and to cut and carry away any timber, except trees or groves on improved land planted or left for shade or ornament, to dig or cause to be dug and carried away any gravel, sand, clay, earth, or stone which may be necessary for the proper repair and construction of any public roads in said township, and upon any lands adjoining or lying near any road now constructed or here-

Entry on land for material.

after to be constructed in said township, and to enter upon any lands adjoining or contiguous to any such road in order to make such drains or ditches through the same as the board may deem necessary for the better construction or maintenance of such roads; and the ditches so made shall not be obstructed by the owner or occupant of such land, or any other person; that any person obstructing such drains or ditches shall be guilty of a misdemeanor, and upon conviction fined not exceeding fifty dollars or imprisoned not exceeding thirty days.

Drains or ditches.

SEC. 23. That the owner of any lands lying in said Grassy Creek Township from which any timber or other material has been removed may present to the board of road commissioners his claim therefor in writing, and upon such presentment it shall be the duty of said board to set a day for the hearing of his claim. Upon the hearing thereof the claimant may appeal to the Superior Court of said county and have his cause tried as in other civil actions. That for the construction, change, relocation, or repair of any road in said township the board, through its agents and officers, is hereby authorized and empowered to enter upon the property of any landowner in said Grassy Creek Township and construct any new road or change of road upon said lands. The landowner may file his claim for damage by virtue of the location and construction or relocation, change, and construction of such road upon his land, when and in such event it shall be the duty of the board to assess the damage done and the benefits accruing to the landowner by virtue of the location, change, relocation, or construction of said road upon such lands, and the amount of damage done when assessed, less the benefits accruing to the landowner, shall be the verdict of the court. The landowner may waive such hearing and demand a jury, and upon such demand being made, the board shall appoint three disinterested freehold-

Obstructing drains or ditches a misdemeanor.

Claims for damages.

Procedure for assessment of damages.

Entry on land for construction.

Procedure for assessment of damages.

- ers whose duty it shall be to assess the same in the same manner as set out above by the board. The jury shall make their report in writing and the landowner may appeal from such report and its confirmation by the board to the Superior Court of Mitchell County to have the cause heard as in other civil actions. The board shall notify the landowner at least three days before the jury shall meet to assess the damage done and the benefits accruing by virtue of the location, relocation, change, and construction of such road upon such land.
- SEC. 24. For the purpose of constructing, working, and repairing the roads of said township, the board of road commissioners of said county is authorized and empowered to employ such labor as it may see fit, to so construct, work, or repair the roads of said Grassy Creek Township as it may see fit; and the said board may employ such convict labor or hired labor, or both, as they may deem best. The board may let to contract any portion of any road under construction or repair: *Provided*, that no contract shall be let until the party or parties with whom such contract is made has entered into a good and sufficient bond for the faithful performance of the contract entered into. Such bonds shall be made payable to Grassy Creek Township, Mitchell County. The board shall have the power and authority to employ some competent and skilled engineer to make surveys and report to the board on any change and grade of road. He shall have such salary as the board may deem necessary to compensate him for the work done. No road in said township shall be built except on the best practicable grade obtainable, and to be so located as will best serve the interests of the people through which section the road shall be constructed, the matter of location being one of discretion in the said board of road commissioners.
- SEC. 25. In the case of any issue of bonds for the said Grassy Creek Township under this act, before the sale thereof, it shall be the duty of the road commissioners to advertise for not less than fifteen days for competitive bids for such sale of bonds, or any part thereof, at least twice in some daily newspaper having a general circulation in financial circles, inviting competitive bids for said bonds. All bids submitted shall be sealed and the board may require a certified check of at least five per cent of the amount of issue offered for sale to accompany such bid. All bids shall be opened by the board of road commissioners at a regular or special meeting of the said board and shall be publicly opened. All bids shall remain on file in the office of the clerk of the Superior Court of Mitchell County, after having been opened by said board of road commissioners, for public inspection, and for better bids, for at least twenty-four hours before any bids shall be accepted by said board. The board of road commissioners
- Right of appeal.
- Notice to landowner.
- Employment of labor.
- Convict labor.
- Work may be let to contract. Proviso: bond of contractors.
- Employment of engineer.
- Salary.
- Grade and location.
- Advertisement for sale of bonds.
- Sealed bids.
- Opening bids.
- Bids open for inspection.
- Award of bonds.

Right to reject bids.

Sale below par forbidden.

Advertisement for bids for road work.

Sealed bids.

Bids open for inspection and better bids.

Award of contract.

Right to reject bids.

Specifications for road work.

Expense of advertising.

Road duty in Grassy Creek township.

shall determine the most advantageous bid, and shall award said bonds to the party submitting the best bid. The board in every advertisement for bids shall reserve the right to reject any bid made for said bonds, and in no event shall the bonds be sold for less than their par value.

SEC. 26. When any outline of road or parts thereof shall be designated for construction by the board of road commissioners in said Grassy Creek Township, if said board shall determine to let such road or part of road to contract for construction, it shall in such event be the duty of said board to advertise outline and specification of road to be built for at least two weeks in some paper published in Mitchell County; and if no such paper is published, then in some newspaper in adjoining county, for competitive bids for the road proposed to be constructed. All bids submitted shall be sealed and delivered to the secretary of the board of road commissioners and shall remain on file and be open to the public for inspection, and for better bids, for at least twenty-four hours before any award of said work is made to any competitive bidder. The board shall determine the most advantageous bid, and shall enter into a written contract with the party or parties to whom the contract is awarded, requiring in every instance from such successful bidder a good and sufficient bond with ample security, payable to Grassy Creek Township, that the work contracted for shall be done according to the specifications and according to the work set out in the contract. The board of road commissioners shall always reserve the right to reject any and all bids. Pending the advertisement of work proposed to be let to contract for the construction of said roads in Grassy Creek Township, the specifications therefor shall be on file in the office of the clerk of the Superior Court of Mitchell County, subject to the inspection of all parties desiring to bid. In the event no satisfactory bid is received, the board may have the work done by some reliable man skilled in the construction of roads, such person being subject always to the direction of the board.

SEC. 27. That it shall be the duty of the board of county commissioners of Mitchell County, in case of advertisement of sale of bonds as herein provided for Grassy Creek Township, or for work to be let to contract in said township for the construction of any public roads or bridges as herein provided, to pay the expense thereof out of the general county funds of Mitchell County. The amount so paid out by said board of county commissioners in case of sale of bonds by the board of road commissioners shall be refunded to the board of county commissioners of the said county.

SEC. 28. Nothing herein contained shall be construed to relieve any able-bodied citizen resident of Grassy Creek Township from working on the public roads of Grassy Creek Township as is now

provided by law because of any issue and sale of bonds of said Grassy Creek Township as by this act provided.

SEC. 29. In case the said board of road commissioners shall, in its discretion, refuse to issue the bonds for Grassy Creek Township, as herein provided, or, in the event of an agreement to do so, are unable to dispose of same, then and in that event the public roads and bridges of said township shall be constructed, maintained, and improved under and by virtue of the remaining provisions of this act as it applies to the remaining townships of said county. And the provisions of this act relating to the construction, maintenance, and improvement of the public roads in Mitchell County shall not be defeated or impaired by reason of any failure to issue or failure to sell the bonds of Grassy Creek Township as herein authorized and provided. But in the event of such bonds being issued and sold, and the proceeds of the same applied upon the public roads and bridges of Grassy Creek Township, and the county of Mitchell shall at any time thereafter, during the life of the payment of the said bonds, contract any debt against said county, pursuant to law, by a sale of bonds for improvement of its public roads and bridges, or its public roads alone, or constructing the same, then and in that event said Grassy Creek Township shall be exempt from any obligation of paying its pro rata share of said bonds *pro tanto* to the bonds issued and sold by said board of road commissioners for the construction, improvement, and maintenance of the public roads and bridges under this act. Nothing in this act shall be construed in the case of issue and sale of bonds herein provided to make the remaining provisions of this act affecting the remaining townships of said county applicable to said Grassy Creek Township, or to allow any greater rate of taxes to be levied in said township, in case of an issue and sale of bonds by virtue of this act, than fifty cents on each hundred dollars worth of property in said township, and such taxes so levied shall be applied only to the payment of the bonds and interest on the same by this act authorized to be issued.

Road work in township if bonds are not issued.

Township exempt from future bond issues.

Grassy Creek township not affected.

SEC. 30. Any person to whom the road funds under this act are entrusted, whether derived from a sale of bonds or otherwise, who shall unlawfully misapply or misuse such funds, shall upon conviction thereof be guilty of embezzlement and punished as such.

Misuse of funds embezzlement.

SEC. 31. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 32. That the provisions of this act shall be in force from and after its ratification.

Ratified this the 17th day of February, A. D. 1915.

CHAPTER 173.

AN ACT TO AMEND AND CONSOLIDATE THE LAWS RELATING TO THE RECORDER'S COURT OF MADISON COUNTY.

The General Assembly of North Carolina do enact:

Laws stricken out and amended.

SECTION 1. That chapter seven hundred and two of the Public-Local Laws of nineteen hundred and thirteen, and chapter one hundred and twenty-eight of the Public-Local Laws, extra session of nineteen hundred and thirteen, be and the same are stricken out and amended to read as follows:

Inferior court established. Official designation.

SEC. 2. That an inferior court with civil and criminal jurisdiction hereinafter prescribed, to be known and designated as "Recorder's Court of Madison County, North Carolina," be and the same is hereby created and established for Madison County.

Court of record. Judge.

SEC. 3. That said court shall be a court of record, and shall be presided over by a judge, who shall be learned in the law, of good moral character, and who shall be at the time of his election and qualification an elector of Madison County. That P. A. McElroy be and he is hereby named and appointed judge of said court for a

Judge named.

term of four years, beginning on the first day of March, one thousand nine hundred and fifteen, and until his successor is elected and qualified. That the successor of said judge shall be elected by the board of county commissioners of Madison County, and shall hold office for a term of four years; and should a vacancy occur in said office, the same shall be filled for the unexpired term by said board of commissioners. Before entering upon the duties of his office said judge shall take and subscribe the oath of office as now provided by law for judges of the Superior Court, and shall file the same with the clerk of the Superior Court of Madison County.

Term of office.

Election of successor.

Vacancy.

Judge to take oath of office.

Procedure.

SEC. 4. That the procedure in said court, except as herein otherwise provided, shall be governed by and conform to the rules and principles as prescribed in the chapters on criminal procedure and civil procedure of the Revisal of one thousand nine hundred and five, and amendments thereto, in so far as the same may be adapted to the needs and requirements of said court.

Seal of court.

SEC. 5. That said court shall have a seal with the impression "Recorder's Court of Madison County," which seal shall be used in attestation of writs, warrants, or other proceedings, acts, or judgments of said court, as required, and in the same manner and to the same effect as the seal of other courts of record in the State of North Carolina.

Sessions of court.

SEC. 6. That said court shall be open for the trial of causes on each and every Wednesday morning at ten o'clock, at the

courthouse in Marshall, North Carolina, and shall continue in session daily until the business before it shall be disposed of, the first session of said court to be held on the first Wednesday in March, nineteen hundred and fifteen: *Provided*, the judge may continue cases to a day certain, and may, by agreement of parties, or whenever necessary, try cases at any time: *Provided further*, that no session of said court shall be held during the sitting of the Superior Court of Madison County.

SEC. 7. That the board of commissioners of Madison County shall elect a prosecuting attorney for said court, properly qualified to act for and in behalf of the State, in said county, who shall hold his office for a term of two years, and until his successor is elected and qualified by said board of county commissioners, and shall prosecute in all matters cognizable in said court in behalf of the State, and of which said court has exclusive or concurrent jurisdiction; and he shall receive the same fees on conviction, less one dollar, as are allowed solicitors in the Superior Court. That before entering upon the discharge of his duties the said prosecuting attorney shall take and subscribe the same oath of office as is now provided by law for solicitors of the Superior Court, and shall file the same with the clerk of the Superior Court of said county. That C. B. Mashburn be and he is hereby named and appointed prosecuting attorney of said court for the term beginning March the first, one thousand nine hundred and fifteen, and until his successor is elected and qualified; and should a vacancy occur in said office, the same shall be filled for the unexpired term by the board of commissioners of said county.

SEC. 8. That the clerk of the Superior Court of Madison County shall be *ex officio* clerk of said recorder's court, and it shall be his duty to keep the records and proceedings of said court in a suitable manner in books provided for that purpose, and to keep an accurate account and true record of all costs, fines, penalties, forfeitures, and punishments imposed by said court under the provisions of this act, which said record shall be kept in the office of the clerk of the Superior Court of said county, and shall at all times be open to the inspection of the public. That the cost of all books, stationery, dockets, blanks, and other such expenses of said court shall be paid by the treasurer of Madison County upon orders drawn by the board of county commissioners of said county.

SEC. 9. That it shall be the duty of the sheriff of said county, in person or by deputy, to be in attendance upon all sessions of said court, for which service he shall receive the sum of two dollars per day for the time he shall be in such attendance, in excess of the salary now allowed him by law.

First session.

Proviso: continuances.

Proviso: sessions suspended for Superior Court.

Prosecuting attorney.

Term of office.

Fees.

To take oath of office.

Attorney named.

Vacancies.

Clerk ex officio.

Records and proceedings.

Records open for inspection. Payment for supplies and expenses.

Sheriff to attend court.

Per diem.

- Substitute judge. SEC. 10. That the board of commissioners of said county may elect a substitute judge, or judge *pro tem.* of said court, who shall hold his office for a term of two years and until his successor is elected and qualified; said judge *pro tem.* shall take the same oath of office and be subject to the same rules as the judge of said court, and shall preside at all hearings and try all cases in said recorder's court when the judge shall be a party to any such case, or be unable by sickness or from other causes to preside; that said judge *pro tem.* shall receive as compensation for his services the sum of two dollars for each and every case tried and determined by him in said court, which said sum shall be taxed in the bill of costs and collected as the other costs in such actions.
- Term of office.
- Duties.
- Proviso: fees of judge *pro tem.*
- Judge may practice law.
- SEC. 11. That nothing in this act shall prevent or exclude the judge or judge *pro tem.* of said recorder's court from practicing law in the other courts of said county and State in any and all actions which have not been passed upon by said judge or judge *pro tem.*
- Jurisdiction.
- As of justices of the peace and mayors.
- SEC. 12. That the jurisdiction of said court shall be as follows:
- (a) Said court shall have final, concurrent, original jurisdiction of all criminal offenses committed in Madison County which are now or may hereafter be within the jurisdiction of the justices of the peace and mayors of incorporated towns of said county, and all appeals from the justices of the peace and mayors of the incorporated towns of said county shall lie and be made returnable to said court.
- Appeals from justices and mayors.
- (b) That said court shall have exclusive, original jurisdiction to inquire of, try, hear, and determine all crimes and misdemeanors committed in said county, except the crimes of murder, manslaughter, arson, rape, assault with intent to commit rape, burglary, horse stealing, libel, perjury, forgery, and highway robbery.
- Final jurisdiction.
- Excepted crimes.
- (c) In all criminal matters wherein said court has not final jurisdiction it shall have power and is hereby fully authorized to hear and bind over to the Superior Court of said county all persons charged with any crime committed in said county, and in any and all such cases heard by the judge of said court as a committing magistrate, in which probable cause of guilt is found, such person or persons so charged shall be admitted to bail, if the offense be bailable, to appear at the next term of the Superior Court of Madison County having jurisdiction of criminal offenses, and in default of bond, or if the offense be not bailable, to commit the defendant to the common jail of said county to await the action of the Superior Court.
- Jurisdiction as committing magistrate.
- Persons bound over.
- Commitment in default of bond.
- (d) That the judge of said court shall have all the power, jurisdiction, and authority now conferred by law upon justices of the peace and judges of the Superior Court to sentence any person convicted in said court for which the punishment pre-
- Sentences.

scribed by law is imprisonment, to be worked upon the public roads of said county, or some other county in said State, as provided by law.

(e) Warrants may be issued by the judge of said court or by any justice of the peace of Madison County, made returnable to said court, for any person or persons charged with the commission of any criminal offense in said county; and any person convicted of any criminal offense in said court shall have the right to appeal as is now provided for appeals from the courts of justices of the peace to the Superior Court of said county, and upon such appeal the trial in the Superior Court shall be *de novo*.

Writs returnable to court.

Right of appeal.

(f) That said court shall have jurisdiction to try and determine all actions for the recovery of any forfeited bond or recognition made returnable to said court and for the recovery of any penalty imposed by law, together with the power to dispose of the same as is now provided by law.

Actions on bonds and for penalties.

(g) That all trials of criminal cases in said court shall be upon warrant and by the judge of said court, and all trials of civil causes by the judge of said court, unless a jury trial is demanded as hereinafter provided.

Trials.

(h) Said court shall have final, concurrent, and original jurisdiction in all civil matters arising in said county which are now or may hereafter be given to the justices of the peace, and original, final, and concurrent jurisdiction with the Superior Court of all other civil actions arising in said county out of contract where the sum demanded, exclusive of interest, does not exceed five hundred dollars, and all those arising out of tort, where the value of the property or the amount in controversy does not exceed five hundred dollars, including claim and delivery and attachment papers: *Provided, however*, that either the plaintiff or the defendant in any civil action may appeal from any judgment of said court to the Superior Court of Madison County, as is now provided by law for appeals from justices of the peace, and upon such appeal the trial in the Superior Court shall be *de novo*: *Provided*, that in all civil cases within the jurisdiction of courts of justices of the peace prior to the ratification of this act the processes of the recorder's court of Madison County, North Carolina, shall be subject to the same laws as processes issuing from courts of justices of the peace.

Jurisdiction in civil actions.

Proviso: right of appeal.

Proviso: process in actions within justices' jurisdiction.

SEC. 13. When upon affidavit made before entering upon the trial of any case before a justice of the peace it shall appear proper for said case to be removed for trial to some other justice of the peace as is now provided by law, said cause may be removed for trial to said recorder's court of said county.

Causes removed to recorder's court.

SEC. 14. In all criminal cases heard by justices of the peace, mayors of incorporated towns, and other committing magistrates

Persons bound to recorder's court.

in said county against any person or persons for any offense within the jurisdiction of said recorder's court, in which probable cause of guilt is found, said person or persons shall be bound in a personal recognizance, with surety, to appear at the next succeeding session of said recorder's court, beginning more than three days thereafter, for trial, and in default of such surety, such person or persons shall be committed to the common jail of said county to await trial.

Commitment in default of bail.

Concurrent jurisdiction of superior court.

SEC. 15. That the Superior Court of Madison County shall have concurrent jurisdiction of all criminal offenses of which by this act the recorder's court is given exclusive jurisdiction, and of which said recorder's court shall for three months have failed to take cognizance and try or issue process for said defendants; and the grand jury of said Superior Court shall make presentment and find bills of indictment in such cases and said Superior Court proceed to trial of such offenses: *Provided*, that the judge of the Superior Court may direct such bills of indictment as cannot be tried at any term of said court, and where the defendant may be in jail, to be certified to the recorder's court for trial, and upon receipt of such bill of indictment, the judge of said recorder's court shall cause the witnesses to be subpoenaed and proceed to trial in the same manner as if the case had been commenced in his court.

Presentment and indictment.

Proviso: cases certified down for trial.

Summons and return in civil actions. Pleadings.

SEC. 16. All civil actions shall be commenced in said court by summons issued by the clerk of said court and shall be returnable in not less than ten days after issuance. The plaintiff, if the action be one in which the courts of justices of the peace do not have jurisdiction, shall file a written complaint on the return of such summons, and the defendant shall file his written answer or demurrer within three days after the filing of said complaint, and the case shall stand for trial on the first Wednesday after the return day thereof. All judgments rendered in civil actions in said court shall be docketed in the judgment docket of said court and cross-indexed by the clerk of said court in the cross-index to judgments of the Superior Court.

Trial day.

Judgments docketed and indexed.

Tax fees in civil actions.

Suits in forma pauperis.

Tax fee applied to expense of court.

SEC. 17. There shall be a tax fee of five dollars in every civil action commenced in said court, to be deposited by the plaintiff with the clerk of said court when such action is brought. That in cases where plaintiff is allowed to bring his suit *in forma pauperis* he shall make such deposit unless he shall also make oath that he is unable by reason of his poverty so to do. Said tax fee shall be taxed and recovered as a part of the costs, and shall be applied to the payment of the expenses of said court as hereinafter provided.

Punishments in criminal actions.

SEC. 18. That every defendant in a criminal action who pleads guilty or is adjudged guilty in said court may be fined or imprisoned, or both, as provided by law, and shall be taxed with

all the costs of the prosecution. All fines and forfeitures collected from defendants or sureties in said court shall be paid by the clerk of said court to the treasurer of Madison County for the purposes now provided by law.

Fines and forfeitures.

SEC. 19. That the fee for issuing a warrant by the judge of said court shall be one dollar for each defendant named therein, and for all other processes, writs and precepts issuing from said court, and for judgments, orders, and other proceedings of said court, the fees shall be the same as now fixed by law for clerks of the Superior Court in similar cases; that for the trial and disposition of every criminal case tried or disposed of in said court there shall be taxed a fee of two dollars for each defendant on trial in each and every case, to be applied to the payment of the judge's salary hereinafter provided; the fees for serving warrants, precepts, and processes issuing from said court shall be the same as now allowed by law for serving like processes of justices of the peace and of the Superior Court of said county. That all such fees shall be taxed in the bill of costs and collected in the same manner as in cases tried in the Superior Court, and the clerk of said court shall keep a separate and distinct account of all such fees collected, to be known as the "Recorder's Court Fund," to be used in the payment of the costs and fees of officers of said court. That on the first day of each and every month the clerk of said court shall pay any surplus remaining in said fund, after the payment of officers' fees as aforesaid, to the treasurer of said county, to be applied by him to the salary fund of said county, and said treasurer shall on the first day of December of each and every year, after the payment of the salaries of all officers of said county, transfer any surplus remaining in said salary fund to the general county fund of said county to be applied to the current expenses of said county: *Provided, however,* that for serving all processes in cases where the justices of the peace of said county now have exclusive original jurisdiction, the officer serving the same shall be entitled to retain all fees for such service, notwithstanding the salary law applicable to the officers of said county.

Fees for judge's salary.

Fees for serving process.

Collection and accounts of fees.

Use of fees.

Monthly settlements.

Surplus to salary fund.

Surplus of salary fund to general fund.

Proviso: fees retained by officers.

SEC. 20. That all warrants issued by the judge of said court shall be upon affidavit, and it shall be the duty of the sheriff or any other lawful officer of the county of Madison, or of any incorporated town in said county, upon the request of the judge or solicitor of said court, to make affidavit before said judge, to the end that a warrant may issue for the arrest of any person charged with a violation of the criminal law in said county: *Provided, however,* that said sheriff or other officer making said affidavit shall in no case be marked as prosecutor, or be liable for the costs in said action.

Warrants upon affidavits. Officers to make affidavits.

Proviso: officers not liable for costs.

Officers to whom
process issued.

SEC. 21. That all writs, warrants, processes, and precepts issuing from said court shall be directed to the sheriff, any constable, or other lawful officer of said county, or to the chief of police of any incorporated town in said county, and when under the seal of said court may be so directed to said officers of any county in the State, and shall be executed by any officer above named to whom it may be directed; and all such officers are hereby fully empowered to execute the same. That upon the issuing of a warrant by the judge of said court the same may at said time or any time thereafter be docketed by the clerk of said court in a warrant docket kept by him for that purpose, and thereupon said clerk shall, upon the request of the judge or solicitor of said court, issue capiases under the seal of said court to any county in said State for the arrest of the defendant or defendants named in said warrant, and shall note on said warrant docket the county or counties to which the capiases are issued.

Warrant docketed.

Capias.

Force and effect
of judgments.

SEC. 22. That all judgments, orders, and decrees of said recorder's court shall be of the same force and effect as like judgments, orders, and decrees of the Superior Court, and such orders, judgments, and decrees may be docketed in any county in the State and enforced as judgments of the Superior Court.

Demand for jury
trial.

SEC. 23. That the defendant in any criminal action, and either the plaintiff or defendant in any civil action in said court, may, at the time of joining the issue of fact, demand and have a trial by jury; and the judge of said court, in all cases in which in his opinion the ends of justice would be best served by submitting the issue to a jury, may have a jury called of his own motion, as herein provided, and submit the issue to the jury: *Provided*, that in all civil actions in which a trial by jury is demanded, the party demanding the same shall deposit with the clerk of said court a jury fee of three dollars before the jury shall be ordered by the court, said sum to be taxed in the bill of costs against the party adjudged to pay costs.

Jury ordered by
judge.

Proviso: jury fee
in civil actions.

Number and
drawing of jury.

SEC. 24. That in all jury trials in said court the jury shall be six in number, and shall be drawn from the jury box of Number One Township of said county, in open court, and made returnable at such time as may be ordered by the judge of said court; such jurors shall possess the same qualifications as jurors in like cases in the Superior Court, and be subject to the same challenges, and shall serve until discharged by the court. If any juror or jurors so drawn shall fail to appear, or be challenged or excused for any reason, the court may order tales jurors summoned to take the place of the juror or jurors so excused, until said jury is complete, who shall be subject to the same challenges and possess the same qualifications as tales jurors in the Superior Court: *Provided, however*, that in all cases in which a trial by jury is demanded, the judge of said court shall have the power and is

Qualifications of
jurors.

Challenges.

Tales jurors.

Proviso: jury
from bystanders.

hereby authorized, instead of drawing said jury from the box as aforesaid, to cause a jury to be summoned from the bystanders as is now or may hereafter be provided by law for summoning tales jurors in the Superior Court. All regular jurors and witnesses who attend and all tales jurors who serve shall receive the same compensation as jurors and witnesses in the Superior Court of said county; and every defendant convicted in a case wherein a jury trial is demanded in criminal cases shall be taxed in the bill of cost with a jury tax of two dollars, and the party adjudged to pay the costs in a civil action wherein a jury trial is demanded shall be taxed in the bill of cost with a jury tax of three dollars.

Pay of jurors and witnesses.

Jury tax.

SEC. 25. In the trial of any criminal action in said court, if the party charged be acquitted, the complainant shall be adjudged to pay the costs, unless said complainant be an officer as hereinbefore provided, and may be imprisoned for the nonpayment thereof, if the court shall adjudge that the prosecution was frivolous or malicious. But in no criminal action or proceeding commenced or tried in said court shall the county be liable to pay any costs except as in this act provided.

Complainants charged with costs.

Liability of county.

SEC. 26. If there be no prosecutor, or if the complainant be an officer as hereinbefore provided, in any criminal action tried in said court, and the defendant shall be acquitted, or convicted and unable to pay the costs, or shall be sentenced to serve a term on the public roads, or a *nolle prosequi* be entered, the county shall pay the clerk, sheriff, constable, justices, and witnesses one-half their lawful fees only.

Half fees to officers.

SEC. 27. That the judge of said court shall be *ex officio* attorney to the board of county commissioners of said county, and he shall advise and act as attorney for said board, and said judge shall receive as full compensation for his services as judge and as retainer for advising said board of commissioners a salary of eight hundred dollars per year, payable in monthly installments by the treasurer of said county, upon order of the board of commissioners, out of the salary fund of said county.

Judge to be attorney to county commissioners.
Pay of judge.

SEC. 28. That said court shall have the same power and authority to enforce its orders, judgments, and decrees, and the general conduct of its business, and punish contempts, as is conferred upon the Superior Courts. And the judge of said court is authorized to limit the time of argument on the trial of all actions, civil and criminal, in said court, but in no instance shall the time be limited to less than one-half hour on each side. And in addition to the powers hereinbefore conferred upon him, the judge of said court shall have the power and is hereby authorized to administer oaths, take acknowledgments to deeds and other instruments, and to collect therefor such fees as are allowed by law to justices of the peace and notaries public.

Powers of court.

Time of argument.

Powers to take probates.

Fees.

- Failure in duty
misdemeanor. SEC. 29. That any officer charged with any duty under this act who shall willfully fail, neglect, or refuse to perform the same shall be guilty of a misdemeanor, and upon conviction thereof may be fined or imprisoned, or both, in the discretion of the court.
- Punishment.
- Secretary of state
to furnish copies
of act. SEC. 30. That immediately upon the passage of this act the Secretary of State shall send two certified copies of the same to the clerk of the Superior Court of Madison County.
- When act effect-
ive. SEC. 31. That this act shall be in force from and after the first day of March, one thousand nine hundred and fifteen.
Ratified this the 18th day of February, A. D. 1915.

CHAPTER 174.

AN ACT TO PROVIDE FUNDS FOR THE PURPOSE OF
BUILDING PUBLIC ROADS IN AVERY COUNTY.

The General Assembly of North Carolina do enact:

- Road commission-
ers named. SECTION 1. That C. B. Von Cannon, P. Maclay Brown, and D. T. Vance be and they are hereby appointed and constituted a board of road commissioners for Avery County. That immediately after the ratification of this act the members thereof shall meet at Newland, North Carolina, and organize by electing one of their members chairman of the board and one of their members secretary of the board. The term of office of C. B. Von Cannon shall be two years, the term of office of P. Maclay Brown shall be four years, and the term of office of D. T. Vance shall be six years, each, from the date of their qualification and organization under this act, and until their successors shall be appointed and qualified. Each member of the board shall take and subscribe an oath before the clerk of the Superior Court of Avery County for the faithful performance of his duties as a member of said board.
- Meeting for
organization. If a vacancy shall occur by reason of a death, resignation, or expiration of appointment or election, the remaining members of the board shall elect some well qualified elector of Avery County to fill such vacancy, or reelect such member.
- Organization.
- Terms of office. SEC. 2. That said board of road commissioners hereby appointed for Avery County and its successors in office be and the same is hereby constituted a body corporate under and by virtue of the laws of North Carolina, and by this act, under the name and style of the "Board of Road Commissioners of Avery County," and shall have all the powers and authority granted to corporations of like nature by the laws of North Carolina, and by that name may sue and be sued, make contracts, acquire real and personal property by gift, purchase, or devise; hold, exchange, and sell the same, and exercise such other rights and privileges as are
- Commissioners to
be sworn.
- Vacancies.
- Incorporation.
- Corporate name.
- Corporate powers.

incident to other municipal corporations of a like nature, such as the condemnation of lands for the construction, widening, or change of any road in the county, and such other powers as are necessary and proper to carry out any and all the provisions of this act.

SEC. 3. That it shall be the duty of said board of road commissioners to take charge of the working, repairing, maintaining, altering, and constructing of any and all roads of Avery County now maintained by the county as public roads, and is hereby vested with all the power, rights, and authority now vested in the board of county commissioners of Avery County for the general supervision of the public roads and bridges of said county, and for the construction and repair thereof; and said board of road commissioners of Avery County is hereby authorized and empowered, in its discretion, to issue bonds of Avery County for the construction and repair of the public roads and bridges in said county, not to exceed the sum of one hundred and fifty thousand dollars. The bonds so issued shall be styled "Avery County Good Roads Bonds," and the same shall be of such denomination and of such proportion as said board may deem advisable, bearing interest from the date of issue not to exceed six per cent per annum, with interest coupons attached, payable annually or semiannually as said board may provide, and at such time or times and at such place or places as said board may fix. The bonds issued hereunder shall be approved by a majority of the board and signed by the chairman thereof and countersigned by its secretary; such bonds to be of such form and tenor and transferable in such way, and the principal thereof redeemable and payable at such time or times as said board may fix, not to exceed forty-one years from the date thereof, and at such place or places as said board of road commissioners may determine. None of said bonds shall be disposed of at less price than their face value. Such bonds may be issued at such time or times and in such amounts as may be deemed best in the opinion of the board to meet the needs of the county in the construction and repair of its public roads and bridges. The board shall adopt a corporate seal, and any bonds issued under this act shall have such corporate seal of said board to attach thereto. Nothing herein contained shall be construed as compulsory upon said board of road commissioners to issue any or all of said bonds, same being left as a matter within their discretion. The liability for the payment of any bonds issued under and by virtue of this act, together with all interest that may be due thereon, shall be attached thereto; and the taxes for the payment thereof shall be levied and collected as other taxes are levied and collected in Avery County. The bonds issued under and by virtue of this act by said board of road commissioners of Avery County shall be as valid in law and the same liability

Commissioners to take charge of road work.

Power, rights and authority vested.

Bond issue authorized.

Amount.

Entitlement of bonds.
Denominations.
Interest.

Authentication.

Maturity.

Sale below par forbidden.

Bonds under seal of commission.

Issue of bonds discretionary.

Liability for payment of bonds.

Taxes.

Validity of bonds.

for the payment thereof imposed upon Avery County as if the same had been issued by the county commissioners of Avery County under the same law, power, and authority.

SEC. 4. That for the purpose of providing for a sinking fund for the payment of the bonds issued under this act, and the interest thereon, the board of county commissioners of Avery County and their successors in office shall annually, on the first Monday in June of each year following an issue of bonds under and by virtue of this act, or at such other times as may be fixed by law for levying taxes, and every year thereafter, levy and lay a special tax on all property subject to taxation within the limits of Avery County as in the case of other taxes for general county purposes, of not more than fifty cents on the one hundred dollars of valuation of real, personal, and mixed property. The tax so levied shall be collected by the sheriff or other person authorized by law to collect the general taxes of said county under such terms as may be agreed upon between such tax collector or sheriff and said board of road commissioners: *Provided*, that the compensation for such collection shall not exceed the amount allowed by law for collecting such general taxes. The funds so collected from the sale of bonds authorized hereunder shall be turned over to the treasurer or other person designated by the board of road commissioners and shall be used by said board of road commissioners in the construction and repair of the public roads and bridges of Avery County, and for the payment of the employees and appointees of said board in the construction and improvement of said public roads and bridges of said county.

SEC. 5. That for the purpose of construction and repairs of public roads and bridges of said county, the board of road commissioners shall annually employ and appoint a road superintendent and such subordinates thereto as it may deem necessary to carry out the purposes of this act, and shall pay him such salary as will compensate him for the work done, and the board may delegate to him or them such power as the board may think necessary to carry out all the provisions of this act. The board of road commissioners shall annually, from the date of its organization, elect a chairman and a secretary from among the members of the board, who shall hold office for one year or until their successors have been elected and qualified. The board shall elect a treasurer, who shall have in charge all of the county road funds resulting from a bond issue by said board or otherwise. The board shall fix his salary commensurate with the amount of time involved in the handling of such county road funds. The treasurer so appointed shall enter into a bond payable to the county of Avery for the faithful performance of his duty, and further to indemnify said county for all funds which may come into his possession by virtue of his appointment as such treasurer: *Provided*, that such allowance to such treasurer by said board of road commissioners

Special tax for sinking fund.

Limit of rate.

Collection of tax.

Proviso: compensation for collecting.

Appropriation of proceeds of bonds.

Employment of superintendent and subordinates.

Salary.

Chairman and secretary of commissioners.

Treasurer.

Salary of treasurer.

Treasurer to give bond.

Proviso: limit of pay.

for such services shall not exceed the compensation allowed by law to the county treasurers of the State: *Provided further*, that the said board in its discretion may appoint some one or more banks incorporated under the laws of the State of North Carolina to act as such treasurer: *Provided*, such bank so appointed shall upon such appointment execute and deliver the bond herein provided to indemnify the said county for the performance of its duty as such treasurer and to account for such funds as shall come into its possession by reason of such appointment.

Proviso: bank as treasurer.

Proviso: bank to give bond.

SEC. 6. The superintendent of roads herein provided for shall receive such compensation as the board of road commissioners may deem sufficient compensation for his services. The board may delegate to him such powers as will enable him to carry out for the board effectually the provisions of this act. He shall hold his office for one year, or until his successor shall be elected and qualified. He may be removed by the board at any time for sufficient cause, the reasonableness of such cause being a matter of discretion with the board. Subject to the approval of the board, he shall have general supervision of the public roads and bridges of the county, and shall have in charge the construction and repair of all roads and bridges under repair, and may employ such subordinates as are necessary, subject always to the approval of said board. The board may require of the superintendent such reports in regard to road construction, expenditure of money, and needs in regard to public road improvement as it may deem necessary. The superintendent so appointed shall enter into and give a sufficient bond payable to Avery County for the faithful performance of the duties imposed upon him by this act and by said board of road commissioners: *Provided*, that the board may in its discretion appoint only such officers as it may deem necessary to carry out the provisions of this act.

Compensation of superintendent.

Delegation of powers.

Term of office.

Removal for cause.

Supervision and charge of roads and bridges.

Employment of subordinates.

Reports.

Bond of superintendent.

SEC. 7. That said board of road commissioners is hereby authorized and empowered to purchase or otherwise lawfully acquire for use in the construction, change, or repair of any public roads or bridges, any machinery, tools, implements, and teams as may be necessary, and exercise such rights and authority as will enable them to lawfully and properly carry out the provisions of this act. The said board, through its officers and agents, is hereby authorized and empowered to enter upon any uncultivated land contiguous to or adjoining any public road of said county, to cut and carry away any timber, except trees or groves on improved lands planted or left for shade or ornament, dig or cause to be dug and carried away any gravel, sand, clay, earth, or stone which may be necessary for the proper construction and repair of any road in said county, and upon any land adjoining any public road in said county in order to make such drains or ditches through the same that said board may deem necessary for the better condition of said road; and the drains or ditches so made shall not be ob-

Purchase of equipment.

Entry on land for material.

Drains and ditches.

Obstructing drains or ditches misdemeanor. Punishment. Claims for damages.

structed by the owner or occupant of such lands or any other person; that any person obstructing such drains or ditches shall, upon conviction thereof, be guilty of a misdemeanor, and fined not exceeding fifty dollars or imprisoned not exceeding thirty days.

Date for hearing. Right of appeal.

SEC. 8. The owner of any land from which any timber or other material has been removed may present to said board his claim in writing for same, within sixty days after such removal or taking such material, and upon such presentment, within said time, it shall be the duty of said board to set a date for the hearing of the proof of his claim. Upon the hearing thereof the claimant may, if dissatisfied with the amount allowed, appeal to the Superior Court of said county, and have his cause tried as in other civil causes. That for the construction, change, relocation, or repair of any public road or bridge in said county, the said board of road commissioners, through its agents and officers or employees, is hereby authorized and empowered to enter upon the property of any landowner in Avery County and construct any new road or a change of road upon said land. The landowner may file his claim for damages by reason of the location and construction of said road on his land, at any time within ninety days from the completion of said road over said land, and that it shall be the duty of said board of road commissioners to assess the damages done and the benefits accruing to the landowner by virtue of the location and construction of said road over such lands, and the amount of damage done when assessed, less the benefits accruing to the landowner by virtue of the location and construction of such road on said land, shall be the award or allowance by said board of road commissioners for such damages. In the event of a disagreement of the landowner to accept such award of said board, or should he so desire to do, he may waive such hearing by said board of road commissioners and demand a jury of appraisal, and upon such demand being made, in writing, the board shall appoint three disinterested freeholders, competent to act as jurors, whose duty it shall be to assess the damage in the same manner as above set out for the board. Such jury shall view the premises and make their report in writing, and the landowner may appeal from such finding of damage so made by such jury, upon the same being accepted and approved by the board of road commissioners, to the Superior Court of Avery County to have the cause heard *de novo* upon the question of damages. The board shall notify the landowner at least three days before the jury shall meet to assess the damages done and the benefits accruing by virtue of the location or change or relocation and construction of such public road upon said land.

Entry on land for location or construction of road.

Claims for damages.

Assessment of damages.

Jury of appraisal.

Procedure for assessment.

Right of appeal.

Notice to landowner.

Benefits considered.

Employment of labor.

SEC. 9. For the purpose of constructing, working, and repairing the public roads of said county, the said board of road commissioners is hereby authorized and empowered to employ such

labor as it may see fit; and the said board may employ convict labor or hired labor, or both, as it deems best. The said board may let to contract any portion of any road under construction or repair: *Provided*, that no contract shall be let until party or parties with whom such contract is made has entered into a good and sufficient bond for the faithful performance of the contract entered into. Such bonds shall be made payable to the board of road commissioners of Avery County. That the board shall have the power and authority to employ some competent and skilled engineer or engineers to make surveys and report to the board on any change and grade of road. Such engineer or engineers shall have such salary as the board may deem necessary to compensate for the work done. No road shall be built except on the best practicable grade obtainable, such grade being a matter of discretion in said board of road commissioners for adoption, and to be located at such place as will best serve the interests of the people through which section said public road shall be constructed, said board of road commissioners being hereby vested with discretionary power as to widths of roads which it shall order constructed.

Work may be let to contract.

Proviso: bonds of contractors.

Employment of engineer.

Salary of engineer.

Grade and location.

SEC. 10. In the case of any bond issue under this act, before the sale thereof it shall be the duty of the board of road commissioners to advertise for not less than fifteen days for competitive bids for such sale of bonds or any part thereof, at least twice in some daily newspaper having a general circulation in financial circles, inviting competitive bids for the purchase of such bonds. All bids submitted shall be sealed, and the board may require a certified check of at least five per cent of the amount of such issue offered for sale as an evidence of good faith of the bidder, and all bids shall be opened by the board of road commissioners in a regular or special meeting of such board. Such bids shall be publicly opened, and all bids shall remain on file in the office of the clerk of the Superior Court of Avery County for public inspection, and for better bids, for at least twenty-four hours before any bid is accepted by said board. The board of road commissioners shall determine the most advantageous bid, and shall award said bonds to such bidder. The said board in every advertisement shall reserve the right to reject any or all bids made for said bonds, and in no event shall the bonds be sold for less than their par value.

Advertisement for sale of bonds.

Bids sealed.

Opening bids.

Bids filed for inspection.

Award of bonds.

Right to reject bids.

Sale below par forbidden.

SEC. 11. Whenever the said board of road commissioners shall have determined and designated for construction, change, or repair any public road or a section of public road in said county, it shall be the duty of said board to advertise the outline and specification of the road to be built for at least two weeks in some newspaper published in said county, and in the event no such paper is published, then in some newspaper in some adjoining

Advertisement of specification for roads.

Competitive bids for construction. Sealed bids.	county, for competitive bids for the work proposed to be done. All bids submitted shall be sealed and delivered to the treasurer of the board of road commissioners and shall remain on file and be open to the public for inspection and for better bids for at least twenty-four hours before any award of said work is made to any competitive bidder, a date having been specified in said advertisement herein provided for the opening of said bids. The board shall determine the most advantageous bid, and shall enter into a written contract with the party to whom the bid is awarded, requiring in every instance from the contractor a good and sufficient bond with ample security that the work contracted for shall be done according to specifications and according to the standard of work set out in the contract. The board of road commissioners shall always reserve the right to reject any and all bids. Pending the advertisement of work proposed to be let to contract, the specifications thereof shall be on file in the office of the clerk of the Superior Court of Avery County, subject to the inspection of all parties desiring to bid on the same. In event no satisfactory bids are received, the board of road commissioners may have the work done by some reliable person or persons skilled in the construction of public roads, such person or persons being subject always to the direction of the board.
Bids open for inspection.	
Award of contracts.	
Bond on contract.	
Right to reject bids.	
Specifications on file for inspection.	
Work if bids rejected.	
Road money and property turned over.	SEC. 12. That all moneys, things, or property held by any board, person, or officer for the benefit of or in trust for any road, bridge, or other like public utility for said Avery County, or any person having in his possession any taxes or tax lists which have not been collected, shall turn over and account to the board of road commissioners of said county for all such moneys, properties, or taxes.
Payment for advertisements.	SEC. 13. It shall be the duty of the board of county commissioners of Avery County, in case of advertisement for a sale of bonds or for work to be let to contract, to pay the expenses thereof out of the general county funds. The amount so paid out by said board of county commissioners in case of sale of bonds by the board of road commissioners shall be refunded to the board of county commissioners of said county out of said funds.
Road duty.	SEC. 14. Nothing herein contained shall be construed to relieve any able-bodied citizen from working on the public roads of Avery County as is now provided by law.
Misuse of road funds embezzlement.	SEC. 15. Any person to whom the road funds are intrusted by virtue of this act who shall unlawfully misapply or misuse such funds shall upon conviction be guilty of embezzlement and punished as for embezzlement. The salary of such members of the said board of road commissioners shall be the same mileage and per diem as is now allowed or may hereafter be allowed to the members of the board of county commissioners of Avery County. The board of road commissioners may, however, allow additional compensation to its chairman and its secretary.
Salary of road commissioners.	
Allowance to chairman and secretary.	

SEC. 16. No funds shall be paid out by the treasurer except by order of the board of road commissioners and warrant issued thereon, signed by its chairman and countersigned by its secretary.

Warrants on road funds.

SEC. 17. All roads that may be constructed under and by virtue of this act, if, in the discretion of the board of road commissioners, the same shall be surfaced, the material used shall be macadam, sand-clay, or gravel.

Materials to be used.

SEC. 18. The said board of road commissioners by this act appointed, and their successors in office, either or any of them, may, at such time and in such manner as they shall determine, by such rules of procedure as they may fix, erect at such points and places upon any road or part of road now constructed or hereafter to be constructed by virtue of this act, such number of tollgates upon any public roads of said county as in their opinion may be necessary and proper, and are vested with the power to fix and determine such charges as shall be paid by parties traveling over and using such road; and such funds as may be derived from such tolls for the use of such road or roads, if such tolls be established, shall be used and expended by said board of road commissioners for the improvement, maintenance, and repair of any public roads or bridges in said county, or to discharge any debt, obligation, or liability contracted by said board for the construction of such public road or bridge.

Erection of tollgates authorized.

Toll rates.

Application of tolls.

SEC. 19. That chapter one hundred and fifty-two of the Public-Local Laws of one thousand nine hundred and thirteen, entitled "An act to provide for the working and improvement of the public roads of Avery County," be and the same is hereby repealed.

Law repealed.

SEC. 20. That said board of road commissioners herein provided for may meet as often as they deem necessary to carry out the provisions of this act.

Meetings of commissioners.

SEC. 21. That all laws and clauses of laws in conflict with this act are hereby repealed.

Repealing clause.

SEC. 22. That the provisions of this act shall apply only to Avery County.

Application of act.

SEC. 23. That this act shall be in force from and after its ratification.

Ratified this the 18th day of February, A. D. 1915.

CHAPTER 175.

*AN ACT TO ABOLISH THE OFFICE OF COUNTY TREASURER IN YANCEY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the office of county treasurer in Yancey County be and the same is hereby abolished, and the board of county com-

Office abolished.

Bank as financial agent. missioners of said county are hereby empowered and directed to appoint in lieu thereof one or more solvent banks located in said county as financial agent for said county, which said bank or banks or tax collector shall perform the duties now performed by the treasurer of said county: *Provided*, that such bank or banks or tax collector shall not charge or receive any compensation for its or their services other than such advantages and benefits as may accrue to the bank or banks by reason of the county funds being deposited therein in the regular course of banking.

Term of appointment. SEC. 2. That said bank or banks or tax collector so appointed and acting as the financial agent for Yancey County shall be appointed for a term of two years and shall be required at its own expense to give good and sufficient bond, to be approved by the county commissioners of said county, for the safe keeping and proper accounting for such funds as may come into its possession and belonging to said county of Yancey, and for the faithful discharge of such other duties as are now required by law of the county treasurer.

Bond of financial agent. Present treasurer not affected. SEC. 3. That this act shall not apply to the present incumbent, who has already been inducted into office, but it shall be in full force and effect from and after the first Monday in December, one thousand nine hundred and sixteen.

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 force from and after its ratification.

Ratified this the 18th day of February, A. D. 1915.

CHAPTER 176.

AN ACT TO PROVIDE GOOD ROADS IN KENANSVILLE TOWNSHIP, DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

Trustees named. SECTION 1. That W. B. Murray, D. T. Chambers, G. H. West, J. W. Stokes, N. B. Grady, D. N. Brock, L. M. Cooper, John Albertson, and L. A. Beasley are hereby constituted a board of trustees for the public roads of Kenansville Township in Duplin County.

Term of office. The first three shall hold the said position of trustee for six years; the next three for four years, and the last three for two years. At the expiration of the term of any, their successors shall be elected for six years by the county board of commissioners of Duplin County. All vacancies caused by death, resignation, or

Election and term of successor. Vacancies.

- removal from said township shall be filled for the unexpired term by the remaining members of said board: *Provided*, that the position of trustee shall not constitute an office within the meaning of article seven, section fourteen, of the Constitution of North Carolina.
- SEC. 2. That the board of trustees and their successors shall be and are hereby constituted a body corporate by the name and style of "The Board of Road Trustees of Kenansville Township," and by that name may sue and be sued, make contracts, acquire real and personal property by gift, purchase, or devise; hold, exchange, and sell the same, and exercise such other rights and privileges as are incident to other municipal corporations.
- SEC. 3. That it shall be the duty of the said board of trustees to take control and management of the roads of Kenansville Township, and said trustees are hereby vested with all the rights and powers for such control and management as are now vested in and exercised by the board of county commissioners of Duplin County.
- SEC. 4. The board of trustees shall annually elect a chairman and secretary and a treasurer. The treasurer shall have control of all the road funds of the township, and may be required to give bond in a sufficient amount to cover funds coming into his hands. The board of trustees shall annually elect three of their number, who shall constitute and be known as the executive committee. This committee shall meet at stated intervals, as may be directed by the trustees, shall have a chairman and secretary, shall order and issue vouchers for the payment of general expenses connected with working roads and the purchase of machinery and implements, which said vouchers shall be signed by the chairman and secretary of the said committee, and a record thereof kept; and the board of trustees may delegate to the said executive committee any and all its powers.
- SEC. 5. The said board of trustees shall annually elect a superintendent of roads for Kenansville Township, who shall be paid such compensation out of the road fund of said township as may be fixed by said trustees, and who shall hold office for one year or until his successor shall be elected and qualified: *Provided*, that said superintendent may at any time be removed by said board, after having been given ten days notice and hearing, when in the opinion of the board there exists good and sufficient cause for such removal. It shall be the duty of said superintendent, subject to the approval of the board, to supervise, direct, and have charge of the maintenance and construction of all public roads in Kenansville Township, and he shall submit to said executive committee a monthly report concerning the work in progress and the moneys expended, and such other reports as may be required of him. As a guarantee of the faithful and honest discharge of
- Proviso: trustees not officers.
- Incorporation.
Corporate name.
Corporate powers.
- Control and management of roads.
Rights and powers vested.
- Organization.
Treasurer.
- Executive committee.
Meetings and organization.
Vouchers.
- Delegation of powers to executive committee.
- Election and compensation of superintendent of roads.
Term of office.
Proviso: removal for cause.
- Duty of superintendent.
- Monthly and other reports.
Bond of superintendent.

the duties of his office the said board may require of said superintendent such bond as may be deemed advisable.

Machinery and implements.

Employment of engineer.

Proviso: road duty abolished.

Entry on land for material.

Drains and ditches.

Obstructing drains and ditches a misdemeanor. Punishment. Presentation and payment of accounts.

Arbitration for assessment of damages.

Location and change of roads.

Claims for damages.

Procedure for assessment of roads.

SEC. 6. That said board of trustees may purchase such machinery and implements as may be needed for the proper working and construction of the roads, may employ a competent engineer or surveyor, and may exercise such other powers and privileges as may be needed for the carrying out of the purposes and provisions of this act: *Provided*, that no person shall be subject to road duty.

SEC. 7. That the superintendent of roads of Kenansville Township is hereby authorized to enter upon any uncultivated lands near to or adjoining any public road of said township, to cut and carry away timber, except trees or groves on improved land planted or left for shade or ornament; to dig or cause to be dug and carry away any gravel, sand, clay, or stone which may be necessary to construct, improve, or repair such roads, and enter upon any lands adjoining or lying near such roads in order to make such drains or ditches through the same as he may deem necessary for the betterment of the road; and the drains and ditches so made shall not be obstructed by the occupants of such lands or any other person, and any person obstructing such drain or ditch shall be guilty of a misdemeanor and fined not exceeding fifty dollars or imprisoned not more than thirty days. If the owner of any land from which timber, stone, clay, gravel, or sand were taken, as aforesaid, shall present an account for the same through said superintendent to said board or executive committee within thirty days after the taking thereof, it shall be the duty of said board to pay for same at a fair price; and in case of any disagreement as to the value, the superintendent of roads shall appoint one freeholder, the person claiming the damages a second, and these two a third, which said three freeholders shall assess said damages and report the same in writing to the superintendent of roads.

SEC. 8. That the said superintendent of roads, with the approval of the trustees or executive committee, is hereby given discretionary power to locate, relocate, or change any part of any public road in said township, when in his judgment the same will prove advantageous to public travel; that when any person on whose lands the new road or part of the road is to be located claims damages therefor, and within thirty days petitions said board of trustees for a jury to assess the damages, the said trustees shall, within not less than fifteen nor more than sixty days after the completion of said road, order a jury of three disinterested freeholders of Kenansville Township, to be selected and summoned by the sheriff of Duplin County as provided by law, who shall give said landowner forty-eight hours notice of the time and place when and where the said jury will meet to assess

his damages; and said jury, in considering the question of damages, shall also take into consideration the benefits to the owner of the land, and if such benefits be considered equal to or greater than the damages sustained, the jury shall so declare, and it shall report its findings in writing to said trustees for revision and confirmation: *Provided*, that such owner may appeal to the Superior Court of Duplin County from the decision of said trustees.

Proviso: right of appeal.

SEC. 9. That for the purpose of providing for the payment for the construction, improvement, and maintenance of the roads of said township, the board of county commissioners shall annually and at the time of levying the county taxes, levy and lay a special tax on all persons and property subject to taxation within the limits of said Kenansville Township, of not less than fifteen cents and not more than thirty-five cents on the one hundred dollars assessed valuation of property and not less than forty-five cents and not more than one dollar and five cents on each taxable poll. The taxes so levied shall be collected as other taxes are collected, and paid to the treasurer of said board of road trustees, and shall be used for the purpose of constructing and improving the public roads in said township, the purchase of such material, machinery, and implements and the employment of such officers and labor as may be found necessary in the carrying out of this work.

Special tax for roads.

Limit of rate.

Collection and settlement of tax.

Specific appropriation.

SEC. 10. That the provisions of all the preceding sections of this act, except section one, shall be submitted to a vote of the qualified voters of said Kenansville Township, at an election to be held on a day to be designated by the board of county commissioners of Duplin County. For the holding of said election said county commissioners shall appoint a registrar and two poll-holders and any other officers necessary to said election, and shall order a new registration. At the close of said election, said registrar and poll-holders shall count and canvass the vote cast, and declare the result thereof, and shall report such canvass to the board of county commissioners, which said report shall be recorded in the minutes of said board of commissioners, and no other canvass, report, or recording shall be necessary. At said election all voters who shall favor the issue of bonds, the levy of the special tax, and the other provisions of this act shall cast ballots on which shall be printed or written "For Good Roads"; those opposed to such shall cast ballots on which shall be written or printed "Against Good Roads." In all other respects said election shall be held and conducted in the manner prescribed for the election of members of the General Assembly. If a majority of the qualified voters of said township shall vote "For Good Roads," then all the provisions of the chapter shall be in full force and all the powers and duties exercised as provided

Act submitted to election.

Appointment of election officers.

New registration. Count and canvass of vote.

Report of canvass. Record of report.

Ballots.

Law governing election.

Majority of qualified voters.

Proviso: subsequent elections.

for in this act: *Provided*, that if a majority of said qualified voters shall fail to vote "For Good Roads" said board of county commissioners shall order another election or elections, to be had in the manner and with the same effect as above provided, at any time within two years of the date of the first election, when requested to do so by said board of trustees.

Convicts worked on road.

SEC. 11. That the said Kenansville Township road trustees are, in addition to the hired force, hereby authorized to work the convicts sentenced by the courts of the State upon the said public roads of Kenansville Township, and to that end the county commissioners of Duplin County shall, upon the request of the said road trustees of Kenansville Township, establish a chain-gang for Duplin County, and all persons confined in the jail of Duplin County, either under a sentence of the court for crime or imprisonment for the nonpayment of costs, shall be available to the said road trustees of Kenansville Township, to be worked on the public roads in said township, and the said road trustees are hereby authorized to accept and work convicts from other counties in the State, and the judges of the Superior Court are hereby authorized to sentence prisoners from other counties for misdemeanors and felonies not capital to be worked on the public roads of Kenansville Township.

Persons subject to road work.

Convicts from other counties.

Sentences to work road.

SEC. 12. That upon the application of the said road trustees of Kenansville Township, it shall be lawful for and the duty of the judges holding the courts of the said county, justices of the peace, mayors of incorporated towns, and all other courts now or hereafter established in Duplin County, to sentence to imprisonment at hard labor on the public roads of Kenansville Township, for such terms as is prescribed by law for their imprisonment in the county jail or State's Prison, all persons convicted of offenses the punishment whereof would be in whole or in part imprisonment in the county jail, or in the State's Prison for a term not exceeding two years.

Jail and convict camps.

SEC. 13. That for the purpose of equipping and maintaining the said convict system, the said road trustees of Kenansville Township are hereby authorized to use the county jail of Duplin County, for the safe keeping of the said prisoners, to build and establish convict camps, and to provide for the transportation of the said convicts to and from the place of keeping to their work, and to provide for the maintenance of the said convicts, under the rules and regulations laid down for the use of convicts on the public roads as promulgated by the State Highway Commission.

Transportation and maintenance of convicts.

Allowance for work on roads.

SEC. 14. That prisoners working said roads in default of the payment of fines and costs shall be allowed a sum for each day, to be fixed by the said road trustees as just, to be credited on the amount of fines and costs adjudged against them. If any prisoner shall escape, he shall be guilty of a misdemeanor.

Escape a misdemeanor.

SEC. 15. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 16. That this act shall be in force from and after its ratification.

Ratified this the 18th day of February, A. D. 1915.

CHAPTER 177.

AN ACT TO AMEND CHAPTER 349, PUBLIC-LOCAL LAWS OF 1911, RELATING TO APPOINTMENT OF AN AUDITOR FOR BURKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section five of chapter three hundred and forty-nine, Public-Local Laws of one thousand nine hundred and eleven, be and the same is hereby stricken out, and the following inserted in lieu thereof:

"Sec. 5. That it shall be the duty of the board of commissioners of Burke County to employ an auditor for said county and pay him such compensation as they think reasonable: *Provided*, that no person related to any member of said board of commissioners or to any other county officer by blood or marriage shall be eligible to hold said office of auditor."

Employment of auditors. Compensation. *Provido*: no relation of a county officer eligible.

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.

Ratified this the 18th day of February, A. D. 1915.

CHAPTER 178.

AN ACT TO AUTHORIZE AND EMPOWER JACKSON'S TOWNSHIP ROAD DISTRICT OF NASH COUNTY TO BORROW MONEY FOR ROAD PURPOSES.

Whereas, by the provisions of chapter four hundred and fifty-one of the Public-Local Laws of the session of one thousand nine hundred and eleven of the General Assembly of North Carolina there was created and organized as a body corporate a road commission for Jackson's Township Road District in Nash County; and whereas the said road commission desires to pay an existing indebtedness by it already incurred in constructing, improving, and maintaining the public roads in said road district, amounting to about twenty-seven hundred dollars (\$2,700), and provide

Preamble.

Preamble.

an additional fund for the purpose of further constructing, improving, and maintaining the public roads of said district: Now, therefore,

The General Assembly of North Carolina do enact:

Purpose of debt.

SECTION 1. That in order to pay the existing indebtedness owing by Jackson's Township Road District in Nash County, incurred for constructing, improving, and maintaining its public roads, and to provide a fund for the further proper construction, improvement, and maintenance of said public roads of said road district, the road commission for said district, and its successors in office, are hereby authorized and empowered to borrow a sum of money not to exceed five thousand dollars (\$5,000), under direction of the county commissioners of Nash County as provided for in section four of this act.

Power to borrow money.

Amount.

Bond issue.

SEC. 2. As evidence of and to secure said loan said road commission is further authorized, empowered, and directed under limitation provided for in section four of this act to execute, issue, and sell ten (10) bonds, each in the principal sum of five hundred dollars (\$500), to bear a rate of interest not to exceed six per cent per annum, and to be payable one each year for ten successive years from and after a date to be fixed by said commission. Said bonds shall not be sold or negotiated at less than par and shall bear interest, payable annually, from the date of their issuance. To each and every of said bonds there shall be attached as many coupons to represent the interest that shall be annually due as the bond itself shall have years to run before its maturity; that is to say, to the bond to be due in one year there shall be attached one coupon, representing the annual interest for that year; to the bond to be due in two years there shall be attached two coupons, representing the annual interest for said two years; to the bond to be due in three years there shall be attached three coupons, representing the annual interest for said three years; to the bond to be due in four years there shall be attached four coupons, representing the annual interest for said four years; to the bond to be due in five years there shall be attached five coupons, representing the annual interest for said five years; to the bond to be due in six years there shall be attached six coupons, representing the annual interest for said six years; to the bond to be due in seven years there shall be attached seven coupons, representing the annual interest for said seven years; to the bond to be due in eight years there shall be attached eight coupons, representing the annual interest for said eight years; to the bond to be due in nine years there shall be attached nine coupons, representing the annual interest for said nine years; and to the bond to be due in ten years there shall be attached ten coupons, representing the annual interest for said ten years. Said bonds and each of them shall be signed by the chairman of said road com-

Amount.

Interest.

Maturity.

Sale below par forbidden.

Coupons.

Authentication.

mission, in his official capacity, and shall be countersigned by the secretary or clerk of said commission; but the coupons thereto attached may be signed by a facsimile lithographed signature of the said chairman and of the secretary or clerk. The said bonds and coupons shall upon their face express that they are payable out of the taxes levied and to be levied upon the taxable property and polls of said road district, to the end that said bonds and each of them, with the coupons representing their annually accruing interest, shall be payable at maturity, according to their several intents and purposes. The county commissioners of Nash County are directed, at the regular times and meetings for levying other taxes on all the taxable property and polls of said road district, beginning with one thousand nine hundred and fifteen, to levy a sufficient tax on all the taxable property and polls of said road district, at the same rate that is now being levied in said road district for road purposes, in pursuance of the provisions of chapter four hundred and fifty-one of the Public-Local Laws of the session of one thousand nine hundred and eleven, with which to pay each or one of said bonds and the interest coupons falling due on all of said bonds at that time. The said tax so levied is to be collected by the sheriff or the tax collector of Nash County as the other taxes are collected, and when collected shall be kept separate and used, first, for the payment of the annually maturing bonds and the coupons representing the annually accruing interest on the entire issue, and the surplus for constructing, maintaining, and improving the public roads of said road district, as provided in chapter four hundred and fifty-one of the Public-Local Laws of one thousand nine hundred and eleven.

SEC. 3. That the proceeds of the sale or negotiation of said bonds shall be paid over and held by the treasurer of Nash County to the credit of said road commission for Jackson's Township Road District, and shall be used and applied, first, to the objects and purposes of repaying the amount of indebtedness already incurred by said road commission for said purposes as above set forth, and then for building, repairing, improving, and constructing the public roads of said road district. No part of said fund shall be paid out by the said treasurer except upon orders signed by the chairman and countersigned by the secretary or clerk of said road commission. The said treasurer, upon said order or orders, will pay the amount thereof and charge the same to said road district fund: *Provided, however*, that there shall be deducted from the proceeds of the sale or negotiation of said bonds the actual expenses of preparing, printing, or lithographing the same and of negotiating the sale thereof, which shall include reasonable attorneys' fees to be fixed by said road commission.

SEC. 4. That no part of the bond issue provided for in section two of this act shall be issued by the said road commissioners of Jackson's Township without the special order of the county

Special tax.

Collection.

Tax kept separate.
Specific appropriation.

Use of proceeds of bonds.

Orders on funds.

Proviso: expense of bond issue.

Bond issue ordered by county commissioners.

Exception.

commissioners of Nash County, except such amount as shall be necessary to pay the debt already contracted by said road commissioners prior to January first, one thousand nine hundred and fifteen, in excess of taxes due and in hand for the year one thousand nine hundred and fourteen.

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

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

Ratified this the 18th day of February, A. D. 1915.

CHAPTER 179.

AN ACT TO REPEAL CHAPTER 36, PUBLIC-LOCAL LAWS, SPECIAL SESSION OF 1913, RELATING TO STOCK RUNNING AT LARGE IN AVERY COUNTY.

The General Assembly of North Carolina do enact:

Law repealed.

SECTION 1. That chapter thirty-six, Public-Local Laws, special session of one thousand nine hundred and thirteen, be and the same is hereby repealed.

Law reënacted.

SEC. 2. That section four, subsection "a," of chapter eight hundred and twelve of Public-Local Laws of one thousand nine hundred and thirteen, is reënacted, so as to include the word "stock" in line nine of section four, subsection "a."

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

Ratified this the 18th day of February, A. D. 1915.

CHAPTER 180.

AN ACT TO REPEAL CHAPTER 810, PUBLIC LAWS OF 1909, IN REGARD TO WIRE FENCES IN MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

Law repealed.

SECTION 1. That chapter eight hundred and ten of the Public Laws of one thousand nine hundred and nine be and the same is hereby repealed.

SEC. 2. That all laws and clauses of laws in conflict with this act, to the extent of such conflict, are hereby repealed.

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

Ratified this the 18th day of February, A. D. 1915.

CHAPTER 181.

AN ACT TO AMEND CHAPTER 503, PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1913, BEING AN ACT TO PROVIDE FOR THE CONSTRUCTION, REPAIR, AND MAINTENANCE OF THE PUBLIC ROADS OF HOKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and three, Public-Local Laws of North Carolina, session of nineteen hundred and thirteen, be and the same is hereby amended as follows:

(a) By striking out the word "fifteen" in line five of section one and inserting in lieu thereof the word "twenty," and by striking out the word "forty-five" in line seven of section one and inserting in lieu thereof the word "sixty." Tax rate.

SEC. 2. That all laws or 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.

Ratified this the 18th day of February, A. D. 1915.

CHAPTER 182.

AN ACT TO AMEND THE ROAD LAW OF WASHINGTON COUNTY, BEING CHAPTER 183 OF THE PUBLIC-LOCAL LAWS OF 1911.

The General Assembly of North Carolina do enact:

SECTION 1. Amend section twenty-four of chapter one hundred and eighty-three of the Public-Local Laws of nineteen hundred and eleven by adding the following: "The person liable for road duties who pays two dollars in lieu thereof shall not pay the same to the treasurer of said county, but shall pay the said amount to the sheriff of said county, who shall collect same on or before May the first of each year in same manner as he now collects the regular county taxes." Commutation paid to sheriff.

SEC. 2. That the register of deeds of Washington County shall each year prepare and deliver to said sheriff tax receipt book with stubs, and said sheriff on collecting said road money shall deliver receipt and retain such stub for settlement with the county commissioners, which said settlement shall be made at time and place prescribed by law for settlement of county taxes. Stub receipt books. Settlements.

SEC. 3. For collecting said road money the sheriff of said county shall receive the same commissions on the amount collected as he Commission of sheriff.

Pay of register of deeds.

now receives for collecting general county taxes, and the register of deeds for preparing said books shall be paid same rate as he now receives for preparing receipt books for general county taxes.

Pay of county commissioners as road supervisors.

SEC. 4. In addition to the compensation now received by each member of the board of commissioners of said county of Washington, he shall be paid two dollars per day for time actually expended in supervising the work on roads of said county under proper regulations to be made by said board, and mileage in the sum of five cents per mile going to and from work: *Provided, however,* that no commissioner shall receive pay for more than five days and mileage for any one month.

Proviso: limitation.

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

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

Ratified this the 18th day of February, A. D. 1915.

CHAPTER 183.

AN ACT TO AMEND THE ROAD LAW OF THOMASVILLE TOWNSHIP, IN DAVIDSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section fourteen of chapter three hundred and seventy-five of the Public Laws of one thousand eight hundred and ninety-nine shall be amended by adding at the end of said section the following:

“Provided, that in Thomasville Township in Davidson County the road trustees, three in number, shall be elected by the duly qualified voters of the said township biennially at the general election under the laws and regulations governing the election of township magistrates and constables.”

Proviso: election of trustees in Thomasville township.

Special election.

SEC. 2. That a special election for the purpose of electing said road trustees shall be held prior to the next general election, the said special election to be held on the first Tuesday after the last Monday in April, one thousand nine hundred and fifteen, and all elections for said road trustees after said special election shall be held at the general election as provided in section one of this act.

Date.

General election.

Term of trustees.

SEC. 3. That the term of office of the road trustees elected at the said special election provided for in section two of this act shall begin on the first Monday in May, one thousand nine hundred and fifteen, and shall expire on the first Monday in December, one thousand nine hundred and sixteen.

SEC. 4. That for the purpose of holding said special election the county commissioners shall, at their regular meeting on the first Monday in March, one thousand nine hundred and fifteen, appoint a registrar and two judges, who shall hold said special election under the same laws and regulations as general elections are held.

Appointment of election officers.

SEC. 5. That all road trustees elected under this act shall make a quarterly report of their proceedings and shall have such report published in the leading newspaper of the county, or posted at three public places in Thomasville Township.

Quarterly reports.
Publication of reports.

SEC. 6. Should a vacancy occur in the board of road trustees, by death, removal, or otherwise, such vacancy shall be filled by appointment by the county commissioners of some good citizen of Thomasville Township, recommended by a sufficient number of the voters of said township.

Vacancies.

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.

Ratified this the 18th day of February, A. D. 1915.

CHAPTER 184.

AN ACT TO CONSTRUCT A GRADED ROAD IN WILKES AND ASHE COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That J. W. Calloway, A. G. Beshears, and Rhudy Phillips be and they are hereby appointed commissioners to lay out and have constructed a public road from Parsonville post-office to Beng post-office in Wilkes County.

Commissioners named.

Terminals.

SEC. 2. That said commissioners shall supervise the construction of said road, and shall be vested with the same powers as the supervisors or overseers of public roads of Wilkes County, with the further power to summon all hands subject to road duty within two miles of any point of said road in the county of Wilkes by the nearest way of travel: *Provided*, no hand shall be required to work over eight days in one year.

Construction of road.
Powers of commissioners.

Proviso: limit of road duty.

SEC. 3. That if any hand who comes under the provisions of this act, who has been duly warned, shall fail and refuse to work said road as required by this act, he shall be guilty of a misdemeanor and be fined not less than one dollar nor more than ten dollars; and all moneys so collected by the said supervisors shall be applied to the construction of said road.

Failure to discharge duty misdemeanor.

Punishment.
Fines to be used on road.

SEC. 4. That all the provisions of the public road law of Wilkes County shall apply to this act that are not inconsistent with this act.

Road law applicable.

Grade of road.

SEC. 5. That said commissioners shall construct said road upon as reasonable grade as the circumstances will, in their discretion, permit.

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

Ratified this the 18th day of February, A. D. 1915.

CHAPTER 185.

AN ACT TO REGULATE THE WIDTH OF WAGON TIRES IN MONTGOMERY COUNTY.

The General Assembly of North Carolina do enact:

Sale and purchase forbidden.

SECTION 1. That it shall be unlawful for any person, firm, or corporation to sell or offer for sale, or purchase for use, in Montgomery County, any wagon or wagons with tires narrower than two inches for one-horse wagons, three and one-half inches for two-horse wagons, and four and one-half inches for four-horse wagons: *Provided*, that the provisions of this section shall not apply to sales or purchases made before January first, one thousand nine hundred and sixteen.

Width of tires prescribed.

Proviso: sales and purchases before 1 January, 1916.

Misdemeanor.

SEC. 2. That any person, firm, or corporation violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days.

Punishment.

When act effective.

SEC. 3. That this act shall be in force from and after January first, one thousand nine hundred and sixteen.

Ratified this the 18th day of February, A. D. 1915.

CHAPTER 186.

AN ACT TO MAKE IT UNLAWFUL TO OPERATE SLOT MACHINES OR OTHER MACHINES OF CHANCE IN STANLY COUNTY.

The General Assembly of North Carolina do enact:

Use of machines and devices forbidden.

SECTION 1. That it shall be unlawful for any person, firm, or corporation to maintain, operate, or permit to be maintained or operated in any place or places of business under his or their control any punch-board, slot machine, vending machine, or any other device of any kind or name whatsoever, where a person puts or pays in money with the hope or expectation or inducement of obtaining prizes, or more money than the value of his money that he puts or pays in at any one time; that it shall be unlawful

for any person, firm, or corporation to maintain or operate, or permit to be maintained or operated, in his or their place or places of business any machine or device by which a person may be induced to put or pay in money with the hope or inducement that he may ultimately win, or obtain chances to win, prizes of more value, or larger sums of money, than he puts or pays in at any one time.

SEC. 2. Any person violating the provisions of section one of this act shall be guilty of a misdemeanor, and shall be fined or imprisoned at the discretion of the court. Misdemeanor.
Punishment.

SEC. 3. That this act shall apply to Stanly County only.

Application.

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

Ratified this the 18th day of February, A. D. 1915.

CHAPTER 187.

AN ACT TO PROHIBIT THE USE OF DYNAMITE, LIME, ETC., IN CERTAIN STREAMS IN BLADEN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person to fish with a seine or by muddying the water or with and by means of any lime, dynamite, or any other such material or substance in Brown Marsh and Horseshoe swamps in Bladen County. Methods of fishing forbidden.
Streams protected.

SEC. 2. Any person violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not more than fifty dollars or imprisoned for thirty days. Misdemeanor.
Punishment.

SEC. 3. That this act shall apply only to Brown Marsh Township in Bladen County. Application of act.

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

Ratified this the 18th day of February, A. D. 1915.

CHAPTER 188.

AN ACT TO ESTABLISH MOUNT OLIVE ROAD DISTRICT IN WAYNE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the territory embraced in Mount Olive Precinct in Brogden Township, Wayne County, North Carolina, is hereby constituted and created a body corporate under the name Road district.
Incorporation.
Corporate name.

Corporate powers.

of the Mount Olive Road District, and as such may sue and be sued, make contracts, acquire real and personal property by gift, purchase, or devise; hold, exchange, and sell the same, and exercise such other rights and privileges as are incident to other municipal corporations: *Provided*, nothing herein contained shall have the effect of abolishing Mount Olive Precinct as a political division of Wayne County or of depriving it of any of the powers now belonging to it not inconsistent with the provisions of this act.

Proviso: Mount Olive precinct as political division.

Trustees named.

SEC. 2. That James A. Westbrook, M. T. Breazeale, Joshua B. Barfield, B. E. Martin, and C. W. Oliver are hereby constituted a board of trustees for the public roads of said road district, the first two of whom shall hold office for six years and the other three for the term of four years. At the expiration of the term of any one of said trustees his successor shall be elected for four years by the county board of commissioners. All vacancies caused by death, resignation, or removal from the said township shall be filled for the unexpired term by the remaining members of said board.

Terms of office.

Election of successors.

Vacancies.

Control and management of roads.

SEC. 3. That it shall be the duty of the said board of trustees to take control and management of the roads of said road district, and said trustees are hereby vested with all the rights and powers for such control and management as are now vested in and exercised by the board of county commissioners of Wayne County.

Powers and rights vested.

Organization.

Treasurer to give bond.

SEC. 4. The board of trustees shall annually elect a chairman and secretary and a treasurer. The treasurer shall have charge of all road funds of the road district, and may be required to give bond in sufficient amount to cover funds coming into his hands. The board of trustees shall annually elect three of their number, who shall constitute and be known as the executive committee. This committee shall meet at stated intervals, as may be directed by the trustees; shall have a chairman and secretary; shall order and issue vouchers for payment of general expenses connected with working roads and the purchase of machinery and implements, which said vouchers shall be signed by the chairman and secretary of said committee and a record thereof kept; and the board of trustees may delegate to said executive committee any and all of its powers, except that of issuing bonds.

Executive committee.

Meetings and organization.

Vouchers.

Powers subject of delegation.

Election and compensation of road superintendent.

Term of office.

Proviso: removal for cause.

SEC. 5. The said board of trustees may annually elect a superintendent of roads for said district, who shall be paid such compensation out of the road fund of said district as may be fixed by said trustees, and who shall hold office for one year or until his successor shall be elected and qualified: *Provided*, that said superintendent may at any time be removed by said board, after having been given ten days notice and a hearing, when in the opinion of the board there exists good and sufficient cause for such removal. It shall be the duty of said superintendent, subject to the

Duty of superintendent.

approval of the board, to supervise, direct, and have charge of the maintenance and construction of all public roads in said district, and he shall submit to said executive committee a monthly report concerning the work in progress and the moneys expended, and such other as may be required of him. As a guarantee of the faithful and honest discharge of the duties of his office the said board may require of said superintendent such bond as may be deemed advisable.

Monthly reports.

Bond of superintendent.

SEC. 6. The said board of trustees may purchase such machinery and implements as may be needed for the proper working and construction of the roads, may employ a competent engineer or surveyor, and may exercise such other powers and privileges as may be needed for the carrying out of the purposes and provisions of this act.

Purchase of equipment.

Employment of engineer.

SEC. 7. That the said superintendent of roads is hereby authorized to enter upon any uncultivated lands near to or adjoining any public road of said district, to cut and carry away timber, except trees or groves on improved land planted or left for shade or ornament; to dig or cause to be dug and carry away any gravel, sand, clay, or stone which may be necessary to construct, improve, or repair such roads, and enter upon any land adjoining or lying near such roads in order to make such drains or ditches through the same as he may deem necessary for the betterment of the road; and the drains and ditches so made shall not be obstructed by the occupants of such lands or any other person, and any person obstructing such drain or ditch shall be guilty of a misdemeanor, and fined not exceeding fifty dollars or imprisoned not more than thirty days. If the owner of the land from which timber, stone, clay, gravel, or sand are taken, as aforesaid, shall present an account for the same through said superintendent to said board or executive committee within thirty days after taking thereof, it shall be the duty of said board to pay for same at a fair price; and in case of any disagreement as to the value, the superintendent of roads shall appoint one freeholder, the person claiming the damages a second, and these two a third, which said freeholders shall assess said damages and report the same in writing to the superintendent of roads: *Provided*, either party to said assessment, if dissatisfied as to the amount thereof, may appeal to the Superior Court.

Entry on land for material.

Drains and ditches.

Obstructing drains or ditches misdemeanor.

Punishment.

Presentation and payment of claims.

Arbitration for assessment.

Proviso: right of appeal.

Location and change of roads.

Claims for damages.

Procedure for assessment of damages.

SEC. 8. That said superintendent of roads, with the approval of the trustees or executive committee, is hereby given discretionary power to locate, relocate, or change any part of any public road in said district when in his judgment the same will prove advantageous to public travel; that when any person on whose lands the new road or part of the road is to be located claims damages therefor, and within thirty days petitions said board of trustees for a jury to assess the damages, the said trustees shall, within not less than fifteen nor more than sixty days after the

completion of said road, order a jury of three disinterested freeholders of said district, to be selected and summoned by the sheriff of Wayne County as provided by law, who shall give said landowner forty-eight hours notice of the time and place when and where the said jury will meet to assess his damages; that said jury, in connection with the question of damages, shall also take into consideration the benefits to the owner of the land, and if such benefits be considered equal to or greater than the damages sustained, the jury shall so declare; and it shall report its findings in writing to said trustees for revision and confirmation: *Provided*, that such owner may appeal to the Superior Court of Wayne County from the decision of said trustees.

SEC. 9. That said trustees shall have the right, and they are hereby authorized and empowered, to unite with the trustees or other persons having in charge the public roads of any adjoining township, whether in or outside of Wayne County, for the purpose of constructing and maintaining public roads running into and through such adjoining townships upon such terms as may be agreed on by them and to use part of the funds raised by this act for that purpose.

SEC. 10. That the said board of trustees are hereby authorized and empowered to issue bonds of said road district, to be styled Mount Olive Road District bonds, which shall be signed by the chairman and secretary of said board of trustees, to an amount not to exceed thirty thousand dollars, of such denominations and of such proportions as said board may deem advisable, bearing interest from the date of issue thereof at a rate of interest not exceeding six per cent per annum, with interest coupons attached, payable annually or semiannually as may be deemed best, and the principal thereof payable or redeemable at such time or times as may be determined by trustees, not exceeding forty years from the date thereof; and the said bonds may be issued at such time or times and in such amount or amounts as may be deemed best to meet the expenditures provided for in this act: *Provided*, that said bonds shall not be sold for less than par. The liability for the payment of such bonds shall be attached to and imposed upon the said Mount Olive Road District.

SEC. 11. That for the purpose of providing for the payment of said bonds and the interest thereon, and for the construction, improvement, and maintenance of the roads of said district, the board of county commissioners shall, annually, and at the time of levying the county taxes, levy and lay a special tax on all persons and property subject to taxation within the limits of said district of not less than ten cents and not more than thirty cents on the one hundred dollars assessed valuation of property and not less than thirty nor more than ninety cents on each taxable poll. The taxes so levied shall be collected as other taxes are collected, and paid to the treasurer of said board of road trustees.

Proviso: right of appeal.

Joint action with adjoining townships.

Bond issue authorized.

Authentication.

Amount.

Denominations.

Interest.

Maturity.

Proviso: sale below par forbidden.
Obligation of bonds.

Special tax.

Limit of rate.

Collection and settlement.

SEC. 12. That all funds derived from the sale of any bonds by the said board of trustees shall be paid over to the treasurer of said board of trustees, and shall be used for the purpose of constructing and improving the public roads in said district, the purchase of such material, machinery, and implements and the employment of such officers and labor as may be found necessary in the carrying out of this work.

Use of proceeds of bonds.

SEC. 13. That in the working and construction of roads either convict labor or hired labor, or both, may be used, as may be ordered by said board of trustees; and in the working of convicts on the public roads all rights and privileges existing in regard thereto or that may hereafter exist for the use of convicts in Wayne County or any township therein shall exist and apply to the use of convicts on the roads of the district.

Road labor.

SEC. 14. That no moneys shall be expended under this act on any road or street in any incorporated town.

No expenditures on streets.

SEC. 15. That from and after the ratification of this act all laws and clauses of laws authorizing the levy and collection of any tax for public roads in said district, except such as are provided for in this act, shall cease and determine as to said district, and no tax or assessment for public roads shall be collected in said district except as herein provided.

Other road taxes rescinded.

SEC. 16. That this act shall be enforced from and after its ratification.

Ratified this the 20th day of February, A. D. 1915.

CHAPTER 189.

AN ACT TO PROVIDE FOR THE CONSTRUCTION OF A PUBLIC ROAD FROM LYNN IN TRYON TOWNSHIP, POLK COUNTY, BY WAY OF HOWARD'S GAP TO SALUDA IN SALUDA TOWNSHIP IN POLK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the separate divisions of Tryon and Saluda townships, as now constituted, in Polk County, shall for the purposes of this act be and it is hereby constituted and declared a body corporate by the name and style of "Tryon and Saluda Townships" and vested with the necessary power and authority to carry out the provisions of this act and to exercise all the rights and privileges incidental to municipal corporations generally. The membership of the board of county commissioners of Polk County and their successors in office shall *ex officio* be and are hereby declared to be the corporate agents of the said Tryon and Saluda townships, and may as such sue and be sued, and shall have the power and authority to carry out all the provisions of this act.

Townships incorporated.

Corporate name.

Corporate powers.

Corporate agents.

Corporate powers.

- Control and management of construction of road. SEC. 2. That it shall be the duty of the board of county commissioners of Polk County to have and they are hereby empowered and given entire control and management of the construction of a public road from Lynn in Tryon Township, by way of Howard's Gap, to Saluda in Saluda Township, and the same when so constructed shall be and is hereby declared to be a public road, and subject to the general provisions of the law with reference to the public roads of Polk County, as may be generally or specially heretofore provided.
- Termini and route.
Road to be public. SEC. 3. That the said board shall have the right and power to receive and take such rights of way as may be donated, and purchase such rights of way, if not donated, at reasonable prices, for the said road; and in case the same is not donated or purchased, shall have the right of eminent domain; and they shall not be stopped in their said work, but may proceed to take private property for such road purposes after five days notice, and any landowner aggrieved may, within sixty days after the completion of said road, file his claim with the board of county commissioners, designating in such petition the name of one arbitrator of no relation to either the claimant or either of said board and who shall be a disinterested freeholder, and upon the filing of such claim or petition with the name of an arbitrator, the said board of county commissioners shall select one arbitrator with like qualifications and the two shall select the third of such like qualifications, and said arbitrators shall then view the premises, assess such damages as in their judgment the claimant may have sustained: *Provided, however,* the arbitrators shall, at the time of assessing damages, also consider and assess any and all benefits which the claimant may have received by reason of the construction of said road, and such benefits or advantages shall be deducted from the damages, and the net amount, if any, shall be the amount of their award; and from such award either party may appeal to the Superior Court, when and where the matter shall be heard *de novo*, and the damages, if any, assessed by a jury: *Provided further,* that in the selection of arbitrators as above provided the same shall be neither residents of Tryon nor Saluda townships.
- Acquirement of right of way. SEC. 4. That at the first regular meeting of the board of county commissioners of Polk County after the ratification of this act, or at any subsequent meeting, said board of county commissioners are hereby directed to order that an election be called to submit to the qualified voters of Tryon and Saluda townships the question of a bond issue for the construction of said road; that it shall be the duty of the county board of elections, when so ordered by the county commissioners of Polk County, to call said election, giving thirty days notice of the same in some newspaper published in Polk County and at the courthouse in the town of Columbus, and to submit the question of the issuance of bonds, not to ex-
- Right of eminent domain.
- Procedure for assessment of damages.
- Proviso: assessment of damages.
- Right of appeal.
- Proviso: residence of arbitrators.
- County commissioners to order election.
- Bond issue to be voted on.
- Call and notice of election.
- Question to be submitted.

ceed fifteen thousand dollars as hereinafter provided, and the levy of a special tax as hereinafter provided for the payment of the interest on said bonds and the creation of a sinking fund with which to pay off the same when they shall become due. That the proceeds arising from the sale of said bonds shall be used in the construction of a public road as hereinafter fully described from Lynn in Tryon Township, by way of Howard's Gap, to Saluda in Saluda Township.

Use of proceeds of bonds.

SEC. 5. That at such election so ordered as aforesaid at which the qualified electors shall vote on the issuance of bonds and the levy of a tax in said two townships of Tryon and Saluda, the same shall be held at the regular voting precincts of said townships, and for the purpose of conducting the same two judges and a registrar shall be appointed by the county board of elections of Polk County for each voting precinct in said two townships, and the same shall be conducted as provided by law for general county elections, no new registration being required.

Voting precincts.

Election officers.

Law governing elections.

SEC. 6. That at such election so held under the provisions of this act all the qualified voters of the said two townships who shall favor the issuance of said bonds and the levy of a tax for the payment of interest on said bonds and the creation of a sinking fund shall vote a ballot on which shall be written or printed or partly written and partly printed the words "For Good Roads," and those voting against the issuance of such bonds and the levy of such tax shall vote a like printed or written ticket with the words thereon "Against Good Roads."

Ballots.

SEC. 7. That it shall be the duty of the judges and registrars conducting the said election, at the close thereof, to count, canvass, and tabulate the votes so cast, and which shall be reported in writing to the board of county commissioners at their first regular meeting held thereafter, who shall declare the results of such election and have the same recorded in the minutes of said board of commissioners, and no other canvass of such election shall be necessary to determine the said results.

Count and canvass of votes.

Declaration and record of result.

SEC. 8. That if a majority of those voting in said election (that is to say, the majority of the votes actually cast) shall be in favor of good roads, then it shall be the mandatory duty of the said board of county commissioners to issue the said bonds and levy the tax as hereinafter provided. But if a majority of those voting in said election shall vote against good roads and the levy of said tax, then the duties and powers herein created shall be vacated and of no effect. But in the event of a majority of the vote so cast being in favor of good roads, said board of county commissioners are hereby authorized, empowered, and directed to sell coupon bonds of the said two townships, payable to bearer, not to exceed the sum of fifteen thousand dollars, or any amount less than that sum as may be sufficient to build and construct the

Majority of votes cast decisive.

Effect of election.

Amount of bonds.

Denominations.	said roads, in denominations of not less than one hundred dollars.
Interest.	bearing interest from date at a rate not to exceed six per cent per annum, payable semiannually on the first day of January of each year and on the first day of July, until said bonds are fully paid off.
Maturity.	That the said bonds shall be made payable at a time to be fixed by the board of county commissioners and named therein, not to be more than thirty years nor less than ten years after date, both bonds and coupons to be made payable at the office of the treasurer of Polk County, and the said bonds and their coupons shall be numbered consecutively, beginning with number one, and shall be signed by the chairman of the county commissioners of Polk County and countersigned by the register of deeds of said Polk County, who shall affix his official seal thereto, and the coupons attached to said bonds shall be signed by the chairman of the board of county commissioners of Polk County or have his lithographed signature, and the said bonds shall be styled "Tryon and Saluda Township Road Bonds."
Authentication.	
Entitlement of bonds.	
Record of bonds.	SEC. 9. That a record shall be kept by the said county commissioners of the said bonds, showing the number and denomination thereof, date of issuance, and when the same will mature, the interest-bearing rate thereof, the amount received from the sale of the same, and the date of disbursement of the proceeds or paying the same to the county treasurer, who shall disburse the same upon the order of the board of county commissioners of Polk County, and who for his services shall receive a commission not to exceed one per cent, and he shall be held on his official bond for the faithful accounting of the same,
Commission of treasurer. Liability on bond.	
Sale below par and delivery before payment forbidden.	SEC. 10. That the bonds above authorized shall not be sold for less than par, and shall not be delivered until the purchase money is paid to the treasurer of Polk County.
Special tax.	SEC. 11. That for the purpose of paying the interest on said bonds and creating a sinking fund for paying said bonds at maturity, the board of county commissioners of Polk County shall annually, at the time of the levying of the county and other taxes required by law to be levied, levy a special tax on all persons and property subject to taxation within the limits of said Tryon and Saluda townships sufficient to meet the said interest payments and to create a sinking fund to pay off the said bonds according to their maturity, not to exceed the sum of twenty cents on the one hundred dollars valuation of assessed property and sixty cents on the poll, and the said tax when so levied shall be collected by the sheriff of Polk County in the same manner as other taxes of the said county are collected, and paid over to the county treasurer, which when so collected shall be first applied to the payment of the interest when due on said bonds, the balance to create a sinking fund to meet the payment of the principal as aforesaid.
Limit of rate.	
Collection and settlement.	
Specific appropriation.	

SEC. 12. That the bonds issued under the provisions of this act shall be and constitute obligations on Tryon and Saluda townships, and shall be paid off and discharged only by said two townships as provided by this act. Obligation of bonds.

SEC. 13. That upon the collection by the sheriff and the payment by him to the treasurer as authorized of said taxes, the same shall be kept as a separate and distinct fund and held by said county treasurer as a separate fund, and the proceeds from the sale of said bonds as herein provided shall only be expended in the construction of said road as aforesaid, and the said road when so constructed shall be and constitute one of the public roads of Polk County. Taxes kept separate.
Specific appropriation of proceeds of bonds.

SEC. 14. That this act shall be in force from and after its ratification.

Ratified this the 20th day of February, A. D. 1915.

CHAPTER 190.

AN ACT TO AMEND CHAPTER 770, PUBLIC-LOCAL LAWS 1911, AND CHAPTER 191, PUBLIC-LOCAL LAWS OF 1913, AND TO AUTHORIZE CERTAIN COUNTIES, TOWNSHIPS, CITIES, OR TOWNS ALONG OR NEAR OR INTERESTED IN THE CONSTRUCTION OF GREENSBORO, NORTHERN AND ATLANTIC RAILWAY TO RESUBMIT THE QUESTION OF VOTING BONDS IN EXCHANGE FOR STOCK OR BONDS OF SAID RAILROAD TO AID IN THE CONSTRUCTION OF SAID RAILROAD.

Whereas, by chapter seven hundred and seventy, Public-Local Laws of North Carolina of one thousand nine hundred and eleven, a charter was granted to the "Greensboro, Roxboro and Norfolk Railway" (whose name was heretofore duly changed to "Greensboro, Northern and Atlantic Railway"), for the purpose primarily of authorizing the construction of a line of railway from Greensboro, in the county of Guilford and State of North Carolina, through the counties of Guilford, Alamance, and Person, in the direction of Norfolk in the State of Virginia; and whereas, since said charter was granted, the Congress of the United States has appropriated funds looking to the development of a harbor of refuge at Cape Lookout, on the coast of North Carolina, which renders such point, if and when developed as contemplated, of strategic importance as a railway terminal; and whereas, since said charter was granted, the Norfolk Southern Railroad Company has constructed an important line of railway through central North Carolina, which, with its connections, already touches

Preamble.
Preamble.
Preamble.

Preamble.

the North Carolina coast at Beaufort, near Cape Lookout; and whereas the projectors of said Greensboro, Northern and Atlantic Railway believe that said contemplated deep-water harbor at Cape Lookout renders that point more desirable and feasible as an objective point for said line of railway, and are, for that reason, amongst others, desirous of so routing their projected railroad as to make practicable a connection with this important harbor, or to connect with one or more lines of railway that may reach said harbor, or that may now have under consideration a line to that point: Now, therefore,

The General Assembly of North Carolina do enact:

Change of route.

SECTION 1. That section four, subsection (e), of chapter seven hundred and seventy, Public-Local Laws of one thousand nine hundred and eleven, be and the same is hereby amended by striking out after the word "some" in line four of said subsection the words "point in or near the city of Roxboro, county of Person, State of North Carolina, and thence from some point at or near the city of Roxboro, by such route as may be determined upon, to some point on the Seaboard Air Line Railway," and by substituting therefor the words "common point on the Seaboard Air Line Railway and the Norfolk Southern Railroad, either at or near the city of Raleigh, or at or near the town of Colon, or to some intermediate point on the Norfolk Southern Railroad, or to some point on the Seaboard Air Line Railway."

Name of company.

SEC. 2. That section one of said chapter seven hundred and seventy, Public-Local Laws of one thousand nine hundred and eleven, be and the same is hereby amended by adding after the word "railway" in line six thereof the word "company."

Taxes from company.

SEC. 3. That section three of chapter one hundred and ninety-one, Public-Local Laws of one thousand nine hundred and thirteen, be amended by striking out after the word "collected" and before the word "the," in line five of said section, the word "for," and by substituting in lieu thereof the word "from."

Application of law.

SEC. 4. That section four of chapter one hundred and ninety-one, Public-Local Laws of one thousand nine hundred and thirteen, be and the same is hereby amended by adding after the word "one" in line one and before the word "shall" in said line the words "and three."

Municipalities affected.

SEC. 5. That all the provisions of said chapter seven hundred and seventy, Public-Local Laws of North Carolina, session one thousand nine hundred and eleven, as amended by chapter one hundred and ninety-one, Public-Local Laws of one thousand nine hundred and thirteen, and as herein amended, shall apply to any county, township, city, or town along or near or interested in the said line of railway, or any of its branches, as hereinbefore author-

ized to be routed, as fully, effectually, and completely as they applied and were intended to apply to the said line of railway as originally routed.

SEC. 6. That any county, township, city, or town along or near or interested in the said line of railroad, or any of its branches, that may have heretofore voted bonds in aid of said railway on condition that said line of railroad shall be completed to or through such county, township, city, or town within a time or times limited, or on any other condition, may, in lieu of any such bonds heretofore voted, vote other bonds, in the same manner and under the same terms, conditions, and provisions, and with like force and effect, as provided by chapter seven hundred and seventy, Public-Local Laws of North Carolina, session one thousand nine hundred and eleven, and any and all amendments thereof, and particularly as provided by sections thirteen, fourteen, fifteen, and sixteen of said act: *Provided*, that no election on the question of new bonds in any county, city, town, or township, in lieu of any bonds previously voted by such county, city, town, or township, shall or may be held unless and until said Greensboro, Northern and Atlantic Railway Company shall, in writing, request the chairman of the board of commissioners of any such county, on behalf of such county, or on behalf of any city, town, or township therein that may have previously voted such bonds, to call such election; and *Provided further*, that any new bonds so voted shall be in lieu of and work the cancellation and discharge of any previously voted.

Election by municipalities heretofore contributing to road.

Proviso: request for new election.

Proviso: former bond issue discharged.

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

Ratified this the 20th day of February, A. D. 1915.

CHAPTER 191.

AN ACT FOR THE IMPROVEMENT OF THE PUBLIC ROADS IN COWEE, CARTOOGECHAYE, ELLIJAY, AND SMITHS BRIDGE TOWNSHIPS IN MACON COUNTY, AND TO AUTHORIZE THE ISSUANCE OF BONDS TO PAY THE EXPENSES THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. That John E. Rickman, John H. Dalton, Wade Arvey, L. M. Bradley, W. J. Jenkins, and W. J. West, and their successors in office, are hereby incorporated under the name of the Highway Commission of Cowee Township.

Highway commission for Cowee township.
Incorporation.
Corporate name.

SEC. 2. That W. B. Lenoir, J. J. Kiser, Thomas M. Slagle, Dan Sweatman, George W. Moffitt, and W. A. Setser, and their suc-

Commission for Cartoogechaye township.

Incorporation.
Corporate name.

Commission for
Ellijay township.

Incorporation.
Corporate name.

Commission for
Smiths Bridge
township.

Incorporation.
Corporate name.

Number of com-
missioners.

Election and
terms of office.

Proviso: terms
of first commis-
sioners.

cessors in office, are hereby incorporated under the name of the Highway Commission of Cartoogechaye Township.

SEC. 3. That W. L. Higdon, J. P. Moore, A. J. Evans, Weaver Gray, J. T. Berry, and T. B. Higdon, Sr., and their successors in office, are hereby incorporated under the name of the Highway Commission of Ellijay Township.

SEC. 4. That J. P. Bradley, R. B. Hyatt, W. M. Parrish, William Ledford, D. P. Cabe, and James McDowell, and their successors in office, are hereby incorporated under the name of the Highway Commission of Smiths Bridge Township.

SEC. 5. That said commission shall always consist of an equal number of members, which number shall be six, to be designated as their terms expire by vote of the people at the regular election for members of the General Assembly; two members to be designated at each such election, and on being elected and qualified shall hold office for a period of six years: *Provided*, that W. J. West and W. J. Jenkins, named in section one of this act, shall hold office until the general election in the year one thousand nine hundred and sixteen; L. M. Bradley and Wade Arvey shall hold office until the general election in the year one thousand nine hundred and eighteen; and that John E. Rickman and John H. Dalton shall hold office until the general election in the year one thousand nine hundred and twenty; and that George W. Moffitt and W. A. Setser, named in section two of this act, shall hold office until the general election in the year one thousand nine hundred and sixteen; that Dan Sweatman and Thomas M. Slagle, named in section two, shall hold office until the general election in the year one thousand nine hundred and eighteen; and that J. J. Kiser and W. B. Lenoir, named in said section two, shall hold office until the general election in the year one thousand nine hundred and twenty; and that T. B. Higdon and J. T. Berry, named in section three of this act, shall hold office until the general election in the year one thousand nine hundred and sixteen; that Weaver Gray and A. J. Evans, named in said section three hereof, shall hold office until the general election in the year one thousand nine hundred and eighteen; and that J. P. Moore and W. L. Higdon, named in said section three, shall hold office until the general election in the year one thousand nine hundred and twenty; and that James McDowell and D. P. Cabe, named in section four of this act, shall hold office until the general election in the year one thousand nine hundred and sixteen; that William Ledford and W. M. Parrish, named in said section four, shall hold office until the general election in the year one thousand nine hundred and eighteen; and that R. B. Hyatt and J. P. Bradley, named in said section four hereof, shall hold office until the general election in the year one thousand nine hundred and twenty. Should a vacancy occur between two general elections by death, removal, or resignation, the said vacancy shall be filled by the

Vacancies.

commission of which he is a member, and such successor so chosen shall hold office until his successor shall be chosen at the next succeeding general election and shall qualify; and a sufficient number of members shall be chosen at such election to fill such vacancies, if any there be, in addition to the two members to be regularly chosen at such election, and the member or members so chosen to fill a vacancy shall hold office for the same period as the member or members would have done whose place he was elected to fill. All such elections shall be held as nearly as may be in accordance with the regulations prescribed by law for the election of members of the General Assembly.

Law governing elections.

SEC. 6. Said highway commissions shall have the same supervision, powers, and rights in respect to all the public roads in Cowee, Cartoogehaye, Ellijay, and Smiths Bridge townships as have heretofore been vested in either the board of road trustees of said townships or in the board of county commissioners of Macon County, except as such laws are herein modified. The said commissions shall have full power and authority to order the laying out of public roads, where necessary in the judgment of said commissions, and to discontinue such roads as shall be found useless, and to alter roads so as to make them more useful. They shall also have power and authority to lay out cartways, church and mill roads, and to alter or discontinue the same in the way and manner provided in the general law, except as such laws are modified herein. Said highway commissions shall meet in their respective townships at some convenient place within ten days after their appointment, and after having taken the oath required by law for public officers and the further oath to faithfully perform their duties as members of the highway commission of the township of which they are members, shall organize by electing one of their number president, who shall preside at all meetings of said commission; they shall also elect one of their members secretary, whose duty it shall be to keep a record of the proceedings of the said commission and shall deliver the same to his successor in office; they shall also elect a suitable person as treasurer of each of said commissions, who need not be a member of said commission, and he shall enter into a bond in the penal sum of not less than double the amount of the road tax of the said township of which he is elected treasurer for the current year, which bond upon approval by the commission shall be recorded by the register of deeds for Macon County in the book of official bonds and filed in his office. The treasurer's bond shall always be a sufficient amount to cover the proceeds of any bond issue which may come into his hands, in addition to the tax levied for the current year; and the amount of such bond shall be subject to increase or may be diminished at any time by order of the said commission for the purpose aforesaid. Said treasurer of each of said commissions shall have the right, upon the order of

Powers and rights of commissions.

Establishment and discontinuance of roads.

Cartways, church and mill roads.

Commissions to meet and qualify.

Organization.

Election of treasurer.

Bond of treasurer.

Deposits of road funds.

said commission, to deposit any money that may be in his hands arising from the sale of bonds or the levy of taxes, upon the order of said commission, to deposit same in some bank to be designated by said commission.

Orders on road funds.

SEC. 7. The said treasurer of each of said commissions shall make payments out of the road funds belonging to his said township only upon the written order of the commission, signed by the president and secretary of the commission, and a strict record of each order drawn shall be kept, showing the object for which it is issued.

Moneys to be paid to road fund.

SEC. 8. That all road taxes which are now in the hands of the sheriff of Macon County for the various townships herein mentioned, or the treasurer of the board of road trustees for said townships, or any other person or official, and all such taxes or funds which are now in their said hands or may hereafter be collected by the sheriff or tax collector of Macon County, shall be paid over to the treasurer of each of said highway commissions, who shall give a receipt therefor. The sheriff or tax collector of the said county shall pay over promptly all road taxes or taxes paid for the purpose of meeting the interest or principal of any bonds which may be issued under the provisions of this act, collected by him, to the treasurer of each commission, and shall at no time retain more than one hundred dollars of said taxes which may come into his hands. The sheriff or tax collector shall not apply any of the said taxes to the payment of any other claims which may be drawn on him or the county treasurer, for any other county purposes, or for State purposes, but he shall at all times keep the road taxes for said township and the taxes collected to pay the interest or principal of said bonds separate from all other taxes, and pay them over to the treasurer of the commission as aforesaid. The sheriff or tax collector shall be required to settle in full with the treasurer of each of said commissions not later than the first day of May in each and every year: *Provided*, the compensation of said sheriff, tax collector, or other officer for collecting said taxes and turning them over to the treasurer of each of said commissions as aforesaid shall not exceed more than two and one-half per centum of said taxes so collected and turned over by him, said commission to be fixed by the highway commission of each of said townships.

Settlement of taxes.

Specific appropriation of taxes.

Time for settlements.

Proviso: commission of treasurer.

Election of road superintendent.

SEC. 9. That each of said highway commissions shall at their first meeting after being qualified, or as soon thereafter as practicable, elect some competent, experienced, and discreet person to be superintendent of all the public roads in their townships; such superintendents shall hold office during the pleasure of the commission electing each of said superintendents, and shall be entitled to such compensation as may be fixed by said commission. Each of said highway commissions shall also have the power to employ

Compensation.

Employment, compensation, and duties of road engineers.

one or more competent road engineers, fix their compensation, and prescribe their duties, and the term of employment of any engineer shall be during the pleasure of the said commission by which he is employed.

SEC. 10. That each of said highway commissions shall also have the power to employ such other persons and to purchase such supplies as in their judgment are necessary to carry this act into effect. They may purchase such machinery, tools, blasting material, drain pipes, and lumber as may be necessary to build or repair any road; they may construct necessary drains, culverts, and maintain the same. The highway commission of Franklin Township shall put into the custody and control of each of said highway commissions the road-working machinery and tools heretofore bought and now owned by Franklin Township, said machinery to be distributed and used in whatever township in the opinion of the said highway commission of Franklin Township it can be used to the best advantage; and in case a county convict force may be provided for, the county commissioners of Macon County shall turn over to said highway commissions such part of the county convict force as may not be needed for the work of constructing and repairing the public roads elsewhere in the county, and if deemed expedient may turn over the entire force to any of the said commissions which in their opinion can use said force to the best advantage, and the convicts, while in the custody of said highway commissions, shall be employed in the construction and repairing of the public roads under the jurisdiction of the commission under which they are being worked.

SEC. 11. That the said highway commission shall, as soon as practicable, divide the roads of each of said townships into suitable sections.

SEC. 12. That it shall be the duty of each of said highway commissions to keep the public roads of its respective township in good repair, and if said commissions or either of them shall willfully fail or refuse to discharge any of its duties, it or they shall be guilty of a misdemeanor.

SEC. 13. That each of the members of the said highway commissions shall serve without compensation, except an allowance of not more than one dollar and fifty cents per day for each day they actually attend the sittings of their respective commission, which if more than two days in any one month, the same shall be without compensation, unless one of their number shall be elected superintendent, in which event his compensation shall be fixed by the commission.

SEC. 14. That each of said highway commissions shall have the right and authority to macadamize or otherwise improve any road in the township for which it is appointed. Said commission may relocate any road in order to make it more useful, or they may

Employees and supplies.

Purchase of equipment and material.

Use of equipment.

Convict force.

Road sections.

Roads to be kept in repair.

Failure in duty a misdemeanor.

Pay of commissioners.

Improvement of roads.

Relocation of road.

- Entry on lands for surveys. Whenever it shall appear to the highway commissions appointed in said townships that any public road ought to be improved or relocated, or that any new public road ought to be established, constructed, and improved, the highway commissions shall have the right, by themselves, their superintendents, engineers, or other employees, to enter upon the lands of any person and make such surveys as they may deem necessary to ascertain the most practicable route; and each of said commissions, on receiving the report of any such survey, together with an estimate of the cost of construction or improvement, accompanied by the engineer's profiles, and such other specifications as may be desired, such report, together with the map, profile, and specifications accompanying it, if the same shall have been required, when considered, if approved and adopted by the said highway commission ordering same, thereupon the public road or improvement described in said report shall thereby become established, and the necessary rights of way shall become condemned for the public use.
- Procedure for establishment of road. SEC. 15. That any person who shall obstruct or interfere with the highway commission, the road superintendent, or any engineer, surveyor, or other employee of the highway commission in making any survey as aforesaid, or who shall interfere or obstruct the highway commission, road superintendent, engineer, surveyor, or other employee of said commission, or any contractor or contractors, or his or their employees, in the construction or improvement of any road, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined or imprisoned, or both, in the discretion of the court.
- Interference with officers misdemeanor. SEC. 16. That the superintendent of said roads or any other employee of each of said highway commissions may enter upon any lands and upon any quarries, and take away any stone, earth, gravel, or clay, and cut and carry away any timber, except trees or groves on improved lands planted or left for ornament or shade, from any place most convenient, accessible, or desirable on account of the material desired, and cut and carry away any trees, except ornamental trees on improved property, which may unduly shade the road; said superintendent or employees may also enter upon any lands adjoining or near the said roads in each of said townships in order to make such drains or ditches through the same as they may deem necessary for the betterment of the road, doing as little injury to the said lands or the improvements thereon as the nature of the place and the public good will permit; and where necessary to protect said lands or the crops and improvements thereon, the ditches and drains so made shall be conducted to the nearest ditch, drain, or water-course or waste ground, and shall be kept open by the said commission, and shall not be obstructed by the owner or occupant of said land or by any other person or
- Punishment.
- Entry on land for material.
- Drains or ditches.

persons. Any person or persons so obstructing the said superintendent or other employees of any of the said highway commissions shall be guilty of a misdemeanor, and shall upon conviction be fined not exceeding fifty dollars or imprisoned not exceeding thirty days for each and every offense; and the rights and privileges granted by this section to the said road superintendent and employees of the said highway commission shall be given any contractor or contractors working for the said commissions, and to his or their servants or employees.

Obstructing drains or ditches misdemeanors.
Punishments.

SEC. 17. Any landowner feeling himself aggrieved by the taking of his land or any part thereof for the relocation or construction of any new or old public road, or by taking of any material from his land for road construction, or otherwise, as hereinbefore provided, or by the cutting of drains or ditches through his land, may, within sixty days after such construction or improvement is completed, or such material is taken, or such drains or ditches are cut, make application to the highway commission in charge of said road for an assessment of damages and benefits to his property caused by the taking or invasion of his property for any of the purposes aforesaid.

Application for assessment of damages.

SEC. 18. Within thirty days after the application for the assessment of damages has been made to said highway commission having said road in charge, the said commission shall order the sheriff or other lawful officer to summon a jury of three disinterested freeholders, who shall, after having given notice to the landowner, his tenant or agent in charge, and being duly sworn, go upon the ground and take into consideration the damages claimed or done, as well as the benefits accruing to the said property by reason of the construction or the improvement of the public road leading over the same, or for which the material was taken, or the ditches or drains were cut, and the difference between the two sums shall be their verdict. If the damages awarded by the jury shall exceed the benefits, it shall be the duty of the secretary of said highway to draw an order on the sheriff or other officer acting as treasurer of said highway commission in said township for said amount: *Provided, however,* that if either the highway commission or the landowner be dissatisfied with the verdict of the jury, they shall have the right of appeal to the Superior Court of said county of Macon.

Procedure for assessment of damages.

Proviso: right of appeal.

SEC. 19. The road to be constructed by the highway commission of Cowee Township shall commence at or near the Shallow Ford at the Swain County line and extend up said river on the east side thereof to what is commonly known as the Iotla Bridge across the Tennessee River, below the mouth of Iotla Creek, and thence in a general direction south to the Franklin Township line intersecting with the road graded from the town of Franklin.

Road in Cowee township.

Road in Cartoogechaye township.

SEC. 20. The road to be constructed by the highway commission of Cartoogechaye Township shall commence at the intersection of the road running from Franklin through said township, near W. H. Waldropp's, and extending through said township to Nantahala Township.

Road in Ellijay township.

SEC. 21. The road to be constructed by the highway commission of Ellijay Township shall commence at the Franklin Township line and extend up Sugarfork River and Ellijay Creek to the township line of Millshoal, thence through Millshoal Township to what is known as the Moss Gap at the Jackson County line.

Road in Smiths Bridge township.

SEC. 22. The road to be constructed by the highway commission of Smiths Bridge Township shall commence at the Franklin Township line at or near the Morrison Church and extend up the Tennessee River to the North Carolina-Georgia State line. All of said road surveys to be submitted to and said roads to be located by, as far as practicable, the State road department.

Surveys and location of roads.

Width of road.

SEC. 23. That the width of all roads, together with the width of any stone or macadam laid thereon, shall be designated by the commission, who may vary the width in different places in accordance with the necessities of the case. In acquiring any right of way for the relocation or establishing of any public road, not less than twenty-four feet in width shall be taken.

Width of right of way.

Specifications for road work.

SEC. 24. It shall be the duty of the engineer employed by the highway commission of each of said townships to prepare full and complete specifications covering the improvement or construction of any road, dividing such work into convenient sections, said specifications being subject to the approval of the said highway commissions of the respective townships.

Advertisement for bids.

SEC. 25. After the approval of the specifications as aforesaid, it shall be the duty of the highway commission to advertise for and receive bids for the work to be done, and they shall have the right to let the work to the lowest responsible bidder; or if no satisfactory bid is received, they shall have the right to have the work done by the superintendent of roads, subject to their advice and approval from time to time.

Work let to contract.

Bond of contractors.

SEC. 26. If any such work shall be let to contract, it shall be the duty of the contractor to furnish a bond payable to the said highway commission by whom he is employed, conditioned upon the faithful and full performance of the work as specified, which bond shall be made by some solvent surety company authorized to do business in North Carolina, and the premium on said bond shall be paid by the contractor.

County commissioners to order election.

SEC. 27. That upon the written request of a majority of the members of the highway commission of any one or all of the said townships hereinbefore named, addressed to the board of county commissioners of the said county of Macon, it shall be the duty of the said board of county commissioners to order an election to be

held in any one or all of said townships so petitioning, at which election there shall be submitted to the voters of the said township or townships the question of whether or not the said township or townships shall issue bonds to an amount not exceeding ten per centum of the assessed valuation of all taxable property in said township or townships aforesaid, the proceeds of which shall be used for the purpose of making, grading, repairing, macadamizing, and otherwise improving the public roads of said township or townships. The said board of county commissioners shall give notice of any such election by publication once each week for four successive weeks preceding the election in some newspaper published in Macon County and by posting a notice at the courthouse door and four other public places in each township in which said election is to be held for thirty days at least next preceding the said election. The said notice shall give the date of the election, the purposes for which and place at which the same shall be held. Said election to be held in each township at the polling place for the election of members of the General Assembly, or at the polling place where said election for members of the General Assembly was last held.

SEC. 28. For the holding of said election or elections the said board of county commissioners shall appoint a registrar and two judges in each township in which said election has been ordered, and shall order the opening of the registration books as prescribed under the general election laws. At the close of said election in each township said registrar and judges shall count and canvass the vote cast and declare the result thereof, and shall report such canvass to the board of county commissioners, which said report shall be recorded in the minutes of said board of commissioners, and no other canvass, report, or recording shall be necessary. At the said election or elections all those voters who shall favor the bond issue as aforesaid shall cast ballots on which shall be written or printed the words "For Road Bonds," and those voters who are opposed to the issue of said bonds shall cast ballots on which shall be written or printed the words "Against Road Bonds." In all other respects the said election or elections shall be held and conducted in accordance with the law governing general elections in this State as nearly as may be, and the expenses of such election or elections shall be paid out of the general road funds for each township in which said election is held. If a majority of the votes cast at said election in any of said townships shall be "For Road Bonds," then said highway commission of said township so voting for said bonds shall issue said bonds, and the tax shall be levied and collected and other duties performed in connection therewith in accordance with the provisions of this act: *Provided*, that if a majority of the voters voting at such election or elections in any or all of the said townships herein named shall fail to vote "For

Bond issue to be voted on.

Use of proceeds of bonds.

Notice of election.

Polling places.

Election officers.

Registration.

Count and canvass of votes.

Report and record of canvass.

Ballots.

Law governing elections.

Effect of election.

Proviso: subsequent elections.

Road Bonds," the power of the board of commissioners of Macon County to submit the question of issuing said bonds to the voters of any or all of said townships shall not be exhausted; but it shall be the duty of the said board of commissioners, at the request of a majority of the members of any one or all of the said highway commissions hereinbefore named, to submit said question of issuing bonds for road purposes to the voters of any one or all of said townships in which the said election or elections has been held and at which election a majority of the votes cast were "Against Road Bonds," by successive elections to be held and paid for as hereinbefore provided, until the said bonds shall have been authorized and issued: *Provided further*, that no subsequent election shall be held in any of the townships where said bond issue failed to carry until at least twelve months shall have elapsed since the preceding election on said question: *Provided further*, that in case such vote carries in any one or all of said townships herein named, and the bonds are issued thereunder, then the commissioners shall not levy any tax for road purposes in such township other than those specified herein, except such taxes as may be necessary to levy to keep up and repair the branch roads in said township and other roads not connecting with the road hereinbefore set out to be constructed in said township or townships.

Proviso: second election after one year.

Proviso: tax in townships issuing bonds.

Bond issues when approved by election.

Issue of bonds.

Proviso: limit of amount.

Resolution for bond issues.

Resolution to be registered.

SEC. 29. After an election shall have been held in each of said townships in accordance with the provisions of the preceding section of this act, resulting favorably to the issue of said bonds, the said highway commission of each of said townships shall proceed at once to the issuing of coupon bonds for the township in which said election resulted favorably to the issue of said bonds for an amount sufficient to carry on the work of constructing and improving the public roads of the township in which said election carried and as hereinbefore provided for. Said bonds shall be issued in such amounts and at such times as may be directed by the said highway commission of each township herein named: *Provided, however*, that the amount outstanding shall at no time exceed ten per centum of the assessed valuation of all property in said township so issuing said bonds.

SEC. 30. Whenever a portion of the bonds herein authorized are issued, the said highway commission of each township so issuing bonds shall cause a resolution to be passed by said commission, to be spread upon its minutes, stating the amount of each bond to be issued, the rate of interest, the time of maturity, and any other particulars in connection therewith. A certified copy of said resolution, the same being certified by the secretary of the commission, shall be transmitted to the register of deeds of Macon County, who shall record the same in the minutes of the board of county commissioners for their information and future guidance.

- SEC. 31. That said bonds, when issued, shall be sold at public or private sale, as may appear to the best advantage, and at not less than their par value. Sale of bonds.
Sale below par
forbidden.
- SEC. 32. That said bonds shall bear a rate of interest to be fixed by the said highway commission of each township issuing such bonds, not exceeding six per cent per annum, payable semiannually, interest and principal to be paid at some bank or trust company to be selected by said commission and named in each bond and coupon. Interest rate.
- SEC. 33. That the said bonds shall be issued in denominations of five hundred dollars, or a multiple thereof, and have the corporate seal of the commission issuing said bond affixed thereto, and each bond shall be signed by the president of the said highway commission and countersigned by the secretary of the said commission so issuing said bond, and each interest coupon shall be signed by the secretary of the said commission either in autograph or a printed facsimile thereof. Denominations.
Authentication.
- SEC. 34. That the said highway commission of each of said townships are hereby authorized to adopt and use a corporate seal, which shall be kept in the custody of the secretary of said commission. Seal of commis-
sions.
- SEC. 35. That said bonds when issued and sold shall become a valid debt of said township so issuing them, and shall be fully binding upon and enforceable against the same. They shall fall due and become payable in thirty years from the date thereof. Whenever any of the bonds authorized by this act shall be disposed of, the proceeds thereof shall be paid by the purchaser to the treasurer of the highway commission having issued said bond or bonds, and the proceeds thereof shall not be used for any other purposes than those authorized in this act: *Provided, however,* that the purchaser of said bonds shall not be required to see to the appropriation of said funds. Said treasurer shall not be allowed any commission on the proceeds of the bonds received by him, but for paying out any amounts from said funds he shall be allowed a commission of one-half of one per cent. For receiving and disbursing the taxes collected annually to pay the interest and principal of said bonds and for keeping in repair the said public roads, the treasurer shall be allowed a commission not to exceed two and one-half per centum, to be fixed by the highway commission of his said township. Obligation of
bonds.
Maturity.
Specific appro-
priation of pro-
ceeds.
Proviso: pur-
chaser not liable
for application.
Pay of treasurer.
- SEC. 36. That for the purpose of paying the interest on said bonds as it falls due, the board of county commissioners of Macon County are hereby authorized and directed to levy annually, at the same time that other taxes are levied, a sufficient special tax on all the taxable property and polls in said township or townships that have issued bonds hereunder, which tax when collected shall be turned over to the treasurer of the said highway commis- Special tax.

Tax kept separate.
Specific appropriation.

Highway commission to recommend tax rate.

Investment of sinking fund.

Collection and settlement of taxes.

Bond of tax collector.

Treasurer to apply taxes.

Definition of terms.

Road duty.

sion, and shall at all times be kept separate and distinct and used for the purpose aforesaid and for the further purpose of keeping in repair the public roads in said township or townships in so far as the same may be needed in addition to the labor of the road hands thereon. A sufficient rate of taxation for the purposes aforesaid shall be ascertained and recommended each year by the highway commission of each township issuing said bonds to the board of commissioners of Macon County, but in the absence of such recommendation it is hereby made the duty of said board of commissioners to ascertain and levy a special tax which will be sufficient for the purposes aforesaid.

SEC. 37. That so much of the tax levied each year as may not be required to pay the interest on said bonds and which may not be required to keep in repair the roads shall be invested so as to secure the payment at maturity of the principal of said bonds; and to increase the due investment of the above described amounts from time to time, it shall be the duty of the treasurer of each of said highway commissions, under such regulations as said commission or commissions may prescribe, to make investments of said amounts, and to do and perform all other services in connection with said bonds as each of said highway commissions may prescribe.

SEC. 38. The sheriff or tax collector of Macon County is hereby authorized and directed, annually, to collect the special taxes as aforesaid at the same time and in the same manner as other taxes are collected; and he is hereby required and directed to keep such special taxes separate from any and all other funds in his hands, and to pay over and settle for the same as herein provided to the treasurer of each of said highway commissions having issued said bonds.

SEC. 39. The official bond of the sheriff or tax collector of Macon County shall be made of a sufficient amount to cover all the duties, responsibilities, and liabilities incurred by him in the collection and handling of said special taxes as set forth in this act, and all other laws concerning the collection of taxes.

SEC. 40. That it shall be the duty of the treasurer of each of said highway commissions receiving the said special taxes to set apart, first, an amount sufficient to pay the interest on said bonds and pay the same as it falls due, and whatever is left after the payment of said interest, each year, shall be applied to the other purposes mentioned in this act.

SEC. 41. That whenever the word "commission" or the words "highway commission" are used in this act they shall be held to refer to the highway commission of each of the said townships hereinbefore set out.

SEC. 42. That all persons now liable to road duty under the general road law of Macon County shall be liable to work on the

roads of the townships designated in this act, or pay in lieu thereof the amount authorized to be paid under the general road law; and upon their failure to do so when legally summoned, they shall be subject to all the pains and penalties as prescribed by the general road law of Macon County.

SEC. 43. That all laws and parts of laws in conflict with this act are hereby declared inoperative in the townships herein mentioned in Macon County, and the said highway commissions so mentioned shall supersede and take the place of the former road trustees of said townships. Repealing clause.

SEC. 44. That this act shall be in force from and after its ratification.

Ratified this the 20th day of February, A. D. 1915.

CHAPTER 192.

AN ACT TO AMEND CHAPTER 41, PUBLIC-LOCAL LAWS OF 1913, AND TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF STOKES COUNTY TO LEVY SPECIAL TAXES IN DANBURY, MEADOWS, AND SAURATOWN TOWNSHIPS FOR THE MAINTENANCE OF THE PUBLIC HIGHWAYS THEREIN.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Stokes County be and it is hereby authorized and empowered, at the time of levying the general State and county taxes for said county for the year one thousand nine hundred and fifteen, and at such time in each succeeding year thereafter, to levy an additional special tax in Danbury, Meadows, and Sauratown townships, not exceeding fifteen cents on each one hundred dollars valuation of taxable property therein and not exceeding forty-five cents on each taxable poll therein, for the purpose of improving and maintaining the public highways of said townships, always maintaining the constitutional equation between property and polls in making said levies, the amount of such levies in each year to be determined by the respective permanent roads commissions of said townships, and certified to the board of county commissioners by said permanent roads commissions, under their hands in each year, in time for the respective levies to be made. Special tax for townships.
Limit of rate.
Constitutional equation.
Amount determined by road commissions.

SEC. 2. That said special taxes shall be collected by the sheriff of Stokes County in the same manner as other county taxes are collected, and paid over to the respective treasurers of the permanent roads commissions of said townships, the same as other road funds are paid over under chapter forty-one of the Public-Local Collection and settlement of tax.

Laws of North Carolina, session of one thousand nine hundred and thirteen, and the official bond of said sheriff shall be liable for said special taxes the same as for other county taxes.

Liability of
treasurers.

SEC. 3. That the respective treasurers of the said permanent roads commissions of said townships shall receipt the sheriff for said special taxes, and be liable on their official bonds therefor the same as for other funds coming into their hands under said chapter forty-one, Public-Local Laws of one thousand nine hundred and thirteen, and shall be paid out by them for the improvement and maintenance of the public highways in their respective townships, upon the order of the permanent roads commissions thereof, and for the expenses incident to their collection and disbursement, and for no other purpose.

Orders on road
funds.

SEC. 4. That section twenty-six of chapter forty-one of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby amended by adding at the end of said section the following: "That the permanent roads commissions of Meadows and Danbury townships, and their successors in office, appointed or elected under and pursuant to said chapter forty-one, Public-Local Laws of one thousand nine hundred and thirteen, shall succeed and take the place of the "highway commissioners," under chapter seven hundred and eighty-one of the Public Laws of North Carolina of one thousand nine hundred and seven, and the duties of said "highway commission" under said act of one thousand nine hundred and seven shall cease, and all moneys which may now be in the hands of the treasurer of said "highway commissioners" under the said act of one thousand nine hundred and seven shall be paid over to the respective treasurers of the permanent roads commissions of the respective townships of Meadows and Danbury, he paying the part belonging to Meadows Township and the part belonging to Danbury Township to said respective treasurers as their rights thereto have been determined by the said "highway commissioners." That all moneys due and to become due hereafter under the said act of one thousand nine hundred and seven shall be paid over to the said permanent roads commissioners of Danbury and Meadows townships respectively in the same proportion in which said townships respectively paid subscriptions to the Cape Fear and Yadkin Valley Railroad Company, to be used under the direction of the respective permanent roads commissions of said townships for the improvement and maintenance of the public highways therein, the same as funds derived from the sale of township bonds under the said act of one thousand nine hundred and thirteen hereinbefore set forth, and the respective treasurers of said townships shall give their official bonds in amounts sufficient to cover said amounts received under the act of one thousand nine hundred and seven, and for the special taxes that may be received by them under this act.

Commissions of
Meadows and
Danbury town-
ships.

SEC. 5. That all laws and clauses of laws in conflict with this Repealing clause. act are hereby repealed, except that this act shall not in any way repeal any part of chapter forty-one, Public-Local Laws of one thousand nine hundred and thirteen.

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

Ratified this the 20th day of February, A. D. 1915.

CHAPTER 193.

AN ACT TO CREATE A SPECIAL ROAD DISTRICT, INCLUDING OCONA LUFTY, CHARLESTON, AND NANTAHALA TOWNSHIPS, IN SWAIN COUNTY, AND FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. That the townships of Ocona Lufty, Charleston, and Nantahala, in Swain County, be and the same are hereby constituted a special road district under the name and style of "Swain Road District."

SEC. 2. That J. L. Floyd, T. N. Jenkins, J. E. Coburn, A. N. Bennett, A. S. Patterson, Frank Fry, A. L. Epps, R. J. Roan, and William Quiett be and they are hereby appointed a board of highway commissioners, who shall have supervision and control over all the public highways, roads, cartways, mill and church roads within the above designated special road district, which commissioners shall hold office for a term of four years from and after the date of the ratification of this act, and until their successors are appointed and qualified, and at the expiration of their term of office their successors shall be appointed for a like term by the General Assembly of North Carolina; but not more than five of said members shall be appointed from any one political party. All vacancies in said board caused by death, resignation, or removal from said road district shall be filled for the unexpired term by the remaining members of said board.

SEC. 3. That the said highway commissioners named in section two of this act, and their successors, shall be and they are hereby constituted a body corporate under the name and style of "The Board of Highway Commissioners of Swain Road District," and by that name may sue and be sued, plead and be impleaded, make contracts, acquire real and personal property by gift, purchase, or donation; hold, exchange, and sell the same, and exercise such other rights and privileges as are incident to other municipal corporations for the purposes of this act.

Powers and rights of commission.	<p>SEC. 4. That said highway commissioners shall have the same supervision, powers, and rights in respect to all the public roads and ways in the said special road district as have heretofore been vested in either the township board of road trustees of the several townships constituting said special road district, or in the board of county commissioners of Swain County; and they shall also have joint jurisdiction with the board of aldermen of any town in said county, over whose streets any through trunk-line road may be constructed, for the purpose of building and maintaining such roads. In exercising such joint jurisdiction each body shall have one vote on all questions that may arise, and in case of a disagreement the highway engineer of said road district shall have the deciding vote; and at all joint meetings of said boards the chairman of the highway commissioners shall preside. Said board of commissioners shall have full power and authority to order the laying out of all public roads in said district, where necessary in its judgment; and to discontinue such as shall be found useless; and alter, change, and improve the same, so as to make them more useful. Said board shall also have power and authority to lay out cartways, public paths, church and mill roads, and to alter or discontinue the same in the way and manner provided in the general law, except as such laws are herein modified.</p>
Joint jurisdiction in towns.	
Power to lay out, discontinue, or alter roads.	
Cartways and minor roads.	
Commissioners to meet, qualify, and organize.	<p>SEC. 5. Said board of highway commissioners shall meet within ten days after the ratification of this act, or as soon thereafter as may be practicable, at the courthouse in Bryson City, and after qualifying before some officer authorized to administer oaths, shall organize by electing one of their number chairman, who shall preside at all meetings of said board. They shall also elect one of their number secretary, who shall keep a record of the proceedings of said board, and shall deliver the same to his successor in office. They shall also elect a suitable person as treasurer of said board, but who need not be a member thereof, who shall enter into a surety bond in the sum of not less than five thousand dollars, and which shall be increased from time to time by the order of said board as funds may come into the hands of said treasurer, so that said bond or bonds shall at all times be sufficient to fully cover the total amount of road funds in the hands of said treasurer: which bonds, upon approval by the said commissioners, shall be recorded by the register of deeds of Swain County in the book of official bonds filed in his office. The said board of commissioners shall further have the right to require said treasurer to keep the funds in his hands on deposit in one or more banks or trust companies to be designated by said board, and shall also have authority to require said depository to execute a surety bond, covering such deposits, in addition to the bond required of the treasurer: <i>Provided</i>, that said commissioners in exercising their authority as above provided shall give the preference at all times to the banks</p>
Election and bond of treasurer.	
Deposit of road funds.	
Bond of depository.	
Proviso: preference to Swain county banks.	

doing business in Swain County; and all funds so ordered to be placed in bank shall be divided equally between such banks, upon their meeting the bond requirement herein provided for.

SEC. 6. The treasurer of said board shall make payments out of the road funds belonging to said district only upon the written order of the board of commissioners, signed by the chairman and countersigned by the secretary; and a strict record of each order shall be kept, showing the object for which issued.

SEC. 7. That all funds in the hands of the sheriff and tax collector of Swain County, and in the hands of the present board of road trustees of each of the townships constituting the above special road district, and belonging to the road funds of said townships, and such funds belonging to said townships as shall hereafter come into the hands of any such officers, shall be turned over to the treasurer of the board of highway commissioners above provided for upon demand, as soon as such treasurer shall have been appointed and shall have made bond as above provided.

SEC. 8. That the said board of commissioners shall have full power and authority, at their first meeting or as soon thereafter as they may deem necessary, to elect some competent person as superintendent of all the public roads in said district over which they have supervision. Said superintendent shall hold office during the pleasure of the board electing him, and he shall be entitled to such compensation as may be fixed by said board. Said board shall employ a competent road engineer, whose duties shall be to locate all roads to be constructed under this act, fix his compensation, and prescribe his duties. The term of employment of any engineer so appointed shall be during the pleasure of said board.

SEC. 9. Said board shall also have the power to employ such other employees, and to purchase such supplies as in their judgment may be necessary to carry this act into effect. They may purchase such machinery, tools, blasting material, drain pipe, lumber, and any and all other material that may be necessary to build or repair any roads under their control, and they may construct all necessary drains, culverts, railings, etc., necessary to the same.

SEC. 10. The board of commissioners shall within thirty days after their qualification divide the roads in said road district into sections and appoint an overseer and assign hands liable for road service to said section: *Provided*, that said board may delegate authority to divide said roads into sections, to appoint overseers, and assign hands to the members of said board residing within the several townships constituting said special road district. But the said board of commissioners, if they deem it advisable, may provide for the working and maintenance of all roads in said district by the road superintendent, in which event the superintendent shall be given all the powers and be subjected to all the liabilities and penalties imposed upon the section overseer as herein provided.

Orders on road funds.

Road funds to be paid to treasurer.

Election of superintendent of roads.

Term of office.

Compensation.

Employment and compensation of road engineer.

Employees and supplies.

Equipment and material.

Division of roads.

Overseers and hands.
 Proviso: delegation of powers authorized.

Division not mandatory.

- Road duty. SEC. 11. All persons now liable under the general road law to road duty shall work on the public roads of said district to which they are assigned for six days in each year at the call or summons of the overseer of their district or section, or in lieu thereof they may pay one dollar for each day they fail to work when summoned.
- Commutation. All moneys collected under the above provision shall be applied upon the roads of the section whereon the party paying the same shall be assigned, and accounted for by the road overseer or superintendent to the road commissioners. In case of special damage to any road by storms or freshets, all road hands shall be liable to perform such additional work as may be necessary to repair the same. Any road hand failing to respond to the summons of the road overseer or superintendent shall be guilty of a misdemeanor, and upon conviction thereof before a justice of the peace shall be fined five dollars, or imprisoned not exceeding ten days for each and every offense. It shall be the duty of the several road overseers or superintendent in charge of road hands to file a list, verified by his oath, of all hands failing or refusing to work or pay the cash commutation in lieu thereof, with some justice of the peace of said district as often and in such manner as the board of highway commissioners shall direct; and the said justice of the peace shall thereupon issue his warrant for all such delinquents and have them brought before him for trial; but the said overseer or superintendent may make individual complaint before any justice of the peace of his township against any delinquent at any time he may see fit and have him brought before said justice for trial. When any road engineer or superintendent shall desire the attendance of any of the hands assigned to his section for road service, it shall be sufficient if he shall give to said road subject two days notice, personally or by leaving a written notice at his usual place of abode, designating in said notice time and place where the attendance of such road subject is desired, and such tool or tools as he desires said road subject to furnish: *Provided*, that the provisions of the above section shall not apply to the maintenance and working of the streets, alleys, and roads in incorporated towns in said boundary, where a different method of working and maintaining the same is now provided by law.
- Application of commutation.
- Emergency work.
- Failure to work a misdemeanor.
- Punishment.
- Lists to be filed with justices of the peace.
- Justice to issue warrants.
- Warrants sworn out.
- Warning to road hands.
- Proviso: work in incorporated towns.
- Roads to be kept in order.
- Failure a misdemeanor.
- Pay of commissioners.
- SEC. 12. It shall be the duty of the respective road overseer or superintendent to keep the public roads within said boundary in good repair; and if said overseer or superintendent willfully fail or omit to discharge any of their duties, they shall be guilty of a misdemeanor.
- SEC. 13. The board of commissioners shall serve without compensation, except an allowance of not more than two dollars per day and five cents per mile traveled may be made to each of them for each day necessarily spent in attending meetings of the board, and in laying out, supervising, constructing, and inspecting repairs

of the public roads in said district: *Provided*, that said board shall not hold more than one meeting per month. In the event one of the members of said board shall be elected road superintendent, his compensation shall not be more than two dollars per day for the time actually employed. But the superintendent, if a member of the board, shall receive no pay nor mileage while acting as a member of said board, in addition to his wages as superintendent.

Proviso: limit of meetings. Pay of commissioner as superintendent.

SEC. 14. The board of commissioners shall have the right and authority to macadamize or otherwise improve any roads in said district. They may relocate any road in order to make it more useful, or they may establish any new public road in the manner hereinafter provided. Whenever it shall appear to said board that any public road ought to be improved or relocated, or that any new public road ought to be established, constructed, and improved, the board of commissioners shall have the right by their superintendent, engineer, or other employees to enter upon the lands of any person residing within said boundary, or owning land therein, and make such surveys as they may deem necessary to ascertain the most practicable route. On receiving the reports of any such surveys, together with an estimate of the cost of construction or improvement, accompanied by the engineer's profiles and such other specifications as may be desired, such reports, together with the maps, profiles, and specifications, if the same have been required, when considered, approved, and adopted by the board of commissioners, and a record thereof made upon their minutes, the public road or improvement described in said report shall thereby become established, and the necessary right of way for said road or improvement shall thereby become condemned for the public use.

Improvement of roads.

Relocation and establishment of roads. Entry on lands.

Procedure for establishment of roads.

SEC. 15. Any person who shall obstruct or interfere with the road superintendent or any engineer or other employee of the board of commissioners in making any survey as aforesaid, or who shall interfere or obstruct the road superintendent or any engineer or other employee, or any contractor or his employees, in the construction or the improvement of any road shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than fifty dollars or imprisoned not more than thirty days for each offense; and the board of commissioners may employ an attorney to prosecute any such offender.

Interfering with work a misdemeanor.

Punishment.

SEC. 16. The superintendent of roads, the engineer or any other employee of the board of road commissioners, may enter upon the lands of any person in said district and open any quarries, and take away any stone, earth, or gravel, or cut and remove any timber from any place most convenient, accessible, or desirable, on account of the quality of the material desired, except trees planted or left for ornamental purposes; and the rights and privileges granted in this section to the employees of the board of com-

Entry on land for materials.

missioners shall be given to any contractor working for the commission and to any of his employees.

Claim for damages.

SEC. 17. Any landowner feeling himself aggrieved by the relocation or construction of any new public road, or by the taking of any material from his land for road construction as herein provided, in case that he and said board of commissioners cannot agree upon the compensation to be paid, within sixty days after the grading of said road is completed or such material taken shall make application to the board of commissioners for assessment of damages and benefits caused by the taking of his property for the construction and improvement aforesaid. In case such application is not made within sixty days from the completion of the grading of said road or from the taking of such material, the same shall be deemed to have been donated, and the owner thereof shall be barred from any right to request such assessment.

Procedure for assessment of damages.

SEC. 18. Within thirty days after the application for the assessment of damages as above provided has been made to the board of commissioners, said board shall order the sheriff or other lawful officer to summon a jury of three disinterested freeholders residing in any part of Swain County, who, after having given notice to the landowner, his tenant or agent in charge, and after being duly sworn, shall go upon the land and take into consideration the damages claimed or done, as well as the benefits accruing to the said property by reason of the construction or improvement of the public roads leading over the same, and the difference between the two sums shall be their award. If the damages awarded for right of way shall exceed the benefits, it shall be the duty of the secretary of the board to file claim therefor with the board of county commissioners of Swain County, and the said board of county commissioners shall pay said order out of the general county fund. Damages awarded for road material taken shall be paid by the board of road commissioners: *Provided, however*, that if either party be dissatisfied with the verdict of the jury, they shall have the right of appeal to the Superior Court of Swain County.

Payment of damages and for material.
Proviso: right of appeal.

Width of right of way.

SEC. 19. In acquiring any right of way for the relocation or establishment of any public road not less than thirty feet nor more than sixty feet in width shall be taken. But said commissioners shall only be required to use such part of said right of way for present construction as they deem necessary.

Specifications for roads.

SEC. 20. It shall be the duty of the engineer employed by the board of commissioners to prepare full and complete specifications covering the improvement or construction of any road, dividing said work into sections; said specifications being subject to the approval of the board of road commissioners.

Advertisement for bids.

SEC. 21. After the approval of the specifications as aforesaid it shall be the duty of the board of commissioners to advertise for

and to receive bids for the work to be done; and they shall have the right to let the work to the lowest responsible bidder, or, if no satisfactory bid is received, they shall have the right to have the work done by the superintendent of roads, subject to their advice and approval from time to time.

SEC. 22. If any such work shall be let to contract it shall be the duty of the contractor to furnish a bond, conditioned for the faithful performance of the work as specified. Said bond shall be made by some surety company authorized to do business in North Carolina, and the premium for said bond shall be paid by the contractor. In case any of said construction work is done by contract, no portion thereof provided for in any one contract shall be accepted by the board of commissioners or its agents until the entire contract is completed, but monthly estimates may be made from time to time for the purpose of making partial payments to the contractor, but said estimates shall in no event be construed an acceptance of the work.

SEC. 23. That for the purpose of providing sufficient funds from time to time for the necessary expenses of the board of commissioners of said road district in the grading, macadamizing, surveying, or otherwise improving the public roads under their jurisdiction, the said board of commissioners is hereby authorized, empowered, and directed to at once proceed to the issuing of coupon bonds, as hereinafter provided, for an amount sufficient to carry on the improvements herein provided for. Said bonds shall be issued in such amounts and at such times as may be deemed advisable by the board of highway commissioners: *Provided, however*, that the total amount of bonds outstanding shall at no time exceed ten per cent of the assessed value of the taxable property situate within said district.

SEC. 24. Whenever a portion of the bonds herein authorized are issued, the board of commissioners shall cause a resolution, passed by them, to be spread upon their minutes, stating the amount of the bonds to be issued, the rate of interest, the time of maturity, and any other particulars in connection therewith.

SEC. 25. Said bonds when issued shall be sold at public or private sale, as may appear to the best advantage, and at not less than their par value.

SEC. 26. Said bonds shall bear a rate of interest to be fixed by the board of commissioners not exceeding six per cent per annum, payable semiannually, the principal and interest to be paid at some bank or trust company to be selected by the board and named in each coupon bond and coupon.

SEC. 27. Said bonds shall be issued in denominations of five hundred dollars or multiples thereof, and they shall be signed by the chairman of the board of highway commissioners and countersigned by the secretary thereof, and have the corporate seal of the

Work let to contract.

Contractor to give bond.

Acceptance.

Monthly estimates.

Bond issue authorized.

Proviso: limit of amount.

Resolution for issue of bonds.

Sale of bonds.

Sale below par forbidden.

Interest.

Denominations. Authentication.

board affixed thereto; and each interest coupon shall be signed by the secretary either in autograph or a printed facsimile thereof.

Corporate seal.

SEC. 28. The board of commissioners of said road district is hereby authorized and empowered to adopt and use a corporate seal, which seal shall remain in the custody of and shall be used and affixed to all instruments requiring it, by the secretary of said board.

Obligation of bonds.
Maturity.

SEC. 29. That said road bonds when issued and sold shall become a valid debt of said road district, and shall fall due and become payable at such time or times as may be provided, not exceeding thirty years from the date thereof. When any of the bonds authorized by this act shall be disposed of, the proceeds thereof shall be paid by the purchaser to the treasurer of the board of commissioners, and the proceeds thereof shall not be used for any other purpose than those authorized by this act: *Provided, however,* that the purchaser of said bonds shall not be required to see to the application of said funds. Said treasurer shall not be allowed any commission on the proceeds of the bonds issued; but for paying out any amount from said funds he shall be allowed a reasonable compensation to be fixed by the board, not exceeding one-half of one per cent. For receiving and disbursing the taxes collected annually to pay the interest of said bonds, and for any other expenses in connection with the public roads of said district provided for in this act, the treasurer shall be allowed a reasonable compensation to be fixed by said board.

Specific appropriation of proceeds.

Proviso: purchaser not liable.

Pay of treasurer.

Special tax.

SEC. 30. For the purpose of paying the interest coupons on said bonds as they respectively fall due, and the principal of said bonds at maturity, the board of county commissioners of Swain County are hereby authorized and directed to levy annually, at the same time other taxes are levied, a sufficient special tax on all the taxable property and polls within said special road district to pay the interest on all of said bonds that will become payable during each year, and to create a sufficient sinking fund for the payment of such bonds when the same shall fall due.

Collection of tax.

SEC. 31. The sheriff or tax collector of Swain County is hereby authorized and directed to annually collect the special taxes, as aforesaid, at the same time and in the same manner as other taxes are collected; and he is hereby required and directed to keep such special taxes separate from any other funds in his hands and to pay over and to settle for the same with the treasurer of the board of commissioners for said special road district. The said sheriff shall be required to make monthly settlements of all road funds in his hands with said treasurer, beginning with December first in each and every year, until final settlement of the annual taxes is made, which shall not be later than the first day of June following the year in which said taxes are levied.

To be kept separate.

Monthly settlements.

SEC. 32. The official bond of the sheriff or tax collector of Swain County shall be made in sufficient amount to cover all the duties, responsibilities, and liabilities incurred by him in the collecting and handling of said special taxes as set forth in this act, and all other laws concerning the collection of taxes. Bond of officers.

SEC. 33. It shall be the duty of the treasurer receiving the special taxes levied to pay the interest on the bonds herein authorized, to keep the same separate and apart from any other funds he may have on hand, and to use the same wholly for paying off the interest coupons and the principal of said bonds as they may respectively mature. Specific appropriation of taxes.

SEC. 34. It shall be the duty of said board of road commissioners, before they apply any of the funds derived from the sale of bonds provided for in this act to the building or improvement of any branch roads within said district, to provide for the laying out and construction of a main trunk-line highway passing through said road district and extending from Bryson City to the Macon County line at or near the Shallow Ford of the Tennessee River, and from Bryson City to the Jackson County line at the most practicable point; said route to be determined and settled upon by the board of highway commissioners under the direction of the State highway engineer, if there shall be such official; which said trunk-line highway to be a link in a through intercounty or interstate highway, if the adjoining counties to said special road district shall agree to connect with same in the building of such highway, the location of any through highway to be approved by the State Road Department; and the said board of commissioners in the building of said highway are authorized to construct the same in such manner as may seem to them best, using such material in the construction and surfacing of said road as they may deem best fitted to the conditions and traffic of the country through which said road passes. Said board shall also have authority to contract for material and to construct all bridges and culverts to carry said road over any stream or streams along its route. Said bridges and culverts to be constructed out of such material as said board may deem best; and the said board of commissioners shall have the right and authority to use any of the streets in any incorporated town in said county, through which said trunk-line road may pass, as an integral part of said highway, and shall be authorized to grade and surface the same in the same manner as any other portion of said highway. Main trunk-line highway.

Said board shall also have authority to contract for material and to construct all bridges and culverts to carry said road over any stream or streams along its route. Said bridges and culverts to be constructed out of such material as said board may deem best; and the said board of commissioners shall have the right and authority to use any of the streets in any incorporated town in said county, through which said trunk-line road may pass, as an integral part of said highway, and shall be authorized to grade and surface the same in the same manner as any other portion of said highway. Determination of route.

Said board shall also have authority to contract for material and to construct all bridges and culverts to carry said road over any stream or streams along its route. Said bridges and culverts to be constructed out of such material as said board may deem best; and the said board of commissioners shall have the right and authority to use any of the streets in any incorporated town in said county, through which said trunk-line road may pass, as an integral part of said highway, and shall be authorized to grade and surface the same in the same manner as any other portion of said highway. Construction and material of road.

Said board shall also have authority to contract for material and to construct all bridges and culverts to carry said road over any stream or streams along its route. Said bridges and culverts to be constructed out of such material as said board may deem best; and the said board of commissioners shall have the right and authority to use any of the streets in any incorporated town in said county, through which said trunk-line road may pass, as an integral part of said highway, and shall be authorized to grade and surface the same in the same manner as any other portion of said highway. Contract for material.

Said board shall also have authority to contract for material and to construct all bridges and culverts to carry said road over any stream or streams along its route. Said bridges and culverts to be constructed out of such material as said board may deem best; and the said board of commissioners shall have the right and authority to use any of the streets in any incorporated town in said county, through which said trunk-line road may pass, as an integral part of said highway, and shall be authorized to grade and surface the same in the same manner as any other portion of said highway. Bridges and culverts.

Said board shall also have authority to contract for material and to construct all bridges and culverts to carry said road over any stream or streams along its route. Said bridges and culverts to be constructed out of such material as said board may deem best; and the said board of commissioners shall have the right and authority to use any of the streets in any incorporated town in said county, through which said trunk-line road may pass, as an integral part of said highway, and shall be authorized to grade and surface the same in the same manner as any other portion of said highway. Streets in towns.

SEC. 35. That after said main trunk-line highway is laid out and constructed, that said board of commissioners shall apply the remainder of any funds in their hands towards the building of branch roads leading from said main trunk-line highway to such other points in the county of Swain as they may deem advisable. Branch roads.

Law specifically repealed.

SEC. 36. That said chapter two hundred and thirty-four, Public-Local Laws of nineteen hundred and eleven, be and the same is hereby repealed.

Laws declared inoperative.

SEC. 37. That all laws and clauses of laws in conflict with the provisions of this act be and the same are hereby declared inoperative within the above-mentioned special road district.

SEC. 38. That this act shall be in force from and after its ratification.

Ratified this the 20th day of February, A. D. 1915.

CHAPTER 194.

AN ACT TO AMEND CHAPTER 454, PUBLIC LAWS OF 1901, RELATING TO PUBLIC ROADS IN CATAWBA COUNTY.

The General Assembly of North Carolina do enact:

Amount of bond issue.

SECTION 1. That chapter four hundred and fifty-four, Public Laws of one thousand nine hundred and one, be amended by striking out the words and figures "fifty thousand dollars (\$50,000)" in line ten of section one and by inserting in lieu thereof the following: "seventy-five thousand dollars (\$75,000)."

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. Ratified this the 20th day of February, A. D. 1915.

CHAPTER 195.

AN ACT TO PROVIDE GOOD ROADS IN POPLAR POINT TOWNSHIP, MARTIN COUNTY.

The General Assembly of North Carolina do enact:

Trustees named.

SECTION 1. That M. P. Taylor, H. L. Everett, and J. R. Everett are hereby constituted a board of trustees for the public roads of Poplar Point Township in Martin County. That M. P. Taylor shall hold the said position of trustee for six years, H. L. Everett for four years, and J. R. Everett for two years from the date of their qualification as hereinafter provided for. All vacancies caused by death, resignation, or otherwise shall be filled for the unexpired term by the remaining members of said board. That at the expiration of the term of any of said trustees, their successors shall be elected by the qualified voters of Poplar Point Township at the same time and place and under the same rules and regulations as prescribed for the election of officers of said township: *Provided*, that the position of trustee shall not consti-

Terms of office.

Vacancies.

Election of successors.

Proviso: trustees not officers.

tute an office within the meaning of article seven, section fourteen, of the Constitution of North Carolina.

SEC. 2. That the said board of trustees and their successors shall be and are hereby constituted a body corporate by the name and style of "The Board of Road Trustees of Poplar Point Township," and by that name may sue and be sued, make contracts, acquire real and personal property by gift, purchase, or devise; hold, exchange, and sell the same, and exercise such other rights and privileges as are incident to other municipal corporations.

SEC. 3. That it shall be the duty of said board of trustees to take the control and management of all the roads of the said Poplar Point Township; and the said board of trustees are hereby vested with all the rights and powers for such control and management of the same as are now vested in and exercised by the board of commissioners of Martin County.

SEC. 4. That for the purpose of carrying out the provisions of this act the said board of trustees shall annually appoint a road superintendent and fix his salary, and may delegate to said superintendent any power conferred in this act as said board of trustees may deem wise. The said board of trustees shall annually elect a chairman and secretary from among the members of said board, who shall hold office for one year and until their successors are elected and qualified; and said board shall elect a treasurer whose salary shall not exceed fifty dollars per annum and to be fixed by said board, who shall have charge of all road funds of said township, and shall require a bond of said treasurer, to be approved by said board, in an amount sufficient to cover all funds that may come into his hands.

SEC. 5. That the superintendent of roads as herein provided for shall be paid out of the road funds for said township, and said superintendent shall hold office for one year or until his successor shall be elected and qualified: *Provided*, that said superintendent may at any time be removed by said board, after ten days notice, when in the opinion of the board there exists good and sufficient cause for removal. It shall be the duty of said superintendent, subject to the approval of the board, to supervise, direct, and have charge of the construction and maintenance of all the public roads in Poplar Point Township, and he shall submit to said board a weekly report concerning the work in progress and the moneys expended, and such other and further reports as may be required of him by said board of trustees. As a guarantee of the faithful and honest discharge of his office, the said board may require of said superintendent such bond as they may see fit.

SEC. 6. That said board of trustees may purchase such machinery, teams, and other implements and tools as may be needed for the proper working, construction, and maintenance of the roads of said township, and may exercise such other powers and privileges

Incorporation.
Corporate name.

Corporate powers.

Control and management of roads.

Rights and powers vested.

Appointment and salary of road superintendent.
Delegation of powers.

Organization of board.

Election and salary of treasurer.

Bond of treasurer.

Superintendent paid from road funds.

Term of office.

Proviso: removal for cause.

Duty of superintendent.

Weekly reports.

Bond of superintendent.

Purchase of equipment.

as may be needed for carrying out the purposes and provisions of this act.

Entry on land for material.

SEC. 7. That the superintendent of roads of Poplar Point Township is hereby authorized to enter upon any uncultivated lands near to or adjoining any public road of said township, to cut and carry away timber, except trees or groves on improved lands planted or left for shade or ornament; to dig or cause to be dug and carried away any gravel, sand, clay, dirt, or stone which may be necessary to construct, improve, or repair or maintain such roads, and enter upon any land adjoining or lying near such roads in order to make such drains or ditches through the same as he may deem necessary for the betterment of the road, and the drains and ditches so made shall not be obstructed by the occupants of such lands or any other person, and any person obstructing such drains or ditches shall be guilty of a misdemeanor and fined not exceeding fifty dollars or imprisoned not more than thirty days. If the owner of any lands from which timber, stone, clay, sand, gravel, or dirt were taken as aforesaid shall present an account for the same to said board of trustees within thirty days after the taking thereof, it shall be the duty of the said board of road trustees to pay for same at a fair price; and in case of any disagreement as to the value, the said board shall appoint one freeholder, the person claiming the damages a second, and these two a third, which said three freeholders shall assess said damage and report the same to said board of trustees.

Drains or ditches.

Obstructing drains or ditches misdemeanor. Punishment. Presentation and payment of claims.

Arbitration for assessment.

Location or change of roads.

SEC. 8. That subject to the approval of the said board of trustees, the said superintendent of roads shall have the power to locate, relocate, or change any part of any public road in said township when in his judgment the same will prove advantageous to public travel. That when any person on whose lands the new road or part of the road is to be located claims damages therefor, and within ten days makes petition to said board for a jury to assess the damages, the said trustees shall, within not less than thirty days after the completion of said road, order a jury of three disinterested freeholders of Poplar Point Township to be selected and summoned by the sheriff of Martin County, as provided by law, who shall give said landowner forty-eight hours notice of the time and place when and where the said jury will meet to assess his damages; and said jury in considering the question of damages shall also take into consideration the benefits to the owner of the land, and if such benefits be considered equal to or greater than the damage sustained, the jury shall so declare; and it shall report its findings in writing to said trustees for revision and confirmation: *Provided*, that such owner may appeal to the Superior Court of Martin County from the decision of said trustees.

Claims for damages.

Procedure for assessment of damages.

Proviso: right of appeal.

Bond issue authorized.

SEC. 9. That the said board of road trustees shall be and they are hereby authorized and empowered to issue bonds of said Pop-

lar Point Township, to be styled "Poplar Point Township Road Bonds," to an amount not to exceed twenty-five thousand dollars of such denomination and of such proportion as said board may deem advisable, bearing interest from date of issue at a rate not exceeding six per cent per annum, with interest coupons attached, payable annually or semiannually, as may be deemed wise, at such time or times and at such place or places as may be deemed advisable by said board; said bonds to be signed by the chairman and the secretary of said board, and to be of such form and tenor, and transferable in such way, and the principal thereof payable or redeemable at such time or times, not exceeding thirty years from the date thereof, and at such place or places, as the said board of trustees may determine; none of said bonds shall be disposed of for a less price than their par value, and the said bonds may be issued at such time or times and in such amount or amounts as may be deemed best to meet the expenditures provided for in this act. The liability for the payment of said bonds, together with all interest that may be due thereon, shall be attached to and imposed upon the political division of Martin County known as Poplar Point Township, as constituted at the time of the ratification of this act.

SEC. 10. That for the purpose of providing a sinking fund for the payment of said bonds and the interest thereon, and for the construction, improvement, and maintenance of the public roads of said township, the said board of road trustees and their successors in office shall annually on the first Monday in June, one thousand nine hundred and fifteen, and every year thereafter, levy and lay a special tax on all persons and property subject to taxation within the limits of Poplar Point Township of not more than thirty-three and one-third (33 $\frac{1}{3}$) cents on the one hundred dollars assessed valuation of real and personal property and not less than one dollar on each taxable poll. The taxes so levied shall be collected by a tax collector to be appointed by said board, upon such terms as may be agreed upon, and said taxes so collected shall be paid to the treasurer of said board of trustees, who may require a bond as they may deem sufficient.

SEC. 11. That the provisions of all the preceding sections of this act, except section one, shall be submitted to a vote of the qualified voters of said Poplar Point Township at an election to be held on a day to be named by the board of county commissioners of Martin County. For the holding of said election the said county commissioners shall appoint a registrar and two poll-holders, and any other officers necessary to said election, and the registration books of said township shall be delivered to said registrar by the register of deeds of Martin County. Said registrar shall revise said registration books so as to show only the names of persons entitled to vote in said township, and shall register all duly qualified voters applying for registration, whose names do not appear

Entitlement of bonds.
Amount.
Denominations.
Interest.

Authentication.

Maturity.

Sale below par forbidden.

Obligation of bonds.

Special tax.

Limit of rate.

Collection and settlement of tax.

Provisions of act submitted to election.

Appointment of election officers.

Registration books.

Registration.

- Notice of election. on said book. That the chairman of the board of commissioners for Martin County shall give notice of said election by publishing a notice thereof in the *Enterprise* for thirty days immediately preceding such election, and by posting a notice thereof at three public places in Poplar Point Township. At the close of said election said registrar and poll-holders shall count and canvass the votes cast and declare the result thereof, and shall report such canvass to the board of county commissioners, which said report shall be recorded in the minutes of said commissioners, and no other canvass, report, or recording shall be necessary. At said election all voters who shall favor the issue of bonds, the levy of the special tax, and the other provisions of this act shall cast ballots on which shall be printed or written "For Good Roads"; those opposed to such shall cast a ballot on which shall be written or printed "Against Good Roads." In all other respects said election shall be held and conducted in the same manner prescribed for the election of members of the General Assembly. If a majority of the votes cast at said election shall be in favor of "For Good Roads," then said bonds shall be issued and said tax levied and the other powers and duties exercised as provided for in this act: *Provided*, that if a majority of the votes cast at said election shall be "Against Good Roads," said board of county commissioners shall order another election to be held in the manner and with the same effect as above prescribed at any time within four years of the date of the first election, when requested to do so by said board of trustees.
- Count and canvass of votes. SEC. 12. That all funds derived from the sale of any bonds by said board of trustees and all taxes collected hereunder shall be paid over to the treasurer of said board of trustees, and shall be used for the purpose of constructing, improving, and maintaining the public roads in said township, the purchase of such material, teams, machinery and implements, and the employment of such officers and labor as may be found necessary in the carrying out of this work.
- Report and record of canvass. SEC. 13. That the said trustees hereinbefore named shall have exclusive control of all the bridges on all the roads of said township, and no ditch shall be cut across any of the roads of said township by any person or persons, firm or corporation without the consent and approval of a majority of said trustees.
- Ballots. SEC. 14. That in the working and construction and maintenance of said roads either convict labor or hired labor, or both, may be used, as may be ordered by the said board of trustees.
- Law governing elections. SEC. 15. That all laws and clauses of laws in conflict with the provisions of this act, so far as they relate to Poplar Point Township, are hereby repealed.
- Effect of election. SEC. 16. That this act shall be in force from and after its ratification.
- Subsequent elections.
- Funds paid to treasurer.
- Use of funds.
- Bridges.
- Ditches across roads.
- Convict or hired labor.

Ratified this the 20th day of February, A. D. 1915.

CHAPTER 196.

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF NEW HANOVER COUNTY TO ISSUE BONDS FOR THE PURPOSE OF LAYING OUT, ESTABLISHING, BUILDING, CONSTRUCTING, AND REPAIRING PUBLIC ROADS AND PUBLIC BRIDGES IN SAID COUNTY AND PROVIDING FOR THE MAINTENANCE OF THE SAME.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of laying out, establishing, building, repairing, and maintaining public roads and public bridges in New Hanover County, the board of commissioners of said county are hereby authorized and empowered to submit to a vote of the qualified voters of New Hanover County, on such a day as may be fixed by the said board of county commissioners, after thirty (30) days notice, during the year A. D. one thousand nine hundred fifteen or the year one thousand nine hundred sixteen, as they may elect, the question, "Shall New Hanover County, North Carolina, issue fifty thousand dollars (\$50,000) of its bonds, with interest coupons attached, the proceeds of which to be used in laying out, establishing, building, repairing, and maintaining the public roads and public bridges in said county?" The said board of commissioners shall for at least thirty days before said election give public notice of such election, and the purpose thereof, by publication in one or more newspapers published in said county: *Provided*, that if a majority of the votes cast shall not be in favor of said bond issue, the board of commissioners may, in their discretion, submit the said question to a vote of the qualified voters of said county, at any other time or times, under the regulations herein set out, after twelve months from the last election.

SEC. 2. That any election held under the provisions of this act shall be conducted in the same manner as is now or may hereafter be prescribed by law for holding elections for members of the General Assembly: *Provided, however*, that said board of commissioners shall appoint the registrars, judges, and inspectors of election, and any other election officers; and registration and challenge of voters shall be conducted in the same manner as is now or may hereafter be provided for the election of members of the General Assembly; and said county commissioners may, or may not, order a new registration for said election. The vote shall be counted at the close of the polls and returned to said board of commissioners on Thursday following the election, and said commissioners shall tabulate and declare the result of the election, all of which shall be recorded in the minutes of said

Purpose of bond issue.

Election.

Question to be submitted.

Notice of election.

Proviso: subsequent election.

Law governing election.

Proviso: appointment of election officers.

Count and return of vote.

Tabulation, declaration, and record of result.

board of county commissioners, and no other recording and declaring of the result of said election shall be necessary.

Ballots.

SEC. 3. That at said election all qualified voters who favor the issue of said bonds shall vote a ballot upon which shall be written or printed "For continuing the construction and improvement of the public roads and bridges of the county," and all qualified voters who are opposed to the issue of said bonds shall vote a ballot upon which shall be written or printed "Against continuing the construction and improvement of the public roads and bridges of the county."

Bond issue authorized.

SEC. 4. In the event that a majority of the votes cast at said election shall be voted "For continuing the construction and improvement of the public roads and bridges of the county," and the result declared and recorded as aforesaid, the board of commissioners of New Hanover County shall be and they are hereby authorized and empowered to have prepared and issued, at such time or times and in such amount or amounts as they deem best,

Denominations.

bonds in the denomination not exceeding one thousand dollars and not less than five hundred dollars, the total amount not to

Interest.

exceed that provided for in the first section of this act. The said bonds shall bear a rate of interest not exceeding five per cent per annum, with interest coupons attached, payable semiannually, on the first days of January and July, during the time of their

Maturity.

running, and the principal thereof shall be payable or redeemable at such time or times, not exceeding thirty years from the date of their issue, as the board of commissioners of New Hanover County may determine, and said bonds and coupons shall be payable at such place or places as the said board of commissioners may direct.

Authentication.

SEC. 5. That the bonds issued under this act shall be signed by the chairman of the said board of commissioners, and countersigned by the clerk of said board, and said bonds shall have upon them the corporate seal of said county, and shall be styled "New Hanover Highway Improvement Bonds," and issued as such. The coupons shall bear either the real, engraved, or lithographed signature of the chairman of said board.

Entitlement of bonds.

SEC. 6. That none of the bonds issued by this act shall be disposed of by sale, exchange, hypothecation, or otherwise, for a less sum than their face value, nor shall said bonds or their proceeds be used for any other purpose or purposes than those declared in this act: *Provided, however,* that the purchasers of said bonds shall not be required to see to the application of the fund. When said bonds shall be issued, they shall be numbered consecutively

Sale below par forbidden.

Specific appropriation.

Proviso: purchaser not responsible for appropriation.

Record of bonds.

and the interest coupons attached. The bonds and coupons shall state on their face when they are due and payable, and said bonds shall show by what authority they are issued. The said board of commissioners shall have all their proceedings in respect to said

bonds recorded in the minutes of their meetings, and when any of the bonds are issued, the number of the bond, its denomination, date of issue, to whom issued, and the number of the coupons attached, must be recorded in said minutes.

SEC. 7. When any of the bonds provided for in this act are sold the proceeds of the sale shall be turned over to the auditor of New Hanover County, who shall keep said funds, and all other funds provided for in this act which may come into his hands, separate from all other funds, and he shall keep separate accounts of the same; and said auditor, before any funds provided for in this act shall be paid over to him, shall execute an official bond, payable in the usual manner, in a sum deemed sufficient by said board of commissioners to protect said fund: *Provided, however,* that said bond shall at no time be for a less sum than the amount that may come and be in the said auditor's hands at any one time by reason of this act. Said bond or bonds shall be conditioned upon the faithful safe keeping of the funds by said auditor, rendering accounting in respect thereto, and in all things holding, disbursing, and accounting for the same as required by law. The said board of commissioners may, in their discretion, authorize the payment of the premium for such bond or bonds out of the proceeds of the sale of the bonds herein provided for; and shall receive and pass upon them as they receive, pass upon, and accept other like bonds.

Proceeds paid to auditor.

Funds and accounts kept separate.

Bond of auditor.

Proviso: amount of bond.

SEC. 8. The expenses of handling said election and the cost and expenses incident to the preparation, issue, and sale of said bonds herein provided for shall be paid by said board of county commissioners out of the proceeds arising from the sale of said bonds.

Expense of election and bond issue.

SEC. 9. That in case the result of said election shall be in favor of issuing bonds as aforesaid, said board of commissioners of New Hanover County shall levy annually, at the time of levying other public taxes, a special tax for said county of not exceeding five cents on the one hundred dollars worth of property and not exceeding fifteen cents on each poll; the subjects of taxation and levy of taxes are to be the same on which the said board of county commissioners now or may hereafter be authorized to lay and levy taxes upon for general county purposes; the taxes so levied shall be collected as other taxes are paid, and the same shall be a separate fund, applied first to the payment of interest on said bonds, and then to the creation of a sinking fund for redemption of said bonds, not exceeding two thousand dollars per annum, and the balance to be applied to the roads and bridges of the county as provided for in section eleven of this act.

Special tax.

Limit of rate.

Collection of taxes.

Specific appropriation.

SEC. 10. The board of commissioners of New Hanover County shall audit and ascertain the accounts of the sheriff for all taxes

Settlements of taxes.

levied and collected under this act, and make settlement of the same between said sheriff and the county auditor or such other officer duly authorized by law to receive the same, and the said board of commissioners may prosecute any necessary action for the recovery of any such road taxes against any officers failing to account for the same.

Use of road
funds.

Sec. 11. That said board of county commissioners shall use the funds provided for in this act in laying out, establishing, building, repairing, and maintaining public roads and public bridges in said county in such manner as to them may be deemed necessary and most beneficial and effective, and to the purchase of such material, machinery, implements, teams, wagons, trucks, camp outfits and quarters for the use of and safe keeping of the convict force as may be found necessary in the proper carrying out of this work, and for the employment of such additional labor as the board of commissioners may deem necessary; and said funds shall be used by the board of commissioners in all other respects as provided for in the act entitled "An act to provide for the better working of the public roads and highways of the State," the same being chapter five hundred and eighty-one of the Public Laws of one thousand eight hundred and ninety-nine, or any other road law passed by the General Assembly of North Carolina for New Hanover County.

Sec. 12. This act shall be in force from and after its ratification.

Ratified this the 20th day of February, A. D. 1915.

CHAPTER 197.

AN ACT TO AMEND CHAPTER 222 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, REGULAR SESSION 1913, ENTITLED "AN ACT TO AUTHORIZE THE COMMISSIONERS OF MECKLENBURG COUNTY TO ISSUE BONDS TO FUND ITS FLOATING INDEBTEDNESS, BUILD A NEW COUNTY JAIL, AND CONSTRUCT CERTAIN HIGHWAY BRIDGES," AND TO AMEND ALL ACTS SUPPLEMENTARY THERETO OR AMENDATORY THEREOF.

The General Assembly of North Carolina do enact:

That chapter two hundred and twenty-two of the Public-Local Laws of North Carolina, regular session one thousand nine hundred and thirteen, be amended as follows:

SECTION 1. By striking out all between the words "one hundred and fifty-four thousand and twenty-seven dollars and fifty-four cents (\$154,027.54)" in line ten (10) of said act, and the word

"and" in line twenty-seven (27) of said act, and substituting and enacting in lieu thereof the following: "And whereas, on account of the extraordinary necessary expenditures of seventy-one thousand five hundred and fifty-eight dollars and forty cents (\$71,558.40) incurred during said period in defraying said county's share of the cost of construction of the highway bridges over the Catawba River at Rozell's Ferry and at Sloan's Ferry, pursuant to statutory authority expressly authorizing said expenditures, the disbursements by said county were increased in the said amount of seventy-one thousand five hundred and fifty-eight dollars and forty cents (\$71,558.40); and whereas, on account of said decrease in the county revenues and the increase in the necessary expenses incurred as aforesaid, a deficit in the receipts as against the disbursements for necessary expenses for the years one thousand nine hundred and eight to one thousand nine hundred and twelve, both inclusive, amounting to two hundred and fifteen thousand dollars (\$215,000), has arisen, which said deficit is now evidenced by the present valid outstanding obligations of said county, on which obligations it has to pay a much higher rate of interest to the several persons or corporations holding the same than it would have to pay in case said indebtedness now represented by said obligations should be converted into longer time, low-interest-bearing county bonds."

Preamble: extraordinary necessary expenditures.

Preamble: decrease of revenue.

SEC. 2. By striking out the words "four and one-half per cent ($4\frac{1}{2}$ per cent)" in line seven (7), section one (1), of said act, and inserting and enacting in lieu thereof the words "five per cent (5 per cent)" and by adding to the end of said section, after the word "bearer," the following: "Said board of commissioners are hereby expressly authorized to issue said bonds at different times and in different amounts, and bearing different rates of interest, and to become due at different dates, or to issue all of said bonds at one time, but in different series, which series of bonds so issued may be made to fall due at different dates, so that any number of said bonds may become due at any time after one year from the date thereof, not to exceed thirty (30) years from their date: *Provided*, that the total issue of the funding bonds authorized under this act shall not exceed two hundred and fifteen thousand dollars (\$215,000), and the maximum rate of interest thereon shall not exceed five per cent (5 per cent) on any of said bonds."

Interest.

Issue of bonds.

Maturity.

Proviso: total amount.

Interest.

SEC. 3. That section five of said act be amended by adding after the word "par" at the end of said section the following: "*Provided further*, that if, after the said board of commissioners shall have advertised for bids for said bonds, and no acceptable bids shall have been made therefor, then said board shall have the discretion to sell the same or any part thereof privately to such person or persons as shall make a satisfactory offer there-

Proviso: sale of bonds.

for, which offer, however, shall not be less than par, with accrued interest, or to readvertise for bidders for said bonds, as provided in this section."

Present outstanding obligations.

SEC. 4. That section six of said act be amended by "striking out between the words 'present' in line five (5) and 'not' in line six (6) of said section, the words 'floating indebtedness of said county,' and inserting and enacting in lieu thereof the words, 'present outstanding obligations of said county, aggregating two hundred and fifteen thousand dollars (\$215,000) and representing an indebtedness originally contracted for the necessary expenses of said county.'"

Accounts to be opened.

SEC. 5. That section eight of said act be stricken out and the following substituted and enacted in lieu thereof:

"SEC. 8. That in order to provide for the safe keeping and investment of the funds arising from the collection of taxes levied under this act over and above the amount necessary to pay the interest upon the improvement bonds heretofore issued and the funding bonds hereafter to be issued, the treasurer or other custodian of funds of said county shall open up upon his books two accounts, being designated as 'Improvement Bonds Sinking Fund Account' and 'Funding Bonds Sinking Fund Account,' and one-third of all sums received by said treasurer, or other custodian of county funds from taxes levied hereunder, which shall not be necessary for the payment of the accrued and accruing interest on said improvement bonds already issued and the funding bonds hereby authorized to be issued, shall be credited to the account of 'Improvement Bonds Sinking Fund Account,' and two-thirds of said surplus fund so collected shall be credited to the 'Funding Bonds Sinking Fund Account' and said funds so apportioned shall be kept to the credit of said two accounts separate and distinct from all other county funds for the purposes of paying the principal of said improvement bonds and funding bonds issued and to be issued pursuant to the provisions of this act at their maturity; and said treasurer or other custodian of county funds is hereby authorized and directed to invest any amounts which belong to said sinking fund from time to time in safe interest-bearing securities, payable to the county of Mecklenburg for the use and benefit of said sinking funds: *Provided*, that no investment of said funds shall be made until the security therefor is approved by the board of commissioners of said county; and

Apportionment of sinking funds.

Investment of sinking funds.

Proviso: approval of investments.

Proviso: preference in investments.

Provided further, that preference shall be given in making said investments in the purchase, if possible, of the bonds issued or to be issued hereunder, and the treasurer or other custodian of county funds shall be liable on his official bond for the faithful and honest performance of the duties imposed by this section."

Former acts confirmed.

SEC. 6. That, subject to the foregoing amendments, said act, and each and every part thereof, and all acts amendatory thereof,

are hereby in all respects ratified, confirmed, and approved, and none of the provisions of the original act or any act amendatory thereof shall be considered as repealed by this act except in so far as the same shall be in conflict with the plain intent and meaning thereof.

SEC. 7. This act shall be in force from and after its ratification. Ratified this the 20th day of February, A. D. 1915.

CHAPTER 198.

AN ACT PROVIDING FOR WORKING THE PUBLIC ROADS OF CRAVEN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Craven County shall, at their next regular meeting for the purpose of levying taxes for county purposes, and annually thereafter, levy a tax of not more than forty cents on the one hundred dollars valuation of all the property subject to taxation in Craven County and not exceeding one and twenty one-hundredths dollars on the poll, the constitutional equation to be observed at all times, which said taxes shall be collected in the same manner as the other taxes are collected for State and county purposes, and shall be kept separate and apart in the tax books of said county from other taxes, and shall be known as the "road fund," to be used only in the relocation, construction, improvement, and maintenance of the public roads of said county, and in the purchase of material, implements, teams, wagons, camp outfits and quarters or stockades for the use and safe keeping of the convict force.

SEC. 2. That there shall be elected by said board of commissioners at their first regular meeting in June, one thousand nine hundred and fifteen, or as soon thereafter as convenient, and annually thereafter at their regular meeting in January, a competent superintendent of roads, skilled in the modern methods of road building, and who shall be paid a just and reasonable compensation, to be fixed by said board of commissioners; and said superintendent of roads may at any time be removed from office by said board of commissioners, after having been given ten days notice and a hearing, when in the opinion of said board there exists good and sufficient cause for said action; and for malfeasance or misconduct in office he may be removed by them without further notice other than may be necessary to give him a hearing; and said board of commissioners shall have power to fill any vacancy in said office of superintendent of roads that may occur by removal, resignation, death, or otherwise, for the unex-

County commissioners to levy tax.

Limit of rate.

Constitutional equation.

Collection of tax.

Road fund.

Specific appropriation.

Election of superintendent of roads.

Compensation.

Removal for cause.

Vacancies.

Bond of superintendent.	<p>pired term of said office; and said superintendent of roads, before entering upon the duties of his office, shall deposit with said board of commissioners a good and lawful bond, to be approved by said board of commissioners, for the sum of two thousand dollars, as a guarantee of the faithful and honest discharge of the duties of his office and for the safe keeping and return of all property intrusted to his care (unavoidable accidents only excepted), which bond shall be duly registered in the office of the register of deeds and filed for safe keeping with the clerk of the Superior Court of said county.</p>
Duty of superintendent.	<p>SEC. 3. That it shall be the duty of said superintendent of roads to give his entire time to relocating, building, directing, maintaining, supervising, and repairing the public roads of the</p>
Supervision and direction of roads.	<p>county, and he shall have (subject to the approval of said board of commissioners) charge of, supervision, maintenance, and direction of the building of all public roads in said county, including</p>
Monthly reports. Semiannual reports.	<p>the supervising of the convict force, and shall submit a written monthly report concerning the work and progress, and shall submit semiannually a written report on the condition of the public</p>
Plans and specifications. Inventories.	<p>roads and bridges of the said county, and also file plans and specifications for their improvement, which said semiannual reports shall include an inventory of the tools, implements, teams, and other property and equipments on hand belonging to the county for</p>
Control and management of roads.	<p>road purposes. The said superintendent of roads shall have direct charge, control, and management of maintaining and keeping in good repair all the roads of said county, and it shall be his duty to maintain, repair, and keep in good condition all the said roads,</p>
Machinery.	<p>either with work by convict force or by employing some one under his direction to repair and maintain the same; and the board of commissioners of said county shall furnish to the superintendent of roads as soon as convenient all necessary machinery to build and keep in good repair the roads, and also road machinery and other necessary machinery to build and maintain good roads for</p>
Use of machinery under contracts.	<p>each township in said county; and if the superintendent of roads, with the approval of the board of commissioners of said county, shall let by contract any or all of the public roads of the townships, he or they may take into consideration the furnishing of such road machinery as the board of commissioners may have or may hereafter provide for the building and repairing of the public roads, and make their contracts accordingly.</p>
Office of superintendent.	<p>SEC. 4. The board of county commissioners shall provide for the superintendent of the roads an office where he shall file copies of all correspondence, letters, contracts, proposals, plats, blueprints and surveys of roads, and shall keep an accurate record of all accounts and contracts with the supervisor or any other person who is dealing with the said board of commissioners in matters relating to the public roads of said townships. The said</p>
Record of accounts and contracts.	
Office days.	

<p>superintendent of roads, with the approval of said board of commissioners, may set apart at least one day in every month when he shall be in his office to attend to such road matters as may come before him, and the remainder of the time the said superintendent shall either be supervising the building of the public roads of said county or directing the management of the convict force, and making provision therefor. The said superintendent of roads shall not purchase any provisions, material, or other things for the building and repairing of the roads of the said county or any provisions for the convict force from himself or from any firm or corporation in which he may have an interest or hold any stock, nor shall the said superintendent of roads hire or employ his own teams to do any work for the county upon the public roads thereof. Any superintendent of roads violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be fined or imprisoned at the discretion of the court.</p>	<p>Purchase of supplies and material.</p> <p>Employment of teams.</p> <p>Misdemeanor.</p> <p>Punishment.</p>
<p>SEC. 5. That the said board of commissioners, or the superintendent of roads, subject to the approval of said board, shall appoint, with power to remove at any time, such guards or other employees as may be needed to take charge of the convict force; and said guards and employees shall be paid such per diem compensation for services rendered as may be fixed by said board of commissioners or said superintendent of roads and approved by said board of commissioners.</p>	<p>Guards and employees.</p> <p>Pay of guards and employees.</p>
<p>SEC. 6. The said board of commissioners, or the superintendent of roads, subject to the approval of the said board, if it shall be deemed advisable, shall appoint one person in each township to be known as township supervisor, who shall be under the control and orders of the superintendent of roads, and it shall be the duty of said supervisor to divide the public roads of his township into sections of not less than one mile and not more than ten miles; and he shall furnish plats of all such sections of public roads so divided, with the culverts and bridges mentioned thereon, to the superintendent of roads to be filed in his office; and it shall also be his duty, with the approval of the superintendent of roads and county commissioners, to let by contract at a fair and reasonable price, for a period not exceeding one year, to the best bidder, the building, maintaining, and keeping in good repair the different sections of public roads in his township; or in case a new public road is ordered opened by the board of commissioners of said county, it shall be his duty, with the approval of the superintendent of roads and county commissioners, to let the said contract as above mentioned. The said bidder or bidders, to be known hereafter as contractor or contractors, shall not begin work or receive any pay from the board of commissioners of the county for any work until he or they shall</p>	<p>Township supervisors.</p> <p>Division of roads.</p> <p>Plats of sections.</p> <p>Roads let to contract.</p> <p>Contracts for construction.</p> <p>Contracts in writing.</p>

enter into a written contract in the name of the board of commissioners of Craven County to build, maintain, and keep in good repair, free from holes, ruts, and dangerous places, and also well drained, with good crown upon the road, the sections of public roads being so contracted for, and also to keep in good repair the bridges thereon free from any dangerous places, and giving to the road the usual width required by law. The said contractor or contractors shall also furnish, at the time of signing said contract, a good and sufficient bond in the sum of one hundred dollars, or a larger amount if the contract may warrant same in the estimation of said board of commissioners, to the board of commissioners of Craven County to faithfully discharge the duties mentioned in his contract and as required of him or them by law; and if the said contractor or contractors shall fail to discharge the duties mentioned in said contract, or as required of him or them by law, the said board of commissioners shall have a right to recover the amount mentioned in his said bond in any of the courts of Craven County. The superintendent of roads, upon accepting the above mentioned contract, shall write his approval therein and file same with the register of deeds of Craven County, and the said contracts shall be binding upon the said county when approved by said board of commissioners. The supervisor and county superintendent of roads shall, from time to time, view the section of public roads so contracted for, and as the building of said roads so contracted for progresses under the contracts so let, the said supervisor shall give an order to the superintendent of roads for payment of said amounts of money as to him may seem to be due for the work so conducted, retaining, however, at all times as much as ten per cent in favor of the county until the work has been completed and accepted; and if the superintendent of roads shall upon examination of said order and said work find the same correct and due for work already completed under the contract so made, he shall indorse said order and send same to the board of commissioners for payment. The said supervisors shall be paid for the time actually engaged in letting the contracts for the building and repairing of the public roads of their respective townships and for inspecting the public roads as they may be directed by the superintendent of roads the sum of not more than two dollars per day. Said accounts shall be itemized, signed, and certified as correct by said supervisors and be examined and indorsed by the superintendent of roads before payment.

SEC. 7. The board of commissioners, or the superintendent of roads, with the approval of the board of commissioners, shall have the right, if it shall be deemed advisable, to direct the supervisor as before mentioned to build, maintain, and keep in good repair the public roads of his township by employing laborers, teams,

Bonds of contractors.

Contracts approved and filed.

Inspection of work.

Payments on contracts.

Pay of supervisors.

Itemized accounts.

Supervisor to direct work.

and necessary machinery to do the work on the public roads of the respective townships of said county. It shall be the supervisor's duty to keep the public roads of his township free from all holes, ruts, and dangerous places, and well drained, with a good crown on same, and keep the bridges in good repair; and while he is working said public roads it shall be the duty of the superintendent of roads to visit, supervise, direct, and control said road work at all times; and it shall be his duty, subject to the approval of the board of commissioners, to fix the price to be paid for labor and teams and other necessary expenses in repairing and maintaining said public roads; and he shall at all times govern and have control of the supervisor in building, maintaining, and keeping in good repair the public roads of said township. The supervisor shall give a good and sufficient bond in the sum of three hundred dollars to be payable to the board of commissioners of Craven County, for the faithful discharge of his duty, and if he shall fail to discharge his duty according to law, the said board of commissioners shall have the right to recover the amount in any of the courts of Craven County. The board of commissioners of said county shall have the right to fix the compensation for the supervisors of the various townships, which shall not be more than two dollars per day. The said supervisors shall not employ their own teams or teams of any member of their family for working the public roads, or purchase any material for road building from themselves or their families, unless they first notify the superintendent of roads of the use of their own teams, and that other teams could not be had for the use so mentioned. If any supervisor shall fail and be willfully negligent and careless in the discharge of his duties as such supervisor as required by law, or fail to obey the provisions of this section, he shall be guilty of a misdemeanor, and upon conviction thereof shall be fined or imprisoned, in the discretion of the court.

SEC. 8. The said supervisors shall keep a correct and accurate record of the contracts and accounts made, and shall furnish to the superintendent of roads an itemized statement of all laborers and teams hired and the price paid per day for each, and also a statement of all material purchased and the price for same, which statement shall be duly signed and sworn to by the said supervisor as being just and correct. The superintendent of roads, if approving said itemized statements, shall sign and send them to the board of commissioners of said county for payment. The said board of commissioners, if upon examination and inspection of said accounts and contracts for hire of labor and teams, and for material furnished for the building and maintaining the various roads in said county, find the same correct and no overcharge made thereon, they shall order payment thereof and keep a separate account of same.

Duty of supervisors.

Supervision of work.

Prices regulated.

Bond of supervisor.

Pay of supervisors.

Certain contracts forbidden.

Acts declared misdemeanors.

Punishment.

Record of contracts and accounts.

Sworn itemized statements.

Approval and payment.

Contracts for
upkeep of bridges.

SEC. 9. The superintendent of roads, with the approval of said board of commissioners, if deemed advisable, shall have the right and authority to enter into a contract with any one who will take the contract at a fair and reasonable price, for the building, maintaining, and keeping in repair and free from dangerous places, well drained, and with a good crown thereon, and keeping in good condition the bridges or any or all of the public roads in the different townships of said county. The said contractor, before entering upon his work or receiving any pay for same, shall enter into a written contract in the name of the board of commissioners of Craven County to keep in good repair, free from all holes, ruts, and dangerous places, with a good crown on same, and well drained, and keep bridges and culverts in good repair, any section of public road so contracted for; and he shall also furnish a good and sufficient bond in such sum as the board of commissioners may require, payable to the commissioners of Craven County, to faithfully carry out his contract and discharge the duties imposed upon him by law, as contractor for building roads in Craven County, and if he shall fail to keep said public roads in the condition as required by his contract and by law, the said board of commissioners shall have a right to proceed to collect the penalty of said bond in any courts of Craven County. Such payments upon said contract shall be made by the board of commissioners of said county as the work progresses, and final payment shall not be made until the work upon the roads so contracted for shall be actually done and certified to by the superintendent of roads.

Written con-
tracts.

Bond of con-
tractors.

Payments on con-
tracts.

Convicts subject
to road work.

SEC. 10. That all persons confined in the county jail under a final sentence of court for crimes or imprisoned for nonpayment of costs or fines, or under final judgment in case of bastardy, or under the vagrant act, all insolvents who shall be imprisoned for nonpayment of costs, all persons who shall be sentenced to the State's Prison for a term of not more than ten years, may be worked on the public roads of the county as provided in chapter five hundred and eighty-one, Public Laws of one thousand eight hundred and ninety-nine, and all acts amendatory thereof, which acts are hereby made a part of this act and shall apply with full force of law to Craven County; and all such convicts shall be fed, clothed, and otherwise cared for at the expense of said road fund. That in case of serious physical disability certified by the county physician, persons convicted in any court may be sentenced to the State Prison or county jail.

Maintenance of
convicts.

Convicts from
other counties.

SEC. 11. That the said board of commissioners are hereby authorized to accept convicts from other counties of the State, sentenced by the Superior Court judge, whenever in their judgment it is deemed advisable to do so, and the cost of transporting and maintaining such convicts or prisoners shall be paid from said road fund.

Cost of transport-
ation and main-
tenance.

SEC. 12. In the event the said board of commissioners shall at any time find it unprofitable, by reason of an insufficient number or otherwise, to continue to work the convicts sentenced to the roads of said county, the board of commissioners of Craven County are authorized and empowered to hire the said convicts to the county commissioners or good roads authorities of some other county in the State or to the town authorities of any incorporated town in Craven County.

Convicts hired to other counties.

SEC. 13. That for the purpose of carrying out the provisions of this act the said superintendent of roads and supervisors, after first consulting the owner or agent of the land from which said material for repairing roads may be gotten, are hereby authorized to enter upon any lands near to or adjoining any public roads, to cut and carry away timber, except trees or groves on improved land planted or left for ornament or shade; to dig or cause to be dug and carried away any gravel (*Provided, however,* no gravel shall be taken from any cleared or fenced lands), sand, clay, or stone which may be necessary to construct, improve, or repair said roads; to enter on any land adjoining or lying near the road in order to make such drains or ditches through the same as he may deem necessary for the betterment of the road, doing as little injury to said lands or timber or improvements thereon as the nature of the case and the public good will permit; and the drains and the ditches so made shall be conducted to nearest ditch, drain, water-course, or waste ground, and shall be kept open by said township supervisor, and shall not be obstructed by the owner or occupant of such lands or by any other person or persons, under the penalty of forfeiting a sum of not less than five dollars nor exceeding fifty dollars or imprisoned or worked on the public roads of the county for not less than ten nor exceeding thirty days for each and every offense, which said penalty shall be enforced and collected by said board of commissioners in the manner prescribed by law for the enforcement and collection of other penalties for violation of law, and said penalties when collected shall be paid over to the county treasurer and credited to said road fund.

Entry on land for material.

Proviso: gravel from fenced or cleared land.

Drains and ditches.

Penalty for obstructing drains or ditches.

SEC. 14. That if any owner of any lands or the agent or agents of such owner having in charge lands from which timber, stone, gravel, sand, or clay was taken as aforesaid shall present an account of the same to the superintendent of roads or township supervisor to said board of commissioners, it shall be the duty of said board to pay a just and reasonable price for the same; and any owner, agent or agents of such owner, shall have the right to appeal from the action of said board to the Superior Court.

Presentation and payment of claims.

Right of appeal.

SEC. 15. The superintendent of roads shall have the authority and power to locate, relocate, widen, or otherwise change any public road, or parts of the same, or lay out and establish any

Location and change of roads.

new public road when in his judgment such location, relocation, widening, or other change, or the opening of a new public road, is deemed necessary and advantageous to public travel; and he shall have the further right to abandon and discontinue any public road if the same is unnecessary and not advantageous to public travel; but the said superintendent of roads, before locating, relocating, or changing any public road or establishing a new public road, shall file a petition signed by himself or some person interested therein, before the board of commissioners of said county, stating the changes, location, relocation of any public road, or the plat for the establishment and opening of a new public road, with a survey of same by the county surveyor or other competent engineer, with the estimated cost of building and opening said road and the number of culverts and bridges thereon; and he shall further state that said changes, location, relocation, or opening of a new public road are necessary and advantageous to public travel. The said superintendent shall also give to the landowner or landowners on and over whose lands any changes, location, or relocation of any public road or the establishment of any new public road are to be made, or the discontinuing or abandoning of any public road, at least twenty days notice of the time and place of hearing of said petition by the said board of commissioners.

Discontinuance.

Petition for location or change.

Notice to landowners.

Order by county commissioners.

Right of appeal.

Bond on appeal.

Appeal not to delay work.

SEC. 16. The board of commissioners, upon hearing the petition so filed, stating the changes, location or relocation of any public road, or the establishment or opening of any new public road, or that any public road should be discontinued and abandoned, shall make an order granting or refusing the relief therein asked, as they shall deem best. If the order is made granting the change, location or relocation of any public road, or opening and establishing a new road, such order shall be a condemnation of the land or lands mentioned and described in the petition and survey filed therein, or such part thereof as shall be fully set out in the order; and the superintendent of roads is hereby authorized to open the public road so granted as provided by law. If the order is for discontinuing and abandoning the public road, the said road described in the order shall be discontinued and abandoned; any person owning land on or over which said changes are made, or said public road is discontinued and abandoned, shall have the right of appeal to the Superior Court of Craven County for a trial *de novo* of the matters set out in said petition, but he shall give a good and sufficient bond for the costs as in like cases of appeal; but the taking of said appeal shall not delay the changing, locating or relocating of any public road, or the discontinuing or abandoning of any public road according to the terms of the order made therein by the said board of commissioners, unless the same is reversed by the trial in the Superior Court.

SEC. 17. Any person who shall obstruct the county superintendent, county surveyor, or civil engineer in making a survey for the changing of a road, or the opening of a new road, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined or imprisoned, or both, in the discretion of the court; and any person or persons who shall obstruct any one authorized by this section for opening said change in road or new road shall be guilty of a misdemeanor, and upon conviction thereof shall be fined or imprisoned, or both, in the discretion of the court; and it is hereby made the duty of the solicitor to prosecute all offenses against the provisions of this section; and if, after the changing, locating or relocating of any public road, or opening and establishing any new public road, any person be aggrieved, and if he and the superintendent of roads, with the approval of the board of commissioners of said county, cannot agree and fix the amount of said damages, if any, for the changing, locating or relocating of any public road, or opening and establishing any new public road, he may then, within sixty days after the completion of said change, location or relocation of the public road, or the opening and establishing of a new public road, apply to the clerk of the Superior Court, who shall appoint a jury to consist of three freeholders to assess the damages, and the said jury in determining said damages shall take into consideration the benefits made to the property and the damages sustained by the property, subtract one from the other, and the result shall be their verdict; and the said damages, if allowed, shall be paid out of the general road fund of the county; and if the jury award no more damages than the amount offered by the said board of county commissioners, then the party aggrieved shall pay all costs for making said assessment of damages.

Obstructing officers a misdemeanor.

Solicitor to prosecute.

Procedure for assessment of damages.

Assessments paid from general fund.
Costs on appeals.

SEC. 18. That all disbursements of said road fund shall be made by order upon the county treasurer, issued by said board of commissioners, the superintendent of roads, and township supervisors; and no order issued by said superintendent of roads and township supervisor shall be paid unless approved by said board of commissioners; and the said board of commissioners, in the disbursement of said road fund, shall deal in an equitable manner with all of the townships of the county; and any superintendent of roads or township supervisors who shall, under any pretense whatever, approve of any order for material not received or services not rendered shall be guilty of a misdemeanor, and shall be fined and imprisoned at the discretion of the court. The board of commissioners shall have the right to make such inducement for the use of wide-tire wagons upon the public roads of said townships by offering a payment of so much per wheel as it may seem just for the use of same by any one, or by allowing a certain discount in the road tax, to be fixed by the said board of com-

Orders on road funds.

Approval of false accounts a misdemeanor.

Encouragement of wide tires.

- Width of road. missioners. The public roads shall be of such width as the road authorities may deem practicable for the convenience of the traveling public, and in no case shall they be less than twenty feet in width.
- Semiannual meeting of supervisors. SEC. 19. That it shall be the duty of the township supervisors to meet on the first Saturday in May and first Saturday in November of each year, without pay, in the courthouse, at the hour of ten o'clock a. m., in the town of New Bern, North Carolina, to receive instructions from said superintendent of roads (who shall preside at each meeting) upon the best methods of construction and the keeping in repair of the public roads of their respective townships, and for the discussion of such other matters appertaining to their duties as supervisors; and any supervisor who shall fail to attend such meetings may be removed by the said board of commissioners or the superintendent of roads, unless a good and valid excuse shall be given for such absence.
- Existing funds and debts. SEC. 20. That all money in the hands of the county treasurer on the first Mouday in the month of April, one thousand nine hundred and fifteen, to the credit of the road fund of the several townships of the county, shall remain to the credit of the said townships to be expended under the supervision of the road authorities created by this act, for the construction and repair of the public roads of said townships, each township to bear its pro rata share of the expense, and all debts contracted by the several townships prior to April first, one thousand nine hundred and fifteen, shall be and remain a separate charge against said townships.
- Power to borrow money. SEC. 21. The board of commissioners of Craven County are authorized and empowered to borrow money, when necessary, for the maintenance of the public roads of the county, and refund the same out of the taxes collected for road purposes.
- Meetings of county commissioners. SEC. 22. The board of commissioners of Craven County may hold meetings at such time as may be necessary to attend to the duties imposed by this act, and the members shall be paid the same per diem and mileage as they receive as county commissioners:
- Road work for failure to pay poll tax. SEC. 23. Any resident of said county liable to poll tax under the general law who shall fail to pay his road poll tax on or before the first day of May next after the same shall have been levied shall be liable to work six days on the public roads of the township wherein he resides, under the supervision and control of the public road authorities thereof, for every such omission and failure. It shall be the duty of the sheriff to furnish the superintendent of roads, on or before the first day of June in each year, a list of all persons in said townships who have failed to pay said tax for the preceding year, and the superintendent of roads or the township supervisor shall notify such person or persons,
- Lists to be furnished by sheriff.
- Warning to delinquents.

either orally or by leaving a written notice at the residence or place of business, to attend and work on said public roads as herein provided; and any person so liable who shall fail or refuse to attend and work on said public roads shall be guilty of a misdemeanor, and upon conviction shall be fined not less than ten nor more than fifty dollars, or imprisoned at hard labor upon the public roads of said townships for not less than ten nor more than thirty days.

Failure to work a misdemeanor.

Punishment.

SEC. 24. Every able-bodied male person in Craven County between the ages of twenty-one and forty-five years of age shall be liable to work six days on the public roads of the township in which he resides, under the supervision and control of the public road authorities thereof. The superintendent of roads or the township supervisor shall notify such person or persons, either orally or by leaving a written notice at the residence or place of business, to attend and work on said public roads as herein provided; and any person so liable who shall fail or refuse to attend and work on said public roads shall be guilty of a misdemeanor, and upon conviction shall be fined not less than ten nor more than fifty dollars, or imprisoned at hard labor upon the public roads of said township for not less than ten nor more than thirty days: *Provided, however,* such person shall be exempt from working on the roads in said township by the payment to the road supervisor in said township in which he resides the sum of one dollar on or before the first day of April of each year, which amount shall be expended upon the roads in said township under the direction of the board of commissioners of Craven County: *Provided further,* the authorities of incorporated towns and cities in Craven County shall have the power to exempt from the operation of this section all persons living in said town or city, provided same is done on or before first day of April of each year: *Provided further,* that this section shall not apply to any township in Craven County unless same shall be adopted by the board of county commissioners on first Monday in June of each year, and the board of commissioners shall not adopt same for any township in the county unless upon a petition signed by two-thirds of qualified voters of said township.

Road duty.

Warning to hands.

Failure to work a misdemeanor.

Proviso: commutation.

Proviso: inhabitants of towns.

Proviso: section to be adopted by county commissioners.

SEC. 25. It shall be unlawful for any person, corporation, or firm to obstruct the drainage of any public road or highway in any manner, or empty the water from any ditches or drains into any such road or highway; and any such person, corporation, or firm so offending shall be guilty of a misdemeanor, and for every five days after notice shall neglect or refuse to remedy such offense shall pay a penalty of five dollars.

Obstructing or emptying water on roads a misdemeanor.

Penalty.

SEC. 26. It shall be the duty of every person or corporation who shall construct any ditch or drain or culvert across a public road or highway to keep it up in good condition at his or their own

Ditches across roads.

- expense, and they shall construct and keep in repair the bridges across the same, and the approaches to said bridges, in a manner acceptable to the county commissioners. Any person or corporation who shall fail to perform the duties imposed by this section, having been warned by the chairman of the board of county commissioners, road superintendent, or township supervisor leaving at his residence or the residence of his agent, or having been notified verbally by said chairman, road superintendent, or township supervisor, and having failed to perform said duties acceptably to the board of county commissioners, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than five dollars nor more than fifty dollars.
- Failure of duty a misdemeanor.**
- Punishment.**
- Corporations to keep up bridges and crossings.**
- Failure a misdemeanor.**
- Punishment.**
- Forfeit.**
- Poles and wires.**
- Failure in duty a misdemeanor.**
- Punishment.**
- Mile and sign posts.**
- Injury to posts a misdemeanor.**
- Punishment.**
- Roads dividing townships.**
- SEC. 27. All railroads and other incorporated companies shall each keep at their own expense all bridges on or over highways or public roads, or roads not public but used as neighborhood roads, and all crossings which they have severally made it necessary to be built or made in establishing their respective roads, and upon failure to do so shall be guilty of a misdemeanor, and fined at the discretion of the Superior Court, and shall forfeit and pay to said road fund twenty-five dollars for each ten days they shall fail to perform the duties of this section.
- SEC. 28. It shall be unlawful for any person or corporation which shall have been granted license to erect poles or wires along the right of way of public roads of the county to allow the same to interfere in any way with public travel or to suffer the same to remain in a condition dangerous to the public or to interfere with the grades of said roads; and any person or corporation who shall fail or refuse to remedy such conditions shall be guilty of a misdemeanor, and, upon conviction thereof, fined not exceeding fifty dollars, and their license to use said road may be revoked by said board.
- SEC. 29. It shall be the duty of the county commissioners, as said roads progress from time to time, to cause to be set up along the highways and public thoroughfares of said county substantial mileposts, on which shall be indicated the distance from the county-seat, and at important crossings and forks on said highways and roads said commissioners shall cause to be erected signs indicating to which important points each road leads, and the distance from the same; and if any person shall willfully demolish, throw down, alter or deface any such post or guide-board or any other post or guide-board, he shall be guilty of a misdemeanor, and, upon conviction thereof, fined not exceeding twenty-five dollars and costs or imprisoned not more than thirty days and sentenced to work upon said public roads.
- SEC. 30. That in case any public road shall be the dividing line between two or more townships, it shall be the duty of the superintendent of roads or township supervisors of the townships

so divided to apportion the said road between the different townships in a just and equitable manner.

SEC. 31. That immediately upon the passage of this act the Secretary of State shall send a certified copy of this act to the chairman of the board of county commissioners of Craven County.

Secretary of state to send copy of act.

SEC. 32. That chapter five hundred and fifty-four of the Public Local Laws of one thousand nine hundred and seven is hereby repealed, and all laws and clauses of laws in conflict with this act are also expressly repealed.

Repealing clause.

SEC. 33. That this act shall be in force from and after the first day of April, one thousand nine hundred and fifteen.

When act effective.

Ratified this the 20th day of February, A. D. 1915.

CHAPTER 199.

AN ACT TO PROVIDE FOR A COUNTY BUILDING AND COURTHOUSE FOR THE COUNTY OF GUILFORD.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of building, constructing, furnishing, and equipping a county building and courthouse for the county of Guilford, the board of county commissioners of said county is hereby authorized, empowered, and directed to issue coupon bonds of said county to an amount not exceeding two hundred and fifty thousand dollars, said bonds to be in denominations of not less than five hundred dollars, bearing interest from the date of issue at a rate of not to exceed five per cent per annum, payable semiannually, such bonds and coupons to be of such form, and the principal and interest to be payable at such time or times not exceeding thirty years from the date of the issue of said bonds, and at such place or places, as the board of county commissioners may determine: *Provided*, that the said board of county commissioners shall advertise the sale of said bonds and invite bids for same, but none of said bonds authorized by this act shall be disposed of either by sale, exchange, hypothecation, or otherwise, for a less price than their par value and accrued interest.

Bond issue authorized.

Amount.

Denominations.

Interest.

Maturity.

Proviso: advertisement and sale of bonds. Sale below par forbidden.

SEC. 2. The said bonds shall be numbered and shall be signed by the chairman of said board of county commissioners and attested by the secretary of said board, with the corporate seal of the said county of Guilford affixed thereto, and the coupons shall bear the engraved or lithographed signature of the chairman of the said board of county commissioners.

Authentication.

SEC. 3. The board of county commissioners shall have a record kept of all the bonds issued under the provisions of this act in a

Record of bonds.

book provided for that purpose, showing to whom the bonds are sold, the amount and date of sale, and the number and date of the maturity of each bond.

Building author-
ized.

SEC. 4. That the said board of county commissioners are hereby authorized to build upon the present site of the courthouse in the city of Greensboro at the corner of North Elm and West Market streets a fireproof, modern county building of such character and design as they may deem best, containing a court room or rooms and all necessary county offices, together with such other offices, rooms, stores, or other places of business for lease or rent as in their judgment may be for the best interest of the county; that they shall have and are hereby vested with the power to lease or rent any portion of said building (not necessary for the use of

Power to lease
or rent part of
building.

the county as the county courthouse and offices for the county officers and for other county purposes) to any person or corporation upon such term or terms and for such amount or amounts as they may agree upon, and that the moneys derived from that portion of the property leased or rented shall first be applied by the said board to the ordinary expenses of said building, including repairs, elevator and janitor service, heat, light, plumbing, and such other expenses as are usually incident to the upkeep, operation, and repair of such buildings, and afterwards to the payment of the interest on said bonds, and the surplus moneys received from leases and rents, after the payment of said expenses and interest, shall be invested by the said board for the purpose of creating a sinking fund with which to pay the said

Application of
rents.

bonds or any portion thereof at maturity: *Provided*, that the amount invested annually as a sinking fund, after the building has been completed for the term of three years, shall not be less

Proviso: amount
of sinking fund.

Proviso: sinking
fund commis-
sioner.

than five thousand dollars: *Provided further*, the said board may in their discretion select some person or corporation to act as a sinking fund commissioner, whose duty it shall be to invest said sinking fund, principal and interest, and to pay the same upon said bonds at maturity: *Provided further*, that said board may require said sinking fund commissioner to give such bond or bonds for the faithful performance of his duties and to protect the county of Guilford from any and all loss as in their judgment may be to the best interest of the county, and may require of him or it from time to time such report or reports as to funds in his or

Proviso: bond of
commissioner.

Reports.

Proviso: special
tax.

its hands as they may deem necessary: *Provided further*, that the board of county commissioners or other authority vested with the power of levying taxes in said county, if necessary so to do in order to meet the payment of said interest or any portion thereof, or to increase said sinking fund annually to five thousand dollars, shall annually compute and levy at the time of levying other taxes a special tax sufficient to pay the same upon the polls and the real estate and personal property and all other subjects of taxation in said county.

SEC. 5. That all the expenses incident to the preparation, issue, and sale of said bonds shall be paid by the said board of county commissioners from and out of the proceeds of the sale of the said bonds.

Expense of bond issue and sale.

SEC. 6. That the balance of the money arising from the sale of said bonds shall be expended by the board of county commissioners in employing a competent architect to make plans and specifications for said county building and in building, constructing, equipping, furnishing, and completing for occupancy said building.

Expenditures authorized.

SEC. 7. That said board of county commissioners, before issuing said bonds or any of them, shall call an election to be held in the various voting precincts in said county, at which the qualified voters of said county shall have the privilege of voting for or against the issuing of said bonds, and those who favor the issuing of said bonds shall vote a written or printed ballot with the words "For County Building" written or printed thereon, and those opposed to issuing such bonds shall vote a written or printed ballot having the words "Against County Building" written or printed thereon.

Election to be called.

Ballots.

SEC. 8. That the said board of county commissioners shall give thirty (30) days notice of the time and place of such election by publication in one or more newspapers published in said county, specifying therein the amount of bonds proposed to be issued under this act, and may in their discretion order a new registration of the voters in said county or any part thereof for the purpose of said election.

Notice of election.

SEC. 9. That it shall be the duty of said board of county commissioners to appoint registrars and judges of election, who shall hold said election at the several election precincts in said county at the time specified by said board and under the same rules and regulations as near as may be as are provided by law in holding elections for members of the General Assembly; and the said registrars and judges of election of the various precincts shall make out in writing their return of said election, showing the number of qualified voters registered in each precinct in said county and the number of votes cast "For County Building" and "Against County Building," which said returns shall be sealed up and delivered to the chairman of the board of county commissioners or the clerk of said board by twelve o'clock noon on the second day after said election.

Appointment of election officers.

Law governing election.

Returns.

Return day.

SEC. 10. That the chairman of said board of county commissioners shall on the third day immediately succeeding said election cause said board of commissioners to meet in special session, and, in the presence of such persons as may choose to attend the said board, shall open, count, and tabulate the returns of said election and cause the same to be recorded on the minutes of said board.

Cauvass of returns.

Missing returns. If for any reason any precinct of said county shall fail to make such return, then the board of commissioners shall use such method as it may deem proper and lawful to procure the said returns from such precinct. After said returns shall have been received, opened, and counted, said board of commissioners shall declare the result of said election and have the same recorded on the minutes of their proceedings.

Declaration and record of result.

Majority of qualified voters. SEC. 11. That if a majority of the qualified voters of said county shall vote at said election in favor of issuing said bonds, then in that event the said board of commissioners may issue and sell said bonds or such portion thereof as may be determined to be necessary for the purposes set forth in this act.

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

Ratified this the 20th day of February, A. D. 1915.

CHAPTER 200.

AN ACT TO RATIFY CERTAIN DRAINAGE PROCEEDINGS IN THE SUPERIOR COURT OF ROWAN COUNTY AND VALIDATE THE BONDS THEREOF.

Preamble. Whereas, in the special proceedings in the Superior Court of Rowan County entitled "In the Matter of the Drainage of Second Creek and its Tributaries, Kerr Creek, Sills Creek, Back Creek, and Withrows Creek," the original petitions prayed for the organization of one drainage district covering certain well-defined bottom-land on the five creeks, and were executed by more than three-fifths of the landowners interested, but show no formal certificate of acknowledgment or private examination of married women by probate officer; and whereas the court accepted said petitions as lawfully executed, and issued summons for opposing landowners, and upon a hearing divided said district into five separate districts and established "The Board of Drainage Commissioners of Kerr Creek Drainage District," "The Board of Drainage Commissioners of Sills Creek Drainage District," "The Board of Drainage Commissioners of Back Creek Drainage District," "The Board of Drainage Commissioners of Withrows Creek Drainage District," and "The Board of Drainage Commissioners of Second Creek Drainage District," as separate corporations, defining the territory of each; and whereas said proceedings have been conducted in all details and stages and perfected under authority of and in compliance with the provisions of chapter four hundred and forty-two of the Public Laws of one thousand nine hundred and nine and amendments thereto, and appear at large

Preamble.

Preamble.

and in detail upon the drainage record in the office of the clerk of the Superior Court of Rowan County; and whereas each of said districts has issued, or proposes to issue, bonds to pay for the drainage improvements, the redemption of the bonds being provided by assessments against the land benefited according to the ratio of assessments made by the viewers and approved by the court: Now, therefore,

Preamble.

The General Assembly of North Carolina do enact:

SECTION 1. That the execution of the petitions referred to in the preamble is sufficient in form and substance, and the same, together with the action of the court dividing the district originally proposed into five separate districts, is ratified and in all respects made legal.

Execution of petitions declared sufficient.
Action of court ratified.

SEC. 2. That the drainage proceedings referred to in the preamble are in all things and in all respects legalized, ratified, and confirmed, and each of said districts, including any and all extensions heretofore made or hereafter to be made, is lawfully organized, and the land in each of the respective districts liable for the drainage improvements according to the classification and ratio of assessments made by the viewers and approved by the court and bonds issued or to be issued by said drainage districts, or either of them, are declared to be valid obligations of the respective districts issuing the same, and a first lien, subject only to State and county taxes, on the land in such district assessed to provide for payment of the bonds, the lands so assessed being defined in the drainage record of Rowan County.

Proceedings legalized.

Lands liable.

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

Ratified this the 20th day of February, A. D. 1915.

CHAPTER 201.

AN ACT TO AMEND CHAPTER 41, PUBLIC-LOCAL LAWS, SESSION 1913, IN REFERENCE TO THE BUILDING AND IMPROVING PUBLIC ROADS IN YADKIN TOWNSHIP, STOKES COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter forty-one of the Public-Local Laws, session one thousand nine hundred and thirteen, be and the same shall be amended as hereinafter provided, but this amendment shall apply to Yadkin Township only.

Application of amendment.

SEC. 2. That after section twenty-eight, chapter forty-one, Public-Local Laws, session one thousand nine hundred and thirteen, the following sections shall be inserted:

Vote upon bond issue.

"SEC. 2Sa. That the qualified voters of Yadkin Township shall under the law as provided by chapter forty-one, Public-Local Laws, session one thousand nine hundred and thirteen, vote upon the question of issuing fifty thousand dollars (\$50,000) in bonds to run twenty-five years; that a sufficient tax shall be levied each year as provided under the aforesaid law to pay the interest on said bonded debt, and after the second year from sale of said bonds a tax shall be levied to create a sinking fund to meet the payment of the bonds at maturity, the sinking fund collected and accumulated to be invested under the supervision and control of the board of county commissioners of Stokes County.

Amount.

Maturity.
Tax.

Election of road commissioners from precincts.

"SEC. 2Sb. That the board of county commissioners of Stokes County, in ordering an election upon the bond issue, shall also at the same time and place order the election of three permanent road commissioners in said township; each voting precinct shall be entitled to one commissioner and he shall be a resident of the precinct in which he serves; that when said commissioners are duly elected they shall be sworn in and qualified before the board of county commissioners at the time of the canvass of said vote upon the bond election; the compensation of said commissioners shall be two dollars per day for the time actually employed.

Commissioners to qualify.

Pay of commissioners.

"SEC. 2Sc. That in case the fifty thousand dollars (\$50,000) bond issue shall be voted in Yadkin Township and the money realized from the sale of said bonds, such bonds shall not be sold for less than par and accrued interest; the funds realized from the sale of said bonds shall be expended in the construction of the following public roads as indicated by the engineer to be employed by the permanent road commission: Road number one, to begin at the county line of Forsyth County near Five Forks and run via King Station, Dalton Station, Yadkin Bridge, to Pinnacle Station. Road number two, to begin at the Forsyth County line near Rural Hall and run via Timmons Crossroads, Mount Olive Church, to Capella. Road number three, to begin at King Station and run via Fairgrounds to Timmons Crossroads and via Mizpah post-office, a distance of about four and one-half miles. Road number four, to begin at Dalton Station and run to Chestnut Grove Church. Road number five, to begin at or near the Pinnacle Station and run via Volunteer Church, a distance of about four miles in length. All of said roads amounting in the aggregate distance to about twenty-five miles.

Sale of bonds below par forbidden.
Expenditure of proceeds of bonds.

Road number one.

Road number two.

Road number three.

Road number four.

Road number five.

Aggregate distance.

Contracts for road work.

"SEC. 2Sd. That said permanent roads commission elected under this act shall let the contract for the building and improving the roads heretofore named to one or more contractors before expending any money upon the same, but no part of the road fund shall

be paid out to any contractor or contractors until the entire mileage above stated shall be let to contract, in order that each section of the township shall be treated fairly in the distribution of said road funds.

"SEC. 2Se. That every provision of law as enacted in chapter forty-two, Public-Local Laws, session one thousand nine hundred and thirteen, shall be applicable to the building and constructing of the public roads in Yadkin Township, except as modified in this amendment. Former laws applicable.

"SEC. 28f. All roads are to be built the same quality as near as practicable." Quality of roads.

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

Ratified this the 20th day of February, A. D. 1915.

CHAPTER 202.

AN ACT TO PROVIDE FOR WORKING THE PUBLIC ROADS IN JACKSON TOWNSHIP OF NORTHAMPTON COUNTY, AND TO ISSUE BONDS FOR SUCH PURPOSE.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of constructing, repairing, improving, and maintaining the public roads in Jackson Township, Northampton County, there shall be a special board of three members, who shall be known as the "Board of Road Commissioners" for Jackson Township, which board shall have the entire supervision and jurisdiction of all the public roads of said township, and succeed to and exercise all the powers and duties heretofore exercised by and imposed upon the board of road commissioners and justices of the peace in reference to the establishment, keeping, alteration, or discontinuance of all public and private roads, cartways, and other thoroughfares. The members of said board shall hold their office for the term of six years and until their successors are elected and qualified, except as provided in section two. Board of road commissioners. Jurisdiction. Term of office.

SEC. 2. That C. G. Peebles, L. H. Taylor, and J. E. Moore are hereby appointed and constituted the board of road commissioners for Jackson Township, Northampton County. The first named shall hold the said position of commissioner until the first Monday in December, one thousand nine hundred and sixteen; the next named until the first Monday in December, one thousand nine hundred and eighteen; and the last named until the first Monday in December, one thousand nine hundred and twenty. At the regular election in the year one thousand nine hundred and sixteen, and regularly every two years thereafter, there shall be one Commissioners named.

commissioner elected by the voters of said township at the same time and in the same manner as county and township officers are elected. All vacancies caused by death, resignation, or otherwise, shall be filled by the remaining members of said board: *Provided*, that should more than one vacancy occur or be at the same time, the same shall be filled by appointment by the clerk of the Superior Court for Northampton County.

SEC. 3. That the members of said township board of road commissioners shall qualify before any officer authorized to administer oaths on or before the second Monday in December following their election, except those mentioned in section two of this act.

Commissioners to qualify.

SEC. 4. That the members of said board named in section two of this act shall qualify on or before the second Monday in March, one thousand nine hundred and fifteen, before any officer authorized to administer oaths, and they shall meet in the town of Jackson on or before the second Monday in March, one thousand nine hundred and fifteen, and organize by electing one of their number as chairman and by electing a secretary, who may be one of the board, and a treasurer. The secretary shall, in a book for the purpose, keep a full and perfect record of all the proceedings and actions of the board, which record shall be open to inspection of the citizens of the township at reasonable times. The compensation of the secretary shall not exceed two dollars (\$2) per day for every day the board shall meet. The compensation of the members of said board shall be three dollars (\$3) per day. Said board shall meet quarterly on the second Monday in December, March, June, and September, and oftener if necessary and important, upon the call of the chairman, or of any member if requested by a majority of the members. At all of their meetings which shall be held in the town of Jackson they shall be authorized to transact any business and duties with reference to the roads of the township or within their jurisdiction.

Meeting and organization.

Duty of secretary.

Compensation.

Compensation of commissioners. Quarterly meetings.

Called meetings.

Business to be transacted at all meetings.

Incorporation.

SEC. 5. That the said board of road commissioners and their successors shall be and are hereby constituted a body corporate by the name and style of "The Board of Road Commissioners of Jackson Township," and shall adopt a common seal, and by that name may sue and be sued, make contracts, acquire real and personal property by gift, purchase, or devise; hold, exchange, and sell the same, and exercise such other rights and privileges as are incident to other municipal corporations.

Corporate name. Corporate powers.

Control and management of roads.

SEC. 6. That it shall be the duty of the said board of road commissioners to take control and management of the roads of Jackson Township, and said commissioners are hereby vested with all the rights and powers for such control and management as are now vested in and exercised by the board of road or county commissioners of Northampton County, as pertaining to said township.

Rights and powers vested.

SEC. 7. At or before their meeting in May of each year said board of road commissioners shall consult together as to the amount of money reasonably necessary to purchase suitable tools, machinery, teams, and supplies, or for other things for the proper working and improving and establishing the public roads in said township, including interest on the bonds hereinafter mentioned, for one year, and any part of the principal thereof, and to create a sinking fund for the payment of the said bonds, and to pay all expenses thereof, and the expenses pertaining to the performance of their duties for one year, and shall fix and determine the rate of taxation on the property and polls of said township for the purpose of raising said amount, which rate shall not be less than ten (10) cents and not more than thirty (30) cents on the one hundred dollars (\$100) valuation of the real and personal property, and not less than thirty (30) cents and not more than ninety (90) cents on each poll for one year; and said board of road commissioners shall report the rate of taxation thus ascertained and determined by them to the board of county commissioners of said county on or before their June meeting in each and every year, and it shall be the duty of the said board of county commissioners, at their meeting in June (or at such other time as may be fixed by law), to levy a special tax as determined by said board of township road commissioners, but the rate shall be in the discretion of the said board of county commissioners. Said taxes shall be collected as other taxes are collected, and shall be kept separate by the tax collector and paid over to the treasurer of said township road board. Such taxes shall be levied upon and collected out of the property and polls in said Jackson Township, whether in incorporated towns or not.

SEC. 8. That the said board of township commissioners at its first meeting shall appoint some person or corporation as treasurer of the Jackson Township road fund. The person or corporation so designated shall be required to give a sufficient bond, payable to the said board, which said board shall fix the amount of the bond, for the faithful performance of his or its duties as treasurer and for the faithful holding and disbursing of said funds in accordance with orders and directions of said board. The compensation for said services shall not exceed two per cent of disbursements of the said road funds.

SEC. 9. That after January first, one thousand nine hundred and fifteen, every able-bodied male person between the ages of twenty-one (21) and forty-five (45) years residing in said township shall be liable annually to perform three days labor upon the roads of said township, under the supervision and direction of the road supervisor, overseer, or other officer appointed by the board of road commissioners for said township, who may assign such person to any portion of the road in the township in which said per-

Commissioners to determine tax rate.

Limit of rate.

Report to county commissioners.

County commissioners to levy tax.

Collection of tax.

Property liable to tax.

Appointment of treasurer.

Bond of treasurer.

Compensation.

Road duty.

- Proviso: commu- son resides as said officer thinks best: *Provided, however,* that
tation. any such person shall be discharged from such labor for one year
upon the payment to the proper officer of the sum of one dollar
(\$1) per annum in lieu thereof: *Provided further,* that such sum
shall be paid on or before the first day of March of said year.
- Work for failure to pay poll tax. SEC. 10. All persons who shall be liable to pay poll tax, and who
fail to pay the same, shall be liable and compellable to work four
days on the said roads, under the direction and control of the road
supervisor or officer in said township.
- Convicts to be sentenced to road work. SEC. 11. That the judges of the Superior and criminal courts of
this State are hereby authorized and empowered to sentence convicts
in said county or in other counties to work upon the public
roads in Jackson Township; and all the justices of the peace and
mayors of towns of said county are hereby authorized and empow-
ered to sentence persons tried before them and found guilty of vio-
lating the criminal law within their jurisdiction, or of vagrancy,
to sentence said persons so convicted to work upon the said public
roads: *Provided,* that no person shall be required to work for a
longer time than that for which he could have been imprisoned
for the offense: *Provided further,* that said board of road com-
missioners and its authorized officer may shorten the time of labor
in any individual case as much as one-fifth for good behavior and
faithful performance of duty.
- Proviso: limit of time. SEC. 12. That said board of road commissioners shall be author-
ized to provide proper quarters for convicts and to employ suitable
guards and overseers, and to provide means for their safe keeping
and control, out of road funds.
- Proviso: allow-
ance for good
behavior. SEC. 13. That the taxes and other revenue raised under this act
or under any law applicable for roads in Jackson Township shall
constitute a general road fund for the construction and improve-
ment of the roads and bridges of said township, and for the pur-
chase and maintenance of tools, machinery, teams, and other sup-
plies or equipments for the better prosecution of the work, and
for the payment of the interest on and the principal of the bonds
herein provided for, and shall be expended according to the judg-
ment and discretion of the said board of road commissioners, ex-
cept that the interest on the said bonds must be paid, and the said
board shall, as often as they deem necessary, issue warrants or
orders upon the township treasurer, directing him or it to pay to
the supervisor or other officer of roads the amount therein speci-
fied for the purpose of carrying on the provisions of this act.
- Maintenance and control of con-
victs. SEC. 14. That said board of road commissioners, on the second
Monday in December, or at any regular meeting of the said board,
may elect a township supervisor of roads, at a salary to be fixed
by said board, and who may be required to give bond, payable to
the said road commissioners, in a sum to be fixed and approved by
said board, for the faithful and honest performance of his duties,
- General road fund.
- Expenditures.
- Warrants on road funds.
- Election and salary of super-
visor.
- Bond of super-
visor.

- which bond shall be filed and recorded. It shall be the duty of said township supervisor, subject to the approval by said board, to supervise, direct, and have charge of the building, constructing, and maintenance of the roads of the township, and of the teams, tools, machinery, etc., for their working. Any part of said work or all of it may be done by contract if deemed best by said board of road commissioners. Said supervisor shall see that all work on said roads is properly, promptly, and economically done. He shall make quarterly reports, in writing, to said board, giving the condition of all the roads of the township; suggesting and recommending means and methods of improvement, and the probable cost thereof, besides embracing the matters required in section fourteen of this chapter, which written reports and recommendations shall be filed with the clerk of the board, and the board may provide money for work which they may regard necessary. Said supervisor shall hold his office until his successor is elected and qualified, or until he is discharged by said board.
- SEC. 15. The township supervisor shall have charge and management of the plans, labor, teams, tools, apparatus, and machinery used on the roads under his charge, and shall render an itemized statement of the number of hands or persons, including convicts, worked on the roads, the number of hours or days worked, the amount paid each hand, and the amount of money received and how the same was disbursed, and a list of the tools, machinery, implements, dump-carts, carts, teams, and other apparatus in his hands, and the condition thereof, and any other information in reference to his management that may be reasonably required. Said reports shall be made quarterly or oftener to said board. He shall have the teams and all apparatus properly cared for. In all matters he shall be subject to the control and direction of the said board.
- SEC. 16. That said board of road commissioners shall have full power and discretion to adopt such methods and means and agencies for and in the management or improvement and working of said roads as they may determine to be wise and best, regardless of any seeming limitations or restrictions in this act; and they may also make such purchases of gravel pits, lands, timber, and machinery and teams as they may deem wise and important for the building, improvement, and maintenance of the roads; and they may have any or all of the roads, or any part of any road, widened so as to make them or such parts thereof fifteen feet on either side of the center of the road, thus making the roads thirty feet wide between the ditches.
- SEC. 17. That the said board of road commissioners shall make an annual statement of all their doings and proceedings, in the same manner and at the same time as is required by the board of county commissioners, which statement shall be recorded and pre-
- Duty of supervisor.
- Work may be let to contract.
- Quarterly reports.
- Term of office.
- Charge of equipment.
- Itemized statements.
- Care of teams and equipment.
- Power and discretion of commissioners.
- Purchases of equipment and materials.
- Width of roads.
- Annual statements.

served by the register of deeds in a suitable book, which shall be subject to the inspection of the public, and the register of deeds shall receive the same fees for such services as he receives in other like cases.

Payment of warrants.

SEC. 18. All orders or warrants of said board on the township treasurer, authenticated as is required for such orders of the board of county commissioners, shall be paid by said treasurer out of the road funds in his hands.

Entry on land for material.

SEC. 19. That for the purpose of building, constructing, repairing and improving and maintaining the public roads in said township the supervisor or other officer employed by said board shall have the authority to enter upon any land in said Jackson Township, to cut and carry away any timber, except trees or groves left for ornament or shade; to dig or cause to be dug and carried away any gravel, clay, earth, sand, or stone which may be necessary to build, construct, improve, or repair any of the roads of said township; to make such drains or ditches through the same as may be necessary for the benefit of the road, doing as little damage to the land as possible; and any person willfully obstructing or resisting the performance of these duties, or willfully obstructing such ditches or drains when made, shall be guilty of a misdemeanor.

Drains or ditches.

Obstructing drains or ditches a misdemeanor.

Violation of act misdemeanor.

Punishment.

SEC. 20. That any person willfully violating any of the provisions and requirements of this act shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine not to exceed fifty dollars (\$50), or imprisoned or sentenced to work upon the roads for not more than thirty (30) days.

Work let to contract.

SEC. 21. That the said board of road commissioners may contract the building, improving, constructing, or maintaining any, any part of, or all of the roads in said township, to some person, firm, or corporation. That they may award contracts upon bids received by them either publicly or privately, as they think is for the best, in their discretion.

Award of contracts.

Bond issue authorized.

Official entitlement.

Amount.

Denomination.

Interest.

SEC. 22. That said board of road commissioners shall be and are hereby authorized and empowered to issue bonds of said Jackson Township, to be styled "Jackson Township Road Bonds," to an amount not to exceed sixteen thousand dollars (\$16,000), of such denomination and of such proportion as said board may deem advisable, bearing interest from the date of issue thereof at a rate not exceeding six per cent per annum, with interest coupons attached, payable annually or semiannually, as may be deemed best, at such time or times and at such place or places as may be deemed advisable by said board; said bonds to be signed by the chairman and secretary of said board, under the seal of the said board or township, and to be of such form and tenor and transferable in such way, and the principal thereof payable or redeemable at such time or times, not exceeding twenty-five years from

Authentication.

Maturity.

the date thereof, and at such place or places as said board may determine. None of said bonds shall be disposed of for a less price than their par value, and the said bonds may be issued at such time or times and in such amount or amounts as may be deemed best to meet the expenditures provided for in this act. The liability for the payment of said bonds, together with all interest that may be due thereon, shall be attached to and imposed upon the political division of Northampton County known as Jackson Township, as constituted at the time of the ratification of this act.

Sale below par forbidden.

Obligation of bonds.

SEC. 23. That all funds derived from the sale of any bonds by said board of township road commissioners shall be paid over to the treasurer of said board of commissioners, and shall be used for the purpose of building, constructing, and improving the public roads in said township, the purchase of such material, machinery, and implements and the employment of such officers and labor as may be found necessary in the carrying out of this work.

Funds paid to treasurer.

Specific appropriation.

SEC. 24. That hereafter all road taxes collected by the sheriff of Northampton County, or by township tax collectors or otherwise, in and for Jackson Township, and all moneys collected by said sheriff or any other person on account of said roads in Jackson Township, shall be paid over to the treasurer or treasury designated by said board as it is collected. The said sheriff or other tax collector is hereby required to settle with said treasurer not later than the second Monday in April of each year.

Road funds to treasurer.

Settlement with sheriff.

SEC. 25. That at their meeting first Monday in March, one thousand nine hundred and fifteen, or as soon thereafter as practicable, the board of road or county commissioners for Northampton County shall give an order for, and authorize the payment to, the treasurer of Jackson Township Road Commissioners an amount equal to all of the road taxes levied and collected in Jackson Township of the levy of the year one thousand nine hundred and fourteen, including its share of the public-service corporation tax; also deliver to said township road commissioners such proportion of the present road equipment of Northampton County, including tools, implements, road machines, and teams, as the said county board may deem just and equitable.

Transfer of road fund.

Delivery of equipment.

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

SEC. 27. That this act shall be in force from and after its ratification.

Ratified this the 20th day of February, A. D. 1915.

CHAPTER 203.

AN ACT TO AMEND CHAPTER 79, PUBLIC-LOCAL LAWS 1913, RELATING TO THE IMPROVEMENTS OF PUBLIC ROADS IN STANLY COUNTY.

The General Assembly of North Carolina do enact:

Commissioner elected.

SECTION 1. That chapter seventy-nine, Public-Local Laws one thousand nine hundred and thirteen, relating to the improvements in public roads in Stanly County, be amended and added to as follows: "That C. L. Smith be and he is hereby appointed highway commissioner for Stanly County for a term of six years, to succeed himself."

Clerk to board.

SEC. 2. That section five, chapter seventy-nine, Public-Local Laws one thousand nine hundred and thirteen, be amended by striking out the words "another secretary," in line four of said section, and inserting in lieu thereof the following: "and the register of deeds of Stanly County shall be *ex officio* clerk to said board, and shall receive the same compensation for his services that he now receives as clerk to the board of county commissioners."

Compensation.

Special tax in lieu of road duty.

SEC. 3. If a majority of qualified voters in any township in the county (North and South Albemarle townships excepted) shall desire to reduce or eliminate entirely the number of days of free labor now required by law, and to have levied in lieu thereof a special tax for roads in said township, then upon petition signed by a majority of the qualified voters in said township, as shown by the poll books in the last general election for members of the General Assembly, the board of highway commissioners shall make an order reducing the number of days of free labor, as asked for in the petition, and shall request the board of commissioners of Stanly County to levy a special tax in said township of two and one-half cents on the property and seven and one-half cents on the poll for each day so reduced. The board of commissioners of Stanly County shall levy said special tax, when requested so to do, which shall be collected as other taxes and used exclusively in said township for working and improving the roads in said township.

Collection and use of tax.

Assignment of hands.

SEC. 4. The highway commissioners shall apportion the free labor in each township, in sections, to work the number of days required by law, on the roads in the section to which they are assigned; said assignment shall be made, as far as possible, for the convenience of those working the roads.

Failure of road duty a misdemeanor.

SEC. 5. Any person subject to road duty who, after being duly warned to work the roads as provided by law, shall fail to work or send a good, able-bodied substitute, or shall fail to pay the overseer for his section eighty cents on or before the hour for begin-

ning the work on the day in which he is warned to work, shall be guilty of a misdemeanor, and shall be fined not less than two dollars and not more than five dollars and the costs.

SEC. 6. The highway commissioners of Stanly County shall have regular meetings at the courthouse in Albemarle on the second Monday in January, April, July, and October, and such other adjourned and call meetings as the business before them may require: *Provided*, they do not set their meetings on the same day as the county commissioners. Meetings of highway commissioners.

SEC. 7. It shall be the duty of the highway commissioners to have general supervision of the road work in the county, and the roads shall be worked under their instructions and directions. One of them shall inspect each of the public roads in the county (North and South Albemarle townships excepted) at least twice each year, and oftener if they deem necessary, and when any one of them shall make inspections of the roads he shall file a report in writing, which report shall be kept on file with the clerk of the highway commissioners. Supervision of road work. Inspection of roads.

SEC. 8. The members of the highway commission shall be allowed one dollar and fifty cents per day for their services when attending to any of the duties required of them by law. Pay of highway commissioners.

SEC. 9. This act shall be enforced from and after its ratification. Ratified this the 20th day of February, A. D. 1915.

CHAPTER 204.

AN ACT TO CORRECT ERRORS AS TO ACREAGE IN INDIAN CREEK DRAINAGE DISTRICT, LINCOLN COUNTY.

Whereas a drainage district has been formed in Lincoln and Gaston counties under chapter four hundred and forty-two, Public Laws of nineteen hundred and nine, and said drainage district is known as "Indian Creek Drainage District of Lincoln and Gaston counties"; and whereas said district is one mile wide and eight miles long, and certain disputes have arisen as to the actual number of acres of land that some of the landowners in said district should be assessed for; and whereas certain alleged errors have been made in the acreage of land shown on the returns and assessment rolls as belonging to certain landowners in said district: Therefore, Preamble. Preamble. Preamble.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Indian Creek Drainage District of Lincoln and Gaston counties, or their successors in office, shall have power to correct any errors or mistakes heretofore made in the amount of land or acreage in said Commissioners may correct errors.

district upon which taxes for drainage are assessed against the owners of said land, and said board, upon request of the owner of any land assessed in said district, or of its own motion, may correct the returns and assessments heretofore made so as to show the actual number of acres of land owned by any person within said drainage district so as to make the records and surveys speak the truth: *Provided*, that said board of drainage commissioners shall have the right to make such rules and regulations as to the costs of any survey under this law as they may deem just and right: *Provided further*, that no landowner having lands in said drainage district shall have the benefit of this act unless he or she shall apply to the drainage commissioners in writing for a resurvey within twelve months from the passage of this act.

Proviso : costs of survey.

Proviso : application for resurvey.

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. Ratified this the 20th day of February, A. D. 1915.

CHAPTER 205.

AN ACT TO CHANGE THE DATE WHEN THE TERM OF OFFICE OF THE SHERIFF OF CLEVELAND COUNTY SHALL BEGIN, AND TO EXTEND THE PRESENT TERM.

The General Assembly of North Carolina do enact:

Beginning of term.

SECTION 1. That hereafter the term of office of the sheriff of Cleveland County shall begin on the first Monday of April after the general election of county officers and next succeeding his election, and said officer shall hold his office for two years; that the commissioners of Cleveland County shall have power to qualify and induct into office at the meeting of the board on the first Monday in April next succeeding his election such sheriff, and at said time shall take and approve the official bond of such officer as provided by law.

Duration.

Present term extended.

SEC. 2. That the term of office of the sheriff of Cleveland County which would expire on the first Monday of December, one thousand nine hundred and sixteen, be and the same is hereby extended to the first Monday of April, one thousand nine hundred and seventeen, and the sheriff of Cleveland County is hereby authorized and directed to hold over in the same until his successor in office is elected and qualified under this act.

SEC. 3. That all laws and parts of laws in conflict with this act be and the same are hereby repealed.

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

Ratified this the 20th day of February, A. D. 1915.

CHAPTER 206.

AN ACT TO PROVIDE FOR BETTER PROTECTION OF
PLATS OR MAPS TO BE FILED IN THE OFFICE OF
REGISTER OF DEEDS OF GUILFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That in order to preserve permanently all such plats or maps of land required or desired to be recorded as a part of the records in the register of deeds' office in the county of Guilford, all persons filing said plats or maps for record shall have said plats or maps prepared upon tracing cloth with tracing ink, said plats or maps to be twenty-four inches long by twenty inches wide. Specifications
for maps.

SEC. 2. That three copies of said plats or maps shall be delivered to the register of deeds and only one probate fee and only one record fee shall be charged for probating or recording such plats or maps. Three copies.

SEC. 3. That the register of deeds shall preserve said plats or maps in books to be made for that purpose and to be kept as a part of the permanent records of his office. Register of deeds
to preserve maps.
Permanent
records.

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

Ratified this the 20th day of February, A. D. 1915.

CHAPTER 207.

AN ACT TO ALLOW THE COUNTY COMMISSIONERS OF
GRAHAM COUNTY TO LEVY A SPECIAL TAX FOR THE
PURPOSE OF DISCHARGING CERTAIN INDEBTEDNESS
IN CHEOAH TOWNSHIP IN SAID COUNTY.

Whereas, under the provisions of chapter one hundred and eighty, Public-Local Laws of one thousand nine hundred and thirteen, authorizing the highway commission of said Cheoah Township to issue fifteen thousand dollars in twenty-year interest-bearing bonds for the construction of public roads and bridges in said township; and whereas no provisions have been made for the payment and discharge of said bonds at their maturity: Now, therefore, Preamble.

Preamble.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Graham County be and they are hereby authorized to levy a special tax for the Special tax.

year one thousand nine hundred and fifteen, and each year thereafter until said bonds shall have been fully paid off and discharged, at the same time and in the same manner as the other levies of the other county taxes in each and every year, on all taxable property and polls in said Cheoah Township. The special tax in each year shall not exceed fifteen cents on the one hundred dollars valuation of property nor forty-five cents on each taxable poll, and in making the levy the board of commissioners shall observe the constitutional equation between the property tax and the poll tax, and in no case shall the constitutional limitation on the poll tax be exceeded. Said tax shall be collected by the sheriff and kept separate and apart from all other taxes and shall be turned over to the board of county commissioners, who shall deposit said funds with some bank or bankers. Said bank or bankers shall give a bond for the safe keeping of said taxes, executed in such sum and with such security as said board of county commissioners shall deem proper, and to be renewed from time to time, and at least once in every two years. Whenever practicable the sinking fund above provided for shall annually be applied to the purchase of the identical bonds for which said fund was created; but whenever it is found impracticable to so apply said sinking fund or any part thereof, then the same shall be safely invested or deposited with some bank or bankers as above provided for, as directed by said board of county commissioners, due precaution being taken in making any such investment or deposit to have all moneys belonging to said fund available when said bonds mature.

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

Ratified this 22d day of February, A. D. 1915.

CHAPTER 208.

AN ACT TO AMEND CHAPTER S22, PUBLIC-LOCAL LAWS 1913, OF NORTH CAROLINA, RELATIVE TO ESTABLISHING DRAINAGE DISTRICTS AND DRAINAGE COMMISSIONS, ETC., IN CATAWBA COUNTY.

The General Assembly of North Carolina do enact:

McLins Creek district.

SECTION 1. That section two of said chapter eight hundred and twenty-two, Public-Local Laws one thousand nine hundred and thirteen, be and the same is hereby amended by striking out the words "L. D. L. Witherspoon's farm" in the eighth line of said section, and by inserting in lieu thereof the words "the public road at the Logan Wilson Old Mill Place," and by striking out the

words "L. D. L. Witherspoon's" in the eleventh line of said section, and by inserting in lieu thereof the words "the public road at the Logan Wilson Old Mill Place."

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

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

Ratified this 22d day of February, A. D. 1915.

CHAPTER 209.

AN ACT TO AMEND THE ROAD LAW OF RIVER TOWNSHIP, WARREN COUNTY, BEING CHAPTER 64, PUBLIC LAWS OF 1905.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter sixty-four of the Public Laws of one thousand nine hundred and five be and the same is hereby amended by striking out, between the word "Warren" in line two and the word "for" in line three of said section, the words, "J. J. Myrick, T. D. King, and Frederick Shearin," and insert in lieu thereof the words, "R. D. Flemming, T. D. King, and S. T. Wilson." Commissioners.

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

Ratified this 22d day of February, A. D. 1915.

CHAPTER 210.

AN ACT TO AMEND CHAPTER 196, PUBLIC LAWS OF 1913, BEING AN ACT TO PROVIDE FOR THE DIVISION OF THE STATE INTO JUDICIAL DISTRICTS, AND FOR HOLDING THE COURTS THEREIN, REDUCING THE NUMBER OF TERMS OF SUPERIOR COURT IN LINCOLN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter one hundred and ninety-six, Public Laws of one thousand nine hundred and thirteen, is hereby amended by striking out paragraph nine on page three hundred and thirty, beginning with the word "Lincoln" in line forty on said page and ending with the word "September" in line forty-three, and substituting for said paragraph the following:

"Lincoln County.—Fifth Monday before the first Monday in March; seventh Monday before the first Monday in September; Terms established.

sixth Monday after the first Monday in September, this term to continue for two weeks, the second week for the trial of civil cases exclusively.”

SEC. 2. That this act shall be in force from and after the first day of May, one thousand nine hundred and fifteen.

Ratified this 22d day of February, A. D. 1915.

CHAPTER 211.

AN ACT TO VALIDATE CERTAIN PROBATES OF DEEDS IN BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

Probates and registration validated.

SECTION 1. In all cases where the acknowledgment or proof of the execution of any deed, mortgage, or other instrument authorized or required to be registered in Buncombe County, North Carolina, has been taken or had before any justice of the peace of Buncombe County by acknowledgment, examination of subscribing witnesses, or otherwise, and such instrument or instruments have been registered after probate and order by the clerk of the Superior Court of Buncombe County, upon the certificate of such justice of the peace, prior to the first day of June, A. D. one thousand nine hundred, the proof of execution of such instrument shall be deemed to have been duly and properly held and made, although the certificate of such justice of the peace may not be in due and proper form, and the probate of such instrument or instruments, and the registration thereof, shall be deemed and held to be good in law: *Provided*, that this act shall not apply to or affect any suit or suits now pending, or vested rights.

Proviso: pending suits and vested rights.

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

Ratified this the 22d day of February, A. D. 1915.

CHAPTER 212.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF CURRITUCK COUNTY TO LEVY A SPECIAL TAX.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Currituck County be and they are hereby authorized and empowered to levy a special tax in the years nineteen hundred and fifteen and nineteen hundred and sixteen, not to exceed twenty cents on the one hun-

Special tax authorized.

Limit of rate.

dred dollars worth of property and sixty cents on the poll, for the purpose of assisting in paying the indebtedness and current expenses of said county. Purpose of tax.

SEC. 2. That said special tax be levied, collected, and accounted for as other public taxes. Levy, collection, and settlement.

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

Ratified this the 22d day of February, A. D. 1915.

CHAPTER 213.

AN ACT TO ALLOW THE COUNTY COMMISSIONERS OF CHEROKEE COUNTY TO LEVY A SPECIAL TAX FOR THE PURPOSE OF DISCHARGING CERTAIN INDEBTEDNESS OF SAID COUNTY.

Whereas, under the provisions of chapter two hundred and ten, Public Laws of one thousand nine hundred and five, and the acts amendatory thereof, and under the provisions of chapter one hundred and seven, Public-Local Laws of one thousand nine hundred and eleven, and the acts amendatory thereof, roads and highways were laid out and constructed in Valletown and Murphy townships in Cherokee County; and whereas, by the provisions of the said acts all damages assessed thereunder on account of the taking of lands for the purpose of such roads and highways were directed to be paid out of the general county funds of Cherokee County; and whereas many landowners were adjudged under said acts to be entitled to damages on account of the construction and relocation of the roads of the said townships, for which damages the county commissioners of Cherokee County have issued certificates of indebtedness which are now outstanding; and whereas it is not possible to pay said claims out of the general county funds, for the reason that all of such funds are needed for the expenses of administration of the affairs of said county: Now, therefore, Preamble.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Cherokee County be and it is hereby authorized to levy a special tax for the years one thousand nine hundred and fifteen and one thousand nine hundred and sixteen at the same time and in the same manner with the levies of other county taxes in said years on all taxable property and polls in said county. The special tax in each of said years is not to exceed ten cents on the one hundred dollars valuation of property and thirty cents on each taxable poll, and in making the levy the board of commissioners shall observe the constitutional equation between the property tax and the poll tax, Special tax authorized. Limit of rate. Constitutional equation.

Constitutional
limitation.
Collection of tax.

and in no case shall the constitutional limitation on the poll tax be exceeded. Said tax shall be collected and accounted for by the sheriff or other tax collector of said county in the same manner and under the same penalties and within the same time as the taxes levied for said county.

Surplus to gen-
eral fund.

SEC. 2. Should there be any surplus remaining after satisfaction of the county indebtedness herein recited, the same shall be turned into the general county fund to be used and disbursed according to law.

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

Ratified this the 22d day of February, A. D. 1915.

CHAPTER 214.

AN ACT TO PERMIT THE BOARD OF COUNTY COMMISSIONERS OF TRANSYLVANIA COUNTY TO LEVY A SPECIAL TAX.

Preamble.

Whereas, a special act was passed by the General Assembly of North Carolina in the year one thousand nine hundred and eleven, and one thousand nine hundred and thirteen, allowing the commissioners of Transylvania County to levy a special tax to pay county indebtedness then due; and whereas the present board of commissioners of said county desire the passage of a similar act to supplement the contingent fund in order to pay some indebtedness already incurred, and other expenses to be incurred during the next two years: Now, therefore,

Preamble.

The General Assembly of North Carolina do enact:

Special tax au-
thorized.

SECTION 1. That the board of commissioners of Transylvania County, North Carolina, be and they are hereby authorized to levy a special tax not exceeding ten cents on each one hundred dollars worth of real and personal property in Transylvania County for the years one thousand nine hundred and fifteen and one thousand nine hundred and sixteen, for the purpose of supplementing the contingent fund and of paying the obligations above mentioned.

Limit of rate.

Purpose of tax.

Levy, collection,
and disburse-
ment.

SEC. 2. That said special tax shall be levied, collected, and disbursed as other taxes are levied, collected, and disbursed.

Surplus to gen-
eral fund.

SEC. 3. Should there be any surplus remaining in the hands of the county treasurer derived from the said special tax after the payments of the above stated obligations, all such excess shall be turned into the general fund, to be disbursed according to law.

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

Ratified this the 22d day of February, A. D. 1915.

CHAPTER 215.

AN ACT TO AMEND SECTIONS 983 AND 1041 OF THE REVISAL OF 1905, PROVIDING A SHORT FORM OF CONDITIONAL SALE AGREEMENT, AND TO SIMPLIFY THE EXECUTION AND REGISTRATION OF THE SAME.

The General Assembly of North Carolina do enact:

SECTION 1. That section nine hundred and eighty-three of the Revisal of one thousand nine hundred and five be amended by adding at the end thereof the following words:

“Any person executing a conditional sale agreement as above described may use the following form, and the cost of probating the same shall be ten cents, and the cost of registration fifteen cents. Use of form. Cost of probate and registration.

NORTH CAROLINA, } Form.
----- COUNTY. }

This agreement, made this-----day of-----, 191--, between -----and-----, of the State and county aforesaid. Witnesseth, that-----agrees to sell the said-----the following named articles, viz.: -----

The said purchaser agrees to pay for the same the sum of \$-----cash, receipt of which is hereby acknowledged, and \$----- in -----installments each and every-----from date hereof until the sum of \$-----shall be fully paid. But it is expressly agreed that the said-----retains the title of said property until the same is fully paid for. And the said purchaser agrees not to remove the said property from the place of delivery nor sell the same without the consent of the said----- And in case of default in any payment or the violation of any other provision of this agreement by said purchaser, this agreement shall, by option of said-----, be annulled, and they are authorized to enter upon the premises and repossess and remove said property.

----- (Seal)
----- (Seal)

Witness:

SEC. 2. That section one thousand and forty-one of the Revisal of one thousand nine hundred and five be amended by adding at the end thereof the following words: “Provided, that in the original sale of furniture by bona fide dealers it shall not be necessary to have the privy examination of a married woman.” Proviso: original sale of furniture.

Application of
act.

SEC. 3. That this act shall apply only to Durham, Guilford, Rockingham, Halifax, and Surry counties.

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

Ratified this the 22d day of February, A. D. 1915.

CHAPTER 216.

AN ACT TO AMEND THE ROAD LAW OF HAWTREE TOWNSHIP, WARREN COUNTY, BEING CHAPTER 161 OF THE PUBLIC LAWS OF 1905.

The General Assembly of North Carolina do enact:

Commissioners
named.

SECTION 1. That section one of chapter one hundred and sixty-one of the Public Laws of one thousand nine hundred and five be and the same is hereby amended by striking out, between the word "county" in line two and the word "shall" in line three of said section, the words "W. R. Coleman, W. P. Rodwell, and J. R. Paschall," and insert in lieu thereof the words "E. P. Fitts, W. T. Paschall, and N. H. Gholson."

Election of com-
missioners.

SEC. 2. That said section one be further amended by inserting after the words "county commissioners" in lines fourteen and fifteen thereof the words "until the next general election for county officers, at which election, and biennially thereafter, the road commission of said Hawtree Township, consisting of three members, shall be elected as other township officers are chosen by the qualified voters of said township."

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

Ratified this the 22d day of February, A. D. 1915.

CHAPTER 217.

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF MADISON COUNTY TO LEVY A SPECIAL TAX FOR THE PURPOSE OF CONSTRUCTING AND REPAIRING BRIDGES IN SAID COUNTY.

The General Assembly of North Carolina do enact:

Special tax au-
thorized.

SECTION 1. That the board of county commissioners of Madison County shall at the time of levying other taxes on the first Monday in June, one thousand nine hundred and fifteen, and annually thereafter, levy a special tax of not exceeding fifteen cents on each one hundred dollars worth of taxable property in said county

Limit of rate.

for the purpose of constructing such new bridges as may be necessary and repairing the old bridges in said county. Purpose of tax.

SEC. 2. That upon the ratification of this act said board of commissioners shall forthwith construct a double-track steel or iron bridge across the French Broad River at Marshall, and a single-track steel or iron bridge across the French Broad River at Redmon's Siding, at points to be designated and according to plans to be approved by the Madison County Highway Commission, said bridges to be paid for out of the taxes herein provided as the same are levied and collected. Construction of bridges.

SEC. 3. That said board of commissioners are hereby authorized and empowered to make such repairs as may be necessary to the bridges in said county and to construct such other new bridges as may be necessary in the course of building and improving the public roads of said county, such new bridges to be constructed at points to be designated and according to plans to be approved by the said Madison County Highway Commission and paid for out of said taxes herein provided as the same shall be levied and collected. Repairs to bridges.
New bridges.

SEC. 4. That chapter two hundred and forty-two of the Public-Local Laws of one thousand nine hundred and eleven and chapter four hundred and ninety-one of the Public-Local Laws of one thousand nine hundred and thirteen be and the same are hereby repealed. Former bridge laws repealed.

SEC. 5. That all moneys levied and collected or which hereafter may be collected under the provisions of said acts hereby repealed shall be expended as in said acts provided. Expenditure of money heretofore collected.

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

Ratified this the 22d day of February, A. D. 1915.

CHAPTER 218.

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF NEW HANOVER COUNTY TO ISSUE BONDS AND LEVY A SPECIAL TAX TO PAY THE INDEBTEDNESS CREATED BY ESTABLISHING A WORKHOUSE IN SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of paying off and discharging the indebtedness incurred by the building of a workhouse in New Hanover County, as authorized by chapter two hundred and fifty-two of the Public Laws, session of one thousand nine hundred and five, the board of commissioners of said county are hereby authorized and empowered to issue the coupon bonds of said county to an amount not to exceed thirty-five thousand dollars (\$35,000), Purpose of bond issue.
Bond issue authorized.
Amount.

Denominations. and to be in denominations of not less than five hundred dollars
 Maturity. nor more than one thousand dollars each. The said bonds shall
 Interest. be payable twenty years from date of issue and shall bear interest
 from their date of making until maturity at a rate of interest
 not greater than five per cent per annum, payable semiannually
 on the first days of January and July of each year. The semi-
 annual payments of interest shall be represented by coupons at-
 tached to each one of said bonds, and shall be identified there-
 with by proper numbers and such other means as said board may
 Authentication. determine. The bonds shall be signed by the chairman of the
 board of commissioners and attested by the clerk of said board,
 under the corporate seal of the county, and said coupons shall
 bear the facsimile signature of said chairman and clerk. Said
 bonds and coupons shall be payable at some bank to be desig-
 Designation of nated by the said board of commissioners and said bonds shall be
 bonds. designated as "New Hanover County Workhouse Bonds."

Special tax. SEC. 2. That in order to pay the interest on said bonds as it
 Limit of rate. may accrue and the principal thereof when it matures, the board
 of commissioners of New Hanover County shall annually levy a
 special tax for said county of not exceeding three cents on the
 one hundred dollars worth of property and nine cents on the poll.
 Levy and collec- Said tax shall be levied and collected as other county taxes are
 tion. levied and collected, and shall be imposed upon such property and
 other subjects of taxation as are now or may hereafter be sub-
 ject to taxation under the laws of this State, and it shall be
 collected by the officer or officers charged with the collection of
 other county taxes and who shall in respect thereof be liable offi-
 cially as well as personally to all of the law now prescribed or
 which may hereafter be prescribed for the faithful collection and
 Tax kept separate. payment of other taxes. The special tax so levied shall be kept
 Specific appropria- as a separate fund and applied first to the payment of the interest
 tion. on said bonds and then to the creation of a sinking fund for the
 redemption of said bonds of not exceeding seventeen hundred and
 fifty dollars per annum, and the balance to be turned into the
 general county fund.

Sale of bonds. SEC. 3. That the said board of commissioners shall sell said
 bonds at public or private sale, and pay over the proceeds to the
 county auditor, who shall keep the funds derived from the sale
 Funds kept thereof separate and apart from other funds in his hands, and
 separate. said funds shall be used for the purposes herein mentioned. The
 purchaser or purchasers of said bonds, or any of them, shall not
 be required to see to the application of the purchase money
 Expense of issuing thereof, and all expenses incurred by the county commissioners
 bonds. in having the said bonds printed, lithographed, and approved shall
 be paid for out of the funds provided for in this act.

SEC. 4. That this act shall be in force from and after its ratifi-
 cation.

Ratified this the 22d day of February, A. D. 1915.

CHAPTER 219.

AN ACT TO AMEND CHAPTER 217 OF THE PUBLIC-LOCAL LAWS, SESSION OF 1911, RELATING TO THE RECORDER'S COURT OF NEW HANOVER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and seventeen of the Public-Local Laws, session of one thousand nine hundred and eleven, be and the same is hereby amended as follows:

(a) By striking out the words "eighty-nine" in the second line of the caption of said act and inserting in lieu thereof the words "ninety-eight." Reference corrected.

(b) By striking out the words "arising in said county" in line two of subsection (a) in section four of said act, and strike out the words "in said county" in the fifth line of said subsection. Jurisdiction.

(c) By striking out the words "five hundred" in line six of subsection (a) in section four of said act and insert in lieu thereof the words "one thousand"; and strike out the words "two hundred" in line eight of said subsection and insert in lieu thereof the words "five hundred"; and strike out the period after the word "dollars" in the last line of said subsection and insert in lieu thereof a comma and add the following words: "with all the powers now granted to the Superior Court in such causes." Jurisdiction.
Powers as of superior 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.

Ratified this the 23d day of February, A. D. 1915.

CHAPTER 220.

AN ACT TO ESTABLISH A RECORDER'S COURT IN RICHMOND COUNTY AND PRESCRIBE THE JURISDICTION THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and thirty of Public-Local Laws, special session of one thousand nine hundred and thirteen, entitled "An act to establish a special court for Richmond County with criminal jurisdiction, to be known as Richmond County Court," be and the same is hereby repealed. Former law repealed.

SEC. 2. That special courts to be designated "Recorder's Court of Ellerbe District, Richmond County," "Recorder's Court of Rock- Courts established.

ingham District, Richmond County," and "Recorder's Court of Hamlet District, Richmond County," be and the same are hereby created.

Ellerbe district.

SEC. 3. (a) Ellerbe District shall be composed of Steele, Black Jack, Mineral Springs townships, and all of the Hoffman Precinct in Beaverdam Township; that Rockingham District shall be composed of Wolk Pit Township, Rockingham Township, and all of Beaverdam Precinct voting at Ledbetter's Mills; that Hamlet District shall be composed of all of Mark's Street Township. The courts for the Ellerbe District shall be held in the town of Ellerbe; the courts for the Rockingham District shall be held in the courthouse at Rockingham; the courts for the Hamlet District shall be held in the city hall at Hamlet. At the next election for members of the General Assembly after the passage of this act there shall be elected a recorder for the Ellerbe District, a recorder for the Rockingham District, and a recorder for the Hamlet District. Said recorders to be residents of the district for which they are elected, men of good moral character and of some knowledge of legal procedure. Said recorders to be selected as candidates at the same time and in the same manner as are candidates for members of the General Assembly. Separate ballot boxes shall be provided for recorders at every voting precinct in the Rockingham, Hamlet, and Ellerbe districts, and every voter who is qualified to vote in the election of county officers shall vote for the election of a recorder for his district. The candidate receiving the majority of votes in his district shall be declared recorder in his district, and the judges of election for county officers shall be judges of election for recorder and shall declare the recorder's election for each district at the meeting of the judges of election for the other county officers.

Rockingham district.

Hamlet district.

Courts in Ellerbe district.

Courts for Rockingham district.
Courts for Hamlet district.
Election of recorders.

Qualifications for recorders.

Ballot boxes.

Persons declared elected.

Judges of election.

Regular terms.

First recorders.

Prosecuting attorneys for Rockingham and Hamlet.

Qualifications for attorneys.

Term of office.

Election of successors.
Prosecuting attorney for Ellerbe district.

(b) That the regular term of the recorders herein provided shall begin on the first Monday in December, one thousand nine hundred and sixteen, and until that time W. Steele Loudermilk shall be and is hereby appointed as recorder for the Rockingham District, and the county commissioners of Richmond County at their first meeting after the passage of this act shall appoint the recorders for the Ellerbe and Hamlet districts.

(c) That for the Rockingham and Hamlet districts there shall be appointed prosecuting attorneys, the said prosecuting attorneys to be appointed by the said county commissioners at the same time of the appointment of the recorders. Said prosecuting attorneys to be residents of the district for which they serve, and to be licensed attorneys at law and shall be men of good moral character. The said attorneys shall serve for the same length of time as the recorders, and their successors shall be appointed by the county commissioners. The county commissioners may appoint prosecuting attorney for the Ellerbe District, and if they

so desire they may appoint the same prosecuting attorney for the Ellerbe District as for the Rockingham District; and to serve until the first day of December, one thousand nine hundred and sixteen, W. R. Jones is hereby appointed prosecuting attorney for the Rockingham District. Prosecutor named.

SEC. 4. That the salary of the recorder for the several districts shall be fixed by the county commissioners of Richmond County at their first meeting after the passage of this act. That the recorders as herein appointed and the recorders hereafter elected, before entering upon the discharge of their duties, shall take and subscribe the oath subscribed by the judges of the Superior Court before the clerk of the Superior Court of Richmond County, which oath shall be recorded by the clerk in his office. Salary of recorders.
Oath of office.

SEC. 5. That each court herein provided for shall have a seal, bearing the name of the court, which shall be used in attestation of writs, warrants, or other proceedings, acts, or judgments of said courts as required, and in the same manner and to the same effect as the seal of the other courts of record in the State of North Carolina. Seal of courts.

SEC. 6. Each recorder's court herein created shall be a court of record, and shall have jurisdiction in criminal actions and proceedings as follows: Courts of record.
Jurisdiction.

(a) Concurrent jurisdiction with justices of the peace in all criminal actions, matters, and proceedings arising from criminal offenses committed within the limits of Richmond County. Concurrent with
justices of the
peace.

(b) Final, exclusive, original jurisdiction of all offenses and misdemeanors consisting of the violation of any ordinance of any town, city, or incorporated village in Richmond County, and all criminal actions, matters, and proceedings cognizable before the mayors of any of said towns, cities, or incorporated villages within the limits of the several towns wherein the said courts are held. Jurisdiction as of
mayors.

(c) Exclusive, original jurisdiction of all other criminal offenses committed within the county of Richmond below the grade of felony as now defined by law; and all such offenses committed within Richmond County are hereby declared to be petty misdemeanors: *Provided*, that nothing in this act shall prevent the Superior Court of Richmond County from assuming jurisdiction of all offenses whereof exclusive original jurisdiction is given to said county courts, if within twelve months after the commission of the offense said Richmond County court shall not have proceeded to take official cognizance of the same. Of crimes below
grade of felony.

(d) In addition to the jurisdiction conferred by the preceding section of this act, said courts shall have jurisdiction over the following named offenses, whether such offenses be covered by the preceding section of this act or not, to wit: larceny, or receiving stolen goods knowing them to have been stolen wherein the value of the goods does not exceed twenty dollars, forcible trespass, false Jurisdiction of
specified offenses.

Petty misdemeanors.

Jurisdiction of preliminary inquiries.

Jurisdiction of forfeitures and penalties.

Issue and return of process.

Process beyond county.

Persons bound over to recorders' courts.

pretense. All crimes and offenses covered by this section are hereby declared to be petty misdemeanors.

(e) In all criminal offenses committed in Richmond County whereof original jurisdiction is not given to said courts, they shall have jurisdiction and are hereby fully authorized to examine into the same, and upon probable cause being shown bind the defendant to the Superior Court of Richmond County, or, if capital, to commit him to jail as now provided by law for courts of justices of the peace.

SEC. 7. Said courts shall have jurisdiction to try all actions for the recovery of any forfeited bonds made returnable to said courts, and for the recovery of any penalty imposed by law, with the power to dispose of the same as is now provided by law.

SEC. 8. The justices of the peace and the clerk of the Superior Court and recorders of the Hamlet and Ellerbe districts of Richmond County are hereby authorized to issue criminal processes and make the same returnable for trial before the recorder's court of the district in which the offense was committed. The mayors of the cities of Rockingham and Hamlet and the mayors of any other incorporated towns of Richmond County, except for violation of the town ordinances of the towns of Norman, Rockingham, and Hoffman, which shall remain as at present, shall issue warrants and other criminal processes and make the same returnable for trial to recorder's court of the district in which the offense was committed. All warrants shall be issued upon affidavit and made returnable forthwith. The precepts and processes of said courts may be issued to the sheriff or other lawful officer of Richmond County, to any constable thereof and to the police officers of the cities of Rockingham and Hamlet and of any incorporated towns in Richmond County. In such cases as they are now authorized by law to serve processes, and when given under the seal of said courts, warrants, subpoenas, and any other precepts and processes may be issued and directed to the sheriff or other lawful officer of any county in the State of North Carolina, and be executed anywhere in the bounds of the State. Such officers shall serve the processes and precepts as now required by law.

SEC. 9. In all actions heard by the justices of the peace and other examining magistrates of Richmond County in respect to any offense whereof the recorders' courts have exclusive original jurisdiction, in which probable cause of guilt is found, such person or persons shall be bound in a suitable recognizance with sufficient sureties to appear before the recorder's court for the district in which the offense was committed for trial on a specified day, and within ten days from such preliminary examination, in default of such recognizance, such person or persons shall be committed to Richmond County jail until said trial.

SEC. 10. The recorders' courts herein provided shall be open at all times for the dispatch of business and shall sit as provided herein daily or at some specified day in each week to be fixed by the county commissioners at their next meeting after the passage of this act. Sessions of court.

SEC. 11. Any person convicted in said courts of any offense shall pay the costs of prosecution and be fined or imprisoned, or both, according to law; and when the punishment imposed is imprisonment and costs, it shall be lawful for the recorders to sentence the defendants to the common jail of Richmond County, to be worked on the public roads of said county until such sentence is served. Punishments. Sentences to road work.

SEC. 12. In all cases there shall be the right of appeal from the judgment of said courts by the defendant in criminal actions to the Superior Court of Richmond County, and upon such appeal the trial in the Superior Court shall be *de novo*. Proceedings on appeal, appearance bonds, and undertakings shall conform to the procedure now obtaining in courts of justices of the peace as far as practicable. Right of appeal. Procedure on appeal.

SEC. 13. As a fee for issuing any warrant or other original process returnable to the recorders' courts for trial, the officer shall be entitled to the same fees as are allowed in the Superior Court. Witnesses shall be entitled to fifty cents per day and mileage at the rate of five cents per mile each way, but only such witnesses shall be allowed to prove as are now allowed to prove in the Superior Court of Richmond County. In each action within the jurisdiction of a justice of the peace a fee of one dollar and in all other actions a fee of two dollars shall be taxed and collected as other costs for trial and judgment are taxed and collected, and paid to Richmond County. The prosecuting attorney, if appointed as provided herein, shall be entitled to a fee of two dollars for each person convicted of any offense within the jurisdiction of a justice of the peace, or mayor of incorporated towns within the jurisdiction of said recorders' courts, and for other offenses four dollars for each person convicted. Except as above provided, the respective officers shall be entitled to the same fee in the recorders' courts as is now allowed by law in the Superior Court: *Provided*, that the police officer of any of the towns or incorporated villages in said county shall be allowed the same fees as sheriff or constable; the fees in cases for violation of town ordinances to be paid into the treasury of their respective towns. The jail fees of any prisoner held in custody by either of said towns or incorporated villages shall be taxed as a part of their costs as provided by law, and paid into the treasury of their respective town after first deducting such actual expenses as have been incurred. Costs in all actions in the recorders' courts shall be payable and collectible as now provided by law. The recorders Fees of officers. Fees of witnesses. Trial fees to use of county. Fees of prosecuting attorney. *Provido*: fees for police officers. Fees to use of towns. Jail fees.

shall have full power as to taxing bills of cost and the respective items thereof, under the practice now obtaining in the Superior Courts in respect to such matters.

One-half fees.

SEC. 14. In all criminal actions and of which the justices of the peace have not final jurisdiction and in which the party is convicted or imprisoned or put on the county roads and from whom no costs are collected, the county shall pay one-half of the costs, as now provided by law, except the prosecuting attorney shall receive one dollar for each defendant sentenced, and no more.

Dockets, files, and records.

SEC. 15. There shall be dockets, files, and records of all proceedings in said recorders' courts conforming as nearly as possible to the records of the proceedings in the Superior Court, and recorders of each district herein created shall keep the records and perform the duties of clerk of said recorder's court, shall collect the same fees and pay them over, together with an itemized statement of all costs, fines, and moneys so collected on the first Monday in each month to the county commissioners of Richmond County.

Recorders.

SEC. 16. Said courts shall be presided over by recorders as provided herein, who shall be qualified electors of their respective districts and men of good character and of some knowledge of legal procedure. Each recorder shall be elected by the people of said district in which he is to preside, and at the same time and in the same manner as other county officers are elected, and shall hold office for two years and until his successor is elected and qualified.

Election and term.

Recorders as practicing attorneys.

SEC. 17. Should any recorder be a practicing attorney, he shall not be prohibited from practicing the profession of an attorney at law in the other courts in this State except as to matters connected with or growing out of said recorders' courts: *Provided*, that should any recorder be elected who is a practicing attorney, and has a partnership for criminal practice with any other lawyer, said lawyer so associated with the recorder shall not be allowed to practice law in the recorder's court over which his partner presides.

Proviso: partnership practice.

Substitute recorders.

SEC. 18. When the recorders are unable to preside over said courts on account of sickness, absence, or other cause, said recorders shall appoint some other person with the same qualifications as provided for the recorders, to act as a substitute recorder, with all the powers and duties of the recorder. The compensation of said substitute recorders shall be paid by the recorder.

Vacancies.

SEC. 19. Any vacancy occurring in the office of recorder or prosecuting attorney of any of the said districts shall be filled by the board of county commissioners of Richmond County, said recorder to serve until his successor is elected and qualified at the next general election.

SEC. 20. All cases now pending in the Superior Court, in the courts of the justices of the peace, or other courts of Richmond County shall be tried in the court where pending, and not transferred to the recorders' courts for trial; and all cases now pending in the recorder's court of Richmond County shall be tried in the recorder's court of Rockingham District. Cases tried where pending.

SEC. 21. The procedure in the recorders' courts shall follow the rules and principles laid down in the chapter on criminal procedure in the Revisal of one thousand nine hundred and five, chapter eighty, and amendments thereof, in so far as the same may be adapted through the needs and requirements of said courts. Court procedure.

SEC. 22. The first sessions of the said recorders' courts shall be held on the second Tuesday in March, one thousand nine hundred and fifteen. First sessions.

SEC. 23. The salaries herein provided shall be paid by the county treasurer or by the official handling the funds of the county of Richmond to the recorders upon warrants issued by the board of county commissioners of said county. Payment of salaries.

SEC. 24. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 25. That this act shall be in force from and after its ratification.

Ratified this the 23d day of February, A. D. 1915.

CHAPTER 221.

AN ACT TO VALIDATE THE OFFICIAL ACTS OF W. B. BROWN, A NOTARY PUBLIC OF UNION COUNTY, NORTH CAROLINA.

Whereas the commission of W. B. Brown, a notary public of Union County, North Carolina, expired on January twenty-fifth, one thousand nine hundred and fifteen; and whereas the said W. B. Brown, in good faith, after the expiration of authority granted in the said commission, has since said date taken acknowledgments to certain papers and in other instances exercised the duties of his said office; and whereas the Governor of the State of North Carolina, on or about the twelfth day of February, one thousand nine hundred and fifteen, issued to the said W. B. Brown a new commission as notary public: Now, therefore, Preamble.

The General Assembly of North Carolina do enact:

SECTION 1. That the official acts of W. B. Brown, notary public in and for Union County, North Carolina, done between January Acts validated.

twenty-fourth, one thousand nine hundred and fifteen, and February twelfth, one thousand nine hundred and fifteen, be and the same are hereby validated and made of as full force and effect as if the commission of the said W. B. Brown had not expired.

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

Ratified this the 23d day of February, A. D. 1915.

CHAPTER 222.

AN ACT TO REGULATE THE SELECTION OF A COUNTY COMMISSIONER FROM EACH TOWNSHIP IN HERTFORD COUNTY.

The General Assembly of North Carolina do enact:

Nominations by townships.

SECTION 1. That at the primary or other mode adopted for the nomination of a board of county commissioners for Hertford County in the year one thousand nine hundred and sixteen, and biennially thereafter, the qualified voters of each township in said county shall vote for and nominate a suitable and qualified person in said township for county commissioner, and the persons so selected shall constitute the nominees of the political party selecting them in said county, to be voted for at the general election in the county, to compose the board of county commissioners for said county.

Nominees for general election.

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.

Ratified this the 23d day of February, A. D. 1915.

CHAPTER 223.

AN ACT FOR THE RELIEF OF THE SHERIFF AND TAX COLLECTOR OF LINCOLN COUNTY.

The General Assembly of North Carolina do enact:

Collection of arrears authorized.

SECTION 1. That the sheriff of Lincoln County and the town tax collector of the town of Lincolnton, Lincoln County, who by virtue of their offices have had the tax lists for the purpose of collecting the taxes of Lincoln County and the town and school districts in their hands for the years one thousand nine hundred and ten, one thousand nine hundred and eleven, one thousand nine hundred and

Years affected.

twelve, one thousand nine hundred and thirteen, and one thousand nine hundred and fourteen, and, in case 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.

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: lands heretofore sold.

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.

Liability of officers not discharged.

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

Ratified this the 23d day of February, A. D. 1915.

CHAPTER 224.

AN ACT TO AMEND CHAPTER 391 OF THE PUBLIC-LOCAL LAWS OF 1913 OF NORTH CAROLINA, RELATIVE TO THE OFFICE OF COUNTY TREASURER IN AVERY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and ninety-one of the Public-Local Laws of one thousand nine hundred and thirteen of North Carolina be and the same is hereby amended by striking out section one and inserting in lieu thereof: "The board of county commissioners is hereby empowered, authorized, and directed to designate one or more solvent banks or trust companies located in Avery County as depository for said county upon such terms as shall be most advantageous to the county, which said bank or trust company shall perform the duties now performed by the sheriff of Avery County."

Bank to perform duties of sheriff.

SEC. 2. That said bank or trust company so designated and acting as depository of its said county shall be appointed for a term of two years, and shall be required to execute the same bonds for the safe keeping and proper accounting of such funds as may

Term of appointment.

Official bond.

come into its possession belonging to the county and for the faithful discharge of its duties as are now required by law of the county sheriff.

Application of act.

SEC. 3. That this act shall apply to the county of Avery only.

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

Ratified this the 23d day of February, A. D. 1915.

CHAPTER 225.

AN ACT TO PROVIDE FOR THE DRAWING OF JURIES IN GASTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. At least twenty days before each term of the Superior Court of Gaston County for the trial of criminal cases at which a grand jury is drawn as now provided by law in Gaston County the board of commissioners of said county shall cause to be drawn from the jury box out of the partition marked "No. 1," by a child not more than ten years of age, forty-two scrolls, and the persons whose names are inscribed on said scrolls shall serve as jurors at the term of the Superior Court to be held for the county ensuing such drawing, and for which they are drawn, and the scrolls so drawn to make the jury shall be put in the partition marked "No. 2." The said commissioners shall at the same time and in the same manner draw the names of twenty-four persons, who shall be summoned to appear and serve during the second week, and a like number for each succeeding week of the term of said court, unless the judge thereof shall sooner discharge all jurors from further service, and the trial jury which has served during each week shall be discharged by the judge at the close of said week, unless the said jury shall be then actually engaged in the trial of a case, and they shall not be discharged until the trial is determined. At least twenty days before every other regular or special term of the Superior Court for Gaston County the board of commissioners of said county shall cause to be drawn as aforesaid twenty-four scrolls, and the persons whose names are inscribed on said scrolls shall serve as jurors at the term of the Superior Court to be held for the county ensuing such drawing, and for which they are drawn, and the scrolls so drawn to make the jury shall be put into the partition marked "No. 2," and a like number for each succeeding week of the term of said court, unless the judge thereof shall sooner discharge the jurors from further service; and the trial jury which has served during each week shall be discharged by the judge at the close of

Number of jurors when grand jury drawn.

Jurors for second and succeeding weeks.

Discharge of jurors.

Number of jurors at other terms.

said week, unless the said jury shall be then actually engaged in the trial of a case, and they shall not be discharged until the trial is determined.

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

Ratified this the 23d day of February, A. D. 1915.

CHAPTER 226.

AN ACT TO ABOLISH THE OFFICE OF STANDARD-KEEPER IN CLEVELAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the office of standard-keeper in Cleveland Office abolished.
County be and the same is hereby abolished.

SEC. 2. That the county commissioners of Cleveland County is hereby required to take charge of the standards of weights and County commis-
measures and deposit the same with the register of deeds of said sioners to take
county for safe keeping. charge of standards.
Deposit.

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.

Ratified this the 23d day of February, A. D. 1915.

CHAPTER 227.

AN ACT TO PROTECT PUBLIC ROADS IN FRANKLINTON, LOUISBURG, AND YOUNGSVILLE TOWNSHIPS, FRANK- LIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. On all wagons engaged in the business of hauling License tax on
lumber or logs, which may be operated on the public roads of lumber and log
Franklinton, Louisburg, or Youngsville townships, an annual wagons.
license tax shall be imposed and collected as follows: On each one- Rate of tax.
horse wagon with tires less than two and one-half inches wide,
fifty dollars; on each two-horse wagon with tires less than three
and one-half inches wide, seventy dollars; on each wagon of
greater draft than two horses with tires less than four and one-
half inches wide, ninety dollars.

SEC. 2. Any wagon used to haul lumber from any sawmill or Wagons engaged in
other place for purposes other than the personal use of the owner business.
or driver shall be presumed to be engaged in the business of haul-
ing lumber.

Issue and term of license.

SEC. 3. The license shall be issued by the county board of commissioners of Franklin County, shall run from the first day of April in each year to the thirty-first day of March of the succeeding year, and the proceeds thereof shall be turned over to the treasurer of the road fund of the township in which such license will operate.

Proceeds to road fund.

Operating wagon without license misdemeanor.

SEC. 4. Any person operating or causing to be operated any wagon liable to such license tax without first having obtained license therefor shall be guilty of a misdemeanor and fined not exceeding fifty dollars. Each day any wagon may be operated in violation of the provisions of this act shall constitute a separate offense.

Punishment.

Separate offense.

When act effective.

SEC. 5. That this act shall be in force from and after the thirty-first day of March, nineteen hundred and fifteen.

Ratified this the 23d day of February, A. D. 1915.

CHAPTER 228.

AN ACT TO VALIDATE AND MAKE LEGAL ACTS OF S. E. MORRIS, JUSTICE OF THE PEACE OF EDENTON TOWNSHIP, CHOWAN COUNTY.

The General Assembly of North Carolina do enact:

Acts validated.

SECTION 1. That the official acts of S. E. Morris, a justice of the peace of Edenton Township, Chowan County, who was appointed in one thousand nine hundred and thirteen, and who failed to qualify as required by law, be and the same are hereby validated the same as if he had duly qualified.

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.

Ratified this the 23d day of February, A. D. 1915.

CHAPTER 229.

AN ACT TO REGULATE THE FEES OF THE COMMISSIONERS OF MARTIN COUNTY.

The General Assembly of North Carolina do enact:

Per diem; mileage.

SECTION 1. That each of the commissioners of Martin County shall receive for his services and expenses in attending the meetings of said board the sum of three dollars per day and mileage

to and from the county-seat at Williamston, at five cents per mile, said mileage to be calculated according to the shortest route of travel.

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

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

Ratified this the 23d day of February, A. D. 1915.

CHAPTER 230.

AN ACT SUPPLEMENTAL TO AN ACT OF THE GENERAL ASSEMBLY OF NORTH CAROLINA, ENTITLED "AN ACT TO LENGTHEN THE OPEN SEASON FOR SHOOTING QUAIL OR PARTRIDGES IN JERUSALEM TOWNSHIP, DAVIE COUNTY," RATIFIED JANUARY 22, 1915.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be lawful to shoot quail or partridges Open season. in Davie County, North Carolina, from the fifteenth day of November of each and every year until the following first day of March of the year succeeding in all that portion of Davie County, North Line of territory. Carolina, lying south of an imaginary line extending due east and west from a point one-quarter of a mile south of the courthouse of Davie County situated in the town of Mocksville in said county.

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

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

Ratified this the 23d day of February, A. D. 1915.

CHAPTER 231.

AN ACT TO INCREASE THE COMPENSATION OF THE COMMISSIONERS OF AVERY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the compensation of the members of the board Per diem; mileage. of commissioners of Avery County shall be four dollars (\$4) per day and mileage now allowed by law.

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

Ratified this the 23d day of February, A. D. 1915.

CHAPTER 232.

AN ACT RELATIVE TO THE PAY OF JURORS IN
VANCE COUNTY.

The General Assembly of North Carolina do enact:

Regular jurors and
accepted special
veniremen.

SECTION 1. That the county commissioners of Vance County are hereby authorized, in their discretion, to fix the pay of all regular jurors, and such special veniremen as shall be taken or accepted in the trial of capital cases, at not more than two dollars nor less than one dollar and fifty cents per day and mileage as now provided by law.

Tales and special
jurors.

SEC. 2. That tales and special jurors who serve in the Superior Court shall receive the same per diem as regular jurors, but they shall not receive any mileage.

Special veniremen
not accepted.

SEC. 3. That all persons who are summoned to serve as special veniremen and who are not drawn or accepted as jurors shall be entitled to receive the same pay for one day and mileage as regular jurors: *Provided*, that no person summoned as a regular juror, or as a special venireman, and excused from service at his request, shall receive any pay or any mileage.

Proviso: jurors
excused at their
own request.

Application of act.

SEC. 4. That this act shall apply only to Vance County.

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

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

Ratified this the 23d day of February, A. D. 1915.

CHAPTER 233.

AN ACT TO AMEND CHAPTER 4 OF THE PUBLIC LAWS OF
NORTH CAROLINA, EXTRA SESSION OF 1913, WITH REF-
ERENCE TO THE NUMBER OF JURORS FOR FORSYTH
COUNTY COURTS.

The General Assembly of North Carolina do enact:

Number of jurors.

SECTION 1. That chapter four of the Public Laws of North Carolina, extra session of one thousand nine hundred and thirteen, be and the same is hereby amended by striking out the word "twenty-four" in line eight and insert in lieu thereof the word "thirty," and by striking out the word "twenty-four" in line eleven and insert in lieu thereof the word "thirty."

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

Ratified this the 23d day of February, A. D. 1915.

CHAPTER 234.

AN ACT TO ELECT AN AUDITOR FOR THE COUNTY OF FORSYTH, AS PROVIDED IN CHAPTER 307, SECTION 7, OF THE PUBLIC-LOCAL LAWS, SESSION 1907.

The General Assembly of North Carolina do enact:

SECTION 1. That in accordance with section seven, chapter three hundred and seven of the Public-Local Laws, session one thousand nine hundred and thirteen, Leon Cash be and he is hereby elected Auditor elected. auditor for the county of Forsyth for the term of two years, whose term of office under this act shall begin April first, one thousand nine hundred and fifteen, and expire April first, one thousand nine hundred and seventeen.

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

Ratified this the 23d day of February, A. D. 1915.

CHAPTER 235.

AN ACT TO AMEND CHAPTER 103 OF THE PUBLIC-LOCAL LAWS OF THE SESSION OF 1913, IN REFERENCE TO THE CONSTRUCTION OF AN IRON BRIDGE ACROSS THE YADKIN RIVER BY THE COUNTIES OF FORSYTH AND DAVIE.

Whereas the counties of Forsyth and Davie were legally authorized and empowered under chapter one hundred and three of the Public-Local Laws of the session of nineteen hundred and thirteen to erect an iron bridge across the Yadkin River, the dividing line between said counties, at a price not exceeding twenty-five thousand dollars; and whereas said sum of twenty-five thousand dollars is insufficient to complete the construction of said iron bridge; and whereas the completion and construction of said iron bridge is a public necessity; and whereas the contract price agreed upon between the commissioners of Forsyth and Davie counties and the contractor amounts to the sum of thirty-one thousand dollars; and whereas a further sum of about four thousand dollars is necessary to pay for plans, supervision, inspection, extra concrete work and other work in order to carry out the contract of the counties of Forsyth and Davie with the contractors: Now, therefore;

The General Assembly of North Carolina do enact:

SECTION 1. That the contract entered into by the counties of Forsyth and Davie by and through their respective boards of

Contract for work ratified.

county commissioners with the contractors for the construction of the bridge and completion of the entire work at the sum of thirty-one thousand dollars be and the same is hereby in all things ratified and confirmed.

Contract for supervision and extra work ratified.

SEC. 2. That the contract of the board of county commissioners of Forsyth and Davie counties for the further payment of four thousand dollars for plans, supervision, inspection, extra concrete work and other extra work be and the same is hereby in all things ratified and confirmed.

Payments authorized.

SEC. 3. That the counties of Forsyth and Davie, by and through their respective boards of county commissioners, be and they are hereby authorized, empowered, and directed to pay the contractors for the erection of said bridge the sum of thirty-one thousand dollars, and they are further authorized, empowered, and directed to pay for plans, supervision, inspection, extra concrete work and other extra work upon said bridge to the proper claimants the sum of not exceeding four thousand dollars.

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

Ratified this the 23d day of February, A. D. 1915.

CHAPTER 236.

AN ACT TO INCORPORATE MATTHEWS TOWNSHIP, CHATHAM COUNTY, INTO A SEPARATE ROAD DISTRICT, AND TO PROVIDE FOR THE BETTER WORKING OF THE ROADS OF SAID TOWNSHIP.

The General Assembly of North Carolina do enact:

Trustees named.

SECTION 1. That R. W. Dark, W. R. Fox, M. M. Bridges, John Fesmire, J. M. Foust, L. L. Wrenn, N. A. Jones, M. J. Boling, J. D. Edwards, J. Wade Siler, H. H. Elder, and J. C. Gregson are hereby constituted a board of trustees for the public roads of Matthews Township in Chatham County. The first four shall hold the said position of trustees for two (2) years, the next four for four (4) years, and the last four for six (6) years. At the expiration of the terms of any, their successors shall be elected for six (6) years by the county board of commissioners of Chatham County. All vacancies caused by death, resignation, or removal from the said township shall be filled for the unexpired term of said trustees by the remaining members of said board:

Terms of office.

Election of successors.

Vacancies.

Proviso: trustees not officers.

Provided, that the position of trustee under this act shall not constitute an office within the meaning of article seven, section fourteen, of the Constitution of North Carolina.

SEC. 2. That the said board of trustees and their successors shall be and are hereby constituted a body corporate by the name and style of "The Board of Road Trustees of Matthews Township," and by that name may sue and be sued, make contracts, acquire real and personal property by gift, purchase, or devise; hold, exchange, and sell the same, and exercise such other rights and privileges as are incident to other municipal corporations.

SEC. 3. That it shall be the duty of the said board of trustees to take control and management of the roads in said Matthews Township, and said trustees are hereby vested with all the rights and powers for such control and management as are now vested in and exercised by the board of county commissioners and the board of road commissioners of Chatham County: *Provided*, nothing in this act shall be construed to apply to bridges over Rocky River.

SEC. 4. The board of trustees shall annually elect a chairman, a secretary, and a treasurer. The treasurer shall have charge of all road funds of the township, and, if an individual be appointed, shall be required to give bond in sufficient amount to cover funds coming into his hands: *Provided, however*, the board may appoint and designate any bank in the town of Siler City to perform the duties of treasurer; and if a bank be so designated, it shall serve without compensation and without being required to give bond. The board shall annually elect three of their members, who shall constitute and be known as "The Executive Committee." This committee shall meet at stated intervals, as may be directed by the trustees; shall have a chairman and a secretary; shall order and issue vouchers, to be signed by the secretary and approved by the chairman, for the payment of general expenses connected with working roads and the purchase of machinery and implements, and the secretary of such executive committee shall be required to keep a correct record thereof, which record shall be open at all times to the inspection of any voter in said township, and the board of trustees may delegate to said executive committee such powers as they may deem advisable.

SEC. 5. That said board of trustees shall annually elect a superintendent of roads for Matthews Township, who shall be paid such compensation out of the road fund of said township as may be fixed by the said trustees, who shall hold office for one year, or until his successor shall be elected and qualified: *Provided*, that said superintendent may at any time be removed by said board after having been given ten (10) days notice and a hearing, when in the opinion of the board there exists good and sufficient cause for such removal. It shall be the duty of the said superintendent, subject to the approval of the executive committee of the board of trustees, to direct and have charge of the maintenance and construction of all public roads in Matthews Township, and he shall submit to said executive committee a monthly report con-

Incorporation.

Corporate name.

Corporate powers.

Control and management of roads.

Rights and powers vested.

Proviso: bridges over Rocky river.

Organization.

Bond of treasurer.

Proviso: bank designated as treasurer.

Executive committee. Meetings and organization.

Vouchers.

Record of vouchers.

Election and compensation of superintendent.

Term of office.

Proviso: removal for cause.

Duty of superintendent.

Monthly report.

cerning work in progress, and the moneys expended, and such other reports as may be required of him.

Purchase of equipment.

SEC. 6. The said board of trustees may purchase such machinery and implements as may be needed for the proper working and construction of the roads; may employ a competent engineer or surveyor, and may exercise such other powers and privileges as may be necessary for the carrying out of the purposes and provisions of this act.

Employment of engineer.

Road duty.

SEC. 7. Said board of trustees, in their discretion, may require and compel all able-bodied citizens between the ages of twenty-one and forty-five years to work on the public roads of said township for not exceeding three days in each year or pay into the road fund a sum not exceeding three dollars in lieu thereof.

Entry on land for material.

SEC. 8. That the superintendent of roads in Matthews Township is hereby authorized to enter upon any lands near to or adjoining any public roads of said township, to cut and carry away timber, except trees or groves on improved land planted or left for shade or ornament; to dig or cause to be dug and carry away any gravel, sand, clay, or stone which may be necessary to construct, improve, or repair such roads, and enter upon any lands adjoining or lying near such roads in order to make such drains or ditches through the same as he may deem necessary for the betterment of the road; and the drains and ditches so made shall not be obstructed by the occupants of such land or any other person, and any person obstructing such drain or ditch shall be guilty of a misdemeanor and fined not exceeding fifty dollars or imprisoned not more than thirty days. If the owner of any land from which timber, stone, clay, gravel, or sand were taken as aforesaid shall present an account for the same through said superintendent to the said board of executive committee within thirty (30) days after the taking thereof, it shall be the duty of said board to pay for same at a fair price; and in case of any disagreement as to the value thereof, the superintendent of roads shall appoint one freeholder, the person claiming the damages the second, and these two a third, who shall assess said damages and report the same in writing to the superintendent of roads.

Drains or ditches.

Obstructing drains or ditches a misdemeanor.
Punishment.
Presentation and payment of accounts.

Arbitration for assessment.

Location and changes of roads.

SEC. 9. That the said superintendent of roads, with the approval of the trustees or executive committee, is hereby given discretionary power to locate, relocate, or change any part of any public road in said township, when in his judgment the same will prove advantageous to public travel; and when any person on whose lands the new road or any part of the road is to be located claims damages therefor and within thirty days petitions said board of trustees for a jury to assess the damages, the said trustees shall within not less than fifteen nor more than sixty days after the completion of said road, order a jury of three disinterested freeholders of Matthews Township, to be selected and summoned by

Claims for damages.

Procedure for assessment of damages.

the sheriff of Chatham County as provided by law, who shall give said landowner forty-eight hours notice of the time and place when and where said jury will meet to assess his damages, and said jury in considering the question of damages shall also take into consideration the benefits to the owner of the land, and if such benefit shall be considered equal to or greater than the damages sustained, the jury shall so declare, and it shall report its findings to said trustees for revision and confirmation: *Provided*, that such owner may appeal to the Superior Court of Chatham County from the decision of said trustees.

Sec. 10. That the said board of road trustees shall be and are hereby authorized and empowered to issue bonds of said Matthews Township to be styled "Matthews Township Road Bonds" to an amount not to exceed fifty thousand dollars (\$50,000), of such denominations and of such proportion as the said board may deem advisable, bearing interest from the date of issue thereof at a rate not exceeding six per cent per annum, with interest coupons attached payable annually or semiannually as may be deemed advisable by the said board. Said bonds to be signed by the chairman and secretary of said board and to be of such form and tenor and transferable in such way, and the principal thereof payable or redeemable at such time or times not exceeding forty years from the date thereof and at such place or places as said board of trustees may determine. None of said bonds shall be disposed of for a less price than their par value, and the said bonds may be issued at such time or times and in such amount or amounts as may be deemed best to meet the expenditures provided for in this act. The liability for the payment of said bonds, together with all interest that may be due thereon, shall be attached to and imposed upon the political division of Chatham County, known as "Matthews Township" as constituted at the time of the ratification of this act.

Sec. 11. That before the said board of road trustees shall issue bonds under this act the proposition shall first be submitted to a vote of the qualified voters in said Matthews Township at an election to be held on a day to be designated by the board of county commissioners of Chatham County. That on petition by the board of road trustees to the county commissioners of Chatham County the said county commissioners shall appoint a registrar and two poll-holders for each voting precinct in said township, and other officers necessary to said election, and shall order a new registration. The petition of the board of road trustees shall set forth the amount or amounts to be issued, and when the same shall be payable. At the close of said election said registrar and poll-holders shall count and canvass the votes cast and declare the result thereof, and shall report such canvass to the board of county commissioners, which said report shall be recorded in the

Proviso: right of appeal.

Bond issue authorized.

Amount.

Denominations.

Interest.

Authentication.

Maturity.

Sale below par forbidden.

Obligation of bonds.

Election and bond issue.

Appointment of election officers.

New registration.

Count and canvass of votes.

Report and record of canvass.

Ballots.	minutes of said board of commissioners, and no other canvass, report, or recording shall be necessary. At said election all voters who shall favor the issue of bonds shall cast ballots on which shall be printed or written "For Good Roads"; those opposed to such shall cast ballots on which shall be written or printed
Effect of election.	"Against Good Roads." If upon the canvass and count of the votes cast it shall appear that a majority of those voting in said election shall have voted "For Good Roads," the said board of road trustees are hereby authorized and empowered in their discretion to issue the whole amount of said bonds so voted, or any part thereof; and if only a part of the said bonds are issued, the said board is authorized and empowered to again issue bonds until the whole amount voted for in said election shall have been issued: <i>Provided</i> , that if a majority of those voting shall fail to vote for good roads, said board of county commissioners shall order another election or elections to be held in the manner and with the same effect as above provided at any time within four years of the date of the first election, when requested to do so by the said board of trustees.
Proviso: subsequent elections.	
Funds paid to road treasurer.	SEC. 12. That all funds derived from the sale of any bonds by said board of trustees shall be paid over to the treasurer of said board of trustees and shall be used for the purpose of constructing and improving the public roads in said township, the purchase of such material, machinery and implements, and employment of such officers and labor as may be found necessary in the carrying out of this work.
Specific appropriation.	
Special tax.	SEC. 13. That upon application of the board of road trustees made to the county commissioners of Chatham County, it shall be the duty of said board of county commissioners to levy upon the first Monday in June in each year such an amount of special tax for the purpose of working the roads of said township, paying interest on bonds and for providing a sinking fund for their payment at maturity, as the board of trustees of said district shall specify, upon all persons and subjects of taxation within Matthews Township: <i>Provided, however</i> , said taxes so levied shall not exceed thirty cents on every one hundred dollars valuation of real and personal property, and not to exceed ninety cents on each taxable poll; and said tax when so levied shall be the only taxes levied or collected upon the persons and subjects of taxation in said township for the purpose of working the public roads in Chatham County, except as provided in this act, and no tax shall be levied or collected by Chatham County upon the persons and subjects of taxation in said township for the purpose of working the public roads or paying interest on bonds issued for the purpose of working the public roads at any time hereafter. The said taxes levied hereunder shall be collected by the sheriff of Chatham County, and shall be held as a distinct and separate fund, and
Limit of rate.	
Sole road tax.	
Collection and settlement of tax.	

shall be paid over to the treasurer of the board of road trustees as the same may be collected.

SEC. 14. That in the working and construction of roads either convict or hired labor, or both, may be used, as may be ordered by the board of road trustees, and in the working of convicts on said roads all rights and privileges existing in regard thereto or that may exist hereafter for the use of convicts in Chatham County or any township therein shall exist and apply to the issue of convicts on the roads of Matthews Township.

SEC. 15. That members of board of road trustees appointed hereunder and their successors shall serve without compensation; but they may fix reasonable compensation for their secretary and treasurer, to be paid out of the road funds herein provided.

SEC. 16. That all laws and parts of laws in conflict with the provisions of this act, so far as they relate to said Matthews Township, are hereby repealed.

SEC. 17. That this act shall be in force from and after its ratification.

Ratified this the 23d day of February, A. D. 1915.

CHAPTER 237.

AN ACT TO AUTHORIZE THE USE OF BANKS OR TRUST COMPANIES AS FINANCIAL AGENT FOR GRANVILLE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Granville County is hereby authorized and directed to meet not later than the first Monday in February, one thousand nine hundred and sixteen, for the purpose of considering the advisability of abolishing the office of treasurer of said county. At such meeting it shall be the duty of said board of county commissioners to consider the advisability of abolishing said office, and if said board shall by a majority vote decide that it will be advantageous and more economical to said county to take such action, said board shall thereupon abolish the office of treasurer of said county.

SEC. 2. That if said board of county commissioners shall decide to abolish the office of county treasurer as provided for in section one hereof, the said board shall then select one or more solvent banks or trust companies located in its county as financial agent or agents for said county, which said banks or trust companies shall perform the duties now performed by the treasurer of said county.

Banks to serve without compensation.

Proviso: premiums on bonds.

Term of appointment.

Official bonds.

Present term not affected.

SEC. 3. That said banks or trust companies shall not charge nor receive any compensation for its or their services other than such advantage and benefit as may accrue to it or them from the deposit of the county funds in the regular course of banking: *Provided*, that said county commissioners may out of the county funds pay the premiums on the bonds hereinafter required of said banks or trust companies.

SEC. 4. That said bank or trust company appointed and acting as the financial agent of the county shall be appointed for a term of two years, and shall be required to execute the same bonds for the safe keeping and proper accounting of such funds as may come into its possession and belonging to said county and for the faithful discharge of its duties as are now required by law of the county treasurer of said county.

SEC. 5. That this act shall not affect the term of office of the present treasurer of said county.

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

Ratified this the 23d day of February, A. D. 1915.

CHAPTER 238.

AN ACT TO PAY THE SHERIFF OF HYDE COUNTY FOR SERVICES RENDERED IN THE RECORDER'S COURT OF HYDE COUNTY.

Preamble.

That whereas George E. Davis, sheriff of Hyde County, opened and held the recorder's court for Hyde County from the first Monday in November, one thousand nine hundred and thirteen, to first Monday of January, one thousand nine hundred and fifteen; and whereas there was no provision made in the act establishing recorders' courts for Hyde County for the pay of sheriffs: Now, therefore.

Preamble.

The General Assembly of North Carolina do enact:

Per diem allowed.

SECTION 1. That the commissioners of Hyde County shall allow George E. Davis, sheriff of Hyde County, out of the general funds belonging to said county the sum of five dollars per day for the times actually engaged in holding the recorders' courts for Hyde County, from the first session of said court to and including the session of court in January, one thousand nine hundred and fifteen.

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

Ratified this the 24th day of February, A. D. 1915.

CHAPTER 239.

AN ACT TO VALIDATE CERTAIN ACTS OF M. McD. WILLIAMS, NOTARY PUBLIC, OF DUPLIN COUNTY.

Whereas M. McD. Williams, notary public, did probate certain deeds of trust and other legal papers in which the Bank of Faison, located in Duplin County, was interested; and whereas said Williams was a stockholder and officer in said bank at the time of taking the proof of said papers: Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That all acts of the said M. McD. Williams, notary public, in probating certain deeds and legal papers in which said Bank of Faison was interested be and the same are hereby validated, legalized, and confirmed.

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

Ratified this the 23d day of February, A. D. 1915.

CHAPTER 240.

AN ACT TO AMEND CHAPTER 228 OF THE PUBLIC-LOCAL LAWS OF 1913, EXTRA SESSION, RELATIVE TO THE ESTABLISHMENT OF A RECORDER'S COURT FOR HYDE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section four, chapter two hundred and twenty-eight of the Public-Local Laws of one thousand nine hundred and thirteen, extra session, be amended by striking out all of line six of said section and inserting in lieu thereof the following: "all incorporated towns now existing or that may hereafter be created in said county." That said section be further amended by striking out all of the last sentence of said section and by inserting in lieu thereof the following: "Said court shall hold its courts as follows: At Swan Quarter on the first Tuesday in each month; at Fairfield the second Monday in each month; at Scranton on the third Monday in each month; and Middleton on the fourth Monday in each month; and shall continue at each place from day to day, for not more than five days, until all the business before said recorder's court shall have been disposed of."

SEC. 2. Amend section seven of said act by striking out the word "contract" in line eight and insert in lieu thereof the word "delicto."

SEC. 3. That said act be amended by adding section nine-a as follows: "The clerk of the board of commissioners shall furnish, on demand, to the recorder a list of the jurors for each township in which the recorder's court shall be held. Any person desiring a trial by jury must demand the same at the time of joining the issue of fact, and if neither party demand at such time a jury, they shall be deemed to have waived a trial by jury. No person shall be compelled to serve as juror under this act out of the township in which he resides, except as a talesman. The clerk of the said recorder's court shall keep a box for each of the townships in which the recorder's court is held, having two compartments marked respectively number one and number two, and having two locks, the key to be kept by the said clerk. The said clerk shall cause the names on his jury list for each township to be written on small scrolls of paper of equal size, and to be placed in the jury box, in division or compartment marked number one until drawn out for the trial of an issue as required by law. Six jurors shall constitute a jury in the recorder's court, but by consent of both parties a less number may constitute it. The same deposit of jury fees shall be made as is provided for in courts of justices of the peace, and the manner of drawing, summoning, selecting, impaneling, and challenging jurors shall be similar to that provided for courts of justices of the peace, and each party shall be entitled to challenge, peremptorily, two of the persons drawn as jurors. The law relative to jurors applicable in courts of justices of the peace shall apply in the recorder's court as far as possible, and the same procedure is to be followed and the same fees paid."

Lists of jurors.

Demand for jury trial.

Jury duty.

Jury boxes.

Jury lists.

Number of jurors.

Jury fees.

Challenges.

Courtrooms.

Fee for rents.

Proviso: total.

Clerk to pay rent.

SEC. 4. Amend said act by adding section nine-b, as follows: "A suitable place for holding said recorder's court shall be secured by the recorder in each township in which the court is held, and the rents therefor shall be paid by the clerk of said court out of a fund to be provided by taxing in the bill of cost in each case against the losing party a reasonable fee, not exceeding twenty-five cents in each case: *Provided*, the total amount so taxed shall not exceed the amount necessary to pay said rent. The clerk of said court shall pay said rent and shall take a receipt for same, which receipt shall be filed and shall be recorded on the minutes of the court.

SEC. 5. That the sheriff of Hyde County be allowed the sum of five dollars per day for opening and holding the several recorders' courts in Hyde County, and it shall be the duty of the commissioners of Hyde County to pay the same out of the general funds belonging to said county.

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

Ratified this the 24th day of February, A. D. 1915.

CHAPTER 241.

AN ACT TO PRESCRIBE THE PAY OF JURORS IN SWAIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all jurors who are summoned and serve on the jury in the Superior Courts of Swain County shall receive two dollars per day and five cents per mile for their services; and all jurors summoned in capital cases as special venire shall be paid the same as other jurors, whether they serve on the jury or not: *Provided*, the board of county commissioners of Swain County shall so order.

Jurors summoned and serving.

Special veniremen.

Proviso: orders of county commissioners.

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.

Ratified this the 23d day of February, A. D. 1915.

CHAPTER 242.

AN ACT TO REPEAL STOCK LAW IN CERTAIN TERRITORY IN SOUTH TOE TOWNSHIP IN YANCEY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and seventy-eight, Public-Local Laws of extra session of one thousand nine hundred and thirteen, be and the same is hereby repealed in so far as it applies to that part of South Toe Township south of the stock-law fence built by the citizens of said township in Yancey County.

Act repealed.

Boundary.

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.

Ratified this the 24th day of February, A. D. 1915.

CHAPTER 243.

AN ACT TO REGULATE THE PAY OF JURORS IN MONTGOMERY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the jurors of Montgomery County shall be paid as follows: Regular jurors in the Superior Court shall

Regular jurors.

Tales jurors.

receive the sum of two dollars per diem and mileage, five cents a mile each way, as now provided by law. Tales jurors shall be paid the sum of two dollars per diem and no mileage, unless required to serve more than one day, in which event they shall be allowed five cents per mile one way: *Provided*, that in case tales jurors serve less than one full day, they shall receive the sum of one dollar only.

Proviso: talesmen serving part of day.

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.

Ratified this the 23d day of February, A. D. 1915.

CHAPTER 244.

AN ACT TO AMEND SECTION 3 OF CHAPTER 767 OF THE PUBLIC LAWS OF 1905, RELATING TO COURT STENOGRAPHER OF BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

Judge to fix fees.

SECTION 1. Amend section three of chapter seven hundred and sixty-seven of the Public Laws of one thousand nine hundred and five by adding after the word "judge" and before the word "of," in line one, the word "presiding," and by striking out the word "fifteenth" in line one of said section and insert in lieu thereof the word "nineteenth."

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

Ratified this the 24th day of February, A. D. 1915.

CHAPTER 245.

AN ACT TO PREVENT LIVE STOCK FROM RUNNING AT LARGE IN GRASSY CREEK TOWNSHIP, MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

Allowing stock at large forbidden.

SECTION 1. That it shall be unlawful for any person, firm, company, or corporation to allow any live stock to run at large off his own premises in Grassy Creek Township in Mitchell County.

Misdemeanor.

Punishment.

SEC. 2. That all persons willfully violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined two dollars for each head of stock so permitted to run at large, or imprisoned for ten days.

SEC. 3. That if any live stock shall commit any damages by being allowed to run at large, or otherwise breaking out or getting out and running at large within the said territory described in section one of this act, then the owner thereof shall pay such damages as shall be assessed by a justice of the peace for said township, also such other charges as are allowed by the Revisal of one thousand nine hundred and five for impounding and feeding such stock, with the right, however, to appeal to the Superior Court.

Damages and other charges.

Right of appeal.

SEC. 4. That all laws and clauses of laws relative to stock laws in Grassy Creek Township, Mitchell County, in conflict with this act are hereby repealed.

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

Ratified this the 24th day of February, A. D. 1915.

CHAPTER 246.

AN ACT TO REPEAL CHAPTER 9, PUBLIC-LOCAL LAWS OF THE EXTRA SESSION OF 1913, AND TO ESTABLISH A RECORDER'S COURT FOR MORGANTON TOWNSHIP, BURKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter nine of the Public-Local Laws of the extra session of one thousand nine hundred and thirteen be and the same is hereby in all respects repealed, and the following is substituted in lieu thereof:

SEC. 2. That an inferior court with civil and criminal jurisdiction as hereinafter prescribed, to be known as "Morganton Township Recorder's Court." is hereby established.

Court established.
Official designation.

SEC. 3. The said court shall have jurisdiction in civil actions and proceedings as follows:

Jurisdiction.

1. Concurrent jurisdiction with justices of the peace in all civil actions, matters, and proceedings which are now or may hereafter be given to justices of the peace of Burke County and in Morganton Township.

As of justices of the peace.

2. Concurrent jurisdiction with the Superior Court of Burke County in all civil actions, matters, and proceedings founded on contract wherein the sum demanded shall not exceed five hundred dollars and wherein the title to real estate shall not be in controversy.

Actions on contracts.

3. Concurrent jurisdiction with the Superior Court of Burke County in all civil actions, matters, and proceedings founded on tort wherein the sum demanded or the value of the personal prop-

Actions on torts.

erty in controversy does not exceed three hundred dollars and wherein the title to real estate shall not be in controversy.

Attachment for claim and delivery.

4. Concurrent jurisdiction with justices of the peace and with the Superior Court in attachment and claim and delivery proceedings wherein the sum demanded or the value of the property claimed is within the jurisdiction of the court as defined herein.

Criminal jurisdiction.

SEC. 4. Said court shall have jurisdiction in criminal actions and proceedings as follows:

As of justices of the peace.

1. Concurrent jurisdiction with justices of the peace in all criminal actions, matters, and proceedings arising from offenses committed within the limits of Morganton and Morganton Township.

Violations of town ordinances.

2. Exclusive original jurisdiction of all offenses and misdemeanors consisting of the violation of any ordinances of the town of Morganton.

Offenses below grade of felony.

3. Exclusive original jurisdiction of all other criminal offenses committed within Morganton Township below the grade of felony as now defined by law, and all such offenses committed within Morganton Township are hereby declared to be petty misdemeanors: *Provided*, that nothing in this act shall prevent the Superior Court of Burke County from assuming original jurisdiction of all offenses committed in said township whereof exclusive original jurisdiction is given to said court, if within twelve months after the commission of the offenses said recorder's court shall not have proceeded to take official cognizance of the same.

Proviso: jurisdiction of superior court.

4. In addition to the jurisdiction conferred by the preceding sections of this act, said court shall have jurisdiction over the following named offenses, whether such offenses be covered by the preceding sections of this act or not, to wit: forcible trespass; forgery, not over twenty dollars; and perjury committed in Morganton Township recorder's court; all crimes and offenses covered by this section are hereby declared to be petty misdemeanors, and shall be punished as such.

Jurisdiction of enumerated offenses.

5. In all criminal offenses committed in Morganton Township whereof original jurisdiction is not given to said court, it shall have jurisdiction and is hereby fully authorized to examine into the same, and, upon proper cause being shown, bind the defendant to the Superior Court of Burke County, or, if capital, to commit him to jail as now provided by law for courts of justices of the peace.

Jurisdiction in preliminary inquiries.

Action for forfeits and penalties.

SEC. 4½. Said court shall have jurisdiction to try all actions for the recovery of any forfeited bond made returnable to said court, and for the recovery of any penalty imposed by law, with the power to dispose of the same as now provided by law.

Process by justices.

SEC. 5. The justices of the peace of Morganton Township may issue processes, both civil and criminal, and make the same returnable before Morganton Township recorder's court for trial. All warrants shall be issued upon affidavit and made returnable forth-

Issue and return of warrants.

- with, and shall be issued by the judge of said court, attested by his seal. Summonses and other civil processes shall be made returnable in not less than two days from the issuance thereof. The precepts and processes of said court may be issued to the sheriff or other lawful officer of said county, to any constable thereof, and to the police officers of the town of Morganton, and when given under the hand and seal of said court the precepts and processes may be issued and directed to the sheriff or other lawful officer of Burke County. Such officers shall serve the processes and precepts as now required by law. Service of publication may be made under the rules now provided for service by publication in the Superior Courts in all cases in this court.
- SEC. 6. In all actions heard by the justices of the peace and other examining magistrates of Morganton Township in respect to any offense whereof Morganton Township recorder's court has exclusive original jurisdiction, in which probable cause of guilt is found, such person or persons shall be bound in a suitable recognizance with sufficient security to appear before the Morganton Township recorder's court for trial on a specified day, and within fifteen days from such preliminary examination, and in default of such recognizance shall be committed to jail until the trial.
- SEC. 7. Morganton Township recorder's court shall be open at all times for the dispatch of business, and the trial judge, if the business requires it, shall hold daily sessions at the courthouse, town hall, or other suitable place in the town of Morganton, North Carolina.
- SEC. 8. The pleadings in civil cases within the jurisdiction of the justices of the peace may be oral or written, and in all other civil cases the pleadings shall be written. The trial judge in his discretion may require written pleadings in all cases.
- SEC. 9. Judgments of said court may be enforced by execution issued therefrom, and transcripts of the same may be docketed in the Superior Court of Burke County and become judgments of the Superior Court as now provided for executions and transcripts of judgments from courts of justices of the peace.
- SEC. 10. Any person convicted in said court of any offense shall pay all the cost of prosecution, and be fined or imprisoned, or both, according to law; and when the punishment imposed is imprisonment and cost, it shall be lawful for the trial judge to sentence the defendant to the common jail of Burke County, to be worked on the public roads of said county or any other county in the State, or the streets of the town of Morganton, until such sentence is served.
- SEC. 11. In all cases there shall be the right of appeal from the judgment of said court by the defendant in criminal actions, and either plaintiff or defendant in civil actions, to the Superior Court of Burke County, and upon said appeal the trial in the Superior
- Issue and return of civil process. Officers to whom process may issue.
- Service of process.
- Service by publication.
- Persons bound over to court.
- Commitment in default of bail.
- Sessions of court.
- Pleadings.
- Enforcement of judgments. Transcripts docketed.
- Punishments.
- Sentences to labor.
- Right of appeal.
- Trial on appeal.

Proceedings on appeal.	Court shall be <i>de novo</i> . Proceedings on appeal, appearance bonds, and undertakings to stay execution shall conform to the procedure now obtaining in courts of the justices of the peace as far as practicable.
Pay of witnesses.	SEC. 12. Witnesses in said court shall be entitled to fifty cents per day and mileage, five cents per mile each way, but only witnesses shall be allowed to prove as are now allowed to prove in the Superior Court. The trial judge shall be entitled to a fee of one dollar and twenty-five cents each for each person convicted of violation of town ordinance, and for all other offenses the trial judge shall be entitled to a fee of two dollars and fifty cents each for each person convicted, to be taxed and collected out of the party against whom judgment is rendered. Except as above provided, the above officers shall be entitled to the same fees in this court as are now allowed by law in the Superior Court, and the sheriff, deputy sheriff, constable, special officers, or any other person serving processes from this court shall not be entitled to charge and collect any amount for expenses in serving any process, either civil or criminal, issuing from this court. Jail fees of any prisoner held in custody in the town of Morganton shall be taxed as a part of the cost as provided by law and paid into the treasury of the county. Cost in all actions, civil and criminal, in said court shall be payable and collectible as now provided by law. The trial judge shall have full power as to taxing bill of cost, and the respective items thereof, under the practice now obtaining in the Superior Court in respect to such matters. The trial judge shall be entitled to a fee of two dollars and fifty cents for each civil case tried, to be taxed and collected out of the party against whom judgment is rendered.
Trial fees.	
Other fees.	
Jail fees.	
Costs.	
Trial fees in civil cases.	
Fines.	SEC. 13. All fines collected in Morganton Township recorder's court shall be paid into the treasury of Burke County.
Trial judge.	SEC. 14. That I. T. Avery of Morganton, North Carolina, shall be and is hereby named as trial judge of this the said Morganton Township recorder's court for the term ending the first Monday in December, one thousand nine hundred and sixteen. His successor shall be elected at the general election in November, one thousand nine hundred and sixteen, and every two years thereafter, by the qualified voters of Morganton Township, Burke County, and any vacancy occurring in said office at any time shall be filled by the board of commissioners of Burke County. Said trial judge shall take and subscribe an oath as now provided for judges of the Superior Court, which oath shall be filed with the clerk of the Superior Court of Burke County.
Term of office.	
Election of successor.	
Vacancy.	
Judge to qualify.	
Qualification for judge.	SEC. 15. Said court shall be presided over by the trial judge, who shall be learned in the law and of good moral character, and who shall at the time of his appointment and qualification be an elector in and for Burke County. Said trial judge shall not by
May practice law.	

reason of his office be prohibited from practicing the profession of an attorney at law in other courts in this State except as to matters connected with or growing out of said county court.

SEC. 16. When the trial judge is unable to preside over said court on account of sickness, absence, or other cause, the county commissioners shall appoint some other person learned in the law, with the same qualifications provided for the trial judge, to act as substitute trial judge, with all the powers and duties of the trial judge. That any vacancy shall be filled by the county commissioners. Substitute judge.

SEC. 17. The procedure in this court, except that hereinbefore provided, shall follow the rules and principles laid down in the chapter on criminal procedure and the chapter on civil procedure in the Revisal of one thousand nine hundred and five, and amendments thereto, in so far as the same may be adapted to the needs and requirements of said court. Court procedure.

SEC. 18. Said court shall have a seal with the inscription "Morganton Township Recorder's Court, Burke County, North Carolina," which shall be used in attestation of warrants, judgments, and other papers issuing from said court. Seal of court.

SEC. 19. There shall be dockets, files, and records of all proceedings in said court conforming as nearly as possible to the records and proceedings in the Superior Court, and it shall be the duty of the trial judge to procure such necessary books, papers, files, and other papers, and the county of Burke shall pay for the same. Dockets, files, and records.

SEC. 20. That whenever any party to a criminal or civil action in this court shall demand a jury trial, it shall be the duty of the trial judge to certify said case to the Superior Court for trial by jury, where such trial shall be had *de novo*, and in criminal actions after bill is found by a grand jury. Jury trials.

SEC. 21. Any cases now on the docket of Burke County Court in which either party has demanded a trial by jury shall upon the ratification of this act be certified by the trial judge to the Superior Court, to the end that they may be placed upon the proper docket of said Superior Court for trial. Cases pending.

SEC. 22. The first session of this court shall be held on Monday, the fifteenth day of March, one thousand nine hundred and fifteen, and other sessions as provided in this act. First session of court.

SEC. 23. Any case remaining on the docket of the present Burke County Court and not disposed of by said court shall be transferred to the docket of this court for trial and final disposition. Transfer of pending cases.

SEC. 24. That this act shall be in force from and after its ratification.

Ratified this the 24th day of February, A. D. 1915.

CHAPTER 247.

AN ACT TO AMEND SECTION 7 OF CHAPTER 772 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATING TO THE SALARY OF THE COURT STENOGRAPHER OF THE FIRST JUDICIAL DISTRICT.

The General Assembly of North Carolina do enact:

SECTION 1. That section seven, chapter seven hundred and seventy-two, Public-Local Laws of nineteen hundred and thirteen, be amended by striking out in line two of said section the words "thirty-five dollars per week, or a fraction of a week," and substituting in lieu thereof the words "six dollars per day or fraction of a day."

Per diem.

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.

Ratified this the 24th day of February, A. D. 1915.

CHAPTER 248.

AN ACT TO AMEND CHAPTER 561, PUBLIC-LOCAL LAWS OF 1913, ENTITLED "AN ACT TO PLACE THE OFFICERS OF NEW HANOVER COUNTY UPON A SALARY BASIS." AND TO AMEND CHAPTER 493, PUBLIC-LOCAL LAWS OF 1913, ENTITLED "AN ACT TO CREATE AND ESTABLISH AN AUDITOR'S OFFICE FOR THE COUNTY OF NEW HANOVER."

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and sixty-one, Public-Local Laws, regular session of one thousand nine hundred and thirteen, be and the same is hereby amended as follows:

Salary of sheriff.

(a) By striking out the words "thirty-five hundred" in line two of section seven of said act and inserting in lieu thereof the words "three thousand."

Salary of clerk of superior court.

(b) By striking out the words "twenty-seven hundred and fifty" in lines two and three of section ten of said act and inserting in lieu thereof the words "three thousand."

Proviso; charge on recorder's court.

(c) By striking out all of the remainder of section ten of said act after the word "law" in line twelve of said section and inserting in lieu thereof the following: "*Provided further*, that six hundred dollars of the salary of the deputy be charged to the record-

er's court and six hundred dollars of the same be charged to the Superior Court: *Provided further*, that all fees to which said clerk or his deputy might be entitled by reason of his acting as clerk of the recorder's court of New Hanover County shall be paid over and accounted for as provided in the act creating the recorder's court for said county."

Proviso: fees as clerk of recorder's court.

SEC. 2. That chapter four hundred and ninety-three of the Public-Local Laws of the regular session of one thousand nine hundred and thirteen be and the same is hereby amended as follows:

(a) By striking out the word "two" in line eight of section one of said act and inserting in lieu thereof the word "four." Term of office.

(b) By striking out the words "two thousand two hundred and fifty dollars (\$2,250)" in lines two and three of section eight of said act, and inserting in lieu thereof the words "three thousand dollars (\$3,000)"; and by striking out the words "twelve hundred and fifty dollars (\$1,250)" in line three, section eight, of said act, and inserting in lieu thereof the words "seventeen hundred and fifty dollars (\$1,750)." Salary of auditor.

(c) By striking out all of section thirty-one of said act and inserting in lieu thereof the following:

"SEC. 31. That at the election held in New Hanover County for the election of county officers in the year one thousand nine hundred and eighteen, and each four years thereafter, there shall be elected a county auditor, who shall be inducted into office on the first Monday in December, one thousand nine hundred and eighteen, and who shall hold office for a term of four years, or until his successor is elected, or appointed, and qualified; and the term of the present incumbent, John A. Orrell, shall not expire until the first Monday in December, one thousand nine hundred and eighteen, or until his successor is elected, or appointed, and qualified." Election and term of auditor.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed. Present incumbent continued.

SEC. 4. That this act shall be in force from and after the first day of April, one thousand nine hundred and fifteen. Repealing clause.

Ratified this the 24th day of February, A. D. 1915. When act effective.

CHAPTER 249.

AN ACT TO AMEND CHAPTER 259, PUBLIC LAWS OF 1907, RELATING TO THE ROAD LAW FOR LENOIR COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter two hundred and fifty-nine, Public Laws of North Carolina, which said chapter is an act entitled "An act to revise, consolidate, and amend the road law

Tax rate.

for Lenoir County for the better maintenance and more permanent construction of the public roads of said county," be and it is hereby amended in the following manner, to-wit: That the words "twenty-five cents" in lines seven and eight of said section be stricken out and the words "thirty cents" be substituted therefor; and further, that the words "seventy-five cents" in line nine of said section be stricken out and the words "ninety cents" be substituted therefor.

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

Ratified this the 24th day of February, A. D. 1915.

CHAPTER 250.

AN ACT TO AMEND CHAPTER 107, PUBLIC-LOCAL LAWS, SESSION 1911, RELATING TO THE DEVELOPMENT OF PUBLIC ROADS IN MURPHY TOWNSHIP, CHEROKEE COUNTY, AND TO PROVIDE FOR THE ELECTION OF MEMBERS OF THE HIGHWAY COMMISSION OF MURPHY TOWNSHIP.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter one hundred and seven, Public-Local Laws of session one thousand nine hundred and eleven, be and the same is hereby repealed and the following enacted in lieu thereof:

"SEC. 2. That said commission shall consist of three members, who shall be qualified electors of Murphy Township, to be elected at the election for county officers in the year one thousand nine hundred and sixteen, and every two years thereafter, by the qualified voters of Murphy Township. That a special election shall be held on the thirtieth day of March, one thousand nine hundred and fifteen, in the same manner as elections for county officers are held, of which election the board of commissioners of Cherokee County shall give notice by publication of the time and purpose of said election in some newspaper published in Cherokee County at least ten days prior to said election. That the registration books for said election shall be those used in the township for the last general election for county officers; and such books shall be kept open for at least twenty days prior to said election for the registration of any voters who have been qualified since the last election. The board of commissioners shall appoint one registrar and two judges of election in each precinct in Murphy Township, who shall canvass the votes cast at such election and make returns to the board of commissioners, who shall canvass the returns and enter same upon their minutes. The three persons receiving the

Number and election of commissioners.

Date for special election.

Notice of election.

Registration books.

Registration.

Registrar and judges.

Canvass and return of votes.

Persons declared elected.

highest number of votes cast shall be declared elected. The persons so chosen shall meet within ten days after the declaration of the result of said election by the board of county commissioners and qualify by taking solemn oath to faithfully perform the duties of their office, and shall organize as is provided by section four of chapter one hundred and seven, Public-Local Laws, session one thousand nine hundred and eleven, and thereupon all the powers and functions of the highway commission of Murphy Township, consisting of six members, shall cease, and the highway commission of Murphy Township consisting of three members as herein provided for shall become vested with all the powers and charged with all the duties prescribed in chapter one hundred and seven, Public-Local Laws, session one thousand nine hundred and eleven. Should a vacancy occur in said commission from any cause, the same shall be filled by the board of commissioners of Cherokee County."

Persons chosen to meet, qualify, and organize.

Powers to cease and revert.

Vacancies.

SEC. 2. That section five, chapter one hundred and seven, Public-Local Laws, session of one thousand nine hundred and eleven, be and the same is hereby amended by adding to said section the following: "Said treasurer shall on the first Monday in each month post at the courthouse door in Murphy, in Cherokee County, a statement showing by items the receipts of such treasurer from every source, and the disbursements for every cause for the month preceding such statement."

Monthly statements to be posted.

SEC. 3. That section ten of chapter one hundred and seven, Public-Local Laws, session one thousand nine hundred and eleven, be and the same is hereby amended by adding to said section the following: "Any person liable for road duty who may desire to be excused from such duty shall pay the treasurer of the highway commission of Murphy Township the sum of three dollars, and such treasurer shall issue a receipt therefor, which shall be countersigned by the superintendent of the public roads of such township, who shall keep a record of the same, and thereupon such person shall be excused from duty to work the public roads of such township for the year for which payment is made."

Commutation for road duty.

SEC. 4. That section twenty-nine, chapter one hundred and seven, Public-Local Laws, session of one thousand nine hundred and eleven, be and the same is hereby amended by adding to said section the following: "That from and after the ratification of this act it shall be unlawful to issue any bonds under the provisions of this act until the question of such issuance shall have been submitted to the qualified voters of Murphy Township in the following manner: The highway commission of Murphy Township shall adopt a resolution specifying the amount of bonds it is desired to issue, the rate of interest they shall bear, the time of maturity, and any other particulars in connection therewith, and shall enter such resolution on their minutes and certify a copy thereof to the

Bond issues forbidden without election.

Procedure for election.

board of commissioners of Cherokee County, who shall cause same to be spread upon the minutes of such board, and thereupon the board of county commissioners shall order an election for the purpose of authorizing such bond issue; the said board shall give twenty days notice of such election by publication in some newspaper published in Cherokee County; that the said board of commissioners shall appoint one registrar and two judges for each precinct in the township; that said election shall be held at each precinct in the same manner that elections for county officers are held, and those in favor of such bond issue shall vote a written or printed ballot "For Road Bonds" and those opposed a written or printed ballot "Against Road Bonds." That the registration books for said election shall be those used in the township for the last general election for county officers held in Murphy Township, and such books shall be kept open during the entire period of twenty days above referred to for the registration of any who have become qualified since the last election. That the said registrar and judges of election shall canvass the votes and make returns thereof to the county commissioners, who shall canvass the returns and enter same upon their minutes. If upon such canvass it is ascertained that a majority of the votes cast at such election favored such bond issue, then it shall be lawful for the highway commission of Murphy Township to issue and sell the said bonds for the purposes set forth in chapter one hundred and seven, Public-Local Laws, session of one thousand nine hundred and eleven."

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

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

Ratified this the 24th day of February, A. D. 1915.

CHAPTER 251.

AN ACT TO AMEND CHAPTER 398 OF PUBLIC-LOCAL LAWS OF 1913, RELATING TO THE SALARY SYSTEM OF ONSLOW COUNTY.

The General Assembly of North Carolina do enact:

Date for fixing salaries.

SECTION 1. That chapter three hundred and ninety-eight of the Public-Local Laws of the regular session of one thousand nine hundred and thirteen be amended by striking out the word "fourteen" in line five in section three of said act and inserting in lieu thereof the word "fifteen."

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

Ratified this the 24th day of February, A. D. 1915.

CHAPTER 252.

AN ACT TO PROVIDE FUNDS FOR THE PURPOSE OF BUILDING ROADS IN HALL TOWNSHIP, GATES COUNTY.

The General Assembly of North Carolina do enact:

- SECTION 1. That from and after the passage of this act Hall Township in Gates County shall constitute a road district, and the provisions of this act are hereby substituted for any road law or laws now in force in said township, and the public roads in said township shall be under the management of three commissioners as hereinafter provided.
- SEC. 2. That for the purpose of working, improving, and maintaining the public roads in Hall Township in Gates County, a board of commissioners is hereby created, which said board shall consist of three members, who shall be elected for a period of six years; that L. W. Hale, W. Joe Smith, and R. B. Harrell be and they are hereby appointed and shall constitute a board of commissioners for Hall Township in Gates County; that the term of office of L. W. Hale shall be two years, the term of office of W. Joe Smith shall be four years, and the term of office of R. B. Harrell shall be six years from the date of their qualification and organization under this act, and until their successors shall be duly elected and qualified; that immediately after the ratification of this act the three members aforesaid shall meet in Eure, North Carolina, in said county, and organize by electing one of their number as chairman of the board and one of their number as secretary of the board; that the members of the said board shall serve without compensation except as hereinafter provided; that after the expiration of their respective terms of office, or if a vacancy on the said board shall occur by reason of death or resignation of any member, the remaining members of the said board shall elect some well qualified elector of the said township, by and with the advice and consent of the board of county commissioners, to fill the said vacancy. Each member shall take and subscribe an oath before the clerk of the Superior Court of Gates County for the faithful performance of his duties as a member of the said board. The secretary of the said board shall make and keep a record of all the proceedings of the said board in a book especially provided for that purpose, and shall make and file with the register of deeds of Gates County an annual statement showing such proceedings.
- SEC. 3. That the said board of road commissioners of Hall Township in Gates County, and its successors in office, be and it is hereby constituted a body corporate under and by virtue of the laws of the State of North Carolina, and by this act, under the name and
- Township made road district.
- Management of roads.
- Board created.
- Number and term of commissioners.
- Commissioners named.
- Organization.
- Election of successors and to fill vacancies.
- Commissioners to be sworn.
- Duties of secretary.
- Incorporation.
- Corporate name.

- Corporate powers. style of the "Highway Commission of Hall Township," and in that name may sue and be sued, make contracts, and exercise such other rights and powers as are incident to other municipal corporations of like nature, such as the condemnation of lands for the construction, widening, and changing of any roads in the said township, and to carry out all the provisions of this act; and in the event the said board shall deem it necessary to condemn any land for the purpose aforesaid, it shall adopt the same method of procedure as now obtains.
- Charge of roads. SEC. 4. That it shall be the duty of the said highway commission to take charge of the working, repairing, maintaining, altering, and constructing of any and all roads in Hall Township now maintained by the county as public roads, and it is hereby vested with all the powers, rights, and authority now vested in the board of county commissioners of Gates County for Hall Township for the general supervision of the roads in said township and for the construction and repair thereof.
- Powers and rights vested. SEC. 5. That for the purpose of providing funds for the construction and repair, and to provide for the expenditures necessary for the maintenance of the said roads, the said board of county commissioners are authorized and directed, and shall, when requested by the commission herein provided, and at the same time of levying State and county taxes, levy and cause to be collected a special tax on all property, real, personal, and mixed, and on all persons subject to poll tax within the limits of Hall Township, of not more than twenty-five cents on the one hundred dollars assessed valuation on property and not more than seventy-five cents on each taxable poll: *Provided*, that in levying the said tax the constitutional equation between polls and property shall be observed by the said commission. The amount of taxes to be levied hereunder is to be determined by the said commission, but always within the limitations prescribed in this act. The taxes so levied shall be collected by the sheriff of Gates County as other taxes, and the sheriff shall receive only two and one-half per cent commissions for collecting and depositing the taxes with the treasurer; that all of the taxes thus collected by the sheriff shall be deposited with the Farmers Bank of Eure, Eure, North Carolina, which institution shall act as treasurer to the said commission without compensation and shall pay out money only when duly authorized by orders of the said commission as hereinafter mentioned. In addition to the foregoing special tax, all able-bodied male persons in said township between the ages of twenty-one and fifty years, both inclusive, shall pay to the sheriff, when called upon to do so, a road tax of two and twenty-five one-hundredths dollars: *Provided, however*, that in lieu of paying the road tax of two and twenty-five one-hundredths dollars aforesaid, each male person subject to road tax as aforesaid may work on the said roads of
- Special tax.
- Limit of rate.
- Proviso: constitutional equation.
- Amount determined by commission.
- Collection of tax.
- Commission of sheriff.
- Treasurer of commission.
- Tax in lieu of road duty.
- Proviso: work in payment of road tax.

said township five days in each year; that ten hours shall constitute a day hereunder; that each person choosing to work rather than pay the road tax as aforesaid shall be under the direct supervision of the road supervisor hereinafter mentioned and may be called upon at any time to work anywhere on the said roads, and with such tools, implements, or road machinery as the said road supervisor may direct. Any person subject to road tax or road duty, as herein provided, who shall willfully fail or refuse to comply with the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than five nor more than twenty-five dollars: *Provided*, the payment of the road tax and costs herein provided shall be a bar to prosecution hereunder. All the funds collected from the special or road tax shall be turned over to the aforesaid treasurer and shall be used by the said commission in the construction and repair of the said roads and for properly maintaining them after construction.

SEC. 6. That for the purpose of construction and repair of the roads of the township, the highway commission shall employ a road superintendent by the year, and such other subordinate employees as may be necessary for the proper construction and repair and maintenance of the roads of the township, and the commission shall pay such compensation to the road superintendent and the subordinate employees as the commission may deem sufficient to compensate them for services rendered. The commission may delegate to the road supervisor such powers as will enable him to carry out for the commission the provisions of this act effectually. He shall hold office for such length of time as agreed on between him and the said commission, but may be removed at any time for incompetency, or for other and sufficient causes in the discretion of the said commission. Subject to the approval of the said commission, he shall have general supervision of the roads of the township and shall have in charge the construction and repair of the said roads, and shall employ such subordinates as are necessary, subject at all times to the approval of the said commission. The commission may require of the road supervisor such reports in regard to construction, expenditure of money, and needs in regard to road improvement as it may deem necessary. The road supervisor shall not be required to furnish bond for the faithful performance of his duties.

SEC. 7. The commission is hereby empowered and authorized to purchase, or otherwise lawfully acquire for use in the construction, repair, and maintenance of roads, any machinery, tools, implements, and teams as may be necessary and to exercise such rights and authority as will enable it to lawfully and properly carry out the provisions of this act. That the commission, through its officers and agents, is hereby authorized to enter upon any uncultivated land adjacent to any public roads of said township; to

Failure to pay or work out road tax a misdemeanor.

Punishment.

Proviso: bar to prosecution.
Use of road funds.

Road superintendent.

Other employees.

Compensation.

Powers delegated to supervisor.

Term of office.

Removal for cause.

Supervision of roads.

Reports of supervisor.

Purchase of equipment.

Entry on land for material.

- cut and to carry away any timber, except trees or groves on improved land planted or left for shade or ornament; to dig, or cause to be dug, and carried away any sand, clay, or other road-building materials for the proper repair and construction of the aforesaid roads in said township; to enter upon any land adjacent to any public roads in said township in order to make such drains or ditches through the same that the said highway commission may deem necessary for bettering the roads; and the drains and ditches so made shall not be obstructed by the occupants or owners of such lands; that any person obstructing said drains and ditches shall be guilty of a misdemeanor and fined not exceeding fifty dollars or imprisoned not exceeding thirty days.
- Drains or ditches.**
- Obstructing drains or ditches a misdemeanor. Punishment.**
- Presentation of claim and assessment of damages.**
- Right of appeal.**
- Notice to landowner.**
- Time for presentation of claims.**
- Costs on appeal.**
- Work may be let to contract.**
- Misuse of funds a misdemeanor. Punishment.**
- Quarterly inspections.**
- Pay of commissioners.**
- Proviso: limit of pay.**
- Sec. 8. The owner of any land from which any timber or other material has been removed may present to the commission his claim therefor in writing, and upon presentation it shall be the duty of the commission to set a day, unless agreed upon, for the hearing of his claim. The landowner may waive such hearing and demand a jury, and upon such demand being made, the commission shall appoint three disinterested freeholders whose duty it shall be to assess the damage. The jury shall make its report in writing to the commission and communicated by the commission to the landowner. If the landowner is then dissatisfied, he may appeal to the Superior Court of Gates County to have the cause heard as in other civil cases. The commission shall notify the landowner at least three days before the jury shall meet to assess the damage alleged to have been done. Unless such landowner shall present his claims as aforesaid within six months from and after the removal of the trees and building material, his action shall be forever barred; and unless the landowner shall recover more, in the event of an appeal to the Superior Court, than the said commission offers by way of compensation for the damage done, the said appellant shall not recover costs against the said commission.
- Sec. 9. Nothing herein shall be construed to prevent the commission from constructing, repairing, and maintaining the roads, or any part thereof, of the said township by contract if in their judgment such course is better than working the said roads by the road supervisor as aforesaid.
- Sec. 10. Any person to whom the road funds are intrusted under this act who shall unlawfully misapply or misuse such funds shall, upon conviction, be guilty of a misdemeanor and fined or imprisoned, in the discretion of the court.
- Sec. 11. The highway commission shall meet and travel over the said roads of the said township, officially, at least once every three months for the purpose of inspecting the said roads, and for this official inspection each member of the commission shall be paid two dollars per day: *Provided*, that no member shall receive a greater compensation for this inspection than twelve dollars during any one year.

SEC. 12. No funds shall be paid out by the treasurer except by order of the commission and warrant issued thereby, signed by the chairman and countersigned by the secretary. Warrants on road funds.

SEC. 13. All roads built under and by virtue of this act shall be of such nature as the said commission shall deem best, commensurate with the funds at its disposal. Construction of roads.

SEC. 14. The commission shall meet as often as it shall deem necessary to carry out the provisions of this act. Meetings of commission.

SEC. 15. The roads first to be built by the said commission shall be as follows: (1) From Winton Causeway to Coles Creek. (2) From Ellis Swamp to Hackleys. (3) From Ballards Cross Roads to the White Oak. (4) From Story Cross Roads to Odom Place. (5) From Suffolk Road to White Oak Road. But building the aforesaid roads in their order as above shall not be construed to mean that the commission cannot transfer the road force elsewhere in said township to work on such roads as need immediate attention. Roads designated.
Emergency work.

SEC. 16. That the construction, repairing, and maintaining of the roads in Hall Township be and the same is hereby declared a necessary county expense for Hall Township. Expense declared necessary.

SEC. 17. That all bridges heretofore kept up and maintained by the county in said township shall continue to be kept up and maintained by the said county. Bridges.

SEC. 18. Whenever the word "commission" or "highway commission" is used in this act it shall be held to mean and refer to the "Highway Commission of Hall Township" as created by this act. Definition of terms.

SEC. 19. All laws and clauses of laws in any way in conflict with this act are hereby repealed.

SEC. 20. This act shall be in force from and after its ratification. Ratified this the 24th day of February, A. D. 1915.

CHAPTER 253.

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF PITT COUNTY TO ORDER AN ELECTION IN CERTAIN SCHOOL DISTRICTS IN SAID COUNTY TO ISSUE BONDS FOR CERTAIN PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. That whenever the school committee of any public school district in the county of Pitt and the governing body of any incorporated town situated in such district shall present to the board of county commissioners of the county of Pitt a petition signed by such school committee of such district and by the governing board of the incorporated town in such district, asking the board of county commissioners to order an election in such dis- Petition of election.

- County commis-
sioners to order
election.
Specifications of
order.
- Notice of election.
- Limit of interest.
Election officers.
- Ballots.
- Qualified voters.
- Hours of election.
- Count and return
of votes.
- Canvass of returns
and declaration of
result.
- Advertisement for
bids for bonds.
- Issue and sale of
bonds.
- Authentication.
- Proviso: sale below
par forbidden.
Sale to highest
bidder.
- trict for the purpose of taking the sense of the voters of such district upon the question of issuing bonds for the purpose of building, enlarging, or repairing, and equipping suitable buildings for school purposes in such district, it shall be the duty of the said board of county commissioners to order such election.
- SEC. 2. That in making such order it shall be the duty of said board of county commissioners to designate the time and place of such election, and also to designate the amount of bonds to be issued, the time said bonds shall run, and the interest they shall bear; and to cause publication to be made for at least thirty days of the time and place of such election, the amount of bonds to be issued, the time they are to run, and the interest they are to bear, which in no case shall exceed six per cent per annum.
- SEC. 3. That it shall be the duty of the said board of county commissioners to appoint registrars and judges for said elections and to notify them of their appointment, and in case any one so appointed shall refuse to act, the chairman of the board of county commissioners is hereby authorized to fill the vacancy caused by such refusal or any other cause.
- SEC. 4. That at such election the voters favoring the issuing of the bonds shall vote written or printed tickets upon which the words "For Bonds" shall be written or printed, and those opposing the issuing of such bonds shall vote written or printed tickets upon which the words "Against Bonds" shall be written or printed.
- SEC. 5. That at such election all persons who are qualified voters living in said school district shall be entitled to register and vote. The polls for said election shall open at eight o'clock in the morning of the day of the election and close at five o'clock in the evening of said day. Immediately upon the closing of the polls the registrar and judges of election, in the presence of all who shall choose to attend, shall count the ballots cast for and against the issuing of said bonds; and they shall make due returns of the voting in said election to the clerk of the board of county commissioners, who shall carefully preserve the same until the next meeting of the board of county commissioners, at which time the said board of county commissioners shall canvass said returns and declare at the courthouse door the result thereof.
- SEC. 6. That if a majority of the qualified voters at such election shall be in favor of issuing bonds for said purposes, then and in that event it shall be the duty of the said board of county commissioners to advertise for bids for such bonds; and upon satisfactory bids being received, the said board of county commissioners shall cause said bonds to be issued and sold. The bonds shall be signed by the chairman of the board of county commissioners and countersigned by the clerk of said board: *Provided*, that no bonds shall be sold for less than their par value, and that when there are more bids received for said bonds than one, they shall be sold to the highest bidder.

SEC. 7. That when said bonds are sold, the proceeds arising from such sale shall be delivered to the treasurer of the county of Pitt, who shall credit such school district with the amount received. The said funds shall be expended under the direction of the school committee of such school district, with the approval of the county superintendent of schools. The said committee shall make and approve vouchers for such expenditures, which shall be paid and filed by the county treasurer when approved by the said county superintendent of schools.

Proceeds credited to school district.

Expenditure of funds.

Vouchers.

SEC. 8. That it shall be the duty of the said board of county commissioners to levy and cause to be collected a sufficient tax upon the taxable property and polls in said school districts to pay the interest on said bonds and to create a sinking fund for the redemption of the principal thereof.

Special tax.

SEC. 9. That it shall be stated on the face of such bonds that they are issued for such school district for the purpose of providing the necessary school buildings for such school district and equipping the same, and the funds arising from the sale of such bonds shall not be used for any other purpose: *Provided*, the purchasers of said bonds shall not be required to see to the application of the proceeds of the sale thereof.

Purpose of issue stated on bonds.

Specific appropriation of proceeds. Proviso: purchasers not liable for use.

SEC. 10. That this act shall be in force from and after its ratification.

Ratified this the 25th day of February, A. D. 1915.

CHAPTER 254.

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF POLK COUNTY TO ISSUE THE BONDS OF SALUDA AND TRYON TOWNSHIPS, OR EITHER OF SAID TOWNSHIPS, TO PAY OFF AND DISCHARGE THE INDEBTEDNESS DUE FOR THE CONSTRUCTION OF THE ROAD FROM TRYON, VIA MELROSE AND SALUDA, TO THE HENDERSON COUNTY LINE.

Whereas, under and by virtue of the provisions contained in chapter two hundred and seventy-three of the Public-Local Laws of North Carolina, session of one thousand nine hundred and thirteen, the board of county commissioners of Polk County issued one hundred thousand dollars of bonds and turned over to the highway commission of Polk County, a body politic created by said act, the proceeds of the sale of said bonds, to be used for the purpose of making, widening, grading, and improving the public roads of said Polk County and for the purpose of constructing and

Preamble.

Preamble.

repairing bridges in said county, and said highway commission of Polk County entered upon the discharge of the duties imposed upon said board by the provisions of said act immediately after the proceeds of the sale of said bonds had been turned over to said board as aforesaid; and whereas, when said highway commission of Polk County entered upon the discharge of its duties, as set forth in said act, the said highway commission of Polk County apportioned the proceeds of the sale of said bonds among the several townships of said Polk County in such a manner that none but the amount apportioned to each township should be expended in that township, and thereafter the said highway commission proceeded to, and did, contract for the construction, widening, grading, and improving the public roads of said county in the several townships thereof, and in pursuance of the provisions of said act the said highway commission of Polk County contracted for the construction and improvement of a public road from the town of Tryon, by way of Melrose and Saluda, in said Polk County, to the Henderson County line, and the said contracts were made at certain stipulated prices per cubic yard for the different kinds, qualities, and grades of materials which it would be found necessary to remove and use in the construction and improvement of said road, and contracted for the construction and repairing of such bridges as were necessary to be constructed and repaired along said road, and when the said road was completed it was found and ascertained that the funds apportioned to the said townships of Saluda and Tryon were not sufficient to pay off and discharge all of the indebtedness which had been incurred in the construction and improvement of said roads and in constructing and repairing the bridges along said road, and there now remains unpaid and due and owing to contractors, bridge companies, and others various and sundry amounts of money for labor and material necessarily expended and used upon the construction and improvement of said road; and whereas the said road from the town of Tryon, by way of Melrose and Saluda, to the Henderson County line is now in use and operation and open to the travel of the public, who are deriving the benefits of the labor expended and material used, which have not been paid for, and the indebtedness incurred as hereinbefore stated is justly due and owing for necessary labor expended and necessary material used in the construction and improvement of said road, and the said indebtedness should be paid by either Saluda Township or Tryon Township, or both of them in the proportion in which the indebtedness was incurred and created in said townships; and whereas the terms of office of the members of the said highway commission of Polk County expired, under the provisions of said act, and the said highway commission of Polk County no longer exists as a body politic:

Preamble.

Now, therefore,

Preamble.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Polk County be and it is hereby authorized, empowered, and directed to issue bonds of Saluda and Tryon townships in such amount as may be necessary to pay off and discharge the debts due and unpaid upon the construction and improvement of the road from Tryon, by way of Melrose and Saluda, to the Henderson County line, and for the erection of bridges upon said road, and such other indebtedness as has been incurred by reason of the construction of said road, which debts are hereby expressly declared to be necessary public expenses, said bonds to be issued in the manner hereinafter provided and to be of the denominations and character hereinafter stipulated: *Provided, however,* the aggregate amount of the bonds issued under the authority of this section shall not exceed the sum of ten thousand dollars.

Bond issue authorized.

Denominations.

Proviso: limit of amount.

SEC. 2. That in order to ascertain the amounts of the indebtedness due and owing upon the construction of the road from Tryon, by way of Melrose and Saluda, to the Henderson County line, and for the erection of bridges upon said road and other expenses connected with the construction and improvement of said road, and also for the purpose of ascertaining how much of such indebtedness was incurred within the limits and boundaries of Saluda Township and how much of said indebtedness was incurred within the limits and boundaries of Tryon Township, the board of county commissioners of Polk County are authorized, empowered, and directed to examine and investigate all of the records of the said highway commission of Polk County and the officers and employees of said highway commission, including the records of the treasurer of said highway commission, and to examine the several claimants and their records, as well as all contractors who performed labor or furnished material under contract or employment with or under said highway commission; and when the said board of county commissioners shall have ascertained and determined the amount of indebtedness legally and justly due upon said road and the amount which has been incurred in each or either of the said townships of Saluda and Tryon, and that the same is legally and justly due by each or either of said townships, then the said county commissioners shall issue the bonds of Saluda Township for the amount necessary to pay off and discharge the indebtedness incurred in Saluda Township, and shall issue the bonds of Tryon Township for the amount necessary to pay off and discharge the indebtedness incurred in Tryon Township, and in arriving at the amount for which bonds shall be issued for each or either of said townships the said county commissioners shall take into consideration the total aggregate amount apportioned to and spent in each of said townships by said highway commission as well as the in-

Examination of accounts and records.

Issue for townships.

Items considered.

debtedness incurred in each of said townships and the mileage and aggregate cost of the road in each of said townships as well as the cost of other roads in said townships.

Denominations of bonds.

SEC. 3. That the said bonds, when issued by the board of county commissioners of Polk County, shall be of the denominations of one thousand dollars, five hundred dollars, or one hundred dollars, as the said board of county commissioners shall deem best, shall bear a rate of interest of not exceeding six per centum per annum, with interest payable semiannually during the time the bonds shall run; the said bonds shall be payable twenty years from their issue and shall bear date of the first day of July, one thousand nine hundred and fifteen, and the said bonds shall be signed by the chairman of the board of county commissioners of Polk County and countersigned by the clerk of said board of county commissioners, and each bond shall be authenticated by the seal of Polk County.

Interest.

Maturity.

Authentication.

Sale of bonds.

SEC. 4. That the said board of county commissioners of Polk County shall sell the said bonds at either public or private sale, as the board may deem best, but in no instance for a less amount than par and accrued interest, and the said board of county commissioners shall apply the proceeds of the sale of said bonds to the payment of the debts mentioned in section one and the preamble of this act: *Provided, however*, the said board of county commissioners are empowered, if they deem best, to pay off and discharge any part or all of said indebtedness by delivering to those persons, firms, or corporations to whom the indebtedness, or any part thereof, is due, said bonds to the amount of the indebtedness due to such persons, firms, or corporations.

Sale below par forbidden. Application of proceeds.

Proviso: debts paid with bonds.

Special tax.

SEC. 5. That in order to meet and pay off the interest and principal of said bonds as either may become due, the board of county commissioners of Polk County shall levy annually, at the time prescribed by law for levying taxes, a special tax for each or either of said townships of Saluda and Tryon for which bonds shall be issued under the provisions of this act, of sufficient amount upon the property and polls of Saluda and Tryon townships, or either of them if bonds shall not be required to be issued for both of them, always maintaining and preserving the constitutional equation between the property and the poll, to pay off the interest upon said bonds as it may fall due and to create a sinking fund for the payment of the principal of said bonds when it falls due.

Constitutional equation.

Repealing clause.

SEC. 6. That all acts and clauses of acts in conflict with this act are hereby repealed.

When act effective. Secretary of State to send copy of act.

SEC. 7. That this act shall be in force from and after the date of its ratification, and as soon as ratified the Secretary of State shall transmit a certified copy of this act to the chairman of the board of county commissioners of Polk County.

Ratified this the 25th day of February, A. D. 1915.

CHAPTER 255.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF YADKIN COUNTY TO ISSUE BONDS FOR ROAD PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Yadkin County be and they are hereby authorized, empowered, and directed to issue bonds of the county to an amount not exceeding sixty thousand dollars, in such denominations as they may determine, bearing interest from the date thereof not exceeding six per cent per annum, payable semiannually at such time and place as may be deemed advisable by said board of commissioners; said bonds to be of such form and tenor and transferable in such way, and the principal thereof payable at such time or times, not exceeding thirty years from the date thereof, as said board may determine: *Provided*, that none of said bonds shall be sold for a less price than their face value.

Bond issue authorized.

Amount and denominations.

Interest.

Maturity.

Proviso: sale below par forbidden.

SEC. 2. That the bonds and coupons shall be numbered and signed by the chairman of the board of county commissioners and countersigned and attested by the register of deeds of said county, and bearing the corporate seal of said county.

Authentication.

SEC. 3. That a record shall be kept of the said bonds in a separate book for that purpose, and all bonds sold, to whom, the date and amount of same, and the number of each bond and to whom sold shall be kept therein.

Record of bonds.

SEC. 4. That in order to pay the interest on said bonds and create a sinking fund for taking up said bonds at maturity, or earlier, the board of commissioners of said county shall, annually, at the time of levying other taxes, levy a special tax not to exceed ten cents on the one hundred dollars valuation of all real and personal property and thirty cents on all polls of said county, always observing the constitutional equation between the tax on property and the tax on polls.

Special tax.

Limit of rate.

Constitutional equation.

SEC. 5. That said taxes, when collected, shall be kept separate and apart from all other taxes, and shall be used for the purpose for which collected.

Taxes kept separate. Specific appropriation.

SEC. 6. That it shall be the duty of the board of commissioners of Yadkin County to annually invest any and all moneys arising from the special tax for sinking fund in the purchase of said bonds at a price deemed advantageous to said county by said commissioners, and to be agreed upon between them and the owners thereof; but in case said bonds cannot be purchased, the said commissioners shall invest said sinking fund upon approved security and upon terms advantageous to the county.

Investment of sinking fund in bonds.

Other investments.

Deposit and issue of bonds.

SEC. 7. That the bonds herein provided for shall be deposited in some safe-deposit company or bank, and only drawn out upon the joint order of the board of commissioners and the county treasurer of said county, and the proceeds shall be applied to the purposes as herein provided for.

Use of funds in construction of road.

SEC. 8. That the money arising from the sale of said bonds shall be used for surveying, laying out, and building a sand-clay road from the new steel bridge now being built across the Yadkin River by Yadkin and Forsyth counties, near Hoffman's Ferry, to the town of Yadkinville, and thence on to the town of Jonesville or to some point on the Wilkes County line, as may be determined by said board of commissioners. Said road shall be surveyed and laid out by a competent road engineer on the most direct route practicable, taking into consideration the cost of building; and the road from the new bridge to Yadkinville shall be built first.

Route.

Survey of road.

Entry on lands for construction and materials.

SEC. 9. That said board of commissioners of Yadkin County are hereby authorized, themselves or through their agent, to go upon the lands of any person, firm, or corporation in Yadkin County and lay out and construct said new roads, widen the roads now already laid out, or take material for the building or repairing of same by first giving the owner five days notice; and if the said board of commissioners and the owner of the lands are unable to agree upon the amount of damage sustained by the owner of the lands, if any, then within sixty days after the completion of the road the said board shall cause three freeholders of the county to be summoned, who shall go upon the lands and assess the damages sustained by the owners, taking into consideration the benefits which the owners received by reason of the road: *Provided*, that either party may appeal from the decision of the three freeholders to the Superior Court, when the matter shall be heard *de novo* by a jury, and when said damages are determined they shall be paid by the said board of commissioners, but no cost shall be paid by them upon appeal unless a greater amount of damage is received than that allowed by the three freeholders.

Procedure for assessment of damages.

Proviso: right of appeal.

Funds kept separate.

SEC. 10. That the proceeds of the sale of bonds herein provided for, and the moneys to be collected by the taxes herein authorized, shall be paid to the treasurer of Yadkin County, who shall keep them separate from other funds, and the bond of said treasurer shall be liable for the faithful accounting of the funds received by him. He shall disburse same upon the order of the board of commissioners, and for his compensation he shall receive one-half of one per cent of his disbursements. The taxes herein authorized shall be collected by the sheriff of Yadkin County as other taxes are collected, and he shall receive for his compensation one per cent of all of said taxes collected by him, and the bond of said sheriff shall be liable for the faithful accounting by him of the same. The treasurer of Yadkin County shall quarterly publish in

Bond of treasurer liable.

Orders for disbursements.
Compensation.
Collection of tax.

Compensation of sheriff.
Bond of sheriff liable.

Statements published quarterly.

some newspaper published in Yadkin County a full and itemized statement covering receipts and disbursements of funds coming into his hands by virtue of this act.

SEC. 11. That after building and completing the road herein provided for, if a surplus remain from the sale of said bonds, said surplus shall be spent upon the other roads of the county to be designated by said board of commissioners. Surplus to road fund.

SEC. 12. That if bonds are issued for the purpose of building roads in Yadkin County by virtue of an act ratified by the General Assembly of North Carolina on the twenty-ninth day of January, one thousand nine hundred and fifteen, then no bonds are to be issued under this act, and the same shall be null and void. Act void if other bonds are voted for.

SEC. 13. That this act shall be in full force from and after its ratification.

Ratified this the 25th day of February, A. D. 1915.

CHAPTER 256.

AN ACT TO BUILD A STEEL BRIDGE OVER THE YADKIN RIVER, THE DIVIDING STREAM BETWEEN YADKIN AND SURRY COUNTIES, AT A POINT AT OR NEAR THE PRESENT CRUTCHFIELD FERRY.

Whereas public roads have been laid off and used for many years and a bond issue is now pending to build public roads in Yadkin County to the bank of said Yadkin River and a distance of three miles from Boonville and leading to a point on said river known as Crutchfield Ferry, and the county of Surry has a public road from said point over said river to the courthouse at Dobson, Surry County, a distance of eleven miles, and said roads on the main highway from said courthouse to Boonville and the courthouse in Yadkin County; and whereas there is a public ferry at said Crutchfield's which charges the public with ferriage, and it is desired that a public bridge be built, and that there is a public necessity for same: Now, therefore, Preamble.

The General Assembly of North Carolina do enact:

SECTION 1. That the boards of county commissioners of the counties of Yadkin and Surry be and they are hereby authorized and empowered to secure the service of a competent engineer or surveyor and have plans and specifications made for a single-track public steel bridge across said Yadkin River at a suitable point at or near Crutchfield Ferry, and the said county commissioners of the counties of Yadkin and Surry are authorized and empowered to construct and erect a public steel single-track bridge across the Yadkin River, the dividing stream between the counties of Yadkin Employment of engineer authorized.

Plans and specifications for bridge.

Construction of bridge authorized.

Location.	and Surry, at or within one mile or less of the said Crutchfield Ferry, the exact location to be fixed by the said commissioners of both counties, and to be built, constructed, and completed in accordance with the said plans and specifications, and to expend a sum not exceeding six thousand dollars.
Limit of expense.	
Apportionment of cost.	SEC. 2. That the cost and charges of building and keeping in repair said bridge shall be defrayed by both counties, Surry and Yadkin, in proportion to the taxable property listed for taxation in each of the said counties respectively.
Special tax for Yadkin county.	SEC. 3. That the board of commissioners of Yadkin County be and it is hereby authorized and empowered to levy and cause to be collected a special bridge tax, if it shall deem it necessary, not exceeding five cents on the one hundred dollars valuation of all property listed for taxation in Yadkin County; and the board of commissioners of Surry County be and it is hereby authorized and empowered to levy and collect, at its discretion, a special tax not exceeding five cents on the one hundred dollars valuation of all property listed for taxation in Surry County; and said funds so raised by said special tax levy shall be applied by each of said boards of commissioners to defray the proportionate expense and cost of erection of said bridge by said counties in equal parts, one-half to each respectively. That said tax shall be a special bridge tax and may be used by either of said counties for this and other bridges in the respective counties.
Limit of rate.	
Special tax for Surry county.	
Limit of rate.	
Special bridge tax.	
Action discretionary.	SEC. 4. That the county commissioners of Yadkin County and also the county commissioners of Surry County are hereby authorized and empowered to levy said taxes and build said bridge at their discretion, and that nothing in this act shall be construed to be compulsory on said boards, and they are left to their own election as to the exercising of the authority hereby given.
	SEC. 5. That this act shall be in force from and after its ratification.

Ratified this the 25th day of February, A. D. 1915.

CHAPTER 257.

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF MOORE COUNTY TO ISSUE BONDS FOR THE PURPOSE OF PURCHASING A SITE AND ERECTING BUILDINGS FOR A COUNTY HOME FOR THE AGED AND INFIRM.

The General Assembly of North Carolina do enact:

Purposes of bond issue.	SECTION 1. That in order to provide funds for the purchase of a site for a county home for the aged and infirm of the county of
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Moore, and for the purpose of erecting suitable buildings thereon for a county home for the aged and infirm of said county, and for the purpose of properly equipping and furnishing said buildings for the purposes aforesaid, the board of commissioners of Moore County is hereby authorized and empowered to issue and sell coupon bonds of said county of Moore to an amount not exceeding ten thousand dollars, in denominations not less than five hundred dollars nor more than one thousand dollars, bearing interest from the date of said bonds at a rate not to exceed six per cent per annum, and payable annually on the first day of January of each year until said bonds are paid, both principal and interest payable at the office of the treasurer of Moore County, at a place to be designated by said board of commissioners, the date of said bonds and the time of their maturity to be fixed by the board of commissioners of said county. The said bonds shall be signed by the chairman of the board of commissioners of said county, and shall be countersigned by the clerk of said board, and shall have affixed thereto the seal of the office of the register of deeds of said county. The said bonds shall be numbered consecutively and the interest coupons shall be identified by numbers corresponding to the bonds to which they are attached, and shall have such other evidence of identity as said board of commissioners shall prescribe, and shall be signed by the chairman of said board of commissioners or shall have his lithographed signature thereon.

SEC. 2. No bond issued under the provisions of this act shall be sold or otherwise disposed of for less than its par value.

SEC. 3. The said clerk of the board of commissioners shall keep a book suitable for the purpose, in which he shall keep an accurate account of the number of bonds issued, amount of each bond, and the name of the person to whom sold. He shall also keep an accurate account of the coupons and bonds which shall be paid, taken up, or otherwise canceled, so that by an inspection of said book the true state of the bonded debt herein provided for may be seen and easily ascertained. The said book shall at all reasonable times be open to the inspection of any taxpayer in the county.

SEC. 4. That the said bonds, at the option of the holder or the holders thereof, shall be registered by the clerk of the board of county commissioners of said county, and after such registration shall be transferable only by indorsement.

SEC. 5. That the board of commissioners of Moore County are authorized and empowered to issue and sell said bonds in such manner and upon such advertisement as in their discretion may be deemed most expedient and for the best interest of said county.

SEC. 6. That the proceeds arising from the sale of the bonds issued under the provisions of this act shall constitute a separate and distinct fund to be applied and appropriated to the purpose for which they are issued, as herein provided; that the proceeds

Bond issue authorized.

Amount.

Interest.

Date and maturity.

Authentication.

Sale below par forbidden.

Record of bonds.

Record open for inspection.

Registered bonds.

Issue and sale of bonds.

Proceeds of bonds kept separate.

Specific appropriation.

- Treasurer liable on bond. Separate accounts. arising from the sale of said bonds shall be paid to the treasurer of Moore County, and the official bond of said treasurer shall be liable for any misappropriation thereof; and the board of commissioners shall cause said treasurer to open and keep separate accounts of said funds.
- Special tax. SEC. 7. That in order to pay the interest on said bonds as it may accrue, and provide a sinking fund to pay the principal of said bonds at maturity, the said board of commissioners of said county are hereby authorized and empowered to levy a special tax annually on all taxable property and taxable polls in the county of Moore, not exceeding two cents on every one hundred dollars worth of taxable property and six cents on each taxable poll in said county. The said taxes shall be levied and collected and shall be imposed upon such property, polls, and other subjects of taxation as are now or may hereafter be subject to taxation under the laws of this State, and said tax shall be collected by the officers of said county charged with the collection of other county taxes, who shall in respect thereto be liable officially as well as personally, as now or hereafter prescribed by law, for the faithful collection and payment of other taxes: *Provided, however,* that the said board of commissioners of Moore County shall be authorized and empowered to pay the interest accruing on said bonds, or any part of the principal becoming due from time to time, out of any funds belonging to the county of Moore collected for the regular and necessary expenses of said county, if in the judgment and discretion of said board sufficient funds for said purpose shall at such times be available therefrom.
- Limit of rate.
- Levy and collection. SEC. 8. That this act shall be in force from and after its ratification.
- Proviso: payment of interest from general fund. Ratified this the 25th day of February, A. D. 1915.

CHAPTER 258.

AN ACT TO AMEND CHAPTER 71 OF THE PUBLIC-LOCAL LAWS, REGULAR SESSION 1913, AND CHAPTER 94 OF THE PUBLIC-LOCAL LAWS, SPECIAL SESSION 1913, RELATING TO THE RECORDER'S COURT OF TRANSYLVANIA COUNTY.

The General Assembly of North Carolina do enact:

Appeals.

SECTION 1. That subsection (e) of section eight, chapter seventy-one of the Public-Local Laws, regular session of one thousand nine hundred and thirteen, be and the same is hereby amended by inserting in said subsection (e), between the word "county" and

the word "and" in line five thereof, the following: "as is now provided by law for appeals from justices of the peace to the Superior Court."

Sec. 2. That the aforesaid chapter seventy-one be further amended by adding at the end of subsection (b) of section eight thereof the following: "*Provided*, the grand jury of the Superior Court of Transylvania County shall have the right, and it is hereby authorized to summon witnesses before it and inquire into the commission of any offense declared by the aforesaid chapter to be petty misdemeanors, but in the event any presentment is made, or a true bill found, it shall be the duty of the judge of the Superior Court to remand said cases to the recorder for trial as prescribed by law: *Provided further*, that if the recorder's court shall not take official cognizance of any offense whereof it is given exclusive original jurisdiction within sixty days after the commission of the offense, the Superior Court shall have jurisdiction of such offense concurrently with the recorder's court."

Proviso: jurisdiction of grand jury.

Proviso: jurisdiction of superior court.

Sec. 3. That chapter ninety-four of the Public-Local Laws, special session of one thousand nine hundred and thirteen, be and the same is hereby amended by adding at the end of subsection (e) of section eight a new subsection (f), as follows:

"(f) All civil actions shall be commenced in said court by summons issued by the recorder or clerk of the Superior Court, or any justice of the peace in cases where justices of the peace have jurisdiction, made returnable to said court, and shall be returnable the first Monday after service: *Provided* service shall be had on or before Wednesday preceding the day of the return. The plaintiff, if the action be one in which the courts of justices of the peace do not have jurisdiction, shall file a written complaint on return of such summons. The defendant shall file his written answer or demurrer within three days following the return day of summons, and the case shall stand for trial on the first Monday after the return day thereof. The procedure of the recorder's court of Transylvania County, except as otherwise provided in chapter seventy-one of the Public-Local Laws, regular session of one thousand nine hundred and thirteen, and in chapter ninety-four of the Public-Local Laws, special session of one thousand nine hundred and thirteen, shall follow the rules and principles laid down in the chapter on criminal procedure and the chapter on civil procedure in the Revisal of one thousand nine hundred and five, and amendments thereto, in so far as the same may be adapted to the needs and requirements of the aforesaid court."

Summons in civil actions.

Return day.

Pleadings.

Trial day.

Procedure.

Sec. 4. That chapter ninety-four of the Public-Local Laws, special session of one thousand nine hundred and thirteen, be and the same is hereby further amended by striking out in line eleven (11) of section three (3) of said chapter the words "three dollars of"; amend said section three further by striking out in said sec-

Pay of recorder.

tion all after letters "sation" in line thirteen (13) down to and including the word "liable" in line fifteen (15) of said section three.

SEC. 5. This act shall be in force and effect from and after its ratification.

Ratified this the 25th day of February, A. D. 1915.

CHAPTER 259.

AN ACT TO PROVIDE FOR WORKING THE PUBLIC ROADS OF SEABOARD AND OCCONEECHIEE TOWNSHIPS IN NORTHAMPTON COUNTY.

The General Assembly of North Carolina do enact:

Boards of road commissioners.

Official designations.

Supervision of roads.

Powers and duties.

Terms of office.

Boards named.

Election of successors.

SECTION 1. That for the purpose of constructing, repairing, improving, and maintaining the public roads in Seaboard and Oconeechee townships, Northampton County, there shall be a special board of three members, who shall be known respectively as the "Board of Road Commissioners for Seaboard Township" and the "Board of Road Commissioners for Oconeechee Township," which said boards respectively shall have the entire supervision and jurisdiction of all the public roads of said townships, each board in its respective township, and succeed to and exercise all the powers and duties heretofore exercised by and imposed upon the board of road commissioners and justices of the peace in reference to the establishment, keeping, alteration, or discontinuance of all public and private roads, cartways, and other thoroughfares. The members of each of said boards shall hold their offices for the term of six years, and until their successors are elected and qualified, except as provided in section two hereafter.

SEC. 2. That M. R. Stephenson, W. C. Howell, and J. R. Bradley are hereby appointed and constituted the board of road commissioners for Seaboard Township, and W. H. Joyner, G. M. Naff, and W. J. Long are hereby appointed and constituted the board of road commissioners of Oconeechee Township. The first named of each of said boards, to wit, M. R. Stephenson and W. H. Joyner, shall each of them hold the said position of commissioner of his respective township until the first Monday in December, one thousand nine hundred and sixteen; the next named of each of said boards, to wit, W. C. Howell and G. M. Naff, until the first Monday in December, one thousand nine hundred and eighteen; and the last named of each of said boards, to wit, J. R. Bradley and W. J. Long, until the first Monday in December, one thousand nine hundred and twenty. At the regular election in the year one thousand nine hundred and sixteen, and regularly every two years there-

after, there shall be one commissioner elected by the voters in each of said townships at the same time and in the same manner as county and township officers are elected. All vacancies caused by death, resignation, or otherwise shall be filled by the remaining members of each of said boards: *Provided*, that should more than one vacancy occur in either board at the same time, the same shall be filled by appointment by the clerk of the Superior Court of Northampton County.

Vacancies.

Proviso: vacancies filled by clerk superior court.

SEC. 3. That the members of said township boards of road commissioners shall each in its respective township qualify before any officer authorized to administer oaths, on or before the second Monday in December, following their election, except those mentioned in section two of this act.

Commissioners to qualify.

SEC. 4. That the members of said boards named in section two of this act shall qualify on or before the second Monday in March, one thousand nine hundred and fifteen, before any officer authorized to administer oaths; and they shall meet, those of the board of road commissioners of Seaboard Township in the town of Seaboard, and those of the board of road commissioners of Oconeechee Township in the town of Garysburg, on or before the second Monday in March, one thousand nine hundred and fifteen; and each of said boards shall organize by electing one of their number as chairman and by electing a secretary (who may be one of the board), and a treasurer. The secretary for each of said boards thus elected shall in a book for the purpose keep a full and perfect record of all the proceedings and actions of the board, which record shall be open to inspection of the citizens of the township at reasonable times. Compensation of the secretary shall not exceed two dollars per day for every day the board shall meet. The compensation of the members of each of said boards shall be three dollars per day. Each of said boards shall meet quarterly on the second Monday in December, March, June, and September, and oftener, if necessary and important, upon the call of the chairman, or of any member, if requested by a majority of the members. At all of their said meetings, which shall be held for Seaboard Township in the town of Seaboard, and for Oconeechee Township in the town of Garysburg, they shall be authorized to transact any business and perform duties with reference to the roads of their townships respectively or within their jurisdiction.

First commissioners to qualify.

Meetings for organization.

Organization.

Records to be kept.

Pay of secretary.

Pay of commissioners. Quarterly meetings.

Called meetings.

SEC. 5. That each of said boards of road commissioners and their successors shall be and are hereby constituted a body corporate by the name and style, one of them of "The Board of Road Commissioners of Seaboard Township" and the other by the name and style of "The Board of Road Commissioners of Oconeechee Township"; and each of said boards shall adopt a common seal; and by that name may sue and be sued, make contracts, acquire

Incorporation.

Corporate names.

Corporate powers.

real and personal property by gift, purchase, or devise; hold, exchange, and sell the same; and exercise such other rights and privileges as are incident to other municipal corporations.

Control and management of roads.

SEC. 6. That it shall be the duty of each of said boards of road commissioners to take control and management of the roads in their respective townships, and said commissioners are hereby vested with all the rights and powers for such control and management as are now vested in and exercised by the board of road or county commissioners of Northampton County as pertaining to each of said townships.

Meetings to determine tax rate.

SEC. 7. At or before their respective meetings in May of each year, each of said boards of road commissioners shall consult together as to the amount of money reasonably necessary to purchase suitable tools, machinery, teams, and supplies, or for other things for the proper working and improving and establishing the public roads in each of said townships, and to pay all expenses thereof, and the expense pertaining to the performance of their duties for one year, and shall fix and determine the rate of taxation on the property and polls of each of said townships for the purpose of raising said amount, which rate shall not be less than ten cents and not more than thirty cents on the one hundred

Limit of tax rate.

dollars valuation of the real and personal property in each of said townships, and not less than thirty cents and not more than ninety cents on each poll for one year in each of said townships; and each of said boards of road commissioners shall report the rate of taxation thus ascertained and determined by them to the board of county commissioners of said county, on or before their June meeting in each and every year, and it shall be the duty of the said board of county commissioners at their meeting in June, or at such other time as may be fixed by law, to levy a special tax as determined by each of said boards of township road commissioners for their respective townships; but the rate shall be in the discretion of the said board of county commissioners. Said taxes shall be collected as other taxes are collected, but shall be kept separate by the tax collector and paid over to the treasurer of each of said township boards of commissioners. Such taxes shall be levied upon and collected out of the property and polls in each of said townships, whether in incorporated towns or not.

Report to county commissioners.

County commissioners to levy tax.

Collection of tax.

Taxes kept separate.

Appointment of treasurer.

Bond of treasurer.

SEC. 8. That each of the said boards of township commissioners at its first meeting shall appoint some person or corporation as treasurer of said township road fund; the person or corporation so designated shall be required to give a sufficient bond payable to the said board, which said board shall fix the amount of the bond for the faithful performance of his or its duties as treasurer, and for the faithful holding and disbursing of said funds in accordance with the orders and directions of said boards. Compensation for said services shall not exceed two per cent of disbursements of said road funds.

Compensation of treasurer.

SEC. 9. That after January first, one thousand nine hundred and fifteen, every able-bodied male person between the ages of twenty-one and forty-five years residing in each of said townships shall be liable annually to perform three days labor upon the roads of said townships, under the supervision and direction of the road supervisor, overseer, or other officer appointed by the board of road commissioners of said townships, who may assign such person to any portion of the road in each township in which said person resides as said officer may think best: *Provided, however,* that any such person shall be discharged from such labor for one year upon the payment to the proper officer of the sum of one dollar per annum in lieu thereof: *Provided further,* that such sum shall be paid on or before the first day of March of said year.

Road duty.

Proviso: commutation.

Proviso: time of payment.

SEC. 10. All persons who shall be liable to pay poll tax and who fail to pay the same shall be liable and compellable to work four days on the said roads under the direction and control of the road supervisor or officer in said township.

Work for failure to pay poll tax.

SEC. 11. That the judges of the Superior and criminal courts of this State are hereby authorized and empowered to sentence convicts in said county, or in other counties, to work upon the public roads in either of said townships; and all the justices of the peace and mayors of towns of said county are hereby authorized and empowered to sentence persons tried before them and found guilty of vagrancy or any other violation of the criminal law within their jurisdiction to work upon the said public roads: *Provided,* that no person shall be required to work for a longer time than that for which he could have been imprisoned for the offense: *Provided further,* that said boards of road commissioners of each of said townships and its authorized officers may shorten the time of labor in any individual case as much as one-fifth for good behavior and faithful performance of duty.

Convicts sentenced to road work.

Proviso: limit of sentence.

Proviso: allowance for good behavior.

SEC. 12. That said boards of road commissioners of each of said townships shall be authorized to provide proper quarters for convicts and to employ suitable guards and overseers and to provide means for their safe keeping and control, out of road funds.

Maintenance and care of convicts.

SEC. 13. That the taxes and other revenues raised under this act or under any law applicable to the public roads in each of said townships shall constitute a general road fund for the construction and improvement of the roads and bridges of said townships and for the purchase and maintenance of tools, machinery, teams, and other supplies, or equipment for the better prosecution of the work, and shall be expended according to the judgment and discretion of the said boards of road commissioners in each of said townships; and the said boards shall in each of said townships, as often as they deem necessary, issue warrants or orders upon the township treasurer, directing him or it to pay to the super-

Use of road funds.

Warrants on road funds.

visor or other officer of roads the amount therein specified for the purpose of carrying out the provisions of this act.

Election and salary of supervisor.

SEC. 14. That said board of road commissioners in each of said townships, on the second Monday in December, or at any regular meeting of the said board, may elect a township supervisor of

Bond of supervisor.

roads at a salary to be fixed by said boards, and who may be required to give bond payable to the said road commissioners in a sum to be fixed and approved by said boards for the faithful and honest performance of his duties, which bond shall be filed and recorded, if required. It shall be the duty of the said township

Duties of supervisor.

supervisor, subject to the supervision of said boards respectively, to supervise, direct, and have charge of the building, construction, and maintenance of the roads of the township, and of the teams, tools, machinery, etc., for their working. Any part of said work

Work may be let to contract.

or all of it in either township may be done by contract, if deemed best by its said board of road commissioners. Said supervisor

Supervision of work.

shall see that all work on said roads is properly, promptly, and economically done. He shall make quarterly reports in writing to

Quarterly reports.

said boards, giving the condition of all the roads in the township, suggesting and recommending means and methods of improvement, and the probable cost thereof, besides embracing matters required in section fifteen of this chapter, which written reports and regulations shall be filed with the clerk of the board; and the board may provide money for work which they may regard necessary. Said supervisor shall hold his office until his successor is elected and qualified, or until he is discharged by said board.

Term of supervisor.

Supervisor to have charge of work.

SEC. 15. The township supervisor in each of said townships shall have charge and management of the plans, labor, teams, tools, apparatus, and machinery used on the roads under his charge, and shall render an itemized statement of the number of hands or persons, including convicts, worked on the roads; the number of hours or days worked, the amount paid each hand, and the amount of money received and how the same was disbursed, and a list of the tools, machinery, implements, dump-carts, carts, teams, and other apparatus in his hands, and the condition thereof, and any other information in reference to his management that may be reasonably required. Said reports shall be made quarterly, or oftener, to said boards. He shall have the teams and all apparatus properly cared for. In all matters he shall be subject to the control and direction of the said board.

Itemized statements.

Inventories.

Quarterly statements.
Care of team and equipment.
Control and direction of board.

Methods of work.

SEC. 16. That said board of road commissioners in each of said townships shall have full power and discretion to adopt such methods and means and agencies for and in the management, improvement, and working of said roads as they may determine to be wise and best, regardless of any seeming limitations or restrictions in this act; and they may also make such purchases of gravel pit or pits, lauds, timber, and machinery and teams as they may

Purchases of material and equipment.

deem wise and important for the building, improvement, and maintenance of the roads; and they may have any or all of the roads, or any part of any road, widened so as to make them or such parts thereof fifteen feet on either side of the center of the road, thus making the road thirty feet wide between the ditches.

SEC. 17. That the said board of road commissioners in each of said townships shall make an annual statement of all their doings and proceedings in the same manner, at the same time, as is required by the board of county commissioners, which statement shall be recorded and preserved by the register of deeds in a suitable book, which shall be subject to the inspection of the public; and the register of deeds shall receive the same fees for such services as he receives in other like cases.

SEC. 18. All orders or warrants of said board in each of said townships on the township treasurer, authenticated as is required for such orders of the board of county commissioners, shall be paid by said treasurer out of the road funds in his hands.

SEC. 19. That for the purpose of building, constructing, repairing, improving, and maintaining the public roads in each of said townships the supervisor or other officer employed by said board of road commissioners of said township shall have the authority to enter upon any land in said township to cut and carry away any timber, except trees or groves left for ornament or shade; to dig or cause to be dug and carried away any gravel, clay, earth, sand, or stone which may be necessary to build, construct, improve, or repair any of the roads in said township; to make such drains or ditches through the same as may be necessary for the benefit of the road, doing as little damage to the land as possible; and any person willfully obstructing or resisting the performance of these duties, or willfully obstructing such ditches or drains, when made, shall be guilty of a misdemeanor.

SEC. 20. That any person willfully violating any of the provisions and requirements of this act shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine not to exceed fifty dollars, or imprisoned or sentenced to work upon the roads for not more than thirty days.

SEC. 21. That the said boards of road commissioners in each of said townships may contract the building, improving, constructing, or maintaining any part of or all of the roads in the said township to some person, firm, or corporation. That they may award contracts upon bids received by them either publicly or privately, as they think is for the best in their discretion.

SEC. 22. That hereafter all road taxes collected by the sheriff of Northampton County, or by township tax collector, or otherwise, in and for Seaboard Township and Occoneechee Township, respectively, and all moneys collected by said sheriff or any other person on account of said roads in each of said townships, shall

Width of roads.

Commissioners to file annual statements.

Record of reports.

Fees of register of deeds.

Warrants on road funds.

Entry on land for material.

Drains or ditches.

Obstructing officers or ditches a misdemeanor.

Violation of act a misdemeanor.

Punishment.

Road work may be let to contract.

Award of contracts.

Road funds to be paid to treasurer.

Time of settlement. be paid over to the treasurer or treasury designated by said boards in each of said townships, as it is collected. The said sheriff or other tax collector is hereby required to settle with the said treasurer of each of said townships not later than the second Monday in April of each year.

Payment from former tax.

SEC. 23. That at their meeting the first Monday in March, one thousand nine hundred and fifteen, or as soon thereafter as practicable, the board of road or county commissioners of Northampton County shall give an order for and authorize the payment to the treasurer of the board of road commissioners for Seaboard Township, and to the treasurer of the board of road commissioners for Oconeechee Township, respectively, an amount equal to all of the road taxes levied and collected in each of said townships of the levy of the year one thousand nine hundred and fourteen, including the share of the public-service corporation tax of each of said townships: and shall also deliver to the board of road commissioners of each of said townships such proportion of the present road equipment of Northampton County, including tools, implements, road machines, and teams, as the said county board of road commissioners may deem just and equitable.

Apportionment of equipment.

SEC. 24. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 25. That this act shall be in force from and after its ratification.

Ratified this the 25th day of February, A. D. 1915.

CHAPTER 260.

AN ACT TO CREATE A HIGHWAY COMMISSION FOR THE COUNTY OF CURRITUCK.

The General Assembly of North Carolina do enact:

Highway commission established.

SECTION 1. That there shall be established in and for the county of Currituck a highway commission to be known as "Currituck Highway Commission," the said highway commission to be composed of three citizens and taxpayers of Currituck County, North Carolina, all the said members to be appointed by the present General Assembly of North Carolina, one for the term of two years, one for the term of four years, and one for the term of six years: and the said highway commission shall be and the same is hereby created a body corporate and politic, with a common seal and with the power to sue and be sued.

Number and election of commissioners.

Term of office.

Incorporation.

Corporate powers.

Supervision and control of roads and bridges.

Establishment and change of roads.

SEC. 2. That all public roads and bridges along or across the public roads of Currituck County shall be under the exclusive supervision and control of the Currituck Highway Commission: that all petitions for establishing, locating, changing, and dis-

continuing of any public roads, and all other matters in reference thereto, are by this act placed under the exclusive supervision and control of the Currituck Highway Commission.

SEC. 3. That the term of office of the members of the Currituck Highway Commission shall begin on the first Monday in March, one thousand nine hundred and fifteen. The first one hereinafter named in this act shall hold office for two years, the second one named herein shall hold office for four years, and the third one herein named shall hold office for six years, and their successors shall hereafter be elected by the General Assembly of North Carolina at its biennial session.

Beginning of term.

Terms of office.

Election of successors.

SEC. 4. That upon failure of any member of the Currituck Highway Commission, now or hereafter appointed, to qualify, or in case of the death or resignation of any member of said highway commission, the said vacancy shall be filled by appointment made by the State Geologist of North Carolina.

Vacancies.

SEC. 5. That all the duties herein prescribed for the secretary of the said highway commission shall be performed by the said secretary, whose compensation shall not exceed the sum of three hundred dollars per annum, and O. L. Hall shall be and he is hereby appointed secretary of said commission for a term of two years, or until his successor is elected and qualified.

Duties to be performed by secretary.

Compensation.

Secretary named.

SEC. 6. It shall be the duty of the secretary of the highway commission to keep a complete record of all the acts and doings of the highway commission, showing the amount of money received for the use and benefit of the highway commission, and it shall be the duty of the secretary to keep the books and records relating to the said commission, and audit all bills relating to the commission, and perform all and singular the clerical duties incident to the proper road management, and purchase, by bid, as herein provided, provisions, feed for teams, and all other supplies for the road forces, unless the construction of the road should be put out upon contract. That the said highway commission shall select some bank or trust company in the town of Elizabeth City to act as financial agent or treasurer for said highway commission, and such bank or banks or trust company shall execute a bond to be approved by the highway commission for the faithful accounting of any and all funds so deposited with it, and conditioned as now provided by law for the faithful accounting by the county treasurer: *Provided*, that such bank or banks or trust company shall be selected for the period of two years, unless some

Records and accounts.

Audit of bills.

Purchase of supplies.

Bank as financial agent.

Bank to give bond.

Proviso: term of selections.

good grounds as to the financial condition of said bank, in the opinion of the said highway commission, warrants them to designate some other bank. Such bank or banks or trust companies so selected shall keep an accurate account of all moneys deposited with them, and shall, if so required by the highway commission, keep a separate account for such different funds as may be desig-

Accounts to be kept.

- Warrants. nated by the said commission. All funds shall be paid out by the said bank or banks or trust companies upon the proper warrant signed by the chairman of the said highway commission and countersigned by the secretary thereof: *Provided further*, that such bank or trust company so selected shall act as treasurer of all such fund and perform the duties of treasurer without commission or compensation.
- Proviso: bank allowed no commission.
- Special tax. SEC. 7. The board of county commissioners for the county of Currituck shall, in order to provide for the construction, improvement, and maintenance of the public roads of said county, at their regular meeting in June of each year levy a special tax on all property subject to taxation under the State law of said county of not less than ten cents and not greater than thirty-three and one-third cents on the one hundred dollars valuation of property, and not less than thirty cents and not greater than one dollar on the poll, the constitutional equation to be observed at all times; that all able-bodied persons of said county between the ages of twenty-one and forty-five years, except residents of incorporated towns, shall pay, on or before the first day of June, one thousand nine hundred and sixteen, and on or before the first day of April of each year thereafter to the sheriff of said county the sum of two dollars, to be levied on the poll, and all taxes herein provided for shall be collected as all other taxes are collected and to be kept separate in the tax books of said county, to be set aside as a road fund to be used in the construction, improvement, and maintenance of the public roads of Currituck County; the highway commission may purchase stock, material, implements, wagons, road scrapers, rollers, camp outfits, provisions, or such other implements and things as may be necessary to carry out the provisions of this act: *Provided*, that the moneys raised under this section shall, as far as is possible, be used for permanent road improvements in the county, and not less than seventy-five per cent of the road tax collected in the county in any one year shall be used in permanent road building and repairing of such permanent roads as may have been already built. The board of county commissioners of said county shall also apply to road improvement and construction as much of the general county funds as may not be needed for other necessary purposes.
- Tax rate.
- Constitutional equation. Tax in lieu of road duty.
- Collection of tax. Tax to be kept separate.
- Purchase of equipment and supplies.
- Proviso: fund for permanent work.
- Appropriation from general county fund.
- Work may be let to contract.
- Bond of contractors.
- Power to create and fill offices.
- Employment and pay of engineer.
- SEC. 8. The highway commission shall have power to contract all or any part of the road construction or repair to the best responsible bidder, or upon the best obtainable terms, taking sufficient bond from the contractor to indemnify the county against breach of contract, and to fix forfeitures of liquidated damages.
- SEC. 9. The highway commission is authorized, in its discretion, to create and fill any positions which it may deem expedient for proper road construction, repair or maintenance, such as superintendent of road construction and repair, a highway engineer at

a price not to exceed twelve hundred dollars per annum, or they may hire an engineer at so much per month or by the job, but such engineer so employed shall be experienced and he shall be approved by the State Geologist of North Carolina; to fix the compensation of and prescribe the forms and amounts of bonds which shall be given by such appointees for the faithful performance of their duties; to prescribe the powers and duties of such appointees, and to authorize them to employ, subject to the approval of the board, such subordinates or employees as may be needed. The board shall have power, for causes which it deems good, and for which it shall be the sole judge, to discharge any appointee or employee at any time. The board may incur such expense as may be needful in the examination of road work in other counties, or to secure proper instruction in road work.

Approval of State geologist.
Compensation and bonds of appointees.

Powers and duties of appointees.
Employees and subordinates.

Removal for cause.

Expenditures for instruction.

SEC. 10. The permanent roads to be built or improved by the highway commission shall from time to time be determined upon and designated by the highway commission, who shall take into consideration the needs of the whole county and every part thereof, opening and improving those roads which in their opinion will be of benefit to the greatest possible number of the people of the county, and treating every section of the county with equal justice.

Selection of roads.

SEC. 11. For the purpose of construction, improving, or repairing public roads, the superintendent of road work, or other person engaged in or connected with the road work, after first consulting the owner or his agent, shall have authority to enter upon any land to cut or carry away any timber except trees left for ornament or shade; to dig or cause to be dug or carried away any gravel, earth, or sand which may be necessary to construct, improve, or repair said roads, and to enter upon any land adjoining or lying near the road to make such drains or ditches through the same as may be necessary for the benefit of the road, doing as little injury to the land as possible; and any person willfully obstructing such drains or ditches shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than five dollars for each day the obstruction remains. Any landlord considering himself damaged by reason of acts authorized in this section may within sixty days from the commission of the acts complained of present his claims to the highway commission, who shall pass thereon within twenty days, and the owner may, within twenty days from notice of the decision, appeal to the Superior Court. If the owner shall not recover a greater amount than that offered in the decision of the board, he shall be taxed with all the costs of the appeal.

Entry on land for material.

Drains or ditches.

Obstructing drains a misdemeanor.

Punishment.

Presentation and consideration of claims.

Right of appeal.

Costs on appeal.

SEC. 12. No person shall allow or cause to drain water from his lands into the public roads or ditches thereof, and it shall be the duty of the secretary of said commission to give notice in writing to the owner of such land the ditches of which now drain

Draining water into roads or ditches forbidden.
Notice for discontinuation.

into the public roads, or ditches paralleling said roads, to discontinue the draining of said lands into the public roads or the ditches thereof, and the owners shall be required to discontinue the draining of said lands into the public roads or ditches thereof within six months of such notice so given, and any person failing or refusing to comply with the provisions of this act within six months of such notice shall be guilty of a misdemeanor and fined or imprisoned, in the discretion of the court. If any person draining across the public roads of Currituck County, and who is required by law to keep up the bridge over the same, shall fail or refuse to repair or rebuild his bridge when notified to do so by the superintendent of highways, or other person in authority of said public roads, within ten days of such notice, the highway commission or superintendent of highways, or other person in authority, shall have power to put the bridge in good order at the expense of the owner, and the cost of such repairing or rebuilding shall be and is hereby constituted a tax or lien upon said property so drained and shall be collected by the sheriff when so ordered by the highway commission as all other taxes are collected: *Provided*, that this shall not relieve the owner from criminal prosecution according to law: *Provided further*, that all bridges so constructed across the public roads shall be constructed according to plans approved in writing by the road superintendent or other person in authority.

SEC. 13. The highway commission shall have full power to prescribe rules and regulations governing the use of any public road within Currituck County, and any violation of such rules and regulations shall be and the same is hereby made a misdemeanor. The highway commission shall and they are hereby required to cause to be removed from the public roads of said county all telephone and telegraph poles or other things whatsoever that may be regarded as an obstruction retarding or infacilitating the proper working of said roads: *Provided*, such telegraph or telephone poles or other obstructions may be removed across the ditch or drainway of any of the public roads of said county; and to the end that this section may be enforced and complied with, the highway commission shall have the power and authority to exercise the right of eminent domain, and may condemn in the same manner as is herein provided for the condemnation of public roads any lands on the field side of any ditch or drainway paralleling any of the public roads in said county, for the purpose of placing such telegraph and telephone poles; and the highway commission shall have power to remove or cause to be removed all trees which shade any of the public roads of the county whenever it may be necessary for the better maintenance of said road, and they shall have the right and power to cause to be removed all of such trees to a width of seventy-five feet on each side of the public roads.

Failure a misdemeanor.

Punishment.

Bridge work at expense of landowner.

Cost a lien on land.

Proviso: criminal prosecution.

Proviso: plans for bridges across roads.

Traffic regulations.

Removal of poles and other obstructions.

Proviso: removal of poles across drains.

Condemnation of land.

Removal of trees shading road.

SEC. 14. The highway commission shall have power, on petition or on their own motion, to relocate, construct, widen, or otherwise change public roads or parts thereof, and to lay out and construct new roads or parts thereof, when in their judgment the same will be advantageous to public travel, and for such purposes are authorized, through their agents, to enter upon any lands to make the necessary surveys. Before doing any work of construction, apart from surveys, the board shall give the owner of the land over which the proposed new road or change of road may run at least five days notice in writing of a time and place when and where the highway commission will consider the question of condemning the land. If the landowner be a minor or insane, such notice shall be given to him and his guardian, or if there be no guardian, the person with whom he is living. If the landowner be a nonresident or cannot be found within the county, such notice shall be mailed to his last known address and published in a newspaper of Currituck County at least twenty days before the hearing. If the highway commission shall find the proposed improvements advantageous to public travel and shall decide to condemn the land necessary for the road, they shall so declare and enter the order of condemnation in their minutes. Upon the question of condemnation, the findings and order of the board shall not be subject to review. Upon making the order of the board, the highway commission shall have authority, through its agent, to immediately take possession of the land described in the order and construct the road. If the landowner, after the road has been relocated or otherwise changed or after the new road has been opened, shall consider himself damaged, and shall be unable to agree with the highway commission as to the amount of damages, he shall within sixty days after opening, relocating, or otherwise changing the road, apply to the clerk of the Superior Court for an assessment of damages. Five days notice of such application shall be given to the highway commission. The clerk shall appoint and cause to be summoned by the sheriff a jury of three disinterested freeholders to assess damages, and shall at the time of appointing the jury fix the time and place of their meeting. If for any cause the jurors shall fail to so meet, they shall meet at such time and place as may be fixed by them, after giving forty-eight hours notice thereof to the highway commission and to the landowner or his attorney. The jurors, being duly sworn by some officer qualified to administer an oath, shall, in considering the question of damages, take into consideration the benefits to the landowner, and shall render a verdict for such amount, if any, as the damages may exceed the benefits, and shall report their findings and verdict to the clerk, and the clerk shall render judgment accordingly and shall tax the landowner with the cost of the assessment, if the damages assessed shall not exceed the amount offered by the highway commission. Either

Power to change and establish roads.

Entry on land for surveys.

Notice of proposed condemnation.

Order of condemnation.

Order not subject to review.

Possession of land.

Procedure for assessment of damages.

Costs taxed on landowner.

Right of appeal.

- the highway commission or the landowner may appeal to the Superior Court within ten days from the filing of the report. If the landowner appeals, the clerk shall require him to give bond or make a deposit in a sum not exceeding one hundred dollars to secure such costs as may be recovered against him on appeal; and if the amount of damages recovered by him in the Superior Court shall not exceed the assessment appealed from, he shall be taxed with all the costs of the appeal. If the landowner make affidavit of inability, by reason of poverty, to give the required bond or to make deposit, he shall be allowed to appeal without bond upon making affidavit as required in pauper appeals. The bond or deposit may be increased by the judge of the Superior Court. The appellate courts shall in no wise adjudicate the necessity of relocating, widening, or otherwise changing, or of the opening of the road, but shall try under the rules of procedure of the Superior Court only the question of damages and benefits: *Provided*, that if the highway commission shall desire to have the damages assessed before proceeding to the work of construction, and shall fail to agree with the landowner as to the damages, they shall, within sixty days after the order of condemnation, make application to the clerk accordingly, first, however, serving upon the landowner, in the manner as hereinbefore provided for condemnation, notice of application. Upon hearing the application, the clerk shall appoint and cause to be summoned a jury of three disinterested freeholders, who shall proceed and make report as hereinbefore directed, except that they shall separately state therein the damage, if any, caused by the survey or surveys and taking of land condemned, and the rights of appeal and proceedings on appeal shall be as hereinbefore set forth: *Provided*, that within ten days after the filing of the report, or before final judgment in the Superior Court, if any appeal shall have been taken, the highway commission shall have the election to abandon the proposed road improvement or construction, and in such cases the clerk, or the judge of the Superior Court, if an appeal shall have been taken, shall render judgment so declaring, setting aside the order of condemnation, awarding to the landowner the damages actually sustained, and taxing the highway commission with all costs: *Provided further*, that the said highway commission shall have the right of condemnation of any other lands for the purpose of acquiring suitable road-building material, and all such lands shall be condemned in the manner hereinbefore set forth.
- Bond on appeal.**
- Costs on appeal.**
- Appeal without bond upon affidavit.**
- Questions tried on appeal.**
- Proviso: assessment before commencement of work.**
- Proviso: option to abandon work.**
- Proviso: condemnation of land for material.**
- Obstructing officers a misdemeanor.**
- Punishment.**
- Sec. 15. Any person who shall obstruct a highway commissioner, the engineer, road superintendent, or other agent, subordinate, or employee in making survey or engaged in any road work under authority of the highway commission shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, or both, in the discretion of the court.

SEC. 16. The highway commission shall have authority to discontinue any public road at discretion which they may deem unnecessary, first, however, giving the landowners so affected not less than twenty days notice when and where they may be heard upon the question of discontinuing such road; or the highway commission may convert unnecessary public roads into cartways. They shall also have authority to establish or discontinue cartways, in the manner as provided in sections two thousand six hundred and eighty-six and two thousand six hundred and ninety-four of the Revisal of one thousand nine hundred and five, except that the words "highway commission" shall be substituted for the words "board of supervisors of the township," and the provisions for appeal to the board of commissioners shall not apply, but an appeal may be taken from the highway commission to the Superior Court.

Power to discontinue roads.

Notice to landowners.

Cartways.

SEC. 17. The highway commission shall keep or cause to be kept a separate account of the road funds of the county, and of their disbursements of the same; keeping, however, the disbursements on permanent roads separate and distinct from the disbursements on the repair work done on the roads in the several townships, keeping each township's disbursements separate; and they shall make a written report thereof to the board of county commissioners on the first Monday in January, March, July, and October of each year, giving a statement of the disbursements from the road funds since the last report to the board, which report shall be filed with the clerk of the board.

Account of road funds.

Quarterly reports.

SEC. 18. The secretary of the highway commission shall annually, within ten days next before the first Monday in December of each year, make out and certify and cause to be published in some newspaper of general circulation in said county a statement of the preceding year showing the amount of taxes collected in the county for road purposes and turned over to the highway commission, the amount expended in each township for repair of roads in such township, for the building of bridges and the repairs thereof; the amount paid out for opening new roads; the amount paid out for road machinery purchased during the year, and the amount of stock purchased and the cost of each, and the amount of road machinery and stock on hand, the amount of permanent road work done and the cost thereof per mile and in the aggregate, in each township separately.

Publication of annual statement.

Items of statement.

SEC. 19. The highway commission is empowered to purchase all such machinery, stock and tools as may be necessary for the proper construction of said roads, and may purchase the same from time to time as the same may be needed for keeping the roads of the county in good condition and for doing permanent road work.

Purchase of equipment.

SEC. 20. The said highway commission shall, upon its own motion or upon petition of another, have the power to investigate

Investigation of crossings.

Notice for removal
or change of
crossing.

fully any and all crossings of the public roads of the county, whether said crossings be those of railroad companies or other corporations or private individuals; and wherever said crossings may be so constructed or maintained as in the opinion of the highway commission the use of the public roads at such crossing has become dangerous, unsafe, or inconvenient by reason of the construction and maintenance of the crossing of the public road or roads, the highway commission shall give ten days notice to such corporation or persons maintaining the alleged obstruction to appear before the highway commission and show cause why the obstruction shall not be removed or so changed as to render travel over and along the public roads safe, less dangerous, and more convenient.

Hearing after
notice.

SEC. 21. That the said highway commission shall, after notice, investigate the conditions at the crossing, hear such evidence as may be offered, and may make a personal investigation as to the alleged obstruction, and determine as to whether the obstruction complained of renders the travel over the public road dangerous, unsafe, and inconvenient, and if so, the highway commission shall order and direct its removal or change within a reasonable time, and unless said obstruction is removed or changed as directed by the highway commission within the time prescribed, said railroad company, other corporation or persons, shall be guilty of a misdemeanor, and shall be fined ten dollars for each day said obstruction is allowed to remain after notice. That upon the findings of the highway commission as to the removal of such obstruction the railroad company, other corporation or persons, may appeal direct to the Superior Court, where the matter in controversy may be tried *de novo*. In case an appeal is taken to the Superior Court, the appellant shall give bond in the sum of two hundred dollars, unless the appellant shall make and file an affidavit as is required in pauper appeals.

Order for removal
or change.

Penalty for
failure.

Appeal to superior
court.

Bond on appeal.

Power to borrow
money.

SEC. 22. That said highway commission is hereby authorized and empowered when it shall deem it necessary to borrow not exceeding ten thousand dollars in any one year to be used in road construction, to be repaid out of the road funds coming into its custody by virtue of this act.

Commissioners
named.

SEC. 23. The following named citizens and taxpayers of Currituck County be and they are hereby appointed members of the Currituck Highway Commission: R. O. Bagley, whose term of office shall be two years from the first Monday in March, one thousand nine hundred and fifteen, or until his successor is appointed and qualified; W. T. Griggs, whose term of office shall be for four years from the first Monday in March, one thousand nine hundred and fifteen, or until his successor is appointed and qualified; E. R. Johnson, whose term of office shall be for six years from the first Monday in March, one thousand nine hundred and fifteen, or until his successor is appointed and qualified.

SEC. 24. That the highway commission shall hold regular sessions on the first Monday in January, April, July, and October of each year, and may at the request of any two of its members hold not to exceed ten special sessions during any one year, and receive as pay for attendance upon such sessions, regular and special, three dollars per day; but no session shall continue longer than two days at any one time: *Provided*, they are hereby required to meet on the first Monday in March, one thousand nine hundred and fifteen, at which time they shall organize and begin their active duties as herein prescribed.

Regular sessions.

Special sessions.

Per diem of commissioners.

Limit of sessions.

Proviso: maturity for organization.

SEC. 25. The said highway commission shall hold its meetings in the courthouse, and it shall be the duty of the county commissioners to provide a suitable room in the courthouse for the use of the said board. That all expense necessary to be incurred by the highway commission in putting into effect this act shall be paid for by the highway commission out of the road funds coming into its custody by virtue of this act.

Place of maturity.

Expense paid from road fund.

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

SEC. 27. That this act shall be in full force and effect from and after its ratification.

Ratified this the 25th day of February, A. D. 1915.

CHAPTER 261.

AN ACT TO PROVIDE FUNDS FOR THE PURPOSE OF BUILDING ROADS IN HUNTERS MILL TOWNSHIP IN GATES COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That from and after the passage of this act Hunters Mill Township in Gates County shall constitute a road district, and the provisions of this act are hereby substituted for any road law or laws now in force in said township, and the public roads in said township shall be under the management of three commissioners as hereinafter provided.

Township to constitute road district.

Management of roads.

SEC. 2. That for the purpose of working, improving, and maintaining the public roads in Hunters Mill Township in Gates County, a board of commissioners is hereby created, which said board shall consist of three members, who shall be elected for a period of six years; that Llewellyn Spivey, F. N. Cross, and B. H. Ward be and they are hereby appointed and shall constitute a board of commissioners for Hunters Mill Township in Gates County; that the term of office of Llewellyn Spivey shall be two years, the term of office of F. N. Cross shall be four years, and

Board of commissioners created.

Commissioners named.

Terms of office.

- the term of office of B. H. Ward shall be six years from the date of their qualification and organization under this act and until their successors shall be duly elected and qualified; that immediately after the ratification of this act the three members aforesaid shall meet in Hunters Mill in said county and organize by electing one of their number as chairman of the board and one of their number as secretary of the board; that the members of the said board shall serve without compensation except as hereinafter provided; that after the expiration of their respective terms of office, or if a vacancy on the said board shall occur by reason of death or resignation of any member, the remaining members of the said board shall elect some well qualified elector of the said township, by and with advice and consent of the board of county commissioners, to fill the said vacancy. Each member shall take and subscribe an oath before the clerk of the Superior Court of Gates County for the faithful performance of his duties as a member of the said board. The secretary of the said board shall make and keep a record of all the proceedings of the said board, in a book especially provided for that purpose, and shall make and file with the register of deeds of Gates County an annual statement showing such proceedings.
- Organization.**
- Election of successors and to fill vacancies.**
- Commissioners to qualify.**
- Records to be kept.**
- Annual statement.**
- Incorporation.** **SEC. 3.** That the said board of road commissioners of Hunters Mill Township in Gates County, and its successors in office, be and it is hereby constituted a body corporate under and by virtue of the laws of the State of North Carolina, and by this act, under the name and style of the "Highway Commission of Hunters Mill Township," and in that name may sue and be sued, make contracts, and exercise such other rights and powers as are incident to other municipal corporations of like nature, such as the condemnation of lands for the construction, widening, and changing of any roads in the said township, and to carry out all the provisions of this act; and in the event the said board shall deem it necessary to condemn any land for the purpose aforesaid, it shall adopt the same method of procedure as now obtains.
- Corporate name.**
- Corporate powers.**
- Procedure for condemnation of land.**
- Charge of road work.** **SEC. 4.** That it shall be the duty of the said highway commission to take charge of the working, repairing, maintaining, altering, and construction of any and all roads in Hunters Mill Township now maintained by the county as public roads, and it is hereby vested with all the powers, rights, and authority now vested in the board of county commissioners of Gates County for Hunters Mill Township for the general supervision of the roads in said township, and for the construction and repair thereof.
- Powers and authority vested.**
- Special tax.** **SEC. 5.** That for the purpose of providing funds for the construction and repair, and to provide for the expenditures necessary for the maintenance of the said roads, the said board of county commissioners are authorized and directed, and shall, when requested by the commission herein provided, and at the same

time of levying State and county taxes, levy and cause to be collected a special tax on all the property, real and personal and mixed, and on all persons subject to poll tax within the limits of Hunters Mill Township, of not more than twenty-five cents on the one hundred dollars assessed valuation on property and not more than seventy-five cents on each taxable poll: *Provided*, that in levying the said tax the constitutional equation between polls and property shall be observed by the said commission. The amount of taxes to be levied hereunder is to be determined by the said commission, but always within the limitations prescribed in this act. The taxes so levied shall be collected by the sheriff of Gates County as other taxes, and the sheriff shall receive only two and one-half per cent commission for collecting and depositing the taxes with the treasurer; that all of the taxes thus collected by the sheriff shall be deposited with the Farmers Bank of Sunbury, Sunbury, North Carolina, which institution shall act as treasurer to the said commission without compensation and shall pay out money only when duly authorized by orders of the said commission as hereinafter mentioned. In addition to the foregoing special tax, all able-bodied male persons in said township between the ages of twenty-one and forty-five years, both inclusive, shall pay to the sheriff, when called upon to do so, a road tax of four dollars: *Provided, however*, that in lieu of paying the road tax four dollars aforesaid each male person subject to road tax as aforesaid may work on the said roads of said township four days in each year; that ten hours shall constitute a day hereunder; that each person choosing to work rather than pay the road tax aforesaid shall be under the direct supervision of the road supervisor hereinafter mentioned and may be called upon at any time to work anywhere on the said roads and with such tools, implements, or road machinery as the said road supervisor may direct. Any person subject to road tax or road duty as herein provided who shall willfully fail or refuse to comply with the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than five nor more than twenty-five dollars: *Provided*, the payment of the road tax and costs provided shall be a bar to prosecution hereunder. All the funds collected from the special or road tax shall be turned over to the aforesaid treasurer and shall be used by the said commission in the construction and repair of the said roads and for properly maintaining them after construction.

SEC. 6. That for the purpose of construction and repair of the roads of the township, the highway commission shall employ a road superintendent by the year and such other subordinate employees as may be necessary for the proper construction and repair and maintenance of the roads of the township, and the commission shall pay such compensation to the road superintendent and

Proviso: constitutional equation.

Amount determined by commission.

Collection of tax.

Commission of sheriff.

Deposit of funds.

Warrants on fund.

Road tax in lieu of road work.

Proviso: work in lieu of road tax.

Failure to pay tax or work a misdemeanor.

Punishment.

Proviso: payment a bar to prosecution.

Use of road funds.

Road superintendent and other employees.

Pay of superintendent and employees.

Powers delegated to supervisor.	the subordinate employees as the commission may deem sufficient to compensate them for their services rendered. The commission may delegate to the road supervisor such powers as will enable him to carry out for the commission the provisions of this act effectually. He shall hold office for such length of time as agreed on between him and the said commission, but may be removed at any time for incompetency or for other and sufficient causes in the discretion of the said commission. Subject to the approval of the said commission, he shall have general supervision of the roads of the township and shall have in charge the construction and repair of the said roads, and shall employ such subordinates as are necessary, subject at all times to the approval of the said commission.
Term of office.	The commission may require of the road supervisor such reports in regard to construction, expenditure of money, and needs in regard to road improvement as it may deem necessary. The road supervisor shall not be required to furnish bond for the faithful performance of his duties.
Removal for cause.	
Supervision and charge of road work.	
Employment of subordinates.	
Reports of supervisor.	
Bond of supervisor.	
Purchase of equipment.	SEC. 7. The commission is hereby empowered and authorized to purchase or otherwise lawfully acquire for use in the construction, repair, and maintenance of roads, any machinery, tools, implements, and teams as may be necessary, and to exercise such rights and authority as will enable it to lawfully and properly carry out the provisions of this act. That the commission, through its officers and agents, is hereby authorized to enter upon any uncultivated land adjacent to any public roads of said township; to cut and to carry away any timber, except trees or groves on improved land planted or left for shade or ornament; to dig or cause to be dug and carried away any sand, clay, or other road-building materials for the proper repair and construction of the aforesaid roads in said township; to enter upon any lands adjacent to any public roads in said township in order to make such drains or ditches through the same that the said highway commission may deem necessary for bettering the roads; and the drains and ditches so made shall not be obstructed by the occupants or owners of such lands; that any person obstructing said drains and ditches shall be guilty of a misdemeanor and fined not exceeding fifty dollars or imprisoned not exceeding thirty days.
Entry on lands for material.	
Drains or ditches.	
Obstructing drains or ditches a misdemeanor. Punishment.	
Presentation and hearing of claims.	SEC. 8. The owner of any land from which any timber or other materials have been removed may present to the commission his claim therefor in writing, and upon presentation it shall be the duty of the commission to set a day, unless agreed upon, for the hearing of his claim. The landowner may waive such hearing and demand a jury, and upon such demand being made the commission shall appoint three disinterested freeholders whose duty it shall be to assess the damage. The jury shall make its report in writing to the commission and communicated by the commission to the landowner. If the landowner is then dissatisfied he may appeal to
Procedure on waiver of hearing.	
Right of appeal.	

the Superior Court of Gates County to have the cause heard as in other civil cases. The commission shall notify the landowner at least three days before the jury shall meet to assess the damage alleged to have been done. Unless such landowner shall present his claim as aforesaid within six months from and after removal of the trees and building material, his action shall be forever barred; and unless the landowner shall recover more, in the event of an appeal to the Superior Court, than the said commission offers by way of compensation for the damage done, the said appellant shall not recover cost against the said commission.

Time for presentation of claims.

Costs on appeal.

SEC. 9. Nothing herein shall be construed to prevent the commission from constructing, repairing, and maintaining the roads, or any part thereof, of the said township by contract, if in their judgment such course is better than working the said roads by the road supervisor as aforesaid.

Work may be let to contract.

SEC. 10. Any person to whom the road funds are intrusted under this act who shall unlawfully misapply or misuse such funds shall, upon conviction, be guilty of a misdemeanor and fined or imprisoned, in the discretion of the court.

Misuse of road funds a misdemeanor.
Punishment.

SEC. 11. The highway commission shall meet and travel over the said roads of the said township, officially, at least once every three months for the purpose of inspecting the said roads, and for this official inspection each member of the commission shall be paid two dollars per day: *Provided*, that no member shall receive a greater compensation for this inspection than twelve dollars during any one year.

Quarterly inspection of roads.

Pay of commissioners.

Proviso: limit of pay.

SEC. 12. No funds shall be paid out by the treasurer except by order of the commission and warrant issued thereby, signed by the chairman and countersigned by the secretary.

Warrants on road funds.

SEC. 13. All roads built under and by virtue of this act shall be of such nature as the said commission shall deem best commensurate with the funds at its disposal.

Nature of roads.

SEC. 14. The commission shall meet as often as it shall deem necessary to carry out the provisions of this act.

Meetings of commission.

SEC. 15. The roads first to be built by the said commission shall be as follows: (1) Cross, N. C., to Gatesville, N. C. (2) The dividing line road between Mentonsville and Hunters Mill townships. (3) The Virginia road from J. W. Owen to Cross. (4) From Zion M. E. Church to Sandy Cross, N. C., by Wardsville. (5) From Hofers Fork to Keys Cross. But building the aforesaid roads in their order as above shall not be construed to mean that the commission cannot transfer the road force elsewhere in said township to work on such roads as need immediate attention.

Road specified.

Emergency work.

SEC. 16. That the construction, repairing, and maintenance of the roads in Hunters Mill Township be and the same is hereby declared a necessary county expense for Hunters Mill Township.

Expense declared necessary.

Bridges. SEC. 17. That all bridges heretofore kept up and maintained by the county in said township shall continue to be kept up and maintained by the said county.

Definition of terms. SEC. 18. Whenever the word "commission" or "highway commission" is used in this act it shall be held to mean and to refer to the "Highway Commission of Hunters Mill Township" as created by this act.

SEC. 19. All laws and clauses of laws in any way in conflict with this act are hereby repealed.

SEC. 20. This act shall be in force from and after its ratification. Ratified this the 25th day of February, A. D. 1915.

CHAPTER 262.

AN ACT TO ABOLISH THE OFFICE OF COUNTY TREASURER IN THE COUNTIES OF JOHNSTON, ANSON, WARREN, WILSON, SAMPSON, PERQUIMANS, LEE, AND BBUNSWICK.

The General Assembly of North Carolina do enact:

Abolition of office directed.

SECTION 1. That the board of county commissioners for the counties hereinafter named is hereby authorized, empowered, and directed to abolish the office of county treasurer in its county, and in lieu thereof to appoint one or more solvent banks or trust companies located in its county as financial agent for said county, which said bank or trust company shall perform the duties now performed by the treasurer of said county: *Provided*, that such bank or such company shall not charge nor receive any compensation for its or their services other than such advantage and benefits that may accrue from the deposit of the county funds in the regular course of banking: *Provided further*, that as to Warren and Wilson counties, the boards of county commissioners shall appoint the solvent banks and trust companies as financial agents for said counties for the purposes named in this act.

Appointment of bank as financial agent.

Proviso: bank to serve without pay.

Proviso: appointment in Warren and Wilson counties.

Term of appointment.

Banks to give bonds.

SEC. 2. That said bank or trust company appointed and acting as the financial agent of its county shall be appointed for a term of two years and shall be required, at its or their own expense, to execute the same bonds for the safe keeping and proper accounting of such funds as may come into their possession and belonging to such counties, and for the faithful discharge of their duties, as are now required by law of a county treasurer.

Present incumbents not affected.

SEC. 3. That this act shall not apply to the present incumbents who have already been inducted into office, but it shall be in full force and effect from and after the first Monday in December, one thousand nine hundred and sixteen.

SEC. 4. That this act shall apply to the counties of Johnston, Anson, Warren, Wilson, Sampson, Perquimans, Lee, and Brunswick: *Provided*, that the commissioners of Anson County may exercise their discretion as to the abolishment of the office of treasurer in Anson County.

Application of act.

Proviso: action discretionary in Anson county.

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

SEC. 6. Except as herein provided in section three of this act, this act shall be in force from and after its ratification.

Ratified this the 25th day of February, A. D. 1915.

CHAPTER 263.

AN ACT TO PROVIDE FUNDS FOR THE PURPOSE OF BUILDING ROADS IN MENTONSVILLE TOWNSHIP IN GATES COUNTY.

Whereas it appears from our own observation as well as by report from the several townships, that the public roads of Gates County are in a deplorable condition, and in some places almost impassable; and whereas it appears to be entirely impracticable to make and maintain good roads in Gates County under the existing road law: we, therefore, hereby declare that the making and maintaining of good roads in Gates County is a public necessity, and therefore the cost thereof has become a part of the "necessary expense" of the county; and we hereby petition the General Assembly, now in session, to enact such law or laws as may be necessary for the proper construction and repair of the public roads of Gates County, and to authorize and empower this board, or the properly constituted authorities of the respective townships, or any of them, to borrow money if necessary for that purpose, and especially to authorize and empower this board to levy and collect a sufficient tax each year, not exceeding twenty cents on property and sixty cents on the poll, in any township, to be paid over to and used by properly constituted authorities of the several respective townships, or any of them, for the payment of any debt or obligation, principal and interest, that may be assumed by any township in which such tax may be levied and collected and for the proper construction and maintenance of the public roads therein. This suggestion has no application to Holly Grove Township, as it is now operating under a special law for that township. It is ordered by the board that the above paper be adopted and copied in the minutes by the clerk and a copy sent to our representative in the present General Assembly, Raleigh, North Carolina: Now, therefore,

Preamble.

Preamble.

Preamble.

The General Assembly of North Carolina do enact:

Township made road district.

SECTION 1. That from and after the passage of this act Mentonsville Township in Gates County shall constitute a road district, and the provisions of this act are hereby substituted for any road law or laws now in force in said township, and the public roads in said township shall be under the management of three commissioners as hereinafter provided for.

Board of commissioners created.

SEC. 2. That for the purpose of working, improving, and maintaining the public roads in Mentonsville Township in Gates County, a board of commissioners is hereby created, which said board shall consist of three members, who shall be elected for a period of six years: that E. A. Rountree, W. A. Ellis, and J. B. Hathaway be and they are hereby appointed and shall constitute a board of commissioners for Mentonsville Township in Gates County: that the term of office of E. A. Rountree shall be two years, the term of office of W. A. Ellis shall be four years, and the term of office of J. B. Hathaway shall be six years from the date of their qualification and organization under this act, and until their successors shall be duly elected and qualified: that

Commissioners and terms of office.

immediately after the ratification of this act the three members aforesaid shall meet in Mentonsville in said county and organize by electing one of their number as chairman of the board and one of their number as secretary of the board: that the members of the said board shall serve without compensation except as hereinafter provided; that after the expiration of their respective terms of office, or if a vacancy on the said board shall occur by reason of death or resignation of any member, the remaining members of the board shall elect some well qualified elector of the said township, by and with the consent of the board of county commissioners, to fill the vacancy. Each member of the board shall take and subscribe an oath before the clerk of the Superior Court of Gates County for the faithful performance of his duties as a member of the said board. The secretary of the said board shall make and keep a record of all the proceedings of the said board in a book especially provided for that purpose, and shall make and file with the register of deeds of Gates County an annual statement showing such proceedings.

Meeting and organization of board.

Election of successors and to fill vacancies.

Commissioners to qualify.

Record of board.

Annual statement.

Incorporation.

SEC. 3. That the said board of road commissioners of Mentonsville Township in Gates County and its successors in office be and it is hereby constituted a body corporate under and by virtue of the laws of the State of North Carolina, and by this act, under the name and style of the "Highway Commission of Mentonsville Township," and in that name may sue and be sued, make contracts, and exercise such other rights and powers as are incident to other municipal corporations of like nature, such as the condemnation of lands for the construction, widening, and changing of any roads in the said township, and to carry out all the pro-

Corporate name.

Corporate powers.

visions of this act; and in the event the said board shall deem it necessary to condemn any land for the purpose aforesaid, it shall adopt the same method of procedure as now obtains.

SEC. 4. That it shall be the duty of the said highway commission to take charge of the working, repairing, maintaining, altering, and constructing of any and all roads in Mentonsville Township now maintained by the county as public roads, and it is hereby vested with all the powers, rights, and authority now vested in the board of county commissioners of Gates County for Mentonsville Township for the general supervision of the roads of said township, and for the construction and repair thereof, and the said highway commission of Mentonsville Township is hereby authorized and empowered to borrow money in whatever manner and from whatever person or persons or institution it shall deem most expedient, or, in its discretion, to issue bonds of the said township of not to exceed one thousand and five hundred dollars for the construction and maintenance of the public roads in said township. If bonds are issued, they shall be styled "Mentonsville Township Good Roads Bonds," and the same shall be of such denominations and of such proportions as the said commission may deem advisable, bearing interest from the date of issue, not to exceed six per cent per annum, with interest coupons attached, payable annually, and payable at such time or times and at such place or places as the said commission may elect. The bonds, if they are issued, must be issued with the approval of a majority of the said commission, signed by the chairman thereof and countersigned by the secretary; and such bonds are to be of such form and tenor and transferable in such way, and the principal thereof payable and redeemable at such time or times and at such place or places, not to exceed ten years from the date thereof, as the said highway commission may determine. None of the said bonds shall be disposed of for less than par value. Such bonds may be issued at such times and in such amounts, not to exceed one thousand five hundred dollars, and payable and redeemable within ten years, as may be deemed best in the opinion of the commission to meet the needs of the township in the construction, repair, and maintenance of the said roads. The commission shall adopt a seal, and any bonds issued under this act shall have the corporate seal of the commission attached thereto. All the taxable property, real, personal, and mixed, and all polls in said township, shall be liable for the payment of any bonds issued hereunder and by virtue of this act, together with all interest that may be due thereon, and the liability herein shall be inserted in the body of the said bonds; and the taxes for the payment thereof shall be levied and collected as other taxes are levied and collected in Mentonsville Township in Gates County. The bonds issued under and by virtue of this act by the highway commission shall

Procedure for condemnation of land.

Charge of road work.

Powers and rights vested.

Power to borrow money or issue bonds.

Limit of account.

Entitlement of bonds.
Denominations.

Interest.

Approval of majority of commission.

Authentication.

Maturity.

Sale below par forbidden.

Bonds under seal of commission.

Obligation of bonds.

Validity of bonds.

be as valid in law, and the same liability for the payment therefor imposed upon Mentonsville Township, as if the same had been issued by the county commissioners of Gates County under the same law, power, and authority.

Special tax.

SEC. 5. That for the purpose of providing a sinking fund for the payment of the bonds issued under this act, and the interest thereon, and to provide for the expenditures provided for in this act for the maintenance of the said roads, the board of county commissioners of Gates County are authorized and directed, and shall, when requested by the commission herein provided and at the time of levying State and county taxes, levy and cause to be collected a special tax on all property, real, personal, and mixed, and on all persons subject to poll tax within the limits of Mentonsville Township, of not more than twenty cents on the one hundred dollars assessed valuation on property and not more than sixty cents on each taxable poll: *Provided*, that in levying the said tax the constitutional equation between polls and property shall be

Limit of rate.

Proviso: constitutional equation.

Commission to determine amount.

Collection of tax.

Commission of sheriff.

Deposit of taxes.

Treasurer to commission.

Rate of tax.

Proviso: work in lieu of road tax.

Failure to pay tax or work roads a misdemeanor.

Punishment.

Proviso: payment to bar prosecution.

Use of road funds.

observed by the said commission. The amount of taxes to be levied hereunder is to be determined by the said commission, but always within the limitations prescribed in this act. The taxes so levied shall be collected by the sheriff of Gates County as other taxes, and the sheriff shall receive only two and one-half per cent commissions for collecting and depositing the taxes with the treasurer; that all the taxes thus collected by the sheriff shall be deposited with the Bank of Hobbsville, Hobbsville, North Carolina, which institution, with its consent, shall act as treasurer to the said commission without compensation and shall pay out money only when duly authorized by orders of the said commission as hereinafter mentioned. In addition to the foregoing tax, all able-bodied male persons in said township between the ages of twenty-one and fifty years, both inclusive, shall pay to the sheriff, when called upon to do so, a road tax of three dollars: *Provided, however*, that in lieu of paying the road tax of three dollars aforesaid each person of the ages above enumerated may work on the said roads of said township four days in each year; that ten hours shall constitute a day hereunder; that each person choosing to work rather than pay the road tax aforesaid shall be under the direct supervision of the road supervisor hereinafter mentioned, and may be called upon at any time to work anywhere on the said roads and with such tools, implements, or road machinery as the said road supervisor may direct. Any person subject to road tax or road duty as herein provided who shall willfully fail or refuse to comply with the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than five nor more than twenty-five dollars: *Provided*, the payment of the road tax and costs herein provided shall be a bar to prosecution hereunder. All the funds collected from the special and road tax shall

be turned over to the aforesaid treasurer and shall be used by the said commission in the payment of the bonds and interest, if bonds be issued, for constructing and repairing the said roads, and for properly maintaining them after construction.

SEC. 6. That for the purpose of construction and the repair of the roads of the township, the highway commission shall employ a road superintendent by the year and such other subordinate employees as may be necessary for the proper construction and repair and maintenance of the roads of the township, and the commission shall pay such compensation to the road superintendent and the subordinate employees as the commission may deem sufficient to compensate them for services rendered. The commission may delegate to the road supervisor such powers as will enable him to carry out for the commission the provisions of this act effectually. He shall hold office for such length of time as agreed on between him and the said commission, but may be removed at any time for incompetency or for other and sufficient causes in the discretion of the commission. Subject to the approval of the said commission, he shall have general supervision of the roads of the township and shall have in charge the construction and repair of the said roads, and shall employ such subordinates as are necessary, subject at all times to the approval of the said commission. The commission may require of the road supervisor such reports in regard to construction, expenditures of money, and needs in regard to road improvement as it may deem necessary. The road supervisor shall not be required to furnish bond for the faithful performance of his duties.

SEC. 7. The commission is hereby empowered and authorized to purchase or otherwise lawfully acquire for use in the construction, change, or repair of roads, any machinery, tools, implements, and teams as may be necessary, and to exercise such rights and authority as will enable them to lawfully and properly carry out the provisions of this act. That the commission, through its officers and agents, is hereby authorized to enter upon any uncultivated land near or adjoining any public roads of said township, to cut and to carry away any timber, except trees or groves on improved land planted or left for shade or ornament; to dig or cause to be dug and carried away any sand, clay, or other road-building materials for the proper repair and construction of the aforesaid roads in said township; to enter upon any lands adjacent to any road in said township in order to make such drains or ditches through the same that the said highway commission may deem necessary for bettering the roads; and the drains and ditches so made shall not be obstructed by the occupants or owners of such lands; that any person obstructing such drains or ditches shall be guilty of a misdemeanor and fined not exceeding fifty dollars or imprisoned not exceeding thirty days.

Road superintendent and subordinates.

Compensation.

Delegation of powers.

Term of supervisor. Removal for cause.

Supervision of road work.

Employment of subordinates.

Reports.

Purchase of equipment.

Entry on land for material.

Drains or ditches.

Obstructing drains a misdemeanor. Punishment.

- Presentation and hearing of claims.** SEC. 8. The owner of any land from which any timber or other material has been removed may present to the commission his claim therefor, in writing, and upon presentation it shall be the duty of the commission to set a day, unless agreed upon, for the hearing of his claim. The landowner may waive such hearing and demand a jury, and upon such demand being made, the commission shall appoint three disinterested freeholders whose duty it shall be to assess the damage. The jury shall make its report in writing to the commission and communicated by the commission to the landowner. If the landowner is then dissatisfied, he may appeal to the Superior Court of Gates County to have the cause heard as in other civil cases. The commission shall notify the landowner at least three days before the jury shall meet to assess the damage alleged to have been done. Unless such landowner shall present his claim as aforesaid within six months from and after the removal of the trees and building material, his action shall be forever barred, and unless the landowner shall recover more, in the event of an appeal to the Superior Court, than the said commission offers by way of compensation for the damage done, the said appellant shall not receive costs against the said commission.
- Procedure on waiver of hearing.**
- Right of appeal.**
- Time for presentation of claims.**
- Costs on appeals.**
- Work may be let to contract.** SEC. 9. Nothing herein shall be construed to prevent the commission from constructing, repairing, and maintaining the roads, or any part thereof, of the said township by contract, if in their judgment such course is better than working the said roads by the road supervisor as aforesaid.
- Sale of bonds.** SEC. 10. In the case of any issue of bonds under this act, before the sale thereof the commission is not required to advertise for competitive bids on the same, but the said bonds shall not be sold for less than par value.
- Sale below par forbidden.**
- Misuse of road funds a misdemeanor.** SEC. 11. Any person to whom the road funds are intrusted under this act who shall unlawfully misapply or misuse such funds shall, upon conviction, be guilty of a misdemeanor and fined or imprisoned, in the discretion of the court.
- Punishment.**
- Quarterly inspection of roads.** SEC. 12. The highway commission shall meet and travel over the said roads of the said township, officially, at least once every three months for the purpose of inspecting the said roads, and for this official inspection each member of the commission shall be paid two dollars per day: *Provided*, that no member shall receive a greater compensation for this inspection than twelve dollars during any one year.
- Pay of commissioners.**
- Proviso: limit of pay.**
- Warrants on road funds.** SEC. 13. No funds shall be paid out by the treasurer except by order of the commission and warrant issued thereby, signed by the chairman and countersigned by its secretary.
- Nature of roads.** SEC. 14. All roads built under and by virtue of this act shall be of such nature as the said commission shall deem best commensurate with the funds at its disposal.
- Meetings of commission.** SEC. 15. The commission shall meet as often as it may deem necessary to carry out the provisions of this act.

SEC. 16. The roads first to be built by the said commission shall be as follows: first, Hobbsville Road; second, Virginia Road; third, River Road; fourth, Gatesville Road; fifth, Spivey Road. The remaining roads of the said township to be built in the discretion of the said commission: *Provided*, it may at any time transfer the road force elsewhere to work places in need of immediate attention.

Roads specified.

Proviso: emergency work.

SEC. 17. That the construction, repairing, and maintenance of the roads in Mentonsville Township be and the same is hereby declared a necessary county expense for Mentonsville Township.

Expense declared necessary.

SEC. 18. That all bridges heretofore kept up and maintained by the county in said township shall continue to be kept up and maintained by the said county.

Bridges.

SEC. 19. Whenever the word "commission" or "highway commission" is used in this act it shall be held to mean and refer to the "Highway Commission of Mentonsville Township" as created by this act.

Definition of terms.

SEC. 20. All laws and clauses of laws in any way in conflict with this act are hereby repealed.

SEC. 21. This act shall be in force from and after its ratification. Ratified this the 25th day of February, A. D. 1915.

CHAPTER 264.

AN ACT TO AMEND CHAPTER 180, SECTIONS 2 AND 19. PUBLIC LAWS OF 1907, RELATIVE TO SALARY OF TRIAL JUSTICE AND SUBSTITUTE TRIAL JUSTICE OF PASQUO- TANK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter one hundred and eighty, Public Laws of nineteen hundred and seven, be and the same is hereby amended by striking out the words "fifty dollars" in line eighteen thereof and inserting in lieu thereof the words "seventy-five dollars."

Salary of judge.

SEC. 2. That section nineteen of chapter one hundred and eighty, Public Laws of nineteen hundred and seven, be and the same is hereby amended by striking out the words "two dollars" in line twelve thereof and inserting in lieu thereof the words "three dollars."

Pay of substitute.

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

Ratified this the 25th day of February, A. D. 1915.

CHAPTER 265.

AN ACT TO AMEND CHAPTER 736 OF THE PUBLIC-LOCAL LAWS OF 1911.

The General Assembly of North Carolina do enact:

Sale of land for assessments.

SECTION 1. That if the said assessments as provided for under the Public-Local Laws of one thousand nine hundred and eleven, chapter seven hundred and thirty-six, are not paid as provided for under said act, that the sheriff or other tax collector of Gaston County, North Carolina, or of said township in which the lands are located, shall have the right to sell said lands upon which said assessments are not paid as provided for in said act, at any time after said assessments shall have become due and payable, after advertising such sale by posting a notice at the courthouse door, and at three other public places in Gaston County, North Carolina, for a period of thirty days immediately preceding such sale, and said sheriff or tax collector shall have the power to execute a deed in fee simple to the purchaser.

Advertisement of sale.

Execution of deed.

Lands included in drainage district.

SEC. 2. That the following lands are hereby included in said Dutchman's Creek Drainage Commission District, to-wit: Mrs. E. W. Rankin, eight and one-half acres; R. K. Davenport, thirty-five and one-half acres; Nims Manufacturing Company, thirty-eight and seven-tenths acres; Mrs. E. W. Spratt, eleven and one-half acres; John Gardner, four acres, being lands situate along said Dutchman's Creek from the lower boundary of J. A. Davenport's land, as shown by the map or plat of said Dutchman's Creek Drainage Commission.

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

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 266.

AN ACT TO AMEND CHAPTER 459 OF THE PUBLIC-LOCAL LAWS OF 1913, ENABLING BURKE COUNTY TO FURTHER SUBSCRIBE TO THE CONFEDERATE MONUMENT.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and fifty-nine of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby amended by adding at the end of section two of said chapter the following: "That as soon as practicable after the first day of August, one thousand nine hundred and fifteen, the

Further payment authorized.

board of commissioners of Burke County shall pay to Miss Susan Tate, treasurer of the United Daughters of the Confederacy for said county, the sum of two hundred and fifty dollars for each year for four years, to be applied towards the payment for the erection of the monument to the Confederate soldiers, now partially completed on the public square in the town of Morganton.”

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

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 267.

AN ACT TO BUILD A FOOTBRIDGE ACROSS PIGEON RIVER BETWEEN THE MOUTH OF LAUREL BRANCH AND THE ROATH SHOALS IN HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the commissioners of Haywood County shall during the year of one thousand nine hundred and fifteen have constructed across the Pigeon River in Haywood County a suitable footbridge across said river at the most suitable point between the mouth of Laurel Branch and the Roath Shoals; and said commissioners are authorized to pay for the same out of any funds belonging to said county.

Construction ordered.

Payment.

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

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 268.

AN ACT TO ABOLISH THE OFFICE OF COUNTY TREASURER OF BLADEN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section four of chapter one hundred and forty-two of the Public Laws of nineteen hundred and thirteen be amended by inserting between the word “Carteret” and the word “and” in line three of said section the word “Bladen.”

Bladen county inserted.

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

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 269.

AN ACT RELATING TO CHILDREN'S HOME, BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

Sale of property authorized.

SECTION 1. That the board of commissioners of the county of Buncombe, upon the written request of the board of directors of the Children's Home of said county, which is owned and maintained by said county, are hereby authorized and empowered to sell and convey, upon such terms and at such price as said board of county commissioners may deem just and reasonable, the real estate, with the appurtenances, upon which stands the home for the indigent white children of said Buncombe County; said property being located in Asheville Township, on the east side of the public road leading from Asheville to Grace, North Carolina.

Location of property.

Use of proceeds.

SEC. 2. That the proceeds to be derived from the sale of said property, should the same be sold, shall be used and applied for the purchase of other suitable real estate and for the erection and construction thereon of a suitable building or buildings for the maintenance and support of the indigent poor white children of said Buncombe County, as provided for in chapter three hundred and thirty-seven of the Public Laws of one thousand eight hundred and ninety-one.

Execution of deed.

SEC. 3. That said board of county commissioners are hereby fully authorized and empowered to execute deed or deeds for said property conveying the same in fee simple.

SEC. 4. This act shall be in force from and after its ratification. Ratified this the 26th day of February, A. D. 1915.

CHAPTER 270.

AN ACT TO VALIDATE THE OFFICIAL ACTS OF SAMUEL ABBOTT, NOTARY PUBLIC OF LENOIR COUNTY.

The General Assembly of North Carolina do enact:

Preamble.

Whereas, on the fifth day of August, one thousand nine hundred and fourteen, Samuel Abbott of the county of Lenoir was duly and legally appointed a notary public in and for the county of Lenoir for the term of two years therefrom; and whereas a commission was issued unto the said Samuel Abbott from the office of the Governor of North Carolina, duly signed by E. L. Daughtridge, acting Governor, and J. Bryan Grimes, Secretary of State, under the great seal of the State of North Carolina, appointing the said

Preamble.

Samuel Abbott notary public as aforementioned: and whereas the said Samuel Abbott, by inadvertence, failed to qualify as a notary public in accordance with the law of North Carolina before the clerk of the Superior Court of Lenoir County until Wednesday, February third, one thousand nine hundred and fifteen; and whereas the said Samuel Abbott, notary public as aforesaid, has since the date of the above mentioned commission and up to the date of his qualification aforesaid, performed various and sundry official acts, taking the acknowledgment and probate of various and sundry deeds, mortgages, and other instruments required or allowed by law to be acknowledged or probated by a notary public:

Preamble.

Preamble.

SECTION 1. That each and all of the official acts, acknowledgments, probates, and all other things done by the said Samuel Abbott, notary public as aforesaid, be and the same are hereby in all respects validated and legalized in as full and ample manner as if the said Samuel Abbott, notary public, had duly and legally qualified before the clerk of the Superior Court of Lenoir County before performing any and all such official acts: *Provided*, vested rights shall not be affected by this act.

Acts validated.

Proviso: vested rights not affected.

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

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 271.

AN ACT TO AMEND CHAPTER 206 OF THE PUBLIC-LOCAL LAWS OF 1913.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and six, Public-Local Laws of one thousand nine hundred and thirteen, be and the same is hereby amended by adding to section five of said chapter the following: "No person shall take, carry, or send out of Clay County more than twenty-five quail during any one hunting season, nor shall any person take, carry, or send out of said county any quail except such as were killed by such person; and it shall be unlawful for any person at any time to sell or offer for sale any quail in Clay County."

Transportation of quail.

Sale forbidden.

SEC. 2. Any person violating the provisions of this act shall be guilty of a misdemeanor and fined not exceeding fifty dollars or imprisoned not exceeding thirty days, upon conviction of such offense.

Violation of act misdemeanor. Punishment.

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

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 272.

AN ACT TO REGULATE HUNTING AND KILLING GAME IN
NORTHAMPTON COUNTY.*The General Assembly of North Carolina do enact:*

Open season.

SECTION 1. That it shall be unlawful to hunt with a gun or dog or kill any of the following named game in the county of Northampton, except between the dates in each and every year herein set out, towit: Quail or partridges from November the fifteenth to March the first; turkeys from November the first to March the first; robins from January the first to April the first; deer from September the fifteenth to February the first.

For quail.

For turkeys.

For robins.

For deer.

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

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 273.

AN ACT TO PROHIBIT SHOOTING OF QUAIL IN BLADEN
COUNTY BEFORE THE FIRST DAY OF NOVEMBER.*The General Assembly of North Carolina do enact:*

Close season extended.

SECTION 1. That chapter four hundred and fifty-seven of the Public-Local Laws of the General Assembly of North Carolina of one thousand nine hundred and thirteen be amended by striking out the word "October" in the last line of section one (1) thereof and inserting in lieu thereof the word "November."

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

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 274.

AN ACT TO PREVENT THE KILLING OF FOXES IN ALLE-
GHANY COUNTY AT CERTAIN SEASONS.*The General Assembly of North Carolina do enact:*

Close season.

SECTION 1. That it shall be unlawful for any person to kill any fox in the county of Alleghany between the first of March and the first of October of any year.

SEC. 2. That any one violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding fifty dollars or by imprisonment not exceeding thirty days. Misdemeanor.

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

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 275.

AN ACT TO ABOLISH THE OFFICE OF TREASURER OF CAMDEN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the office of county treasurer of Camden County is hereby abolished, and in lieu of the duties of such office the county commissioners of Camden County at their regular meeting on the first Monday in December, one thousand nine hundred and sixteen, shall select some bank or trust company as financial agent, which said bank or banks or trust companies shall perform the duties heretofore performed by the county treasurer of Camden County with respect to handling the funds deposited with it during each year; and whenever the term "county treasurer" shall be used in any general laws pertaining to the office of or the duties of the county treasurer, it shall mean and apply to such banks or trust companies as may be intrusted with the county funds: *Provided*, that such banks or trust companies shall receive no compensation for such services other than the advantages or benefits that may accrue from the deposits made with them in the regular course of business. Office abolished.
Selection of bank as financial agent.

SEC. 2. That the board of county commissioners of Camden County may in its discretion require such bank or banks or trust companies as shall act as financial agents or depository for said county to execute a bond to be approved by said board of county commissioners for the faithful accounting of any and all public funds so deposited with them, and conditioned as now provided by law for the faithful accounting by the county treasurer: *Provided*, that such bank or banks or trust companies shall be selected for the period of two years, unless some good ground shall, in the opinion of the said board of county commissioners, warrant them to designate some other bank. That such bank or banks or trust companies so selected shall keep an accurate account of all moneys deposited with them, and shall keep a separate account of the school fund, or any other fund that may be required by said board of county commissioners, and which said funds shall be paid out by the said bank or banks or trust companies upon proper war- Proviso: bank to serve without compensation.
Bond may be required.
Proviso: term of selection.
Accounts to be kept.
Warrants for payments.

rant, signed by the chairman of the board of county commissioners and countersigned by the clerk thereof, and in like manner as if the same was on deposit by a regular depositing customer on funds subject to check.

Office to lowest bidder.

SEC. 3. That should the said board of county commissioners fail, or be unable to make an advantageous arrangement with any such banks or trust companies, they shall immediately let the duties of county treasurer out to the lowest responsible bidder who shall file good and solvent bond to perform the duties of such county treasurer as now provided by law. Such person so selected shall be some reliable and qualified elector of Camden County who shall file the usual bond for the faithful discharge of the duties of his office.

Commissions credited to school fund.

SEC. 4. That all moneys heretofore paid to the county treasurer of Camden County as commissions on his receipts and disbursements shall be placed to the credit of the school fund of said county, to be divided equally among the schools of said county.

Repealing clause.

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

When act effective.

SEC. 6. That this act shall be in force and effect on and after the first Monday in December, one thousand nine hundred and sixteen.

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 276.

AN ACT TO AMEND THE ROAD LAW OF CUMBERLAND COUNTY BY REQUIRING TWO PARALLEL ROWS TO BE PLOUGHED NEXT TO ROADS.

The General Assembly of North Carolina do enact:

Cultivation of lands adjoining roads.

SECTION 1. That chapter four hundred and fifty-three (453) of the Public-Local Laws of one thousand nine hundred and thirteen be amended by inserting in section thirteen, after the word "roads" in the fourth line thereof, the following words, to-wit: "and all persons who cultivate, or cause to be cultivated, any land adjoining any public road in said county shall place or cause to be placed on said cultivated land nearest such road at least two rows or furrows ten feet from the center of the road and running parallel with the same, except where the manner of cultivating does not require the running of rows or furrows, and also except where the cultivated land is separated from said road by a substantial fence or private ditch."

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

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 277.

AN ACT FOR THE RELIEF OF J. B. WHITE, EX-SHERIFF
OF CLAY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That J. B. White, ex-sheriff of Clay County, be and he is hereby allowed until the first day of May, nineteen hundred and fifteen, to collect all taxes due in said county for the year nineteen hundred and fourteen, and also all back taxes due for the year nineteen hundred and thirteen. Collection of arrears authorized.

SEC. 2. That J. B. White shall not be required to advertise any real estate for taxes due said county until the first day of May, nineteen hundred and fifteen. Sale of real estate.

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 from and after its ratification.

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 278.

AN ACT TO ABOLISH THE OFFICE OF TOWNSHIP TAX
COLLECTOR OF SALISBURY TOWNSHIP, ROWAN COUNTY,
AND REQUIRE TAXES COLLECTED IN THIS TOWNSHIP
AS ALL OTHER TAXES IN SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter six hundred and eleven, Public-Local Laws, session one thousand nine hundred and five, be and is hereby repealed. Law repealed.

SEC. 2. That taxes shall be collected and accounted for in Salisbury Township, Rowan County, by sheriff of said county as all other taxes are collected: *Provided, however,* the board of county commissioners of Rowan County may, in their discretion, continue the officer of Salisbury Township tax collector in office for a period not exceeding six months, for the purpose of collecting the taxes of the year nineteen hundred and sixteen. Collection by sheriff.
Proviso: collections for 1916.

SEC. 3. That this act shall be in force and effect from and after the first Monday in December, one thousand nine hundred and sixteen. When act effective.

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 279.

AN ACT FOR THE RELIEF OF W. E. JOHNSON, CLERK OF
THE SUPERIOR COURT OF ASHE COUNTY.

The General Assembly of North Carolina do enact:

Leave of absence.

SECTION 1. That W. E. Johnson, clerk of the Superior Court of Ashe County, be and he is hereby permitted to be absent from his office one Monday in each month, not including the first Monday, provided said clerk shall have a competent deputy in said office on said Mondays when absent.

Proviso: competent deputy.

SEC. 2. That all laws in conflict with this act are hereby repealed, and this act shall be in force from and after its ratification.

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 280.

AN ACT TO CHANGE THE TIME OF APPOINTING ROAD
OVERSEERS IN PITT COUNTY FROM THE FIRST SATURDAY
IN AUGUST TO THE FIRST SATURDAY IN FEBRUARY.

The General Assembly of North Carolina do enact:

Date for appointment.

SECTION 1. That all appointments of overseers of roads in Pitt County shall be made on the first Saturday in February of each year.

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

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 281.

AN ACT FOR THE RELIEF OF EX-SHERIFF J. R. MCKENZIE
OF MONTGOMERY COUNTY.

The General Assembly of North Carolina do enact:

Collection of arrears authorized.

SECTION 1. That ex-Sheriff and Tax Collector J. R. McKenzie of Montgomery County be and is hereby authorized and empowered to collect all remaining taxes due and unpaid in the county of Montgomery for the years one thousand nine hundred and nine, one thousand nine hundred and ten, 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.

SEC. 2. That the time for collecting the taxes mentioned in section one of this act is hereby extended for two years from and after the ratification of this act. Time allowed.

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

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 282.

AN ACT RELATING TO THE COMPENSATION OF THE BOARD OF COMMISSIONERS OF MOORE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. The members of the board of commissioners of Moore County shall be paid the sum of two dollars for attending each meeting of the board, whether regular, special, or called, including mileage of five cents per mile for the distance necessarily traveled in going and coming, and any member of said board selected by said board for the purpose of committee work, inspecting bridges, or for any other work or duties for the benefit of the county shall, for all services rendered while engaged in said work, receive the same per diem and mileage as is herein allowed said members for attending the meetings of the board, the same to be approved and allowed by said board. Per diem.
Committee work.

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.

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 283.

AN ACT TO ALLOW THE COMMISSIONERS OF ALEXANDER COUNTY TO USE EXCESS OF RAILROAD TAX LEVY FOR GENERAL COUNTY PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. That the county commissioners of Alexander County do and hereby have authority to use the surplus arising from the tax levy for the payment of the bonds of the Statesville and West- Use of surplus
authorized.

ern Railroad, after the payment in full of the indebtedness incurred for said railroad, for a general county purpose.

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

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

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 284.

AN ACT FOR THE RELIEF OF J. M. EDWARDS, FORMER SHERIFF OF YANCEY COUNTY.

The General Assembly of North Carolina do enact:

Collection of
arrears authorized.

SECTION 1. That J. M. Edwards, former sheriff of Yancey County, be and he is hereby fully authorized and empowered to collect all arrears of taxes for Yancey County for the years nineteen hundred and ten, nineteen hundred and eleven, and nineteen hundred and twelve. That the time for the collection thereof is hereby extended until January first, nineteen hundred and sixteen. That the laws relative to the collection of taxes for said years are hereby made applicable until the expiration of said date in the same manner as said laws were applicable for the collection of said taxes during the years nineteen hundred and ten, nineteen hundred and eleven, and nineteen hundred and twelve.

Time for collection.

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

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 285.

AN ACT TO AMEND CHAPTER 427 OF THE PUBLIC-LOCAL LAWS OF 1911.

The General Assembly of North Carolina do enact:

Sale for nonpay-
ment of assess-
ments.

SECTION 1. That if the said assessments as provided for under the Public-Local Laws of one thousand nine hundred and eleven, chapter four hundred and twenty-seven, are not paid as provided for under said act, that the sheriff or other tax collector of Gaston County, North Carolina, or of said townships in which the lands are located shall have the right to sell said lands upon which said assessments are not paid as provided for in said act, at any time after said assessments shall have become due and payable, after advertising such sale by posting a notice at the courthouse door

Advertisement of
sale.

and at three other public places in Gaston County, North Carolina, for a period of thirty days immediately preceding such sale; and the said sheriff or tax collector shall have the power to execute a deed in fee simple to the purchaser. Execution of deed.

Sec. 2. That all assessments which have or which may be levied by said drainage commission, that is, Gaston County Drainage Commission, number one, that are past due, or which are not paid when due, shall bear interest from the due date at the rate of six per cent per annum, and such interest which has or which may accumulate shall be added to the assessment or assessments which have or may be levied, and shall be collected by the sheriff or tax collector, as provided for the collection of assessments. Interest on assessments.

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

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 286.

AN ACT TO AMEND SECTION 2 OF CHAPTER 394 OF THE PUBLIC LAWS OF 1901, IN REGARD TO CERTAIN PROVISIONS FOR WORKING THE PUBLIC ROADS OF ALABAMA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter three hundred and ninety-four of the Public Laws of one thousand nine hundred and one be stricken out and the following be inserted in lieu thereof: "That all able-bodied male persons of the county between the ages of twenty-one and forty-five years, except residents of incorporated cities and towns, shall work on the public roads of said county for two days (of ten hours each) in each and every year, at such time and place and in such manner as may be designated by the road superintendent or township supervisors: *Provided*, that the said superintendent or the supervisor in each township shall give to each person of his township who is subject to road duty at least three days notice by personal warning or by leaving a written notice at the home or residence of such person, specifying in such notice the time and place, when and where such work is to be performed, and also designating in such notice the tool or implement with which such persons shall be required to work: *Provided further*, that in case of washout or other unexpected obstruction to travel, the three days notice shall not be necessary, and any person liable to road duty in the township in which such obstruction to travel may occur shall, upon being properly summoned by said superintendent or supervisor of roads, re- Road duty.

Provided: supervisor to serve warning.

Provided: emergency work.

Proviso: commuta- spond to such summons with reasonable promptness: *Provided*
tion. further, that any person may in lieu of working two days on the
public road pay on or before the first day of July, nineteen hun-
dred and fifteen, and on or before the first day of April each year
thereafter to the county treasurer or road superintendent the sum
of one dollar and twenty-five cents (\$1.25), and it shall be the
duty of said treasurer or road superintendent, upon receipt of said
money or any part thereof, to issue to such person a receipt for
the same, stating in such receipt the amount and the year for
which the same is paid. All moneys paid to the said road super-
intendent as provided for in this act shall within fifteen days after
being received by him be turned over to the county treasurer and
credited to the road fund of the township from which the same
was paid, and the same shall be expended in the improvement of
the roads in that township from which it was paid. If the road
superintendent fails to turn over to the county treasurer money
so collected within fifteen days he shall be guilty of a misde-
meanor: *Provided*, that no person liable for road duty under this
section shall be required to work on the public roads outside of
the township and road district in which he resides, the boundaries
of the road districts within each township to be fixed by the county
commissioners: *Provided further*, that any person coming of road
age, or becoming a resident of any township after the first day of
April, shall be required to work out the remaining proportionate
part of the road labor required in this act for that year, or to pay
the proportionate part of the money requirement in lieu thereof."

Settlement of com-
mutation.

Failure to settle
misdemeanor.

Proviso: work in
district of resi-
dence.

Proviso: proportion
of labor or money
for part of year.

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

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 287.

AN ACT TO AMEND CHAPTER 96, PUBLIC LAWS 1909, FOR
THE RELIEF OF THE TAX COLLECTOR FOR LOWER
CREEK DRAINAGE COMMISSIONERS IN BURKE AND
CALDWELL COUNTIES.

The General Assembly of North Carolina do enact:

Collection of
arrears.

SECTION 1. That the tax collector for Lower Creek Drainage
Commissioners, authorized by the provisions of chapter ninety-
six, Public Laws of North Carolina, session one thousand nine
hundred and nine, is hereby authorized and fully empowered to
collect any and all arrears of taxes due under the provisions of
said act as amended by chapter forty-six, Public-Local Laws one
thousand nine hundred and eleven, for the years one thousand

nine hundred and nine, one thousand nine hundred and ten, 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, under such rules and regulations as are prescribed by said chapter.

SEC. 2. That no person shall be compelled to pay any tax to said district or collector under the provisions of section one of this act who holds the receipt of the tax collector for such taxes. Persons holding receipts.

SEC. 3. That the provisions of this act shall extend to and apply not only to the tax collector for said district, but also to any person who has been or may be appointed tax collector hereafter for said district, his agent, personal representatives, or bondsmen. Tax collector.

SEC. 4. That the authority given in the preceding sections shall cease and determine on and after the first day of January, one thousand nine hundred and sixteen. Termination of authority.

SEC. 5. That in all actions now pending or hereafter to be instituted for the collection of taxes under the provisions of said chapter ninety-six, Public Laws of one thousand nine hundred and eleven, as amended, the introduction in evidence of a sworn itemized statement of the amount of taxes due to said district, verified by the oath of the collector for the time being, shall be *prima facie* evidence of the existence and legality of the taxes assessed against the party by such statement charged, as well as the amount of taxes due by such party. Evidence of legality of taxes.

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

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 288.

AN ACT TO AMEND THE ROAD LAWS OF GASTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and eighty of the Public Laws of one thousand nine hundred and seven be and the same is hereby amended by adding after section four the following:

"SEC. 4½. That wherever roads have been or may be hereafter graded, opened, created, surveyed, or constructed, the board of county commissioners, the superintendent and supervisors of roads of Gaston County, or either or any of them, and any other person by their direction, are empowered and authorized to enter upon any land within said county of Gaston on either side of said roads and cut the timber therefrom for a sufficient distance on either side to permit the air and sunshine to reach said road to preserve Power to cut timber shading roads.

Proviso: width of clearing.

Determination of damages.

Proviso: shade, ornamental, and fruit trees excepted.

it dry and in good condition: *Provided, however,* that the timber shall not be cut back from said road to a greater distance than one hundred feet on either side of said road; and any damage which may be sustained by the landowner by the entering upon said lands or cutting the timber from the same shall be determined and adjudicated in the same manner as provided in chapter seven hundred and twenty-nine of the Public Laws of one thousand nine hundred and one: *Provided, however,* that no shade, ornamental, or fruit trees shall be cut or removed as aforesaid."

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 and effect from and after its ratification.

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 289.

AN ACT TO PROTECT FUR-BEARING AND OTHER ANIMALS IN SURRY COUNTY.

The General Assembly of North Carolina do enact:

Close season.

SECTION 1. That it shall be unlawful for any person or persons to kill, take by traps, baiting, or otherwise opossums in Surry County between January first and the first day of October in each year.

SEC. 2. That any person violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, in the discretion of the court.

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

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 290.

AN ACT TO REPEAL THE EXISTING ROAD LAW IN No. 9 TOWNSHIP, CLEVELAND COUNTY, AND PROVIDING THE MANNER OF CLOSING UP THE ROAD WORK UNDER SAID LAW IN SAID TOWNSHIP AND PAYMENT OF CLAIMS.

The General Assembly of North Carolina do enact:

Road authorities discontinued.

SECTION 1. That after the ratification of this act the road authorities of Number Nine (9) Township, Cleveland County, constituted and acting by virtue of chapter forty-eight, Public Laws

one thousand nine hundred and three, and acts amendatory thereof, and the election in said township held under said chapter, shall discontinue and do no further work on the roads of said Number Nine Township in Cleveland County, or incur no further expense in working said roads; but the commissioners of Cleveland County are authorized and empowered to have completed and finished any road work in said township which has already been begun, and which if left uncompleted would prevent the utilization of the work already begun or done, or which in the judgment of said board of commissioners should be completed, and to borrow the necessary money for the completion of said work on behalf of said Number Nine Township, and said board shall dispose of any road equipment of said township not required, and deposit proceeds arising from such sale with treasurer of Cleveland County, to be credited to the road fund of said township and disbursed as hereinafter provided.

Work to be completed by county commissioners.

Power to borrow money.

Sale of road equipment.
Proceeds credited to road fund.

SEC. 2. That the board of commissioners of Cleveland County shall audit any claims or demands, outstanding and unpaid, incurred by the aforesaid road authorities of Number Nine Township in the prosecution of road work in said township, and shall allow said claims and demands, when same are just and *bona fide*, or when moneys have been advanced for said road work in good faith; and said board of commissioners shall issue orders for such of said claims as said board shall so audit and allow, upon the treasurer of Cleveland County, said orders to be paid out of any special road funds of Number Nine Township in said treasurer's hands, and if said fund is insufficient to pay same, said orders shall bear interest and be paid out of the taxes to be levied and collected for the year one thousand nine hundred and fifteen in said Number Nine Township as hereinafter provided.

Audit and payment of claims.

SEC. 3. That for the purpose of paying the outstanding indebtedness of the road authorities of Number Nine Township as same shall be audited and allowed by the board of commissioners of Cleveland County as aforesaid, and also for paying the expenses incurred by said board in finishing any uncompleted road work as provided in section one hereof, the board of commissioners of Cleveland County shall levy a special tax for the year one thousand nine hundred and fifteen, and at the same time other taxes are levied, on all property subject to taxation under the State law in said Number Nine Township, not greater than twenty-five cents on the one hundred dollars worth of property, said tax to be collected as other taxes are and to be kept separate on the tax books of the county and to be set aside as a special fund to the credit of said Number Nine Township, and to be used in payment of the money borrowed for completion of unfinished road work as aforesaid, and of the aforesaid outstanding road indebtedness of said Number Nine Township, and any surplus of said fund which may

Special tax.

Limit of rate.

Surplus.

remain after the payment of said indebtedness may be used by said board of commissioners, upon its order, for road improvement in said Number Nine Township, or may be turned over to the new road authorities of said Number Nine Township, if same shall hereafter be created by law or under the provisions of any act which may hereafter be adopted by the voters of said township providing for the working of the roads of said township by taxation or bond issue.

Acts repealed.

SEC. 4. That except as hereinbefore provided, chapter forty-eight, Public Laws of one thousand nine hundred and three, and acts amendatory thereof, so far as same apply to Number Nine Township, are hereby repealed, and said Number Nine Township, as to its road work, shall be subject to and governed by chapter sixty-five of the Revisal of one thousand nine hundred and five, unless said township shall hereafter adopt or be placed under the provisions of some special act for the working of its roads by bond issue or taxation, or both.

Application of general law.

SEC. 5. This act shall be in force from and after its ratification. Ratified this the 26th day of February, A. D. 1915.

CHAPTER 291.

AN ACT TO AMEND CHAPTER 525 OF THE PUBLIC LAWS OF 1903, RELATING TO THE ROAD LAW OF PENDER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and twenty-five of the Public Laws of one thousand nine hundred and three be and the same is hereby amended by striking out section one of said chapter and inserting in lieu thereof section two thousand and seventeen of The Code, with additional amendments, so as to read as follows: "All able-bodied male persons between the ages of eighteen years and forty-five years shall be required to work on the public roads except the members of the board of supervisors of public roads; but no person shall be compelled to work more than six days in any one year, except in case of damage resulting from storm: *Provided*, that upon the payment of the sum of three dollars by any person to the road superintendent or overseer, to be applied to working the public roads of the township in which such person resides and on the section to which he is subject to duty, the person making said payment shall be exempt from all road duty required by this act for one year from the time of such payment: *Provided further*, that when any hand desires to be ex-

Road duty.

Proviso: commutation.

Proviso: commutation for one day.

empt from road duty for one day, such hand shall deposit prior to such day the sum of one dollar for each day he may desire to be exempt.”

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.

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 292.

AN ACT TO PRESCRIBE THE PAY OF JURORS IN BRUNSWICK AND DAVIDSON COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That all jurors who are summoned and serve on the jury in the Superior Courts of Brunswick and Davidson counties shall receive two dollars per day and five cents per mile one way for their services. And all tales jurors summoned to serve on the jury in the Superior Courts of Brunswick and Davidson counties shall receive seventy-five cents per day and no mileage.

Regular jurors.

Tales jurors.

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.

Ratified this 26th day of February, A. D. 1915.

CHAPTER 293.

AN ACT TO PROVIDE FOR BETTER WORKING THE PUBLIC ROADS OF ONEALS TOWNSHIP, JOHNSTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section two thousand seven hundred and twenty-one of the Revisal of one thousand nine hundred and five, relating to working public roads, be and the same is hereby amended by striking out the word “more” in line two of said section and insert in lieu thereof the word “less.”

Minimum of road duty.

SEC. 2. That the road supervisors of Oneals Township, Johnston County, if petitioned by a majority of the persons in said township liable to road duty, shall cause the roads of said township to be worked not more than twelve days in any one year under the stipulations set out in said section two thousand seven hundred and twenty-one of the Revisal of one thousand nine hundred and five.

Road work on petition of hands.

Repealing clause. SEC. 3. That all laws or parts of laws in conflict with this act are hereby repealed.

Application of act. SEC. 4. That this act shall only apply to Oneals Township, Johnston County, and shall be in force from its ratification.

Ratified this 26th day of February, A. D. 1915.

CHAPTER 294.

AN ACT TO PROVIDE FOR THE WORKING AND MAINTENANCE OF THE PUBLIC ROADS OF COOPER'S GAP TOWNSHIP, POLK COUNTY.

The General Assembly of North Carolina do enact:

Roads worked under general law.

SECTION 1. That the public roads of Cooper's Gap Township, in Polk County shall be worked and maintained under the general road law of the Revisal of nineteen hundred and five: *Provided*, it shall be so ordered by the commissioners of said county, upon satisfactory petition, signed and filed with them by voters of said township; except that no person under twenty-one years of age shall be required to work on the roads of said township.

Proviso: order upon petition.

Road age.

SEC. 2. That the said commissioners shall not make the order referred to in section one of this act until after thirty days notice is given in said township of the time and place of considering petitions filed in accordance with the provisions of section one, that opportunity may be given for the filing of opposing petitions.

Notice of hearing on petition.

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.

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 295.

AN ACT TO AMEND CHAPTER 347, PUBLIC-LOCAL LAWS OF 1913, ENTITLED "AN ACT TO PROVIDE A TOWNSHIP ROAD LAW FOR BURKE COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter three hundred and forty-seven be amended by adding at the end of said third section the following: "That it shall be the duty of the said board of road supervisors, as far as practicable, to let all grading to be done in connection with the public roads of said township to the lowest responsible bidder, after due advertisement, requiring as a

Grading to be done by contract.

condition precedent to any contract that a good and sufficient bond shall be given for the faithful performance of the obligations of such contract as to the said grading, etc.: *Provided*, that said board shall at all times have the right in their discretion to reject any and all bids, when in their opinion no satisfactory bid has been received, and to advertise for further bids, or when in their opinion no sufficient bond has been given for the faithful performance of the contract; and *Provided further*, that it shall be discretionary with said board to let the whole of any estimated grading to one or more contractors, or to divide the same into several sections. It shall be the duty of said board, before any contracts are let, to have the same surveyed out and located and proper estimates of the amount of surface to be removed made by some competent engineer, and it shall be the duty of said board to have surveyed out all the public roads in said township which are proposed to be improved, and an estimate of the amount of grading to be done and other work necessary for the surfacing of the same made, with an estimate of the probable cost thereof; and if thought advisable, bids for the whole road improvement contemplated may be had, to the end that it may be intelligently determined, before any further work is done, what roads may be improved within the limit of the remaining unspent portion of the bond issue heretofore voted."

Bond of contractors.

Proviso: right to reject bids.

Proviso: division of work.

Surveys and estimates.

SEC. 2. That said chapter three hundred and forty-seven be amended by adding at the end of section sixteen the following: "That all vacancies arising on said board of road supervisors from death, resignation, or expiration of terms shall be filled by the board of county commissioners and the board of town commissioners in joint session."

Vacancies filled by county commissioners.

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

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

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 296.

AN ACT TO AUTHORIZE AND EMPOWER BAILEYS TOWNSHIP ROAD DISTRICT OF NASH COUNTY TO BORROW MONEY FOR ROAD PURPOSES.

Whereas, by the provisions of chapter four hundred and fifty-one of the Public-Local Laws of the session of one thousand nine hundred and eleven of the General Assembly of North Carolina, there was created and organized as a body corporate a road commission for Baileys Township Road District in Nash County; and whereas the said road commission desires to provide an addi-

Preamble.

Preamble.

tional fund for the purpose of further constructing, improving, and maintaining the public roads of said district: Now, therefore,

The General Assembly of North Carolina do enact:

Power to borrow money.

SECTION 1. That in order to provide a fund for the further proper construction, improvement, and maintenance of said public roads of said road district, the road commission for said district, and its successors in office, are hereby authorized and empowered to borrow a sum of money not to exceed five thousand dollars (\$5,000), under direction of the county commissioners of Nash County as provided in section four of this act.

Amount.

Bond issue.

SEC. 2. As evidence of and to secure said loan said road commission is further authorized, empowered, and directed under limitation provided for in section four of this act to execute, issue, and sell ten (10) bonds, each in the principal sum of five hundred dollars (\$500), to bear a rate of interest not to exceed six per cent per annum, and to be payable one each year for ten successive years from and after date to be fixed by said commission. Said bonds shall not be sold or negotiated at less than par and shall bear interest payable annually from the date of their issuance.

Interest.
Maturity.

Sale below par
forbidden.

Coupons.

To each and every of said bonds there shall be attached as many coupons to represent the interest that shall be annually due as the bond itself shall have years to run before its maturity; that is to say, to the bond to be due in one year there shall be attached one coupon representing the annual interest for that year; to the bond to be due in two years there shall be attached two coupons representing the annual interest for said two years; to the bond to be due in three years there shall be attached three coupons representing the annual interest for said three years; to the bond to be due in four years there shall be attached four coupons representing the annual interest for said four years; to the bond to be due in five years there shall be attached five coupons representing the annual interest for said five years; to the bond to be due in six years there shall be attached six coupons representing the annual interest for said six years; to the bond to be due in seven years there shall be attached seven coupons representing the annual interest for said seven years; to the bond to be due in eight years there shall be attached eight coupons representing the annual interest for said eight years; to the bond to be due in nine years there shall be attached nine coupons representing the annual interest for said nine years; and to the bond to be due in ten years there shall be attached ten coupons representing the annual interest for said ten years. Said bonds and each of them shall be signed by the chairman of said road commission, in his official capacity, and shall be countersigned by the secretary or clerk of said commission; but the coupons thereto attached may be signed by a facsimile lithographed signature of the said chairman and

Authentication.

of the secretary or clerk. The said bonds and coupons shall upon their face express that they are payable out of the taxes levied and to be levied upon the taxable property and polls of said road district, to the end that said bonds and each of them, with the coupons representing their annually accruing interest, shall be payable at maturity, according to their several intents and purposes. The county commissioners of Nash County are directed at the regular times and meetings for levying other taxes on all the taxable property and polls of said road district, beginning with one thousand nine hundred and fifteen, to levy a sufficient tax on all the taxable property and polls of said road district, at the same rate that is now being levied in said road district, for road purposes, in pursuance of the provisions of chapter four hundred and fifty-one of the Public-Local Laws of the session of one thousand nine hundred and eleven, with which to pay each or one of said bonds and the interest coupons falling due on all said bonds at that time. The said tax so levied is to be collected by the sheriff or the tax collector of Nash County as the other taxes are collected, and when collected shall be kept separate and used, first, for the payment of the annually maturing bonds and the coupons representing the annually accruing interest on the entire issue, and the surplus for constructing, maintaining, and improving the public roads of said road district, as provided in chapter four hundred and fifty-one of the Public-Local Laws of one thousand nine hundred and eleven.

SEC. 3. That the proceeds of the sale or negotiation of said bonds shall be paid over and held by the treasurer of Nash County to the credit of said road commission for Baileys Township Road District and shall be used and applied to the objects and purposes of building, repairing, improving, and constructing the public roads of said road district. No part of said fund shall be paid out by the said treasurer except upon orders signed by the chairman and countersigned by the secretary or clerk of said road commission. The said treasurer, upon said order or orders, will pay the amount thereof and charge the same to said road district fund: *Provided, however,* that there shall be deducted from the proceeds of the sale or negotiation of said bonds the actual expenses of preparing, printing, or lithographing the same and of negotiating the sale thereof, which shall include reasonable attorney's fees to be fixed by said road commission.

SEC. 4. That no part of the bond issue provided for in section two of this act shall be issued by the said road commissioners of Baileys Township without the special order of the county commissioners of Nash County: *Provided,* that the county commissioners of Nash County shall upon the petition of a majority of the qualified voters of Baileys Township order the issue of said bonds, and not before; and *Provided,* that a "majority of qualified voters" shall mean more than half of those registered and entitled to vote

Obligations for payment to be expressed on bonds.

Special tax.

Collection of tax.

Specific appropriation.

Specific appropriation.

Orders on fund.

Payment of orders.

Proviso: payment of expense of issuing bonds.

County commissioners.

Proviso: petition of majority of qualified voters.

Proviso: definition of orders.

Proviso: new voters.

at the last regular election previous to the offering of said petition; and *Provided further*, that these provisions shall not be construed to bar from signing petition any male person who may have become of age, moved into the township, or otherwise become entitled to registration since said last election.

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

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

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 297.

AN ACT FOR THE RELIEF OF THE SHERIFF OF DURHAM COUNTY.

The General Assembly of North Carolina do enact:

Preamble.

SECTION 1. Whereas chapter seven hundred and sixteen of the Public-Local Laws of North Carolina, session one thousand nine hundred and eleven, provided a tax on dogs in Durham County; and whereas it was provided in said act that the county commissioners of Durham County should order that all dogs should be destroyed, in the event the owner or owners should fail to pay said tax; and whereas some of the owners of dogs listed the dogs owned by them for taxation on the tax books of Durham County in compliance with said statute; and whereas a small part of said tax has been paid by the owners of said dogs, and the county commissioners of Durham County failed to order the destruction of any of said dogs; and whereas said act was repealed by the General Assembly of North Carolina by chapter fifty-six of the Public-Local Laws of North Carolina, session one thousand nine hundred and thirteen; and whereas said tax is now charged to John F. Harward, sheriff of Durham County: Now, therefore, John F. Harward, sheriff of Durham County, and the sureties on his official bond, are hereby relieved and discharged from any and all liability for the collection of or the failure to collect any of said dog tax as is now shown by the tax books for the county of Durham, and the county commissioners for the county of Durham are authorized and directed to credit John F. Harward, sheriff of Durham County, in his next annual settlement, with the said dog tax as shown by said tax books, and John F. Harward, sheriff of Durham County, is hereby authorized to refund to the owners of dogs paying said tax the amount of such tax so paid by them.

Sheriff discharged from liability on dog tax.

Credit to sheriff.

Refund of tax authorized.

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

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 298.

AN ACT TO REGULATE THE COMPENSATION OF THE BOARD OF COUNTY COMMISSIONERS OF BLADEN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section six (6) of chapter four hundred and eighty-five, Public-Local Laws of one thousand nine hundred and thirteen, is hereby repealed. Duties and pay of chairman of commissioners.

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

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 299.

AN ACT TO AMEND CHAPTER 636, PUBLIC LAWS OF 1905, RELATIVE TO WORKING THE PUBLIC ROADS OF JONES COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section twenty-one of chapter six hundred and thirty-six of the Public Laws of nineteen hundred and five be amended as follows: After the word "roads" at the end of section twenty-one of said chapter six hundred and thirty-six, Public Laws of nineteen hundred and five, add the following: "*Provided*, that the said board of road commissioners of Jones County, and all persons in charge of working the public roads of said county under the direction of said board of road commissioners shall not employ their own team or teams, or teams of any member of their family, for working the public roads, or purchase any material for road building from themselves or their families, unless they first notify the chairman of the board of road commissioners of the use of their own teams, and that other teams could not be had for the use so mentioned: *Provided further*, that members of the families of said road commissioners and those working under their direction may be employed to work on said road if the board of road commissioners of said county shall authorize the same." Proviso: interest of road commissioners in contracts regulated.

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

SEC. 3. That this act shall be in force from and after its ratification. Proviso: employment of relations.

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 300.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF PASQUOTANK COUNTY TO ISSUE BONDS AND LEVY A SPECIAL TAX FOR IMPROVING AND REPAIRING THE COMMON JAIL OF SAID COUNTY.

The General Assembly of North Carolina do enact:

Bond issue authorized.	SECTION 1.	That for the purpose of improving and repairing the common jail of Pasquotank County the board of county commissioners of Pasquotank County are hereby authorized and empowered to issue bonds for an amount not to exceed four thousand dollars (\$4,000), in denominations of one thousand dollars (\$1,000) each, bearing interest not to exceed five (5) per cent per annum on the principal of each bond, said interest to be due and payable semiannually from the date of issuing said bonds.
Amount.		
Interest.		
Authentication.	SEC. 2.	That said bonds shall be signed by the chairman of the board of county commissioners and countersigned by the register of deeds. Said register of deeds shall keep a suitable book in which he shall keep an account of each bond issued, to whom issued, and the number of each bond, and he shall keep an accurate account of all the interest paid and an account of the bonds when they are paid. Said book shall be open to the inspection of any taxpayer of said county; and should the register of deeds fail to so keep said book he shall be guilty of a misdemeanor, and on conviction thereof shall be fined not less than ten dollars (\$10) nor more than fifty dollars (\$50), in the discretion of the court.
Record of bonds.		
Record open for inspection. Failure to keep record misdemeanor. Punishment.		
Number and maturity of bonds.	SEC. 3.	That the bonds shall be numbered one (1), two (2), three (3), and four (4), and bond number one (1) shall be due and paid on July first, one thousand nine hundred and sixteen; bond number (2) shall be due and paid July first, one thousand nine hundred and seventeen; bond number three (3) shall be due and paid July first, one thousand nine hundred and eighteen, and bond number four (4) shall be due and paid July first, one thousand nine hundred and nineteen.
Special tax.	SEC. 4.	That for the purpose of paying said interest and the bonds as they may fall due, the said county commissioners are hereby authorized and empowered to levy a special tax each year sufficient to pay said interest and said bonds as they begin to fall due, observing the constitutional equation between property and poll. Said special tax shall be collected as other taxes are and paid over to the county treasurer, who shall keep a separate account of the same and shall pay said interest and bonds as they become due and on presentation of the same at his office, and said special tax shall be applied only as set forth in this act.
Constitutional equation. Collection and settlement. Payment of interest and bonds.		
Sale below par forbidden.	SEC. 5.	That said bonds shall not be sold for less than their par value.

SEC. 6. That as soon as the county treasurer pays any interest and bonds as they may become due, he shall report to the register of deeds the amount paid as interest or bonds and to whom paid, in order that the register of deeds may fully comply with section two (2) of this act.

Reports of pay-
ments.

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 from and after its ratification.

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 301.

AN ACT TO EXTEND THE TIME FOR THE SHERIFF OF NASH COUNTY TO EXECUTE DEEDS FOR THE SALE OF LAND FOR 1912 TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff of Nash County is authorized and empowered to make deeds to purchasers of lands sold for taxes in Nash County on the fifth day of May, one thousand nine hundred and thirteen, at any time prior to the fifth day of May, one thousand nine hundred and sixteen: *Provided*, the purchaser shall furnish sufficient proof to the sheriff that he has given three months notice to the parties to whom notice is to be given, under section two thousand nine hundred and five of the Revisal of one thousand nine hundred and five, prior to the application for the deed; the deeds made by virtue of this act shall be as valid as if the notice had been given within the time required by section two thousand nine hundred and three of the Revisal.

Time limit.

Proviso: proof of
notice.

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

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

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 302.

AN ACT TO CONSTRUCT AND MAINTAIN PUBLIC ROADS IN EAST FORK AND OTHER TOWNSHIPS IN HAYWOOD COUNTY.

That whereas East Fork Township has voted bonds in accordance with chapter one hundred and twenty-two. Laws of one thousand nine hundred and thirteen, for the purpose of building and

Preamble.

Preamble. maintaining the public roads of said township; and whereas, in order to give a suitable outlet for East Fork Township, it is necessary to spend a sufficient amount of said bond issue in Pigeon Township from the township line in East Fork Township to the iron bridge crossing the east fork of Pigeon River at the "Blaylock Mills": Now, therefore,

The General Assembly of North Carolina do enact:

Road specified for improvement.

SECTION 1. That it shall be the duty of the road trustees hereinafter designated to use such amount of the "bond issue" as in their judgment may be necessary to improve the public road from the township line in East Fork Township to the iron bridge at or near "Blaylock's Mill" and make such changes and other improvements on said road as in their judgment may be deemed advisable.

Road trustees named.

SEC. 2. That the following named persons shall constitute the board of road trustees for East Fork Township, viz.: T. L. Gwyn, W. W. Shay, T. R. Pless, and B. F. Sellars. That this board shall assume, upon ratification of this act, the management of the said road fund, and shall also assume all the duties of the present board of road trustees in East Fork Township. That the said board of trustees shall continue in office until April first, nineteen hundred and seventeen, and they or their successors shall be appointed annually thereafter by the board of county commissioners. That the foregoing board shall have full authority of the management of all road matters in said township and the expenditure of all funds arising from the sale of said road bonds, and that no money shall be paid out of said fund unless by the authority of not less than two members of said board. If any vacancy shall occur on said board, then it shall be the duty of the remaining members to elect a member to fill such vacancy.

Term of office.

Management of.

Vacancy.

Traffic regulations.

Proviso: liability for damage to roads.

SEC. 3. That the said board of road trustees herein named is further authorized and empowered to prohibit the operation at any time of any logging machinery, traction engines, and other heavy machinery where same may be considered a damage to said road, a public nuisance, or a danger to public safety; and *Provided further*, that any person or persons operating such machinery shall be liable to said board for any damage that may occur to said road by reason of the operation of such machines.

Repealing clause.

Proviso: right of townships to vote bonds.

SEC. 4. That all laws and clauses of laws in conflict with this act are hereby repealed: *Provided*, that there shall be nothing in this act so construed as to conflict with the right of townships to vote bonds as prescribed in chapter one hundred and twenty-two. Laws one thousand nine hundred and thirteen.

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

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 303.

AN ACT AMENDATORY OF AND SUPPLEMENTAL TO AN ACT RATIFIED ON 15TH DAY OF FEBRUARY, 1915, ENTITLED "AN ACT TO AMEND CHAPTER 286 OF THE PUBLIC LAWS OF 1899 SO AS TO CHANGE THE AGE AT WHICH PERSONS SHALL WORK THE PUBLIC ROADS IN ALLEGHANY COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That an act entitled "An act to amend chapter two hundred eighty-six of the Public Laws of one thousand eight hundred and ninety-nine so as to change the age at which persons shall work public roads in Alleghany County," ratified on fifteenth day of February, one thousand nine hundred and fifteen, and being number two hundred and twenty-six of the Roster of Acts of this session in the office of the Secretary of State, be and the same is hereby amended by striking out the word "sixty" in line five of section one of said act, and substituting in lieu thereof the words "fifty-five." Road age.

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

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 304.

AN ACT TO FIX THE TERMS OF OFFICE OF THE MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF MADISON COUNTY AND TO APPOINT TWO ADDITIONAL MEMBERS OF SAID BOARD.

The General Assembly of North Carolina do enact:

SECTION 1. That J. C. Chandley and N. B. McDevitt be and they are hereby appointed as additional members of the board of county commissioners of Madison County, their term of office to begin upon the ratification of this act, and the term of office of the said J. C. Chandley to expire on the first Monday in December, one thousand nine hundred and eighteen, and of the said N. B. McDevitt on the first Monday in December, one thousand nine hundred and twenty. Appointment.
Terms of office.

SEC. 2. That at the first regular meeting of said board of commissioners held after the qualification of the two additional members herein named, said board shall reorganize and elect one mem- Board to reorganize.

ber of said board as chairman, who shall preside over the meetings of said board until the first Monday in December, one thousand nine hundred and sixteen.

Future elections.

SEC. 3. That at the general election to be held in the year one thousand nine hundred and sixteen, and every two years thereafter, there shall be elected by the qualified voters of said county of Madison one member only of the board of county commissioners of said county, who shall hold office for a term of six years, and who together with the two members of said board whose terms of office shall not have expired shall constitute the board of county commissioners of said county.

Repealing clause.

SEC. 4. That all laws and clauses of laws in conflict with this act be and the same are hereby repealed in so far as the same apply to Madison County.

Secretary of State to send copy of act.

SEC. 5. That immediately upon the ratification of this act the Secretary of State shall transmit a certified copy of the same to the register of deeds of Madison County.

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

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 305.

AN ACT TO AMEND CHAPTER 120 OF THE PUBLIC LAWS OF 1907, RELATIVE TO WITNESS TICKETS IN CRIMINAL ACTIONS, SO AS TO INCLUDE RICHMOND COUNTY.

The General Assembly of North Carolina do enact:

County included.

SECTION 1. That section six, chapter one hundred and twenty of the Public Laws of North Carolina of one thousand nine hundred and seven, and acts amendatory thereof, be amended by adding at the end of the said section the words "and Richmond."

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

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 306.

AN ACT FOR THE RELIEF OF JURORS IN PERSON COUNTY.

The General Assembly of North Carolina do enact:

Regular jurors.

SECTION 1. That the commissioners of Person County are hereby authorized and directed to pay all regular jurors summoned by

their order two dollars per day and mileage, and to pay all tales jurors one dollar and fifty cents per day, without mileage. Tales jurors.

SEC. 2. That all persons summoned as special veniremen in capital cases and accepted as jurors shall receive the sum of two dollars per day and mileage; but if not accepted, they shall only receive the sum of one dollar per day and mileage. Special veniremen.

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.

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 307.

AN ACT TO REPEAL CHAPTER 543, PUBLIC-LOCAL LAWS OF 1913, RELATIVE TO LICENSE TAXES IN BEAUFORT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and forty-three of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby repealed. Law repealed.

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

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 308.

AN ACT TO ALLOW THE BOARD OF COUNTY COMMISSIONERS OF MACON COUNTY TO LEVY A SPECIAL TAX.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Macon County is hereby authorized and empowered to levy a special tax of five cents on the one hundred dollars worth of property, at the same time of levying other taxes in nineteen hundred and fifteen, to supplement the bridge fund of said county and to pay off certain outstanding promissory notes due out of said fund. Special tax authorized.
Rate.

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

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 309.

AN ACT RELATIVE TO SALARY OF PROSECUTING ATTORNEY OF ROCKINGHAM, RICHMOND COUNTY, RECORDER'S COURT.

Preamble. Whereas an act of this General Assembly has created three recorders' courts for Richmond County and abolished the present recorder's court with jurisdiction for the whole county; and

Preamble. whereas the prosecuting attorney of the existing recorder's court was elected for a term of two years, beginning the first Monday in December, one thousand nine hundred and fourteen; and

Preamble. whereas the act of this General Assembly creating three recorders' courts for said county will greatly reduce the pay of the prosecuting attorney of the Rockingham Recorder's Court, to which office Walter R. Jones was duly elected by the voters of Richmond County: Now, therefore,

The General Assembly of North Carolina do enact:

County commissioners may pay salary.

SECTION 1. That in lieu of the fees provided for the prosecuting attorney of the Rockingham Recorder's Court, in the act of this General Assembly creating three recorders' courts for Richmond County, the board of county commissioners of said county may, in its discretion, provide for a salary for the prosecuting attorney of said Rockingham Recorder's Court, which salary, if so provided for, shall continue until the first Monday in December, one thousand nine hundred and sixteen, and no longer.

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

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 310.

AN ACT TO PROVIDE PENALTIES FOR THE FAILURE TO PAY TAXES IN GASTON COUNTY.

The General Assembly of North Carolina do enact:

Penalties for non-payment.

By 1st January.

SECTION 1. That upon failure or neglect of any person, firm, or corporation to pay the State, county, and privilege tax due by any such person, firm, or corporation by the first day of January of the year following in which such tax was listed or should have been listed, it shall be the duty of the sheriff or tax collector to collect, in addition to such tax due as aforesaid, two per cent of such tax as a penalty for failure to pay such tax as aforesaid; and upon the failure of any such person, firm, or corporation to pay said tax on or before the first day of February of the year

By 1st February.

following in which said tax was listed or should have been listed, it shall be the duty of the sheriff or tax collector to collect, in addition to the tax aforesaid, three per cent of such tax as a penalty for failure to pay said tax as aforesaid; and upon the failure of any such person, firm, or corporation to pay said tax on or before the first day of March of the year following in which said tax was listed or should have been listed, it shall be the duty of the sheriff or tax collector to collect, in addition to the tax aforesaid, four per cent of such tax as a penalty for failure to pay such tax as aforesaid; and upon the failure of any such person, firm, or corporation to pay said tax on or before the first day of April of the year following in which said tax was listed, or should have been listed, it shall be the duty of the sheriff or tax collector to collect, in addition to the tax aforesaid, five per cent of such tax as a penalty for failure to pay such tax as aforesaid.

SEC. 2. That all such penalties so collected as aforesaid shall be distributed and paid to the State and county as now provided by law for the payment of such tax for the failure of which such penalties are herein imposed.

SEC. 3. That nothing herein contained shall alter the law now in force fixing the time for the sheriff to settle his taxes.

SEC. 4. That this act shall apply only to Gaston County.

SEC. 5. That all laws and parts of laws in conflict herewith are hereby repealed.

SEC. 6. That this act shall be in force and effect on and after the first Monday in July, one thousand nine hundred and fifteen.

Ratified this the 26th day of February, A. D. 1915.

CHAPTER 311.

AN ACT TO REGULATE THE WIDTH OF THE PUBLIC ROADS OF ONSLOW COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Onslow County is authorized and empowered to establish and declare the width of the public roads of said county or in any township of said county.

SEC. 2. That when the said board establishes and declares the width of the said roads of said county, or of any one or more of the townships of said county, notice of said action shall be given to the supervisors of the respective townships affected by said action.

SEC. 3. That it shall be the duty of the road superintendent of the township affected by the action of said board to see that the public roads in his township are cleared of trees, logs, and other

obstructions to the passage of ordinary vehicles for the width established and declared by the said board of commissioners.

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

Ratified this the 27th day of February, A. D. 1915.

CHAPTER 312.

AN ACT TO AMEND CHAPTER 645, PUBLIC-LOCAL LAWS OF 1913, SO AS TO PREVENT THE DEPREDATIONS OF DOMESTIC FOWLS IN LINCOLN COUNTY.

The General Assembly of North Carolina do enact:

Law extended.

SECTION 1. That section three of chapter six hundred and forty-five, Public-Local Laws of one thousand nine hundred and thirteen, is hereby amended by striking out the word "county" in said section and inserting in lieu thereof the words "and Lincoln counties."

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

Ratified this the 27th day of February, A. D. 1915.

CHAPTER 313.

AN ACT PROVIDING FOR THE LEVYING OF SPECIAL TAX FOR BUILDING BRIDGES IN SURRY COUNTY.

The General Assembly of North Carolina do enact:

Special tax for bridges.

SECTION 1. That the county commissioners of Surry County may at their regular meeting on the first Monday in June, one thousand nine hundred and fifteen, levy a special tax of five cents on the hundred dollars worth of taxable property and fifteen cents on each poll, observing the constitutional equation, for the purpose of erecting bridges in said county.

Rate.

Constitutional equation.

SEC. 2. That the said commissioners are authorized in their discretion to contribute out of said tax so levied such sum as they may see proper to aid in the erection of a bridge across the Yadkin River at Crutchfield, Surry County.

Bridge at Crutchfield.

Tax for 1916.

SEC. 3. That the aforesaid levy may be continued for the year one thousand nine hundred and sixteen, if in the discretion of the said commissioners it is necessary for the purpose hereinbefore mentioned.

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

Ratified this the 27th day of February, A. D. 1915.

CHAPTER 314.

AN ACT TO AMEND CHAPTER 42, PUBLIC LAWS, SESSION 1913, MAKING IT APPLICABLE TO TOWNSHIPS IN ROCKINGHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one, chapter forty-two, Public Laws one thousand nine hundred and thirteen, be amended by adding to said section one the following: "Provided, whenever the board of county commissioners shall be presented with a petition signed by fifty of the resident freeholders of any township, asking that an annual tax be levied for the establishment and maintenance of a public hospital, and a place in said township named therein, the same shall be done as provided for in said law for the establishment of public hospitals in counties."

Proviso: hospital established on petition of freeholders.

SEC. 2. That said chapter be further amended to make the language and intention applicable to townships in the same manner and to the same extent as it now applies to counties.

Law made applicable to townships.

SEC. 3. That this act shall apply only to the county of Rockingham.

Application of act.

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

Ratified this the 27th day of February, A. D. 1915.

CHAPTER 315.

AN ACT TO AMEND CHAPTER 569, PUBLIC-LOCAL LAWS 1911, PAGE 904, BEING ENTITLED "AN ACT TO PROHIBIT HUNTING AND SELLING QUAIL IN SURRY COUNTY IN RELATION TO PROHIBITING THE SALE FOR A TERM OF YEARS."

The General Assembly of North Carolina do enact:

SECTION 1. That section one of the Public-Local Laws of one thousand nine hundred and eleven, chapter five hundred and sixty-nine, be amended as follows: By striking out all after the word "Surry" in line three of said section and inserting in lieu thereof the words, "within three years from the ratification of this act: Provided, any person or persons shall have the right to kill birds on their own land, or lands of another only upon his written consent, and sell them not outside of Surry County."

Full protection.

Proviso: exceptions.

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

Ratified this the 27th day of February, A. D. 1915.

CHAPTER 316.

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF TRANSYLVANIA COUNTY TO SELL THE PRESENT COUNTY HOME FOR AGED AND INFIRM AND TO LEVY A SPECIAL TAX TO PURCHASE ANOTHER.

Preamble. Whereas the home for the aged and infirm of Transylvania County is inadequate for the needs of the said county :

The General Assembly of North Carolina do enact:

Sale authorized. SECTION 1. That the board of commissioners of Transylvania County are hereby authorized and empowered to sell the present home for the aged and infirm of Transylvania County and apply the proceeds of said sale to the purchase of another house to suit the needs of the county at this time and the probable needs of the future.

Purchase authorized. SEC. 2. That the board of commissioners of Transylvania County are hereby authorized and empowered to purchase a suitable tract of land for a home for the aged and infirm of said county.

Special tax. SEC. 3. That the board of county commissioners are hereby authorized and empowered to levy a special tax of five cents on the one hundred dollars (\$100) valuation of property and other subjects of taxation in Transylvania County.

Purpose of tax. SEC. 4. That said special tax is authorized and is to be levied and collected only for the purpose of purchasing, building, and furnishing the home for the aged and infirm in Transylvania County, and for paying such indebtedness and items as are properly chargeable to the same.

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

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

Ratified this the 27th day of February, A. D. 1915.

CHAPTER 317.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF POLK COUNTY TO LEVY A SPECIAL TAX.

The General Assembly of North Carolina do enact:

Special tax authorized. SECTION 1. That the commissioners of Polk County are hereby authorized and empowered to levy a special tax, not to exceed ten cents on the one hundred dollars valuation of property in said county and thirty cents on the poll, for payment of its existing indebtedness.

Limit of rate.

Purpose of tax.

SEC. 2. No part of the funds so secured shall be applied to any other purpose. Specific appropriation.

SEC. 3. That said tax shall be levied at the regular meeting of said commissioners on the first Monday in June, one thousand nine hundred and fifteen and one thousand nine hundred and sixteen. Levy of tax.

SEC. 4. That the said tax shall be collected and accounted for by the sheriff of said county under the same penalties and in the same manner as prescribed by law for collecting other taxes. Collection and settlement of tax.

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

Ratified this the 27th day of February, A. D. 1915.

CHAPTER 318.

AN ACT TO PROHIBIT THE THROWING OF SAWDUST INTO ENO RIVER IN ORANGE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. If any person, firm, or corporation shall throw or permit any sawdust to be thrown or run into Eno River, in Orange County, from the head of the Faucett mill-pond on said river to the Durham County line, he or it shall be guilty of a misdemeanor and fined not exceeding fifty dollars or imprisoned not exceeding thirty days for each offense. Throwing sawdust in stream a misdemeanor.
Territory affected.
Punishment.

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

Ratified this the 27th day of February, A. D. 1915.

CHAPTER 319.

AN ACT TO ABOLISH THE OFFICE OF THE COUNTY TREASURER OF CLAY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That from and after the first Monday in December, one thousand nine hundred and sixteen, the office of county treasurer of Clay County shall be and the same is hereby abolished. Date when office is abolished.

SEC. 2. That this act shall have the same effect as if the said office was abolished under section one thousand three hundred and ninety-five of the Revisal of one thousand nine hundred and five: *Provided*, that any sheriff acting as treasurer shall receive no compensation except his lawful fees as sheriff. Effect of act.
Proviso: pay of sheriff.

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

Ratified this the 27th day of February, A. D. 1915.

CHAPTER 320.

AN ACT TO AMEND THE ROAD LAW OF GUILFORD COUNTY.

The General Assembly of North Carolina do enact:

- SECTION 1. That chapter three hundred and ninety-six (396) of the Public-Local Laws of one thousand nine hundred and eleven, as amended by chapter one hundred and sixty-five (165) of the Public-Local Laws of one thousand nine hundred and thirteen, be and the same is hereby amended by adding the following proviso to section six of said act: "*Provided further*, that in improving, widening, and straightening the roads of the county said board of county commissioners shall have the right, if they find it necessary, to cut all trees (other than fruit or ornamental trees or trees in a yard or garden) for a distance of not to exceed fifty (50) feet on each side of the public roads of the county, and that the provisions in regard to the assessment of damages contained in this act shall apply also to the assessment of damages sustained by the cutting of trees under this provision."
- Proviso: trees shading road to be cut.
- Assessment of damages.
- Township commissioners abolished.
Powers vested in county commissioners.
- Township commissioners abolished.
- Township commissioners abolished.
- Township commissioners abolished.
- Township commissioners abolished.
- Township commissioners abolished.
- Township commissioners abolished.
- Township commissioners abolished.
- Township commissioners abolished.
- SECTION 2. That sections seven, eight, nine, ten, and eleven thereof be stricken out.
- SECTION 3. That section twelve thereof be amended by striking out the word "overseers" in line one of said section and inserting in lieu thereof words "board of county commissioners," and by striking out the words "or by said township commissioners" in line two thereof.
- SECTION 4. That section thirteen thereof be amended by striking out the words "and said township commissioners" in lines one and two thereof.
- SECTION 5. That section twenty-one thereof be amended by striking out the words "township commissioners" in line one and inserting in lieu thereof the words "board of county commissioners."
- SECTION 6. That section twenty-two thereof be amended by striking out the words "township commissioners" in line one thereof and inserting the words "board of county commissioners."
- SECTION 7. That section twenty-four thereof be amended by striking out the words "township commissioners" in line one thereof and inserting the words "board of county commissioners."
- SECTION 8. That section twenty-seven thereof be amended by striking out the words "township commissioners" in line four thereof and inserting the words "board of county commissioners."
- SECTION 9. That section twenty-nine thereof be amended by striking out the words "township commissioners" in lines five and seven thereof and inserting the words "board of county commissioners."
- SECTION 10. That section thirty thereof be amended by striking out

the words "township commissioners" in lines one, five, and seven thereof, and inserting the words "board of county commissioners."

SEC. 11. That section thirty-five thereof be amended by striking out the words "the township commissioners of" in line thirty-three thereof, and by striking out the words "such township commissioners" in line thirty-four thereof, and inserting the words "board of county commissioners," and by striking out the proviso at the end of said section.

Township commissioners abolished.

Special road districts.

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

Ratified this the 27th day of February, A. D. 1915.

CHAPTER 321.

AN ACT TO ABOLISH THE OFFICE OF COUNTY TREASURER IN FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the office of county treasurer in Franklin County be abolished at the expiration of the present term of the treasurer.

Office abolished.

SEC. 2. That the board of county commissioners of Franklin County shall designate for a term of two years, beginning on the first Monday in December, one thousand nine hundred and sixteen, and every two years thereafter, one or more banks in said Franklin County as a depository or financial agent for the county funds under the control of the county commissioners, and one or more banks as a depository or financial agent for the school fund of said county, naming a different bank or banks for these two funds, unless that be impracticable.

Designation of bank as financial agent.

Designation of bank as agent for school fund.

SEC. 3. Any bank so designated shall perform generally the duties now imposed by law upon the county treasurer, and shall pay out funds on deposit upon orders or vouchers as now authorized by law or as may be further provided by the official board in control of such funds, and shall make to the proper board monthly report of receipts and disbursements and such other facts as may be required.

Duties to be discharged by banks.

Monthly reports.

SEC. 4. Any bank so designated as the depository shall give bond for the safe keeping and proper handling of funds so deposited. The amount of said bond shall be fixed by the county board of commissioners and shall not be less than the largest amount expected to be on deposit at any one time, and shall be in usual form and subject to the same laws as is now provided for the treasurer's bond. The premium for such bond shall be paid by the board controlling the fund secured by it. No other commission or remuneration shall be paid to such bank.

Banks to give bonds.

Premium on bonds.

No commission allowed.

Deposit of county funds.	SEC. 5. The sheriff or other officer into whose hands any county or school funds may come shall immediately deposit same in the proper bank to the credit of the proper fund.
Act to be voted on.	SEC. 6. The provisions of this act shall be submitted to the voters of Franklin County at an election to be held at the time of the general election in the year nineteen hundred and sixteen. At such election voters in favor of abolishing the office of treasurer shall cast ballots on which is written or printed "For Abolishing Treasurer's Office," and those opposed shall cast ballots on which is written or printed "Against Abolishing Treasurer's Office." If a majority of the votes cast at such election shall be "For Abolishing Treasurer's Office," then the provisions of this act shall take effect immediately, and on and after the first day of December, nineteen hundred and sixteen, the said treasurer's office shall be abolished, and the duties of same shall be performed as provided herein.
Ballots.	
Effect of election.	SEC. 7. All laws and clauses of laws in conflict with the provisions of this act are hereby repealed. Ratified this the 27th day of February, A. D. 1915.

CHAPTER 322.

AN ACT TO AMEND SECTION 17 OF CHAPTER 354 OF THE PUBLIC LAWS OF 1891, AS AMENDED BY THE PUBLIC-LOCAL LAWS OF 1913, RELATIVE TO WORKING THE ROADS IN CLAY COUNTY.

The General Assembly of North Carolina do enact:

Tax rate.	SECTION 1. That section seventeen of chapter three hundred and fifty-four of the Public Laws of one thousand eight hundred and ninety-one, as reënacted by chapter one hundred and sixty-seven of the Public-Local Laws of one thousand nine hundred and thirteen, be and the same is hereby amended by striking out all between the word "than" in line five and the word "on" in line seven and inserting in lieu thereof the following: "ten cents nor more than twenty cents on each one hundred dollars worth of real and personal property, and not less than thirty cents nor more than sixty cents."
Printed copies of road laws.	SEC. 2. That it shall be the duty of the Secretary of State to have printed in pamphlet form fifty copies of chapter three hundred and fifty-four, as amended by chapter one hundred and sixty-seven of Public-Local Laws of one thousand nine hundred and thirteen, to be sent by him to the board of county commissioners of Clay County, to be distributed by the said board of commissioners to the several townships of the county of Clay.
	SEC. 3. That this act shall be in force from and after its ratification. Ratified this the 27th day of February, A. D. 1915.

CHAPTER 323.

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF BURKE COUNTY TO PAY OFF THE FLOATING INDEBTEDNESS OF SAID COUNTY AND TO LEVY A SPECIAL TAX THEREFOR.

The General Assembly of North Carolina do enact:

SECTION 1. That in order to pay off and discharge certain debts heretofore incurred by the county of Burke for necessary expenses, which said indebtedness is represented by outstanding warrants of said county, the board of commissioners of Burke County are hereby authorized and empowered to issue and sell coupon bonds of said county to an amount not exceeding five thousand dollars (\$5,000), in denominations of either five hundred dollars (\$500) or one thousand dollars (\$1,000), as the board of commissioners may determine; said bonds shall be dated March first, one thousand nine hundred and fifteen (1915), and shall run fifteen (15) years from the date thereof, and shall bear interest at a rate not exceeding six per centum per annum, payable semiannually, and shall be signed by the chairman of the said board of county commissioners and attested by the register of deeds of said county as the clerk of said board of commissioners, and shall have the county seal affixed thereto, and shall be consecutively numbered, beginning with number one.

Bond issue authorized.

Amount.

Denominations.

Date and maturity.

Interest.

Authentication.

SEC. 2. That said bonds may be sold at either public or private sale, and shall be payable at such place or places as the said board of commissioners may designate, and said bonds shall not be sold for less than par, including accrued interest.

Sale of bonds.

Sale below par forbidden.

SEC. 3. That out of the proceeds arising from the sale of said bonds the said board of commissioners shall pay off, discharge, and cancel said indebtedness represented by said outstanding warrants, nor shall the proceeds be used for any other purpose than those declared by this act: *Provided, however*, that the purchasers of said bonds shall not be required to see to the application of the fund. The bonds and coupons shall state on their face when they are due and where payable, and the bonds shall show by what authority they are issued.

Debt to be paid.

Diversion of funds forbidden. Proviso: purchasers not liable for application of fund.

SEC. 4. That said board of commissioners shall annually, at the time other taxes are levied, levy a special tax on all taxable property of said county of sufficient amount to pay the interest on said bonds and the principal at maturity.

Special tax.

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

Ratified this the 27th day of February, A. D. 1915.

CHAPTER 324.

AN ACT TO AMEND CHAPTER 104 OF THE PUBLIC LAWS OF NORTH CAROLINA OF 1909, BY CONFERRING CIVIL JURISDICTION ON THE RECORDER'S COURT OF THE TOWN OF REIDSVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and four, section twenty-one, of the Public Laws of North Carolina, one thousand nine hundred and nine, be amended by adding the following at the end of said section:

Civil jurisdiction.

“(a) In addition to the criminal jurisdiction conferred in this chapter, said court shall have full concurrent original jurisdiction and powers in all civil matters arising in Rockingham County which are now or may be given to courts of justices of the peace, and in addition shall have concurrent jurisdiction with the Superior Court of Rockingham County in civil actions arising in said county out of contract where the sum demanded or the value of the property in controversy does not exceed the sum of five hundred dollars (\$500), and those arising out of tort, claim and delivery, or attachment, where the sum demanded or the value of the property does not exceed the sum of three hundred dollars: *Provided*, that process in civil actions in which justices of the peace have concurrent jurisdiction shall not issue in violation of chapter twenty-seven, section one thousand four hundred and forty-seven, of the Revisal of nineteen hundred and five, but said section is hereby made a part of this act.

In matters of contract.

In torts, claim and delivery, and attachments.

Proviso: extent of jurisdiction.

Jury trial.

“(b) That, also, in the trial of civil cases before the recorder, either the plaintiff, the defendant, or the recorder if in his discretion it is deemed necessary to submit the issues to a jury, may demand and have a jury trial as is provided for jury trials in the courts of justices of the peace and the provisions of this act.

Appeals.

“(c) Any person desiring to appeal from a judgment of the recorder's court shall be allowed to do so in the same manner as is now provided by law for appeals in courts of justices of the peace.

Summons and civil actions.

“(d) All civil actions in said court shall be commenced by summons issued by the recorder or clerk, returnable on the first Tuesday after service. The plaintiff shall in all cases file a written complaint, together with a copy thereof for use of the defendant, on the return day of the summons. The defendant shall file his written answer or demurrer on or before the following Friday after the return of said summons; but the recorder may in his discretion extend the time for filing pleadings; and the case shall stand for trial on the first Tuesday after the return day thereof,

Pleadings.

Trial day.

but for good cause shown the recorder may continue the trial of any cause from time to time not exceeding sixty days from the return day thereof.

“(e) Executions may issue upon judgments rendered in said court in the same manner and with the same effect as in cases where executions are issued on judgments rendered by justices of the peace. And in order for judgment of the recorder’s court to become a lien on real estate the same shall be docketed in the Superior Court, in which case said judgment shall become a judgment of the Superior Court. All judgments of said court may be docketed in the Superior Court of Rockingham County under the same rules and regulations and with the same legal effect as is now prescribed by law for judgments rendered by justices of the peace.

“(f) In all civil actions and matters within the jurisdiction of justices of the peace or the Superior Court of Rockingham County, and also within the jurisdiction of said recorder’s court, it shall be optional with the plaintiff as to whether such suit or action shall be brought in said recorder’s court or in a court of a justice of the peace or the Superior Court of said county, and it shall be lawful for any and all actions within the jurisdiction of said recorder’s court to be brought in said court which could be brought and maintained in courts of justices of the peace or the Superior Court of said county, jurisdiction being concurrent.

“(g) No action shall be removed to said court for trial on affidavit for removal from a justice of the peace, except by consent of both plaintiff and defendant, and no action commenced in said court shall be removed to another court for trial except on appeal to the Superior Court.

“(h) That the recorder or clerk of said court shall keep a civil-issue docket in which shall be recorded a note of all process issued, the names of the parties and the date returnable, with such other entries as may be necessary. He shall also keep a judgment docket in which all judgments shall be recorded, which docket shall be cross-indexed. At the end of each judgment so docketed there shall be reserved a blank space on which shall be noted the date of issuing executions and the returns thereon, together with such other entries as may be necessary concerning the judgment. The recorder or clerk shall make out all bills of cost in all proceedings which shall be taxed against the parties to the action and proceedings as is prescribed by law for taxing costs in the Superior Court, including the cost of juries in case the issues are submitted to a jury: *Provided*, that actions may be instituted and prosecuted *in forma pauperis* as prescribed by law.

“(i) The costs to be taxed in said court in civil matters shall be as follows, which shall be additional compensation to the salary prescribed in said chapter one hundred and four. Public Laws one

Continuance.

Executions.

Judgments docketed.

Rules for and effect of docketing judgments.

Election of plaintiff.

Removal of actions.

Civil-issue docket.

Judgment docket.

Entries on judgment docket.

Bills of cost.

Proviso: actions in forma pauperis.

Fees in civil matters as additional compensation.

Trial fees. thousand nine hundred and nine: The recorder shall receive the sum of one dollar (\$1) for the trial of an action or proceeding where the amount in controversy does not exceed one hundred dollars; and where the amount involved is more than one hundred dollars and does not exceed three hundred dollars, a fee of two dollars (\$2); and in all cases where the sum demanded or the value of the property in controversy exceeds in value the sum of three hundred dollars (\$300), a fee of three dollars (\$3). The clerk shall receive fifty cents for each summons issued, twenty-five cents for the seal of the court, twenty-five cents for making out and sending up cases on appeal, and twenty-five cents for each execution issued. No summons shall be issued until the plaintiff makes a deposit or furnishes security, approved by the clerk, in an amount sufficient to pay said costs. In all matters where the Superior Court has concurrent jurisdiction the plaintiff shall file with the clerk a bond, approved by the clerk or recorder, in the sum of fifty dollars to secure defendant's costs in case of his recovery."

Fees of clerk.

Deposit of security for costs.

Bonds for costs.

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. Ratified this the 27th day of February, A. D. 1915.

CHAPTER 325.

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF HAYWOOD COUNTY TO ISSUE BONDS FOR PUBLIC ROAD IMPROVEMENTS IN BEAVERDAM TOWNSHIP.

The General Assembly of North Carolina do enact:

Bond issue authorized. Amount. Purpose of act.

Proviso: approval of qualified voters.

Interest.

Maturity. Sale below par forbidden. Denominations.

SECTION 1. That the board of commissioners of Haywood County are hereby authorized and directed to issue fifty thousand dollars in bonds for Beaverdam Township, Haywood County, for the purpose of macadamizing, grading, and otherwise constructing and improving the public roads in Beaverdam Township: *Provided*, a majority of the qualified voters of said township shall authorize the same in an election to be held as hereinafter provided. Said bonds shall not bear a greater rate of interest than five per cent per annum, payable thirty years after the date thereof, the same not to be sold at less than par, and to be of the denomination of five hundred dollars each, interest to be due and payable semi-annually, and to be so expressed in the face of said bonds. Each of the said bonds shall be numbered and have attached thereto

sixty coupons, each coupon to represent the interest that shall become due semiannually on each of said bonds. Said bonds and coupons to be payable at the Champion Bank of Canton, Canton, North Carolina. The said bonds and coupons shall be signed by the chairman of the said board of commissioners and countersigned by the register of deeds of said county, and shall have the official seal of the said register of deeds attached thereto. The said bonds and coupons shall express upon their face that they are payable out of the taxable property and polls of said Beaverdam Township, only observing the constitutional equation, and it shall be lawful for and the duty of the board of commissioners of said county to levy annually on the taxable property and polls of said township a sufficient tax to pay the interest of said bonds as it shall accrue and to create a sinking fund for the purpose of paying off and discharging the principal thereof when it shall become due.

Authentication.

Obligation of bonds.

Special tax.

SEC. 2. That it shall be the duty of the board of commissioners of Haywood County, not later than twenty days after the ratification of this act, to order an election to be held in Beaverdam Township, and submit to the qualified voters of said Beaverdam Township the question of issuing bonds or of not issuing bonds.

County commissioners to order election on bond issue.

SEC. 3. That it shall be the duty of the said board of commissioners of said county to have published for four weeks before said election, in some newspaper published or circulated in said township, a notice giving the day on which said election shall be held, the amount of said bonds to be issued and the purpose for which the same shall be used.

Notice of election.

SEC. 4. That said board of commissioners are hereby authorized and empowered to appoint the registrars and judges to hold said election, and said board is further authorized and empowered to canvass the returns and declare the result of said election, and the result thereof shall be spread upon the minutes of the said board.

Election officers.

Canvass of returns and declaration of result.

Record of result.

SEC. 5. That it shall be the duty of the registrar and judges of each voting precinct, or a majority of them, to count the votes cast in their respective precincts and certify to said board of county commissioners the number of votes cast "For Public Road Improvements" and the number of votes cast "Against Public Road Improvements."

Count and return of votes.

SEC. 6. That said election shall be held according to the laws and regulations provided for the election of members of the General Assembly, except as hereinafter provided.

Law governing elections.

SEC. 7. That at said election each qualified voter of Beaverdam Township who shall be in favor of said township issuing bonds as in this act provided shall be permitted to cast one ballot upon which shall be written or printed the words "For Public Road Improvements," and each qualified voter of said township opposed to issuing said bonds shall be permitted to cast one ballot upon

Ballots.

which shall be written or printed the words "Against Public Road Improvements," and no ballot so cast shall fail to be counted by reason of the fact that the paper upon which the vote is written or printed is not of any specified color, size, or quality.

Effect of election.

SEC. 8. That if at said election a majority of the qualified voters of Beaverdam Township shall cast their votes "For Public Road Improvements," then the board of commissioners of Haywood County are hereby authorized, empowered, and directed to issue the said bonds for said township as hereinbefore provided, and sell the same.

Road commission named.

SEC. 9. That Virge McClure, Harley G. Reno, J. S. Patton, J. B. Mann, Jr., and W. P. Cabe are hereby appointed and created a board to be known as "Road Commissioners of Beaverdam Township," and any vacancy, for any cause, in said board of road commissioners shall be filled by the county commissioners of Haywood County.

Vacancies.

Road commissioners to give bond.

SEC. 10. That upon the said road commissioners of Beaverdam Township filing bonds in the sum of fifteen thousand dollars each with some reliable surety company as surety, the said board of county commissioners of Haywood County shall deliver to said road commissioners of Beaverdam Township the proceeds of the sale of said bonds, after deducting from said proceeds of sale the actual expenses of preparing, printing, or lithographing the same, and of negotiating the said bonds.

Expense of issuing bonds.

Control and management of roads.

SEC. 11. That said road commissioners of Beaverdam Township shall have absolute control and management of the public roads of said township, and of such as shall be macadamized, graded, and improved under the provisions of this act, and shall expend the said funds for the purpose of macadamizing, grading, and improving the said public roads of Beaverdam Township: *Provided further*, that for the keeping up and repairing of the roads as constructed and improved by said road commissioners, they shall have the right and power to work all men liable for road duty in said township, except those who have paid the amount of money as is now required by the road law of Haywood County, and also the use of all funds paid in by persons liable for road duty in lieu of work.

Expenditure of funds.

Proviso: maintenance and repairs of road.

Appropriations authorized.

SEC. 12. That the said road commissioners are hereby authorized and directed:

Premiums on bonds of commissioners.

(1) To appropriate out of the funds coming into their hands under the provisions of this act so much as shall be necessary for making said bonds, with some reliable trust or surety company as surety, as hereinbefore provided.

Employment of civil engineer. Limit of salary.

(2) To employ a competent civil engineer, who shall be paid out of said funds a sum not exceeding one hundred and fifty dollars per month to perform all services that shall be required of him by said board of road commissioners.

(3) To advertise for twenty days, and to let contracts to the lowest, most competent bidder or bidders, the roads or any section thereof to be macadamized, graded, or improved under the provisions of this act, the said road commissioners reserving the right to reject any or all bids: *Provided*, that said road commissioners may have the right, with the use of free labor, to construct said roads if within their judgment they find the same can be done cheaper than by letting to contract.

Advertisement for bidders on road work.

Right to reject bids.

Proviso: construction of roads by free labor.

(4) To require of any contractor or contractors to file a good and solvent bond, the same to be approved by said road commissioners, for the faithful performance of their contract or contracts.

Contractors to give bond.

(5) To pay on the first day of each month to any contractor or contractors, for the improvement of said roads in said township, ninety per cent of all moneys due said contractor or contractors by reason of any contract entered into by said board of road commissioners, the same to be ascertained by an estimate of the amount of work done on said contract or contracts by the engineer hereinbefore provided to be appointed by said road commissioners. The remaining ten per cent to be paid when said contractor or contractors shall have fully completed their contract or contracts, and after the work done shall have been received by the road commissioners.

Payments on contracts.

SEC. 13. That said road commissioners shall receive as compensation for their services two dollars per diem each for the time they have actually spent in performing their said duties. The same to be paid out of said funds.

Pay of commissioners.

SEC. 14. That it shall be the duty of said road commissioners to begin improvements at the corporate limits of the town of Canton, on the six leading roads in said township, to wit: the Pigeon Road, the Clyde Road, the Turnpike Road, the Thickety Road, the Dutch Cove Road, and the Beaverdam-Hominy Road.

Roads designated for improvement.

SEC. 15. That for the purpose of carrying out the provisions of this act the said road commissioners are hereby authorized to enter upon any lands near to or adjoining any roads which said board desires to improve or macadamize, to cut and carry away any timber, except trees planted or left for ornament or shade (*Provided*, that such shade tree or trees do not stand in the road right of way), and to dig or cause to be dug and carried away any gravel, sand, or stone which may be necessary to construct, repair, or macadamize said road or roads, and to enter upon any lands adjoining or lying near the road to secure any rock with which to macadamize said road or roads, and to make such drains or ditches through the same as they may deem necessary for the proper repair of said road, doing as little injury to said land as the nature of the case and the public good will permit, and the drains

Entry on land for material.

Drains or ditches.

Penalty for obstructing drains or ditches.

- or ditches so made shall not be obstructed by the owner or occupant of said land or by any other person, under a penalty of forfeiting a sum not exceeding twenty dollars or imprisonment for a term not exceeding thirty days for each and every offense, the said penalty to be collected by said road commissioners and accounted for by said road commissioners, and applied to the improvement of the public roads of Beaverdam Township. If the owner of any lands, or agent or agents of said owner, having in charge the lands from which timber, stone, or gravel were taken as aforesaid, shall present an account of the same to the said road commissioners of Beaverdam Township within thirty days after the taking and carrying away of said timber, stone, or gravel, it shall be the duty of the said road commissioners to pay for the same as may be agreed upon, or as ascertained by an impartial jury of three freeholders, one to be selected by said road commissioners, one by the party claiming damages, and the third to be selected by these two, with the right of either party to appeal to the Superior Court of Haywood County.
- SEC. 16.** That land may be condemned and used by said road commissioners as provided by the general law of Haywood County.
- SEC. 17.** That it shall be the duty of the road commissioners, as named in section nine of this act, to make a report to the board of county commissioners on the first Monday of each and every month, stating the amount of work done and by whom, the amount of said bond issue expended and to whom, and showing the balance on hand of all moneys coming into their hands since the last report made to the said county board of commissioners; and also for all other expenditures, and the purpose of the same.
- SEC. 18.** That if the said road commissioners of Beaverdam Township shall neglect or fail to make the said report, as mentioned in section seventeen, they shall be deemed guilty of a misdemeanor and fined at the discretion of any court having jurisdiction.
- SEC. 19.** That the board of road commissioners of Beaverdam Township, and it is hereby made their duty, shall place the funds coming into their hands, not needed for immediate use, in some solvent bank or banks at not less than four per cent interest, where the same shall remain on interest until needed by said road commissioners in constructing or improving the public roads in Beaverdam Township.
- SEC. 20.** That all laws and parts of laws in conflict with this act are hereby repealed: *Provided*, that nothing in this act shall be construed to prohibit the board of commissioners of Haywood County from levying upon Beaverdam Township the regular levy for road purposes, and they shall use the same for county road purposes, as provided by the road law for Haywood County, as
- Penalties used on road work.
- Presentation and payment of claims.
- Arbitration for settlement of claims.
- Right of appeals.
- Powers to condemn land.
- Monthly reports.
- Failure to report a misdemeanor.
- Punishment.
- Deposit of funds on interest.
- Laws repealed.
- Proviso: road tax in township.

provided by chapter seven hundred and seventy-one, Public Laws of one thousand nine hundred and five, and all amendments thereto.

SEC. 21. That this act shall be in force from and after its ratification.

Ratified this the 27th day of February, A. D. 1915.

CHAPTER 326.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF JACKSON COUNTY TO LEVY SPECIAL TAXES TO MEET THE GENERAL INDEBTEDNESS, AND FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

- SECTION 1. That the board of commissioners for the county of Jackson are hereby authorized and empowered, at the regular times for levying taxes, to levy a special tax of not exceeding ten cents on the one hundred dollars worth of property and thirty cents on the poll, to be determined by said board of commissioners, in said county for the years one thousand nine hundred and fifteen and one thousand nine hundred and sixteen, for the support of the poor and to liquidate existing indebtedness incurred against this account, observing the constitutional equation between property and poll.
- SEC. 2. That in addition to the levies authorized in section one, the said board of commissioners for said county are hereby authorized and empowered, at the regular times for levying taxes, to levy a special tax for the years one thousand nine hundred and fifteen and one thousand nine hundred and sixteen, not to exceed twenty cents on the one hundred dollars worth of property and sixty cents on the poll, to be determined by said board of commissioners, for the purpose of discharging and paying off the general indebtedness of said county, and for the purpose of discharging and paying off such general indebtedness as may have been incurred heretofore by said county or may be incurred during the years nineteen hundred and fifteen and nineteen hundred and sixteen, observing the constitutional equation between property and poll.
- SEC. 3. That the said board of county commissioners of Jackson County are further authorized and empowered to use any moneys having been levied and collected under chapter one hundred and fifty-three of the Public-Local Laws of nineteen hundred and thirteen, and now remaining in the county treasury of Jackson County, in putting the county courthouse and grounds in proper condition. That, in addition to the said funds mentioned in this section, the said county commissioners of Jackson County are further author-
- Special tax authorized.
- Limit of rate.
- Purpose of tax.
- Constitutional equation.
- Further special tax authorized.
- Limit of rate.
- Purpose of tax.
- Constitutional equation.
- Funds for courthouse and grounds.
- Further special tax authorized.

Purpose of tax. ized and empowered to levy a special tax, not exceeding three cents on the one hundred dollars worth of real and personal property and nine cents on the poll, to be determined by said board of county commissioners of Jackson County, in said county for the years nineteen hundred and fifteen and nineteen hundred and sixteen, for the purpose of employing a landscape gardener to lay out said courthouse grounds in the town of Sylva, Jackson County, North Carolina, and build and construct terraces, steps, walks, set out shade trees, and do whatsoever else in the discretion of the board of county commissioners of said county they may deem necessary to afford the general public proper and adequate approaches to and from said courthouse, install water-works, and do all things necessary to put the courthouse and grounds and the county jail in proper and sanitary condition.

Levy, collection, and settlement of tax.

SEC. 4. That the taxes herein authorized to be levied shall be collected and accounted for by the sheriff or tax collector of said county of Jackson in the same manner and under the same penalties as provided by law for the collection of other taxes in said county.

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

Ratified this the 27th day of February, A. D. 1915.

CHAPTER 327.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF PERQUIMANS COUNTY TO ISSUE BONDS AND TO LEVY A SPECIAL TAX FOR THE PURPOSE OF LIQUIDATING THE GENERAL INDEBTEDNESS OF SAID COUNTY, HERETOFORE CONTRACTED FOR NECESSARY EXPENSES.

Preamble. Whereas Perquimans County is generally indebted in the sum approximately of five thousand dollars, evidenced by said county's outstanding script and negotiable paper, said indebtedness having been heretofore contracted by said county for necessary expenses;

Preamble. and whereas the ordinary purposes of said county's government annually require a levy of tax, upon both property and polls, to the full constitutional limit, and said annual levy of tax, therefore, is and will be insufficient to enable said county to maintain its ordinary government and to discharge said indebtedness; and whereas the credit of said county demands that said indebtedness be discharged, and the board of commissioners and the people of said Perquimans County therefore mutually desire to fund and liquidate said indebtedness in the manner hereinafter provided:

Preamble. Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Perquimans County are hereby authorized and empowered to issue bonds, with coupons attached, not to exceed in amount the sum of five thousand dollars (\$5,000), the proceeds whereof shall be expended in liquidating the indebtedness of said county heretofore contracted for necessary expenses as aforesaid: *Provided*, that if after the full liquidation of said indebtedness heretofore contracted by said county, as aforesaid, there shall remain of the proceeds of said bonds a surplus, such surplus may be expended by said board of commissioners, in their discretion, in improving or repairing the county home for the aged and infirm; otherwise such surplus shall be applied in the payment of said bonds, or the interest on said bonds, as either shall become due and payable: *Provided further*, that the purchaser of said bonds, or any of said bonds, shall not be required to see to the application of the purchase money.

Bond issue authorized.

Amount.

Use of proceeds.

Proviso: use of surplus.

Proviso: purchasers not liable for use of funds.

SEC. 2. That said bonds shall be issued in denominations of one thousand dollars, dated May first, one thousand nine hundred and fifteen, numbered serially and payable, in the order of their numeration, to bearer, at the bank of The Hertford Banking Company in the town of Hertford, North Carolina, on the first day of May, one thousand nine hundred and sixteen, one thousand nine hundred and seventeen, one thousand nine hundred and eighteen, one thousand nine hundred and nineteen, and one thousand nine hundred and twenty, respectively; that said bonds shall bear interest, represented by said coupons, from date at the rate of six per centum per annum, payable annually, upon all such bonds as shall be outstanding, upon each recurring anniversary of the date of issuance of said bonds: *Provided*, that if the holder of any such bonds or coupons shall fail to properly present the same, or either of same, for payment, according to the provisions of this act, such holder shall not be entitled to interest upon such bond or coupon not presented, for the time the same shall remain outstanding after maturity.

Denominations.

Date of bonds.

Maturity.

Interest.

Proviso: interest to cease at maturity.

SEC. 3. That in order to declare its purpose and authority, each of the bonds authorized by this act shall bear upon its face the words "County Bond" and a reference to this act by title and the date of its ratification; that said bonds shall be signed by the chairman of the board of commissioners of said Perquimans County and countersigned by the clerk of said board and shall bear the seal of said county; and the coupons attached to said bonds shall bear the number of the bonds to which they shall be attached and shall be signed in like manner as said bonds.

Bonds to contain declaration of purpose of issue.

Authentication.

SEC. 4. That the resolution of said board of commissioners of Perquimans County finally authorizing the issue of said bonds may be introduced and passed at the same meeting of said board,

Resolution authorizing bond issue.

which may be either a regular or a special meeting, by a majority vote of all the commissioners present at said meeting; and no other authority or further proceeding shall be necessary for the issuance of said bonds.

Sale below par forbidden. Delivery upon proof of payment.

SEC. 5. That the bonds authorized by this act shall in no event be sold for less than their par value; and said bonds shall be delivered to the purchaser thereof by the chairman of the board of said Perquimans County only upon his (said purchaser's) production of the receipt of the treasurer of said county, showing the full payment of the purchase money of said bonds into the hands of said treasurer.

Liability of treasurer.

SEC. 6. That the treasurer of said Perquimans County shall receive all such moneys paid in the purchase of said bonds in his official capacity as treasurer of said county, and he and the sureties on his official bond shall be liable to account for and pay over the same, as is provided in this act, or as is or may be otherwise provided by the laws relating to the treasurer of said county;

Bond of treasurer.

and it shall be the duty of the board of commissioners of said county to see that the bond of said treasurer shall at all times be sufficient in amount and with sureties satisfactory and requisite to provide against any loss of the moneys coming into said treasurer's hands upon a sale of said bonds, and, to that end, said board may require the said treasurer to renew his official bond in such sum and with such sureties as said board may require, and in default thereof may remove said treasurer from his office.

Moneys kept separate.

SEC. 7. That the treasurer of said Perquimans County shall keep separate from all other public moneys in his hands the moneys arising from the sale of said bonds, and the compensation of said treasurer for receiving and disbursing said moneys arising from the sale of said bonds shall be fixed by the board of commissioners of said county, and shall not exceed one-half of one per centum of said moneys.

Commission of treasurer.

Special tax.

SEC. 8. That in order to pay the annual interest upon said bonds, to be represented as aforesaid by coupons attached to said bonds, and to provide for the redemption of said bonds themselves as each installment shall mature, the board of commissioners of Perquimans County are hereby authorized and empowered to annually levy a special tax, not exceeding ten cents (10c.) on every one hundred dollars (\$100) valuation of taxable property in said county;

Limit of rate.

Collection and settlement.

that said special tax shall be collected and paid over in like manner as the other taxes of said county are collected and paid over, and under the same penalties; and the moneys arising and received from the special tax levied under this act shall be appropriated for the purpose of paying said bonds and interest on same, and for no other purpose whatever: *Provided*, that if

Specific appropriations.

Proviso: surplus to general fund.

after the full payment of all such bonds and interest there shall remain in the treasury of said Perquimans County a surplus of

the funds authorized and created by this act, such surplus may by order of said board of commissioners be transferred to the general fund of said county.

SEC. 9. Nothing in this act shall be so construed as to render it obligatory upon the board of commissioners of said Perquimans County to issue said bonds, but said bonds shall be issued in the discretion of said board of commissioners, and in the event that said bonds are so issued, then said board of commissioners of said Perquimans County are hereby further authorized and empowered to sell said bonds, either by public or private sale: *Provided*, that in no event shall said bonds be sold for less than par value.

Issue in discretion of county commissioners.

Sale of bonds.

Proviso: sale below par forbidden.

SEC. 10. This act shall be in force and effect from and after its ratification.

Ratified this the 27th day of February, A. D. 1915.

CHAPTER 328.

AN ACT TO AUTHORIZE THE ISSUE OF ROAD BONDS IN CURRITUCK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of improving and making more permanent the roads in Currituck County, the Currituck Highway Commission shall and it is hereby authorized, empowered, and directed to submit to the votes of the qualified voters of Currituck County, on such day as may be fixed by it after thirty days notice, the question of issuing road bonds not to exceed one hundred thousand dollars, and they shall require a new registration for such election.

Election on bond issue.

Amount in question.
New registration.

SEC. 2. That the said election shall be advertised for thirty days immediately preceding the day of the election, in some newspaper published or circulated in Currituck County, and the election shall be held under the rules and regulations provided for the election of State and county officers.

Advertisement of election.

Law governing election.

SEC. 3. Those who are in favor of issuing bonds shall vote a written or printed ticket with the words "For Road Bonds" thereon, and those who are opposed shall vote a written or printed ticket with the words "Against Road Bonds" thereon.

Tickets.

SEC. 4. If the majority of the votes cast at such election shall be cast "For Road Bonds," the said Currituck Highway Commission shall be authorized and are hereby directed and empowered to issue bonds of said Currituck County, to be styled "Currituck County Road Bonds," to an amount not to exceed one hundred thousand dollars, of such denominations and of such proportion as the said highway commission may deem advisable, bearing

Bond issue authorized.

Amount.
Denominations.
Interest.

- interest from the date of issue thereof at a rate not exceeding six per cent per annum, with interest coupons attached, payable annually or semiannually, as may be deemed the best, at such time or times and at such place or places as may be deemed advisable by said highway commission; said bonds to be signed by the chairman and secretary of said highway commission, and to be of such form and tenor and transferable in such way, and the principal thereof payable or redeemable at such time or times not exceeding forty years from the date thereof, and at such place or places as said highway commission may determine. None of said bonds shall be disposed of for a less price than their par value, and the said bonds may be issued at such time or times and in such amount or amounts as may be deemed best to meet the expenditures provided for in the act creating the said Currituck Highway Commission and providing for the improvement and more permanent construction of the highways in Currituck County with the provisions of this act.
- Authentication.**
- Maturity.**
- Sale below par forbidden.**
- Record of bonds.** SEC. 5. A record shall be kept by the said highway commission in a separate book for the purpose of showing all bonds sold, to whom sold, the amount and date of same, the maturity of each bond and its number; also in the same book shall be kept a like record of bonds redeemed, and bonds shall be destroyed after the same are redeemed.
- Special tax.** SEC. 6. That for the purpose of providing for the payment of said bonds and the interest thereon, and for the construction, improvement, and maintenance of the roads of said county, the board of county commissioners shall annually and at the time of levying the county taxes levy and lay a special tax on all persons and property subject to taxation within the limits of said Currituck County of not more than thirty-five cents on the one hundred dollars assessed valuation of property and not more than one dollar and five cents on each taxable poll. The taxes so levied shall be collected and paid to the treasurer of said highway commission.
- Limit of rate.**
- Collection and settlement.**
- Tax kept separate.** SEC. 7. Said tax, when collected, shall be kept separate and apart from all other taxes, and shall be used only for the purpose for which it was levied and collected. Any commissioner or other person who shall vote or otherwise appropriate said taxes for any other purpose shall be guilty of a misdemeanor: *Provided*, that if the tax collected in any one year shall exceed the sum required for maintenance and to pay interest, the same may be used in purchasing any of the said bonds: *Provided*, the same can be purchased at par.
- Specific appropriation. Diversion a misdemeanor.**
- Proviso; surplus invested in bonds.**
- Proviso; purchase at par.**
- Sinking fund.** SEC. 8. For the purpose of creating a sinking fund with which to pay the principal of said bonds when due, said highway commission shall, at and after the expiration of five years from the date of said election, set apart out of all funds received for road

purposes, annually, a certain amount for the sinking fund. This amount to be set apart annually shall be determined by the number of years the bonds have to run, making a reasonable allowance for interest on the sinking fund.

SEC. 9. That it shall be the duty of the Currituck Highway Commission to annually invest any and all moneys arising from the special tax and sinking fund in the purchase of said bonds at not more than par; but in case none of said bonds can be purchased, the said highway commission may deposit such funds in any safe bank or banks at such rate of interest as it may be able to secure, but no bonds shall be signed until actually needed for issue.

Investment of sinking fund.

SEC. 10. That for the purpose of receiving and paying out the money received for said bonds, the bank acting as treasurer of said highway commission, as hereinbefore provided, shall act as trustee to receive and pay out said money upon the order of the chairman of said highway commission, countersigned by the secretary of said highway commission, and said trustee shall receive no compensation for receiving or disbursing said money.

Bank acting as treasurer and trustee.

SEC. 11. That if at the election hereinbefore provided for a majority of the votes cast in said election shall be cast "Against Road Bonds," the said highway commission is hereby authorized, empowered, and directed to resubmit the question of issuing bonds as provided for in this act to the qualified voters of the county at another election to be called under the provisions of this act relating to the first election hereinbefore provided for: *Provided*, that said election shall not be called later than December first, one thousand nine hundred and sixteen: *Provided further*, that a new registration may be required.

Second election.

Proviso: time limit.

SEC. 12. That the permanent roads to be built or improved by the highway commission shall be determined upon from time to time and designated by the highway commission, taking into consideration the needs of the whole county and every part thereof, opening and improving those roads which, in its opinion, will be of benefit to the greatest possible number of people of the county and treating every section of the county with equal justice.

Determination of roads for improvement.

SEC. 13. That the provisions of this act shall not apply to that portion of Currituck County lying on the east of Currituck Sound, but it shall include that portion of said county known as Knott's Island.

Application of act.

SEC. 14. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 15. That this act shall be in full force from and after its ratification.

Ratified this the 27th day of February, A. D. 1915.

CHAPTER 329.

AN ACT TO REPEAL CHAPTER 204, PUBLIC-LOCAL LAWS, SESSION OF 1913, ESTABLISHING A HIGHWAY COMMISSION FOR SHOAL CREEK TOWNSHIP IN CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

Act repealed as to Shoal Creek township.

SECTION 1. That chapter two hundred and four, Public-Local Laws, session of nineteen hundred and thirteen, in so far as same creates the highway commission of Shoal Creek Township, be and the same is hereby repealed.

Notla and Beaverdam townships not affected.

SEC. 2. That nothing in this act shall be deemed to affect the highway commission of Notla Township or the highway commission of Beaverdam Township, as provided for in said chapter.

Laws reënacted as to Shoal Creek township.

SEC. 3. That chapter sixty-five of the Revisal of nineteen hundred and five, and all acts amendatory of said chapter, be and the same is hereby reënacted so as to apply to the roads of Shoal Creek Township in Cherokee County.

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

Ratified this the 27th day of February, A. D. 1915.

CHAPTER 330.

AN ACT TO PROVIDE FOR THE IMPROVEMENT OF THE PUBLIC ROADS IN LOVELADY TOWNSHIP, CALDWELL COUNTY.

The General Assembly of North Carolina do enact:

Road commissioners named and incorporated.

SECTION 1. That D. H. Warlick, D. M. Cline, E. G. Suttlemyer, George W. Sherrill, and B. M. Satterwhite and their successors in office are hereby incorporated under the name of the "Road Commissioners of Lovelady Township." They shall serve until the first Monday in January, one thousand nine hundred and seventeen, or until their successors are elected and qualified. Township road commissioners shall be elected by the board of county commissioners on the first Monday in January, one thousand nine hundred and seventeen, and every two years thereafter. Unexpired terms shall be filled by the remaining members of the board: *Provided*, that the position of road commissioner shall not constitute an office within the meaning of article seven, section fourteen, of the Constitution of North Carolina.

Corporate name.

Term of office.

Election of successors.

Vacancies.

Proviso: commissioners not officers.

SEC. 2. The said board of road commissioners shall meet within thirty days after election and qualify by taking an oath before some officer authorized to administer oaths, to faithfully and honestly discharge the duties of their office. The members of the board of road commissioners shall be paid two dollars per day out of township road fund for each day they are in session: *Provided*, that they shall be paid not to exceed twelve days in one year.

Commissioners to meet and qualify.

Pay of commissioners.

Proviso: limit.

SEC. 3. For the purpose of carrying out the provisions of this act the board of road commissioners shall meet at stated times, not less than once in three months. The said board of road commissioners shall elect one of their members chairman, whose duty it shall be to preside at all meetings; they shall also elect one of their members secretary and treasurer. The chairman and secretary and treasurer shall hold office during the term of said respective board and until their successors shall be elected and qualified. It shall be the duty of the secretary and treasurer to keep an accurate account of all the proceedings had by the board at each meeting thereof in a suitable book provided for that purpose.

Quarterly meetings.

Organization.

Terms of office.

Record of proceedings.

The said board shall require a bond of said secretary and treasurer to be approved by said board in an amount sufficient to cover all funds that may come into his hands. The treasurer of Caldwell County is hereby required, authorized, and directed to pay to the secretary and treasurer of board of road commissioners of Lovelady Township, as soon as his bond has been approved, all moneys held by him on account of the road fund for Lovelady Township under existing law, and said treasurer of Caldwell County shall not be allowed any fees or commissions on the amount in his hands belonging to said road fund so paid to the secretary and treasurer of the board of road commissioners of said township. Said secretary and treasurer shall also receive the proceeds from any bonds that may be sold under the provisions of any former acts and all other moneys that may come into the road fund. Said secretary and treasurer shall pay out said funds coming into his hands and belonging to road fund of said township only upon written order signed by the chairman of the board of road commissioners, which shall be the only sufficient voucher for the disbursement of said funds. The said secretary and treasurer shall on the first Monday in January of each year make an annual statement of receipts and disbursements of said funds, same to be posted in some public place in said township. The board of road commissioners shall fix the salary to be paid secretary and treasurer.

Bond of secretary-treasurer.

County treasurer to pay funds over.

Proceeds of bonds.

Orders on funds.

Annual statements.

Salary.

SEC. 4. That it shall be the duty of said board of road commissioners to take entire control and management of all public roads in Lovelady Township, and the said board shall have the power and it shall be their duty to determine what public roads shall be opened, built, improved, relocated, or discontinued in said town-

Control and management of roads.

Designation of roads for improvement.

Enumeration of powers of board.	<p>ship. The said road commissioners are hereby directed, authorized, and empowered to make all necessary surveys for changing, locating, relocating, and opening up both new and old roads; to work, grade, maintain, and do all things necessary and pertinent to the construction and maintenance of the roads and highways in said township; the said board of commissioners may purchase such machinery, teams, and other implements and tools as may be needed for the proper working, constructing, and maintenance of the roads of said township. The said road commissioners are hereby authorized and empowered to appoint such superintendents, engineers, supervisors, and such other agents and employees as they may deem necessary, and fix their salaries; and they shall have power to discharge any person so elected or employed at any time they may see fit to do so, and they may exercise such other powers and privileges as may be needed for carrying out the purposes and provisions of this act.</p>
Purchase of equipment.	
Appointment of officers and agents.	
Salaries.	
Discharge of officers and agents.	
Streets in towns.	<p>SEC. 5. That the said board of road commissioners are authorized to contribute, in their discretion, an equitable portion of the road funds from taxes and from sale of bonds to the improvement of roads and streets through incorporated towns in said township. In working and improving the public roads inside the corporate limits of towns said road commissioners shall confer and act together in joint session with the board of commissioners of the towns, as to all matters concerning or relating to the construction, improvement, and maintenance of the roads which lie within corporate limits of said towns and which receive benefits under this act: <i>Provided</i>, that nothing in this act shall prevent the proper authorities of said towns from expending such funds as they may deem necessary out of the general funds of the town for the further improvement of roads and streets therein: <i>Provided further</i>, that any such towns shall be liable for all damages that may be awarded or recovered for land or material used in locating, constructing, and improving any such road or street, and the township road authorities in doing such work shall be deemed the agents for such towns.</p>
Joint action with town authorities.	
Proviso: expenditures by towns.	
Proviso: towns to pay damages.	
Bridges.	<p>SEC. 6. That all public bridges already built upon public highways, costing more than fifty dollars, in said township shall remain under the supervision and control of the board of county commissioners, and kept in repair by said board under the general law now enforced. All public bridges already built and to be built costing fifty dollars or less shall be built and kept in repair by the road commissioners of said township.</p>
Telegraph and telephone poles.	<p>SEC. 7. That all telephone or telegraph poles or other poles permitted to be placed or erected along the public roads shall be placed or erected subject to the approval of road commissioners, so as not to interfere with the proper working, repairing, or improving said roads; and all poles otherwise erected, placed, or standing,</p>

and all poles that may hereafter interfere with the working, repairing, or improving any roads by reason of widening or changing same, shall be removed by the person or company owning or having charge of the same.

SEC. 8. That all able-bodied male persons between the ages of twenty-one and forty-five years, except residents of incorporated towns, shall work on the public roads of the said township, for four days in each and every year, at such time and place, in such manner and under such overseer as may be designated by the road commissioners: *Provided*, that the overseer or other person in charge of the roads to be worked shall give three days notice to any person liable to road duty, to work on the roads, specifying the time and place to begin work, except in case of washout or unexpected obstruction to travel three days notice shall not be necessary; any person so notified shall respond to such notice with promptness; and in any case notice may be given personally or by leaving a written notice at the residence or boarding place of the person liable to road duty, and may be given in person or by agent: *Provided further*, that any person subject to road duty may pay to the secretary and treasurer of the board of commissioners or any person designated by the board of road commissioners, on or before the first day of March in any year, the sum of two dollars when the road tax levy does not exceed thirty cents or the sum of one dollar when it exceeds thirty cents, and shall receive a receipt exempting him from the four days labor required by this section for that year: *Provided further*, that any person coming of age or becoming a resident of said township after the first day of March shall be required to pay without delay the proportionate part of the money requirement for exemption, or shall work the remaining proportionate part of the four days for that year: *Provided further*, no person shall be required to work on the public roads outside of the township in which he resides.

SEC. 9. That all public roads which have been or shall be surveyed, located, relocated, or widened, which have been or are hereafter to be graded, drained, and surfaced with any material, shall have a right of way thirty-five feet wide, and the grade shall not be more than four feet in one hundred feet, except, for good cause, the grade may be slightly increased for short distances; all other public roads shall have a right of way not less than twenty-five feet wide; that for all public roads, within the limits of the right of way, the width of the roadbed shall be determined by the board of road commissioners, but shall not be less than eighteen feet clear of the ditches, trees, logs, and other obstructions: *Provided*, that on account of rock or for good cause the width may be decreased for short distances, and that roads not used very extensively by the public may be reduced to less width.

Road duty.

Proviso: warning to hands.

Emergency work.

Proviso: commutation.

Proviso: proportionate duty.

Proviso: township of residence.

Width of right of way.

Grade.

Width of road.

Proviso: reduction of width.

Draining in road a misdemeanor.

SEC. 10. That any person or corporation causing water to flow into any public road by means of any artificial terrace, drain, or ditch, whether heretofore made or hereafter made, shall be guilty of a misdemeanor, and shall be liable for any damage caused to said road: *Provided*, that water may be turned into a drain crossing under the road with the approval of the board of road commissioners, upon such conditions as they may impose.

Damage.

Proviso: drains under roads.

Acts declared misdemeanors.

SEC. 11. That any person who shall willfully alter, deface, or injure any milepost or guide-board along any public road, erected or caused to be erected by any public road official, or who shall willfully obstruct any public road, or who shall cut, girdle, undermine, or in any way weaken and leave standing any tree where it may fall across and obstruct any public road, or who shall in any way willfully, or without having taken due precaution, damage or injure any public road, culvert, bridge, drain, trunk, or pipe, or who shall in any way interfere with any official, employee, contractor, laborer, or prisoner in working on any public material authorized to be taken for the construction, repair, and improvement of public roads, or in the performance of any duty authorized by this act, shall be guilty of a misdemeanor, and fined or imprisoned, in the discretion of the court. And any person or corporation violating any of the provisions of this act, or an official, employee, person, or corporation failing or refusing to perform any duty required by virtue of this act, except where otherwise provided shall be guilty of a misdemeanor, and shall be fined or imprisoned, in the discretion of the court.

Punishment.

Further misdemeanors.

Punishment.

Entry on lands.

SEC. 12. That for the purpose of building or constructing, repairing or maintaining the public roads of said township, or for constructing ditches or drains for the construction of said public roads under the direction of the board of road commissioners, the said supervisor shall have full power and authority to enter in and upon any lands in said township and dig and maintain any ditches and cut down and carry away trees or timber, or remove any sand, clay, gravel, stone, topsoil, or other substance which may be necessary to repair, construct, or improve said roads, and may also construct or open upon or over said lands all necessary ditches or drains for the construction, improvement, or maintenance of said roads. If the owner of the land over which any road is constructed or from which any material is removed or on which any drains or ditches may be caused to empty shall demand compensation therefor and present his claim to the board of road commissioners, it shall be the duty of said board of road commissioners to pass upon and consider the same, and to pass an order for the payment of said account if the said board shall deem it just: *Provided*, that in the event any person over whose lands any new road has been located or from which any material may be removed or on which drains shall be made shall claim dam-

Presentation and payment of claims.

Proviso: procedure for assessment of damages.

ages therefor, which the said board shall refuse to pay, such person claiming damages shall, within thirty days after the location of said road or removing of said material or making said drains, petition said board of road commissioners for a jury to assess such damages. It shall then be the duty of said board within sixty days after the completion of said road or work thereon to order a jury of three disinterested freeholders of Lovelady Township to be summoned by the sheriff of Caldwell County, to be named and designated by said sheriff, qualified to serve as jurors, and the jury so selected shall give three days notice to the landowner and to the board where and when said jury shall meet to assess said damages; and in consideration thereof it shall be the duty of said jury to take into consideration any decrease in said damages by any benefits to the owner of the land by reason of the construction or improvement of said road, and if the benefits derived are equal to or greater than the damages sustained, the jury shall so declare, and it shall report its finding in writing to the board of road commissioners for confirmation or revision: *Provided further*, that a landowner may appeal to the Superior Court of Caldwell County from the decision of the jury and said board of road commissioners, and upon said appeal the same shall be heard *de novo* in said court.

Proviso: right of appeal.

SEC. 13. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 14. That this act shall be in force from and after its ratification.

Ratified this the 27th day of February, A. D. 1915.

CHAPTER 331.

AN ACT TO AUTHORIZE THE LEVY OF A SPECIAL TAX IN BRUNSWICK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Brunswick County be and they are hereby authorized and empowered to levy a special tax of not exceeding fifteen cents on the one hundred dollars valuation of taxable property upon all property that is subject to taxation in said county for the years one thousand nine hundred and fifteen and one thousand nine hundred and sixteen, for the purpose of supplementing the general county fund, and shall be used in the payment of the indebtedness and current expenses of the said county.

Special tax authorized.

Tax rate.

Purpose of tax.

SEC. 2. That the said special tax shall be levied in the same manner and at the same time that other county taxes are levied

Levy, collection, settlement, and disbursement.

in the said county, and the said tax shall be collected and accounted for by the sheriff or other collecting officer, and shall be held, accounted for, and paid out by the treasurer of the said fund, when the same shall come to his hands, in the same manner and under the same penalties that other county taxes are collected, accounted for, held, and paid out in said county.

Levy for former years unauthorized.

SEC. 3. That whereas the board of county commissioners of Brunswick County, believing they had authority of law, levied a special tax of twelve and one-half cents on the hundred dollars valuation for the years one thousand nine hundred and thirteen and one thousand nine hundred and fourteen, which authority was not had; and whereas the said taxes have been collected and for the year one thousand nine hundred and fourteen are in process of collection, and no protest having been made by any taxpayers; and whereas it is desired to validate and authorize the said levy and collection of said tax as being necessary and proper to defray the necessary expenses of said county: Now, therefore, the said levy of twelve and one-half cents on the one hundred dollars valuation made by the county commissioners of said county for the years one thousand nine hundred and thirteen and one thousand nine hundred and fourteen be and the same is hereby validated, made operative and in full force and effect to all intents and purposes as if the said levy had been previously authorized by law.

Taxes collected without protest.

Tax necessary and proper.

Tax validated.

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

Ratified this the 27th day of February, A. D. 1915.

CHAPTER 332.

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF ONSLOW COUNTY TO LEVY A SPECIAL ROAD TAX OF 3½ CENTS ON THE \$100 AND 10 CENTS ON EACH POLL OF RICHLAND TOWNSHIP.

The General Assembly of North Carolina do enact:

Road tax authorized.

SECTION 1. That the board of commissioners of Onslow County is hereby authorized to levy an annual special road tax of not exceeding three and one-third cents on each one hundred dollars worth of property and ten cents on each poll in Richland Township, said county, to be collected and expended, under the direction of said board of commissioners, on the public roads of said township, which said tax shall be in addition to all taxes in said township now authorized by law.

Collection and expenditure.

SEC. 2. This act shall take effect from its ratification.

Ratified this the 27th day of February, A. D. 1915.

CHAPTER 333.

AN ACT TO AMEND THE PUBLIC-LOCAL LAWS OF 1913, CHAPTER 494 AND CHAPTER 478, RELATIVE TO ROADS IN WESTFIELD AND LONG HILL TOWNSHIPS, SURRY COUNTY, AND APPOINTING SEVERAL ROAD COMMISSIONERS THEREIN.

The General Assembly of North Carolina do enact:

SECTION 1. That in line one, section one, of chapter four hundred and ninety-four, Public-Local Laws of nineteen hundred and thirteen, strike out the name "Dr. Thomas Smith" and insert in lieu thereof the name "R. V. Marshall"; and in line two of said act strike out the name "John H. Chilton" and insert in lieu thereof the name "Reed Snoddy."

Commissioners for Westfield township.

SEC. 2. That section two of the said Public-Local Laws, chapter four hundred and ninety-four, be and the same is amended as follows: In line four in said section two strike out the name "John H. Chilton" and insert the name "Reed Snoddy" in lieu thereof. That the terms of office of D. F. Love and Dr. Thomas Smith expire March sixth, nineteen hundred and fifteen; that D. F. Love and R. V. Marshall be and they are hereby appointed road commissioners of Westfield Township for a term of four years from the ratification of this act.

Commissioners for Westfield township.

Term.

SEC. 3. That section nineteen of the Public-Local Laws, chapter four hundred and ninety-four, be and the same is hereby amended as follows: In line five strike out the word "twenty-five" and insert in lieu thereof the word "fifty."

Tax rate.

SEC. 4. That section nineteen of the Public-Local Laws of nineteen hundred and thirteen, chapter four hundred and ninety-four, be amended as follows: In line five strike out the word "twenty-five" and insert in lieu thereof the word "fifty." and said section nineteen be further amended as follows: In line seven strike out the word "seventy-five" and insert in lieu thereof the words "one dollar and fifty."

Tax rate.

SEC. 5. That the Public-Local Laws of nineteen hundred and thirteen, chapter four hundred and seventy-eight, being an act to provide good roads in Long Hill Township, Surry County, be amended as follows: In line one, section one, of said act strike out the name "W. L. Chilton" and insert in lieu thereof the name "Gabriel Key"; and in line two of said section one strike out the name "Nathan Simmon" and insert in lieu thereof the name "Millard Needham."

Commissioners of Long Hill township.

SEC. 6. That in line four of section two of said Public-Local Laws of nineteen hundred and thirteen, chapter four hundred and seventy-eight, strike out the name "W. L. Chilton" and insert in

Further appointments.

lieu thereof the name "Gabriel Key," and that section two be further amended as follows: In line five in section two strike out the name "Nathan Simmon" and insert in lieu thereof the name "Millard Needham," who is hereby appointed a road commissioner for Long Hill Township for a term of four years from the ratification of this act, and that D. F. Needham be and he is hereby appointed to succeed himself for a term of four years from the ratification of this act.

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

Ratified this the 27th day of February, A. D. 1915.

CHAPTER 334.

AN ACT TO PROVIDE ROAD COMMISSIONERS AND FOR ROAD IMPROVEMENTS IN DAVIDSON COUNTY.

The General Assembly of North Carolina do enact:

Board of road commissioners.

Board to meet and organize.

Organization.

Terms of office.

Commissioners to qualify.

Vacancies.

Political affiliation. Election of successors.

Proviso: political affiliation.

Incorporation.

SECTION 1. That E. J. Buchanan, L. A. Smith, J. W. Peacock, J. W. Lambeth, T. H. Livengood, and L. V. Phillips be and they are hereby appointed and constituted the board of road commissioners for Davidson County. That immediately after the ratification of this act the members thereof shall meet at Lexington, North Carolina, and organize by electing one of their members chairman of the board, and one of their members secretary of the board, and one of their members treasurer of the board. The term of office for E. J. Buchanan and L. A. Smith shall be two years; the term of office for J. W. Peacock and J. W. Lambeth shall be four years; the term of office for T. H. Livengood and L. V. Phillips shall be six years from the date of their qualification and organization under this act, and until their successors shall be appointed and qualified. Each member of the board shall take and subscribe an oath before the clerk of the court of Davidson County for the faithful performance of his duties as a member of said board. If a vacancy shall occur by death, or resignation, the remaining members of the board shall elect some well qualified elector of Davidson County to fill such vacancy, the elector to be of the same political faith as his predecessor. At the expiration of the term of office of any member of this board, the remaining members shall elect some well qualified elector of Davidson County as his successor for the term of six years: *Provided*, that each member elected shall be of the same political faith as his predecessor.

SEC. 2. That the said board of road commissioners of Davidson County, and its successors in office, be and it is hereby constituted

a body corporate under and by virtue of the laws of North Carolina and by this act, under the name and style of "The Board of Road Commissioners of Davidson County," and shall have all powers and authority granted to corporations of like nature by the laws of North Carolina, and by that name may sue and be sued, make contracts, acquire real and personal property by gift or devise, hold, exchange, and sell the same, and exercise such other rights and privileges as are incident to other municipal corporations of like nature, such as the condemnation of land for the construction, widening, or changing of any roads in the county, and such other powers as are necessary to carry out any and all the provisions of this act.

Sec. 3. That it shall be the duty of the said board to take charge of the working, repairing, maintaining, altering, and constructing of any and all roads of Davidson County, now maintained by the county as public roads, and it is hereby vested with all powers, rights, and authorities now vested in the board of county commissioners of Davidson County for the general supervision of the roads of said county, and for the construction and repair thereof, and said board of road commissioners of Davidson County is hereby authorized and empowered to issue bonds of Davidson County for the construction and repair of roads in said county, not to exceed the sum of three hundred thousand dollars. The bonds so issued shall be styled "Davidson County Good Roads Bonds," and the same shall be of such denomination and of such proportion as said board may deem advisable, bearing interest from date of issuance, not to exceed five per cent per annum, with interest coupons attached, payable annually as said board may provide, and at such time or times and at such place or places as said board may fix. The bonds issued hereunder shall be approved by a majority of the board and signed by the chairman thereof, and countersigned by its secretary; such bonds to be of such form and tenor, and transferable in such way, and the principal thereof payable and redeemable at such time or times not to exceed forty-one years from date thereof, and at such place or places, as said board of road commissioners may determine. None of said bonds shall be disposed of at less price than par value. Such bonds may be issued at such time or times and in such amounts as may be deemed best in the opinion of the board to meet the needs of the county in the construction and repair of its roads. The board shall adopt a corporate seal, and any bonds issued under this act shall have the corporate seal of the board attached thereto. The liability for the payment of any bonds issued under and by virtue of this act, together with all interest that may be due thereon, shall be attached thereto; and the taxes for the payment thereof shall be levied and collected as other taxes are levied and collected in Davidson County. The bonds issued under and by virtue

Corporate name.

Corporate powers.

Board to take charge of road work.

Powers and authority vested.

Bond issue authorized.

Limit of amount.

Denomination.

Interest.

Authentication.

Maturity.

Sale below par forbidden.
Issue of bonds.

Corporate seal.

Obligation of bonds.

of this act by the board of road commissioners of Davidson County shall be as valid in law, and the same liability for the payment thereof imposed upon Davidson County as if the same had been issued by the county commissioners of Davidson County under the same law, power, and authority.

Special tax.

SEC. 4. That for the purpose of providing for a sinking fund for the payment of the bonds issued under this act and the interest thereof, and for a maintenance fund, the board of county commissioners of Davidson County, and their successors in office, shall annually, on the first Monday in June of each year following an issuance of bonds under and by virtue of this act, or at such other times as may be fixed by law for levying taxes, and every year thereafter, levy and lay a special tax on all property subject to taxation within the limits of Davidson County, as in the case of other taxes for general county purposes, of not more than thirty cents on the one hundred dollars valuation of real and personal and mixed property and not exceeding ninety cents on the poll. The taxes so levied shall be collected by the sheriff of the county in the same manner as other taxes are collected. The funds so collected from the sale of bonds shall be turned over to the treasurer herein provided for or person designated by the board of road commissioners, and shall be apportioned by said board in such manner as to provide a fund for paying said bonds and interest thereon at maturity and for the construction and maintenance of the roads.

Limit of rate.

Collection.

Settlement.

Employment and salary of superintendent and subordinates.

SEC. 5. That for the purpose of construction and repair of the roads in said county, the board of road commissioners may employ and appoint a road superintendent and such subordinates thereto as it may be necessary to carry out the purpose of this act, and shall pay them such salaries to be fixed by said board as will compensate them for the work done, and the board may delegate to him and them such power as the board may think necessary to carry out all the provisions of this act. The board of road commissioners shall annually from the date of its organization elect a chairman and a secretary and treasurer from among the members of the board, who shall hold office for one year and until their successors shall have been elected and qualified. The treasurer shall have in charge all the county road funds resulting from the bond issue by this board or otherwise. The board shall fix his salary commensurate with the amount of time involved in the handling of the county road fund. The treasurer so elected shall enter into a bond payable to the county of Davidson, the amount to be agreed upon by the said board of road commissioners; and such treasurer shall keep all funds on hand deposited in some solvent bank or banks in Davidson County, selecting for that purpose the solvent bank or banks which will pay the highest rate of interest on daily balances.

Delegation of powers.

Organization of board.

Duty of treasurer.

Salary.

Bond of treasurer.

Deposit of road funds.

SEC. 6. That the board of road commissioners shall have the power to advertise and sell any or all of said bonds, except the five thousand herein provided for, at such time and place as they may deem best, for the purpose of raising a fund with which to construct and improve the public highways of said county as aforesaid: *Provided, however,* that the purchasers of said bonds shall not be required to see to the application of the fund.

Sale of bonds.

Proviso: purchasers not liable for application.

Bonds for Lexington township.

SEC. 7. Whereas Lexington Township has outstanding five thousand-dollar bonds, the proceeds of which have been expended in making permanent macadam roads in said township; and whereas it is desired to make the whole road improvement scheme a county instead of a township movement, the board of road commissioners of Davidson County shall deliver to the chairman of the board of road trustees of Lexington Township five thousand dollars of the bonds authorized by this act, properly signed and sealed, to be substituted for the five thousand dollars of said township bonds now outstanding, if the holders thereof will consent thereto; if the holders will not consent to the change, then said bonds are to be placed on special deposit in the safety-deposit vaults of some banking institution to be selected by the board of county commissioners and the coupons thereon to be paid by the county treasurer or financial agent as they become due, the money arising therefrom to be devoted to the payment of the interest on the township bonds so far as it will go, and the excess, if any, on the principal of the township bonds, and the amount required by sinking fund, while the bonds themselves are to be retained for the redemption of five thousand dollars, the amount of township bonds outstanding.

SEC. 8. The said board of road commissioners shall use the funds arising from the sale of said bonds, except the five thousand dollars above specified, to construct, improve, and maintain public highways of said county, and shall purchase and hold, or contract for the use of such tools, machinery, and stock, and employ such contractors, overseers, foremen, and laborers as they may deem necessary for the said purpose. Persons convicted in any of the courts of the county, Superior, justice's, recorder's, or mayor's courts, and sentenced to the public roads shall be assigned by the board of county commissioners into the custody and control of the road commissioners. Said convicts while in the custody and under the control of the said board of road commissioners shall be employed in the construction or repair of highways under the provisions of this act, and the expense of maintaining said convicts while so employed shall be paid out of the good roads fund.

Use of road funds.

Purchase of equipment.
Employment of road force.

Convicts assigned to road work.

Employment and maintenance of convicts.

SEC. 9. The highways to be made, opened, built, or improved by the board of road commissioners under the provisions of this act shall, from time to time, be designated by said board. In designating said highways said board of road commissioners shall take

Designation of highways for improvement.

Considerations governing choice.

- into consideration the needs of the entire county and every part thereof, opening or improving those highways which in its opinion will be of benefit to the greatest possible number of people in the county. To the end that this may be properly done, said board of road commissioners is expressly authorized to employ an expert road engineer at a compensation to be fixed by it, and to be paid out of the general fund to be raised under this act, to advise it in the preliminaries, to make plans and specifications for the work, and to have general oversight of the work, that it may be properly done: *Provided*, that the said board is authorized, if proper arrangements can be made, to hire jointly with another county the services of a road engineer for such part of his time as he deems is necessary to give proper supervision to the work; and *Provided further*, that if the State furnishes to the counties engineering assistance and supervision of their road work, that their acceptance of such services from the State by the road commissioners shall be considered as fulfilling the requirements by the commissioners of this section. The highway engineer shall advise the board of road commissioners regarding the road work, supervise the plans and specifications for the work, and have general supervision of all road work, and is expressly authorized to give instruction to the highway superintendent as hereinafter provided for.
- Employment of engineer.** **SEC. 10.** The highways of said county constructed or improved under this act shall have a right of way of not less than forty feet, except where the board of road commissioners deem it impracticable to acquire such width, and in such cases the width be at least twenty-five feet, of which not less than twenty feet shall be free from logs, stumps, rocks, and drains, except where ledges of rock are encountered, or where the width is considered impracticable by the engineer. The alignment of the road shall be as straight as practicable, and with no grade over four and one-half per cent, except as such grade is considered impracticable by the road engineer or board.
- Proviso: joint employment of engineer.**
- Engineer furnished by State.**
- Duties of highway engineer.**
- Right of way.**
- Roadbed.**
- Alignment and grade.**
- Monthly itemized statement.** **SEC. 11.** The treasurer as provided for in this act shall on the first Monday in each and every month post at the courthouse door of said county an itemized statement showing in full an account of his receipts and disbursements of highway funds for the previous month, and the board of road commissioners shall require him to account to them quarterly in each year for the said highway fund; and it may require, as often as deemed best, reports from officers and employees concerning their progress and their duty, and to what extent and in what manner they have performed the same.
- Quarterly accounts.**
- Reports from officers and employees.**
- Entry on lands for location and construction.** **SEC. 12.** In opening new highways, widening and straightening old roads, and repairing the same, the said board of road commissioners, through its agents, is hereby authorized to enter upon any

land and locate and build such highways. If the board of road commissioners, and the owner or owners of said land cannot agree as to the damages, if any, the board of road commissioners shall, after sixty days after said highway is completed, cause to be summoned three disinterested freeholders of said county who shall go upon the land and assess the damages and benefits under the general road law as it now exists: *Provided, however*, that before entering upon lands as authorized by this section it shall be the duty of the board of road commissioners to serve notice upon the owner or owners of said land, notifying them that the highway is to be located upon said land under authority of this act; and *Provided further*, that in assessing the damages sustained by any landowner, the jury shall also take into consideration the special benefits, if any, accruing to the landowner, and if such benefits shall exceed the damages, then the amount of such excess of benefits shall be assessed against the landowner and shall constitute a lien upon the land adjoining the road and shall be collected by the sheriff in the same way as public taxes; and it is *Further provided*, that no suit shall be instituted by the landowner for damages on account of location of the road under this act, or the taking of timber or material, until after sixty days after the completion of the road across the lands of such landowner, and no suit shall be brought by any landowner unless the same is commenced within ninety days after the completion of the road by or across the lands of the claimant.

Procedure for assessment of damages.

Proviso: notice served on landowners.

Proviso: special benefits considered.

Excess of benefits a lien on land.

Time for instituting suit.

Sec. 13. If any act shall be passed at this or any subsequent session of the General Assembly, authorizing the State to loan money to the counties to aid in building or improving public roads, taking county bonds as collateral for said loans, or if any provision should be made for the Federal Government to loan money to the counties for the purposes as above, then the board of road commissioners of Davidson County are hereby authorized and empowered to avail themselves of the privileges and benefits of any such act.

Acceptance of State or National aid.

Sec. 14. All expenses incurred by the board of road commissioners on account of meetings held by reason of their duties imposed by this act shall be paid upon their order out of the funds provided for by this act.

Expense of meetings.

Sec. 15. The term "highway" shall be understood to mean all public roads designated as such under the provisions of this act.

Highway.

Sec. 16. Any member of the board of road commissioners or highway superintendent making or causing to be made any fraudulent order whereby money is to be paid out of said highway fund, or any treasurer knowingly paying any fraudulent order, shall be guilty of a felony, and shall be imprisoned or fined, or both, in the discretion of the court, and shall be removed from office.

Issuance or payment of fraudulent orders a misdemeanor.

Punishment.

Township road funds.

SEC. 17. That any moneys on hand in any township to the credit of the road funds of such township at the time this act becomes effective shall be turned over to the treasurer herein provided for, but they shall be kept separate from the regular fund, and shall be expended for good roads work in such township, respectively, from which sums were received; and any moneys in the county treasury to the credit of any of the townships of the county shall be turned over to the treasurer herein provided for, to be expended for good roads work in these townships, under the authority of the board of road commissioners.

Receipt and disbursements published quarterly.

SEC. 18. The treasurer herein provided for shall quarterly publish in some newspaper published in Davidson County an itemized statement of the receipts and disbursements by him made of moneys received under the provisions of this act.

Distribution of work.

SEC. 19. That the said board of road commissioners herein created shall each year distribute the work of improving and constructing the highways of the county in each township as equitably as practicable, having due regard to the taxable property in each township.

Pay of road commissioner.

SEC. 20. The members of the board of road commissioners shall receive for their services four dollars per day, without mileage, during the time they are actually employed in the discharge of their duties assigned them by this act. They shall be allowed all necessary expenses for postage, stationery, and attorney's fees, and for such other and additional expenses as may be incurred by them in the discharge of their duties.

Expenses allowed.

Entry on land for material.

SEC. 21. The board through its officers and agents is hereby authorized to enter upon any uncultivated land near or adjoining any public road of said county, to cut and carry away any timber, except trees or groves on improved land planted or left for shade or ornament, dig or cause to be dug and carried away any gravel, sand, clay, dirt, or stone which may be necessary for the proper repair and construction of roads in said county, and upon any lands adjoining or lying near any road in Davidson County in order to make such drains or ditches through the same that the board may deem necessary for the better condition of the road; and the drains and ditches so made shall not be obstructed by the occupants of such lands or any other person; that any person obstructing such drains or ditches shall be guilty of a misdemeanor and fined not exceeding fifty dollars or imprisoned not exceeding thirty days.

Drains or ditches.

Obstructing drains or ditches a misdemeanor.

Punishment.

Presentation of and hearing on claims.

SEC. 22. The owner of any land from which any timber or other material has been removed may present to the board his claim therefor in writing, and upon such presentment it shall be the duty of the board to set a day not earlier than sixty days after the removal of such timber or material for the purpose of hear-

ing his claim. Upon the hearing thereof the claimant may appeal to the Superior Court of said county to have his cause tried as in other civil causes. Right of appeal.

SEC. 23. That upon the organization of the board of road commissioners as hereinbefore provided, all free labor on roads in Davidson County shall be abolished. Free labor abolished.

SEC. 24. That all special road tax levied for the several townships of Davidson County be and the same are hereby repealed, and all road taxes of the several townships shall be paid by the county treasurer to the treasurer of the board of road commissioners, and all road taxes hereafter collected by the sheriff belonging to the several townships shall be likewise paid to the treasurer of the board of road commissioners of Davidson County, and all these special road taxes shall be expended by the said board on the roads of the townships paying said taxes, in such way and at such time as the said board may determine, according to the needs of the roads in such township. Special road taxes by townships repealed.

SEC. 25. That upon the organization of the board of road commissioners of Davidson County the office of road trustees under special tax laws of the several townships shall cease and determine and the entire jurisdiction, supervision, and control of the public roads of Davidson County shall rest in the said board of road commissioners created by this act, and any trustee or other person having in his possession or control special road taxes shall account to said board therefor and pay over the same to the treasurer of the board, and likewise all road machinery, tools, and equipments shall be turned over to the said board. Taxes expended in townships.

SEC. 26. That all laws and clauses of laws in conflict with this act are hereby repealed. Road trustees abolished.

SEC. 27. That this act shall be in force and effect from and after its ratification. Control of roads vested in commissioners.

Ratified this the 27th day of February, A. D. 1915. Settlements.

CHAPTER 335.

AN ACT TO PROVIDE FOR WORKING THE PUBLIC ROADS OF WICCACANEE TOWNSHIP IN NORTHAMPTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of constructing, repairing, improving, and maintaining the public roads in Wiccacanee Township, Northampton County, there shall be a special board of three members who shall be known as the "Board of Road Commissioners for Wiccacanee Township," which said board shall have entire supervision and jurisdiction of all the public roads of said town- Board of road commissioners.

Supervision of roads.

Powers and duties.	ship, and succeed to and exercise all the powers and duties heretofore exercised by and imposed upon the board of road commissioners and justices of the peace in reference to the establishment, keeping, alteration, or discontinuance of all public and private roads, cartways, and other thoroughfares. The members of said board shall hold their offices for the term of six years and until their successors are elected and qualified, except as provided in section two hereafter.
Terms of office.	
Commissioners named.	SEC. 2. That R. L. Boone, Kinchen Taylor, and C. B. Vick are hereby appointed and constituted the board of road commissioners for said township. The first named of said board, towit, R. L. Boone, shall hold the said position of commissioner until the first Monday in December, one thousand nine hundred and sixteen; the next named of said board, towit, Kinchen Taylor, until the first Monday in December, one thousand nine hundred and eighteen; and the last named of said board, towit, C. B. Vick, until the first Monday in December, one thousand nine hundred and twenty. At the regular election in the year one thousand nine hundred and sixteen, and regularly every two years thereafter, there shall be one commissioner elected by the voters in said township at the same time and in the same manner as county and township officers are elected. All vacancies caused by death, resignation, or otherwise shall be filled by the remaining members of said board: <i>Provided</i> , that should more than one vacancy occur or be at the same time, the same shall be filled by appointment by the clerk of the Superior Court of Northampton County.
Terms of office.	
Election of successors.	SEC. 3. That the members of said township board of road commissioners shall each qualify before any officer authorized to administer oaths on or before the second Monday in December following their elections, except those mentioned in section two of this act.
Vacancies.	
Commissioners to qualify.	SEC. 4. That the members of said board named in section two of this act shall qualify on or before the second Monday in March, one thousand nine hundred and fifteen, before any officer authorized to administer oaths, and they shall meet in the town of Galatia in said township on or before the second Monday in March, one thousand nine hundred and fifteen, and shall organize by electing one of their number as chairman and by electing a secretary, who may be one of the board, and the treasurer. The secretary of said board thus elected shall in a book for the purpose keep a full and perfect record of all the proceedings and actions of the board, which records shall be open to inspection of the citizens of the township at reasonable times. Compensation of the secretary shall not exceed two and a half dollars per day for every day the board shall meet, and the board shall meet one day in each month, and no mileage for its members or officers shall be charged. The compensation of the members of said board shall be one and a half
Qualification of members of board.	
Meeting.	
Organization.	
Record to be kept.	
Record open for inspection.	
Pay of secretary.	
Pay of commissioners.	

dollars per day. If necessary and important the said board may meet upon the call of the chairman or of any member if requested by a majority of the members. At all of their said meetings they shall be authorized to transact any business and duties with reference to the roads of the said township, or within their jurisdiction.

SEC. 5. That said board of road commissioners and its successors shall be and is hereby constituted a body corporate by the name and style of "The Board of Road Commissioners of Wiccacanee Township," shall adopt a common seal and by that name may sue and be sued, make contracts, acquire real and personal property by gift, purchase, or devise; hold, exchange, and sell the same, and exercise such other rights and privileges as are incident to other municipal corporations.

SEC. 6. That it shall be the duty of said board of road commissioners to take control and management of the public roads in said township, and said commissioners are hereby vested with all the rights and powers for such control and management as are now vested in and exercised by the board of road or county commissioners of Northampton County as pertaining to said township.

SEC. 7. At or before their meeting in May of each year said board of road commissioners shall consult together as to the amount of money reasonably necessary to purchase suitable tools, machinery, teams, and supplies or for other things for the proper working and improving and establishing the public roads of said township and to pay all expenses thereof, and the expenses pertaining to the performance of their duties for one year, and shall fix and determine the rate of taxation on the property and polls of said township for the purpose of raising said amount, which rate of taxation shall not exceed forty cents on the one hundred dollars valuation on the real and personal property in said township and one dollar and twenty cents on each poll in said township of one year; and said board shall report the rate of taxation thus ascertained and determined by them from the board of county commissioners of said county on or before their June meeting in each and every year; and it shall be the duty of the said board of the county commissioners, at their meeting in June or at such other time as may be fixed by law, to levy a special tax as determined by said board of road commissioners, but the rate shall be in the discretion of the said board of county commissioners; said taxes shall be collected as other taxes are collected, and shall be kept separate by the tax collector and paid over to the treasurer of said township board of road commissioners. Such taxes shall be levied and collected out of the property and polls in said township, whether in incorporated towns or not.

SEC. 8. That said board of township road commissioners at its first meeting shall appoint some person or corporation as treasurer

Called meetings.

Incorporation.

Corporate name.

Corporate powers.

Control and management of roads.

Rights and powers vested.

Estimate for road work.

Tax rate.

Limit of rate.

Rate reported to county commissioners.

Tax levy.

Rate determined by county commissioners. Collection of tax. Tax kept separate.

Election and bond of treasurer.

- of said township road fund; the person or corporation so designated shall be required to give a sufficient bond payable to the said board, which said board shall fix the amount of the bond for the faithful performance of his or its duties as treasurer, and for the faithful holding and disbursing of said funds in accordance with orders and directions of said board. Compensation for said services shall not exceed two per cent of disbursement of said road fund.
- Pay of treasurer.
- Road duty. SEC. 9. That after January first, one thousand nine hundred and fifteen, every able-bodied male person between the ages of twenty-one and forty-five years residing in said township shall be liable annually to perform three days labor upon the roads of said township under the supervision and direction of the road supervisor, overseer, or other officer appointed by the board of road commissioners of said township, who shall assign each person to any portion of the roads in such township in which said person resides as said officer may think best: *Provided, however,* that any such person shall be discharged from such labor for one year upon the payment to the proper officer of the sum of one dollar per annum in lieu thereof: *Provided further,* that such sum shall be paid on or before the first day of March of said year.
- Assignment to road duty.
- Proviso: commutation.
- Proviso: time of payment.
- Road work on non-payment of poll tax. SEC. 10. All persons who shall be liable to pay poll tax and who fail to pay the same shall be liable and compellable to work four days on the said roads under the direction and control of the road supervisor or officer in said township.
- Convicts to be sentenced to road work. SEC. 11. That the judges of the Superior and criminal courts of this State are hereby authorized and empowered to sentence convicts in said county or in other counties to work upon the public roads of said township, and all the justices of the peace and mayors of towns of said county are hereby authorized and empowered to sentence persons tried before them and found guilty of violating the criminal law within their jurisdiction, or vagrancy, to sentence said person so convicted to work upon the said public roads: *Provided,* that no person shall be required to work for a longer time than that for which he could have been imprisoned for the offense: *Provided further,* that said board of road commissioners and its authorized officers may shorten the time of labor in any individual case as much as one-fifth for good behavior and faithful performance of duty.
- Proviso: limit of sentence.
- Proviso: allowance for good behavior.
- Care and control of convicts. SEC. 12. That said board of road commissioners shall be authorized to provide proper quarters for convicts and to employ suitable guards and overseers, and to provide means for their safe keeping and control out of road funds.
- General road fund. SEC. 13. That the taxes and other revenue raised under this act or under any law applicable to the public roads of said township shall constitute a general road fund for the construction and improvement of the roads and bridges of said township and for the

purchase, maintenance of tools, machinery, teams, and other supplies or equipment for the better prosecution of the work, and shall be expended according to the judgment and discretion of the said board of road commissioners; and the said board, as often as it shall deem necessary, shall issue warrants or orders upon the township treasurer, directing him or it to pay to the supervisor or other officer of roads the amount therein specified for the purpose of carrying on the provisions of this act.

Sec. 14. That the said board of road commissioners on the second Monday in December or at any regular meeting of the said board may elect a township supervisor of roads at a salary to be fixed by said board and who may be required to give bond payable to the said road commissioners in a sum to be fixed and approved by said board for the faithful and honest performance of his duties, which bond shall be filed and recorded. It shall be the duty of the said township supervisor, subject to the said board, to supervise, direct, and have charge of the building, constructing, and maintenance of the roads of the township, and of the teams, tools, machinery, etc., for their working. Any part of said work, or all of it, may be done by contract if deemed best by said board of road commissioners. Said supervisor shall see that all work on said roads is properly, promptly, and economically done. He shall make quarterly reports in writing to said board, giving the condition of all the roads in the township, suggesting and recommending means and methods of improvement and the probable cost thereof, besides embracing matters required in section fourteen of this chapter, which written reports and recommendations shall be filed with the clerk of the board, and the board may provide money for work which they may regard necessary. Said supervisor shall hold his office until his successor is elected and qualified, or until he is discharged by said board.

Sec. 15. The township supervisor shall have charge and management of the plans, labor, teams, tools, apparatus and machinery used on the road under his charge, and shall render an itemized statement of the number of hands or persons, including convicts, worked on the roads, the number of hours or days worked, the amount paid each hand, and the amount of money received, and how the same was disbursed, and a list of the tools, machinery, implements, dump-carts, teams, and other apparatus in his hands, and the condition thereof, and any other information in reference to his management that may be reasonably required. Said reports shall be made quarterly or oftener to said board. He shall have the teams and all other apparatus properly cared for. In all matters he shall be subject to the control and direction of the said board.

Sec. 16. That said board of road commissioners shall have full power and discretion to adopt such methods, means, and agencies

Expenditures.

Warrants on road funds.

Election and salary of supervisor.

Supervisor to give bond.

Duty of supervisor.

Work may be let to contract.

Quarterly reports.

Term of supervisor.

Powers of supervisor.

Itemized statements to be rendered.

Inventories.

Care of teams and equipment.
Control of board.

Methods of road work.

- in the management, improvement, and working of said roads as they may determine to be wise and best, regardless of any seeming limitations or restrictions in this act, and they may also make such purchases of gravel pits, lands, timber, machinery, and teams as they may deem wise and important for the building, improvement, and maintenance of the roads; and they may have any or all of the roads, or any part of any road, widened so as to make them or such parts thereof fifteen feet on either side of the center of the road, thus making the road thirty feet wide between the ditches.
- Purchase of material and equipment.** **SEC. 17.** That the said board of road commissioners shall make an annual statement of all their doings and proceedings in the same manner and at the same time as is required by the board of county commissioners, which statement shall be recorded and preserved by the register of deeds in a suitable book, which shall be subject to inspection of the public; and the register of deeds shall receive the same fees for such services as he receives in other like cases.
- Width of road.**
- Annual statements.**
- Statements open for inspection.**
- Fee of register of deeds.**
- Warrants to be paid.** **SEC. 18.** All orders or warrants of said board on the township treasurer, authenticated as is required for such orders of the board of county commissioners, shall be paid by said treasurer out of the road funds in his hands.
- Entry on land for material.** **SEC. 19.** That for the purpose of building, constructing, repairing, improving, and maintaining the public roads in said township the supervisor or other officer employed by said board of road commissioners shall have the authority to enter upon any land in said township to cut and carry away any timber except trees or groves left for ornament or shade, to dig or cause to be dug or carried away any gravel, clay, earth, sand, or stone which may be necessary to build, construct, improve, or repair any of the roads in said township; to make such drains or ditches through the same as may be necessary for the benefit of the road, doing as little damage to the land as possible; and any person willfully obstructing or resisting the performance of these duties or willfully obstructing such ditches or drains when made shall be guilty of a misdemeanor.
- Drains or ditches.**
- Obstructing drains or ditches misdemeanor.**
- Violation of act a misdemeanor.** **SEC. 20.** That any person willfully violating any of the provisions and requirements of this act shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine not to exceed fifty dollars or imprisoned or sentenced to work upon the roads not more than thirty days.
- Punishment.**
- Work let to contract.** **SEC. 21.** That the said board of road commissioners may contract the building, improving, constructing, or maintaining any part of or all of the roads in the said township to some person, firm, or corporation; that they may award contracts upon bids received by them, either publicly or privately, as they may think is for the best in their discretion.
- Award of contracts.**

SEC. 22. That hereafter all road taxes collected by the sheriff of Northampton County or by township tax collectors, or otherwise, in and for said township, and all moneys collected by said sheriff or any other person on account of said roads in said township, shall be paid over to the treasurer or treasury designated by said board, as it is collected. The said sheriff or other tax collector is hereby required to settle with the said treasurer of said township not later than the second of April in each year.

Money paid to road treasurer.

Settlement of taxes.

SEC. 23. That at their meeting the first Monday in March, one thousand nine hundred and fifteen, or as soon thereafter as practicable, the board of road or county commissioners of Northampton County shall give an order for and authorize the payment to the treasurer of said township an amount equal to all of the road taxes levied and collected in said township of the levy of the year one thousand nine hundred and fourteen, including the share of the public-service corporation tax of said township, and shall also deliver to the road commissioners of said township such proportion of the present road equipment of Northampton County, including tools, implements, road machines, and teams, as the said county board may deem just and equitable.

Payment from tax of 1914.

Diversion of equipment.

SEC. 24. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 25. That this act shall be in force from and after its ratification.

Ratified this the 27th day of February, A. D. 1915.

CHAPTER 336.

AN ACT TO AUTHORIZE ANY TOWNSHIP IN BLADEN COUNTY TO SUBMIT TO THE QUALIFIED VOTERS THE QUESTION OF ISSUING BONDS FOR ROAD IMPROVEMENT.

The General Assembly of North Carolina do enact:

SECTION 1. Upon presentation to the board of commissioners of Bladen County of a petition in writing signed by not less than twenty-five per cent of the registered voters in any township in Bladen County, as shown by the registration books for the general election last held, requesting the said board to submit to the qualified voters of such township a proposition to issue bonds in a sum to be named in said petition, and which shall set forth also the time for which said bonds shall run and the maximum amount of interest that they shall bear, said board of commissioners shall, within twenty days, order an election to be held in such township for the purpose of submitting to the qualified voters therein the

Petition for election on bond issue.

Items set out in petition.

Order for election.

Ballots.	question of issuing such bonds, at which election all qualified voters who are in favor of such bond issue shall vote a ballot on which shall be written or printed the words "For Good Roads," and those opposed to such bond issue shall vote a ballot on which shall be written or printed the words "Against Good Roads"; and the said election for this purpose shall be conducted in the same manner and shall be subject to the same rules and regulations as is now provided by law for the election of the county officers.
Law governing election.	
Notice of election.	Such election shall be held after thirty days notice thereof, specifying the amount of the proposed bond issue, the terms of said bonds as to rate of interest and time of payment, shall have been posted at the courthouse door in Bladen County and at the regular voting place and three other public places in such township; and the said election shall be held at the regular voting place now provided by law in such township. That in order to ascertain who shall be entitled to vote in said election, there shall be an entirely new registration of voters in such township. Upon presentation of said petition to the board of commissioners of Bladen County, and upon their call for said election, they shall appoint a registrar and two judges of election for the purpose of holding the election herein provided for, and shall furnish the said registrar and judges with registration and poll books and such other things as may be necessary to hold said election. Immediately after the election the said registrar and poll-holders shall canvass the vote and declare the result thereof, and certify the same to the board of county commissioners of Bladen County, who shall cause such certification and the results declared thereon to be recorded in their minutes, and no further canvass, certification, or declaration shall be necessary: <i>Provided</i> , that if any person shall desire to contest the said election he shall immediately file notice thereof with the registrar and poll-holders, and the same shall be heard on at least ten days notice before the board of county commissioners of Bladen County at any regular or called meeting; the said board of commissioners shall pass upon any question raised, and appeal may be had from said board of commissioners to the Superior Court of Bladen County, upon such contestant filing a justified bond for costs in the sum of two hundred dollars (\$200), and in the event of such appeal, the said board of commissioners shall send up a complete record of all matters with reference thereto which have come before them.
Polling places.	
New registration.	
Election officers.	
Registration and poll books.	
Canvass and return of votes.	
Record of returns.	
Proviso: contest of election.	
Right of appeal.	
Bond on appeal.	
Record on appeal.	
Bond issues.	SEC. 2. If a majority of the qualified voters in such township shall vote "For Good Roads," then the board of county commissioners of Bladen County shall immediately provide for the issuance, execution, and delivery of coupon bonds in the name of such township to the amount specified in the said petition and notice of election, and the bonds upon their face shall indicate the name of the township, county, and State for which they are issued.
Amount.	
Specifications of bonds.	

Said bonds shall be in the denomination of not less than one hundred and not more than five hundred dollars, and each shall run for such number of years and at such rate of interest, not exceeding the rate prescribed by law, as the said petition and notice of election shall indicate. Said bonds shall be signed by the chairman and secretary and attested by the official seal of the said board of county commissioners, and shall bear a rate of interest not in excess of six per cent and be payable at some bank or trust company which shall be stipulated on the face of said bonds, and shall be township bonds and not county bonds, and such township shall not thereafter be subject to any county road tax levied and collected for county purposes.

Denominations.

Maturity.

Interest.

Authentication.

Township relieved from county road tax.

SEC. 3. The board of commissioners of Bladen County, in order to provide for the payment of the interest on such bonds as may be issued by any township and to create a sinking fund which shall be sufficient to redeem such bonds at maturity, shall compute and levy each year, at the regular time for levying other taxes, a sufficient tax on all taxable property and polls within such township; and in so doing shall observe the constitutional equation between property and polls.

Special tax.

SEC. 4. Any bonds so issued may be sold at public or private sale, and the interest thereon may be made payable annually or semiannually, as the board of county commissioners may deem best: *Provided*, that the sale of any bond for less than its par value shall be deemed illegal and not binding.

Constitutional equation.

Sale of bonds.

Proviso: sale below par illegal and not binding.

SEC. 5. That when any such bonds shall have been issued, and it appears that the sale of the same can be effected, the board of commissioners of Bladen County shall cause an investigation to be made for the purpose of ascertaining whether or not the said bonds have been issued in accordance with and are a binding obligation upon the township issuing the same; and if it shall appear that the election herein provided for has been properly held, that the bonds have been properly and legally issued, and that the same constitute a binding obligation against the taxable assets of such township, then the board of commissioners of Bladen County shall, on behalf of the county, indorse and guarantee the payment of such bonds and the interest thereon: *Provided*, that in the event default should be made by the said township or the officials thereof in the payment of either the interest or the principal on said bonds, the county of Bladen shall not be in any way liable for the payment of any amount whatsoever on account thereof until all the taxable assets of the township issuing such bonds shall have been fully exhausted.

Investigations as to validity of bond issue.

Indorsement of bonds by county.

Proviso: township assets to be first exhausted.

SEC. 6. At the election herein provided to be held for the purpose of passing upon the proposition of issuing bonds a separate ballot box shall be provided which shall be plainly labeled "For Members of the Highway Commission," and every qualified voter

Separate ballot box.

Label.

Election of commissioners.

within such township shall have the right to vote for three members of such highway commission by casting a ballot on which shall be written or printed the names of the persons for whom such voter desires to vote, and the three persons receiving the highest number of votes shall be and constitute said highway commission, and the ballot for highway commissioners shall be canvassed and the result determined in the same manner and at the same time as is herein provided for canvassing and determining the vote on the proposition to issue bonds. At each general election to be held thereafter for the election of county officers there shall be elected by the qualified voters of such township three members of the highway commission, and said election shall be held under the same rules and regulations and at the same time now provided or hereafter to be provided by law for the election of other county officers. At all general elections a separate ballot box shall be provided which shall be plainly labeled, "For Members of the Highway Commission," and the result of such election shall be ascertained and declared in the same manner as may be provided by law for other county officers. Each of said commissioners shall be elected by a majority vote of the qualified voters of said township, and no person shall be eligible to election as a member of said highway commission unless he shall have resided in said township for a period of twelve months next preceding the election.

Persons declared elected.

Canvass and return of votes.

Election of successors.

Separate ballot boxes.

Ascertainment and declaration of result.

Commissioners elected by majority of qualified voters.

Residence required.

Vacancies.

Official designation of commission.

Corporate seal.

Commission to meet and organize.

Organization.

Record of proceedings.

Election and bond of treasurer.

SEC. 7. If for any cause there should be a vacancy in said highway commission the board of county commissioners shall appoint some competent and suitable resident of said township to fill such vacancy, and the person so chosen shall fill the unexpired term and until his successor shall be elected and qualified according to law.

SEC. 8. Said highway commission shall be known and designated as the highway commission for the township in which it is elected, and is hereby empowered to adopt and use a corporate seal which shall remain in the custody of and shall be used and affixed to all instruments requiring it by the secretary of said highway commission.

SEC. 9. Said highway commission shall meet as soon as practicable after the appointment or election and shall organize by electing one of their members president, who shall preside at all the meetings of said commission; they shall also elect one of their number secretary, who shall keep a record of the proceedings of said commission and shall deliver the same to his successor in office; they shall also elect a suitable person as treasurer of the commission, who need not be a member of said commission, and he shall enter into a bond in not less than double the amount of funds that shall from time to time come into his hands as such treasurer, and said bonds shall be subject to be increased or

diminished at any time by order of said commission, and as the same shall be approved and accepted by said commission it shall be recorded and filed with the proper officials of Bladen County as the bonds of county officers now are: *Provided*, that any bank in Bladen County may act as treasurer of said fund, and if said commission shall appoint an individual as treasurer, they shall have the right to require said treasurer to keep all funds in his hands on deposit in one or more banks in said county, and the commission may also require such depositories to execute a surety bond covering such deposits in addition to the bond required of the treasurer, the premiums on such bond to be paid by the depositories.

Sec. 10. The treasurer of said commission shall make payments out of the road funds belonging to said township only upon the written order of the commission, signed by the president and secretary of the commission, and a strict record of each order shall be kept, showing the object for which issued. Said treasurer shall not be allowed any commission on the proceeds of the bonds received by him, but for paying out any amounts from said funds he shall be allowed a commission of one-half of one per centum, and for receiving and disbursing the taxes collected annually to pay the interest on said bonds and for keeping in repair the said roads, the treasurer shall be allowed the usual commission now allowed to county treasurers for like services.

Sec. 11. All taxes levied under the provisions of this act shall be collected by the sheriff or tax collector just as other State and county taxes now are or shall hereafter be collected, and the same shall be properly paid over by such collecting officer as other taxes are. The sheriff or tax collector shall not apply the special road taxes of such township to the payment of any other claim whatsoever, but he shall at all times keep the road taxes collected in such township separate from all other taxes and pay them over as aforesaid, and is hereby required to settle in full not later than the first day of May in each and every year, unless such time of settlement shall be enlarged or extended by said highway commission.

Sec. 12. Said highway commission shall have power to employ, if they shall see fit, some competent, suitable, and discreet person to be superintendent of all the roads in said township, and shall have the power to employ one or more competent road engineers, and to employ such other persons as may be proper and necessary in laying out, establishing, improving, and maintaining the public roads, highways, and streets in said township, and fix the compensation, define the duties, and prescribe the terms of employment thereof; and the said commission shall have power to buy such supplies and equipment in the way of machinery, stock, tools, lumber, and bridge material as may be found necessary in carrying out and effectuating the purposes of this act.

Proviso: bank may act as treasurer.

Deposit of funds.

Bonds of depositories.

Warrants on road funds.

Pay of treasurer.

Collection and settlement of taxes.

Road taxes specifically appropriated and to be kept separate.

Final settlements.

Employment of superintendent and engineers.

Other employees.

Purchase of supplies and equipment.

Office expenses.

SEC. 13. The necessary expense incurred by the commission on account of stationery, postage, attorney's fees, clerk hire, and so forth shall be paid upon their order out of the funds provided by this act.

Pay of highway commissioners.

SEC. 14. The highway commission shall serve without compensation, except an allowance of not more than two dollars and fifty cents (\$2.50) per day, and five cents per mile traveled may be allowed to each of them for each day they actually attend the sittings of the commission and each day necessarily spent in laying out, supervising the construction and inspecting the repairs to the public roads of said township.

Employment of and contracts with commissioners.

SEC. 15. It shall be unlawful for any member of the highway commission to accept employment himself, or to hire any of his teams or other equipment to the said commission, except in laying out, locating, changing, or discontinuing the roads, or other service of like character in which any member of the commission may accept compensation as provided in section eleven of this act. Any member of the highway commission violating the provisions of this act shall be guilty of a misdemeanor.

Right to improve roads.
Relocation or establishment of roads.

SEC. 16. The highway commission shall have the right to improve any road in the township. They may relocate any road in order to make it more useful, or they may establish any new public road in the manner hereinafter provided. Whenever it shall appear to the commission that any road ought to be improved or relocated, or that any new public road ought to be established, constructed, and improved, the highway commission shall have the right, by their superintendent, engineer, or other employees, to enter upon the lands of any person and make such surveys as they may deem necessary to ascertain the most practicable route. On receiving the report of such survey, together with an estimate of the cost of construction or improvement, accompanied by the engineer's profiles and such other plans and specifications as may be desired, and upon notice to the interested party to appear and be heard, such report, together with the maps, profiles, and specifications accompanying it, if the same have been required, when considered, if approved and adopted by the highway commission, thereupon the public road or improvement described in said report shall thereby become established, and the necessary right of way shall become condemned for the public use.

Entry on land for surveys.

Condemnation of right of way.

Power to take material.

SEC. 17. The superintendent of roads or any other employee of the highway commission may open any quarries and take away any stone, earth, gravel, or timber, in connection with said road work, from the place most convenient or desirable on account of the quality or location of the material desired, except trees planted and left for ornamental purposes and cultivated fields; and the rights and privileges granted to the highway commission and its employees shall extend to any contractor working for said commission, and to his employees.

Rights extended to contractors.

SEC. 18. Any landowner feeling himself aggrieved by the relocation, improvement, or construction of any public road, or by taking of any material from his land for road construction as herein provided may, within sixty days after such construction or improvement is completed or such material is taken, make application to the highway commission for an assessment of damages and benefits caused by the taking of his property in the construction and improvement as aforesaid.

Application for assessment of damages.

SEC. 19. Within thirty days after the application for the assessment of damages has been made to the highway commission it shall order the sheriff or other lawful officer to summon a jury of three disinterested freeholders, who shall, after having given notice to the landowner, his tenant or agent in charge, and being duly sworn, go upon the ground and take into consideration the damage claimed and done as well as the benefits accruing to the property by reason of the construction or improvement of such road, and the difference between the sums shall be their verdict: *Provided*, that damages awarded for material taken shall be paid by the highway commission, and if either the highway commission or the landowner shall be dissatisfied with the award of damages, either party may appeal to the Superior Court of said county.

Procedure for assessment of damages.

SEC. 20. The manner of improving said roads, which roads shall be first improved, the amount of grading and other improvement to be done thereon, the width of same, and all such matters shall be in the sound discretion of the highway commission: *Provided*, that in acquiring a right of way for any new road or section of road not less than thirty feet may be taken.

Proviso: payment for material.
Right of appeal.

Matters in discretion of commission.

Proviso: width of right of way.

SEC. 21. It shall be the duty of said highway commission, acting through its engineers, superintendent, or otherwise, to compile full and complete plans and specifications for the improvement or construction of the roads in such township, and to divide the same into convenient sections; and after the approval by the highway commission of such plans and specifications for the work to be done on the various sections, it shall be the duty of said commission to advertise for bids for the work to be done, and they shall have the right to let the work to the lowest responsible bidder, and if no satisfactory bid shall be received, they shall have the right to have the work done themselves, and the said work need not all be undertaken at once, but said highway commission shall have the right to do or contract certain portions thereof, if they shall deem it best, to enable them to arrive at what would be just and reasonable bids for the work for which they are responsible hereunder.

Plans and specifications for road work.

Sections.

Advertisement for bids.

Road let to contract or done by commission.

SEC. 22. If any such work shall be let on contract, it shall be the duty of the contractor to furnish a good and sufficient bond, either in some surety company authorized to do business in this State or with local bondsmen, who shall justify, conditioned upon

Bond of contractor.

the faithful performance of the work as called for in said specifications, and the cost of furnishing any such bond shall be paid by the contractor.

Publication of
selected road work.

SEC. 23. From time to time the highway commission shall select such roads or section of road which they intend next to improve, change, or establish, and shall thereupon publish their purpose with reference thereto by posters or such other methods as they shall deem sufficient, setting forth what road or roads or what section of road they propose next to work on, and stating whether the same is to be done by contract or otherwise, and also the plans and specifications therefor and the manner and improvement thereof, to the end that the residents and taxpayers of said township may at all times know the plans and proposals of said commission with reference to said roads, and may know the manner in which it is proposed to expend the funds herein provided, before the same are actually expended. If any serious difference of opinion shall arise among those interested as to the location, establishment, or improvement of any particular section of road, and as many as fifteen resident taxpayers shall so request in writing,

Petition for hear-
ing on plans.

the commission shall set a time and appoint a place for hearing any discussion by any of the interested parties on the question so in dispute, at which time and place all those interested in the work herein provided for may appear and be heard with reference to such disputed question; and if the commission shall see fit, it may employ road experts to furnish special plans and specifications, estimation of cost, and recommendations with reference to such disputed questions, to the end that the funds herein provided may be wisely and judiciously spent, so as to produce the greatest possible public benefit to all the people of said township; and the expenditure of any portion of said funds whatsoever for the peculiar benefit of any particular person or persons is hereby strictly forbidden, and if it can be made to appear that the work is being prosecuted in violation of this act or that the funds are being wasted, an injunction shall lie against the further execution thereof except in conformity with this act.

Hearing.

Employment of
special experts.

Expenditures for
special individual
benefit forbidden.
Injunction to lie.

Bridges to be kept
by corporations.

SEC. 24. That all railroads or other incorporated companies shall keep at their own expense, upon a specification furnished them by the highway commission, all bridges on and over the public roads, and not public roads, but used as neighborhood roads, and all crossings, which they have made necessary to build or made in establishing their respective roads, and on the failure to do so within a reasonable time after demand by the said commission, or by its agents, shall be guilty of a misdemeanor and fined not exceeding fifty dollars, and shall pay ten dollars additional for every day said work remains unperformed, and any written notice left with the agent of said companies shall be sufficient to give notice in law under this act.

Failure a misde-
meanor.

Penalty.

SEC. 25. That for the purpose of raising a sufficient fund to pay the annual interest on the bonds herein provided for and a sinking fund for the redemption thereof at maturity, in addition to the labor of road hands thereof, the said highway commission shall ascertain and recommend each year to the board of county commissioners of Bladen County a sufficient rate of taxation for such purpose; but in the absence of such recommendation, it is hereby made the duty of the commissioners of Bladen County, annually, to ascertain and levy a special tax on the taxable property in such township which shall be sufficient for the purposes aforesaid and to pay the interest on said bonds at it matures.

Highway commission to recommend tax rate.

County commissioners to levy tax.

SEC. 26. The sheriff or tax collector of Bladen County is hereby authorized and directed annually to collect the special tax as aforesaid at the same time and in the same manner as other taxes are collected, and the official bond of the sheriff or tax collector of Bladen County shall be made in a sufficient amount to cover all the duties, responsibilities, and liabilities incurred by him in the collection and handling of said special tax as set forth in this chapter.

Collection of tax.

Bond of sheriff.

SEC. 27. That the bonds here provided for may run for different periods of time, and the amounts of the bonds and the time for which the respective bonds shall run shall be set forth in the petition and notice of election herein provided for.

Term of bonds.

SEC. 28. Any person who shall obstruct or interfere with any of the agents or employees of said highway commission, or any member of the said highway commission, while laying out, establishing, or improving the roads in said township, or who shall in any way obstruct said roads or the ditches thereof, or who shall turn any considerable amount of water into or upon said roads from his lands or premises without providing an adequate drain therefor, shall be guilty of a misdemeanor, and upon conviction therefor shall be liable to a fine of fifty dollars (\$50) or thirty days imprisonment.

Acts declared misdemeanors.

Punishment.

SEC. 29. The board of county commissioners, with the help and advice of the highway commission of the township, shall sell the bonds herein provided for to the greatest possible advantage and in accordance with the provisions of this act, and upon its being made to appear to said board that the highway commission of the township has been duly organized and that a treasurer or depository has been provided and a sufficient bond given, the said board of commissioners shall pay over or cause to be paid over to such treasurer or depository to the use of the highway commission the entire proceeds from such bonds, saving only such amount as may be necessary to pay any interest falling due before the succeeding taxes shall be in hand.

Sale of bonds.

Payment of proceeds to commissioners.

SEC. 30. This act shall apply only to Bladen County.

Application of act.

SEC. 31. That this act shall be in force from and after its ratification.

Ratified this the 27th day of February, A. D. 1915.

CHAPTER 337.

AN ACT TO AUTHORIZE A SPECIAL TAX FOR ROADS IN MARSH TOWNSHIP, SURRY COUNTY.

The General Assembly of North Carolina do enact:

Special tax authorized.

SECTION 1. That for the purpose of building and otherwise improving the public roads of Marsh Township in Surry County, the board of county commissioners of Surry County are authorized, empowered, and directed to levy a special tax of not more than thirty cents on the one hundred dollars valuation of property and ninety cents on all polls in said township at the time of levying other taxes, always observing the constitutional equation between the tax on property and the tax on polls.

Limit of rate.

Constitutional equation.

Collection of tax.

Commission for collection.
Tax collector as treasurer.
Compensation as treasurer.

SEC. 2. That said taxes shall be collected by the tax collector hereinafter appointed, who shall receive as compensation for his services three per cent of all taxes collected. The said tax collector may also act as treasurer of said Marsh Township, and for his compensation for services as treasurer shall receive five per cent of all moneys disbursed by him.

Tax collector and treasurer.
Road supervisors.

SEC. 3. That Winston Alberty be and he is hereby appointed tax collector and treasurer of said Marsh Township, and that J. M. Key, Matt Sneed, and C. H. Draughn are hereby appointed a board of road supervisors for said Marsh Township.

Terms of office.

SEC. 4. That the term of office of the said tax collector and treasurer and the members of said board of road supervisors shall begin immediately upon the ratification of this act by a vote of the people of said township, and shall expire on the first Monday in December, one thousand nine hundred and sixteen, or when their successors shall have been elected and qualified as provided in this act.

Election of successors.

SEC. 5. That at the general election in one thousand nine hundred and sixteen there shall be elected by the people of said township a board of road supervisors and a tax collector and treasurer for said township, who shall qualify and enter upon the duties of their offices on the first Monday in December, one thousand nine hundred and sixteen.

Bond of tax collector and treasurer.

SEC. 6. The tax collector and treasurer herein provided for shall give a good and sufficient bond in the sum of five thousand dollars for the faithful accounting by him of the funds coming into his hands by virtue of his office.

County commissioners to order election on tax.

SEC. 7. That for the purpose of ascertaining the wishes of the voters of said Marsh Township upon the question of levying the taxes provided for in this act, the board of commissioners of Surry County are hereby authorized and directed to cause an election to be held in said Marsh Township in the same manner

Law governing election.

in which elections are held for members of the General Assembly, and the said board of commissioners shall meet as a canvassing board on the second day after the election and declare the results thereof, and if a majority of the votes cast shall favor the provisions of this act, then the same shall become operative; otherwise the provisions of this act shall be of no effect. At said election those favoring the provisions of this act shall vote a ticket upon which is written or printed the words "For Good Roads," and those who oppose the purposes of this act shall vote a ticket with the words "Against Good Roads" written or printed thereon.

Canvass of returns.

Effect of election.
Tickets.

SEC. 8. The said board of road supervisors herein created shall receive two dollars per day for each day necessary for them to meet in the discharge of their duties and are authorized to employ a road superintendent and fix his salary. The said board of supervisors are hereby made a body politic with power to sue and be sued.

Pay of supervisors.

Employment and
salary of road
superintendent.
Incorporation.

SEC. 9. That upon the ratification of this act by a majority vote of the people of said township, the general law of the State relative to working the public roads shall no longer apply to said Marsh Township.

Application of
general law.

SEC. 10. That the said board of supervisors shall have the right to lay out, change, or discontinue the public roads of said township and provide proper drainage for same, and shall spend the taxes herein provided for upon the said roads according to the importance of each road to the public travel, and in the collection of said taxes may accept cash or labor on said roads.

Power to lay out,
change, and dis-
continue roads.Expenditures on
roads.Tax paid in cash
or labor.

SEC. 11. That for the purpose of carrying out the provisions of this act the board of road supervisors, or their agents, after first consulting the owner or owners, agent or agents of the land from which material for building and repairing roads is gotten, are hereby authorized to enter upon the lands near to or adjoining any public road or highway, to take or cause to be taken or carried away any gravel, sand, clay, rock, or stone which may be necessary for the construction, improvement, or repair of said road, together with the free ingress and egress from roads for the transportation of said material: *Provided*, no ornamental or fruit trees shall be destroyed and no crop growing on said land shall be interfered with.

Entry on land for
material.Proviso: orna-
mental or fruit
trees or crops not to
be disturbed.

SEC. 12. That if any owner of land, or the agent or agents of said owner in charge of the lands from which any material, as stated in section eleven, is taken, shall present an account to the highway commission, and if said account be reasonable and the board decide to pay the price, then it may pay the same; and any landowner or his agents shall have the right to appeal from said board to the Superior Court and determine the value of such timber, stone, land, clay, rock, or gravel; but said board of road

Presentation and
payment of claims.

Right of appeal.

supervisors shall not be prevented from entering on said land as aforesaid and using the material aforesaid at any time they desire, without paying said price in advance.

Entry on land for location of roads.

SEC. 13. That the board of road supervisors is hereby authorized and empowered to enter into and upon any lands in said township for the purpose of laying out any new road or changing the location of any road; and for the purpose of taking rock, timber, dirt, sand, or gravel necessary to macadamize or improve said roads; and if any person owning said land upon which said road or any part thereof shall be constructed, altered, or changed shall claim damages therefor, and the said owner or his agents cannot agree with the board of road supervisors as to the price, then each party shall choose one man, freeholder and resident of the township, to serve as arbitrators; and should either party refuse to choose a man, then the clerk of the Superior Court of the county shall choose one for him, and that the two shall choose a third; and they shall give all parties at least two days notice of the time and place of the meeting to assess the damages; and in making out the damage they shall take into consideration the special benefit that the road when built will confer upon the land, as well as any actual damage done his land by reason of the construction or change of the road. The said damages, if allowed, shall be paid out of the general road fund of the township, and the parties shall have the right of an appeal to the Superior Court, after giving good and sufficient security, from the award of the arbitrators, provided said appeal is prayed within ten days from the filing of the award; and the appeal or the pending of this cause shall not prevent the board of road supervisors from entering and taking possession of the land and using it for road purposes, and the only effect of the appeal shall be to settle the amount of damages; but the taking of the appeal shall not delay the changing, locating or relocating of any public road or discontinuing any public road under this act. The quantum of damages is the only question contemplated in this section.

Payment of damages.

Right of appeal.

Appeal not to delay work.

Obstructing officers a misdemeanor.

Punishment.

SEC. 14. Any person who shall obstruct the board of road supervisors, its agents or engineer, in making a survey, in changing any road, or the opening of a new public road or highway, shall be guilty of a misdemeanor, and upon conviction therefor shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days.

Bridges and crossings to be kept up by corporations.

Penalty for failure.

SEC. 15. That all railroads or other incorporated companies shall keep up at their own expense, upon a specification furnished them by the board of road supervisors, all bridges on and over the public roads, and not public roads, but used as neighborhood roads, and all crossings, which they have made necessary to build or made in establishing their respective roads, and on failure to do so, after demand by the said commission, or by its agent, shall

pay ten dollars additional for every day said work remains unperformed; and any written notice left with the agent of said companies shall be sufficient to give notice in law under this act. Sufficient notice.

SEC. 16. That this act shall be in full force from and after its ratification.

Ratified this the 1st day of March, A. D. 1915.

CHAPTER 338.

AN ACT AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS OF JACKSON COUNTY TO CORRECT A RECORD, AND FOR THE RELIEF OF THE SHERIFF AND TAX COLLECTOR OF JACKSON COUNTY.

Whereas the board of county commissioners of Jackson County, at the time of levying taxes in the year nineteen hundred and thirteen, it being the first Monday in August of said year, did order to be levied and collected under and by virtue of chapter thirty-three, section nine, of the Public Laws of North Carolina, session of nineteen hundred and thirteen, entitled "An act to provide a six months school term in every school district in the State," a five-cent tax on each one hundred dollars worth of property and fifteen cents on each poll; and whereas the clerk of said board of county commissioners, in recording said order, inadvertently entered of record that said levy was made under and pursuant to the authority contained in chapter five hundred and eight of the Public Laws of nineteen hundred and nine, and the right to collect said tax having been disputed: Now, therefore, Preamble.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Jackson County be and it is hereby authorized and empowered to correct said record so as to show the intention of said board of commissioners in levying said tax, and the said board of commissioners is hereby authorized and empowered to make such order as may be necessary to secure the collection of such tax. Correction authorized. Order for correction.

SEC. 2. That the sheriff and tax collector of Jackson County be and he is hereby authorized and empowered to collect said tax when so ordered by the board of county commissioners of Jackson County, and the said sheriff and tax collector is hereby authorized and empowered to collect said taxes under the same rules and regulations as are now provided by law for the collection of taxes in Jackson County. Collection of tax authorized.

SEC. 3. That the sheriff and tax collector of Jackson County be and he is hereby authorized and empowered to collect any and arrears authorized.

all taxes which he may have failed to collect which were due for the years one thousand nine hundred and ten, 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, under the same rules and regulations now provided by law for the collection of taxes in Jackson County.

Termination of power.

SEC. 4. That the powers and authorities herein granted shall cease and determine January first, nineteen hundred and seventeen.

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

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

Ratified this the 1st day of March, A. D. 1915.

CHAPTER 339.

AN ACT TO AMEND THE ROAD LAW IN SYLVA, DILLSBORO, AND CULLOWHEE TOWNSHIPS, ENACTED BY CHAPTER 269 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION OF 1913.

The General Assembly of North Carolina do enact:

SECTION 1. That section four of chapter two hundred and sixty-nine of the Public-Local Laws of nineteen hundred and thirteen be and the same is hereby repealed, and that the following be inserted in lieu thereof:

Trustees for Cullowhee township.

"SECTION 1. That Lee Hooper, Thomas A. Cox, W. D. Wike, Frank H. Brown, J. N. Wilson, T. C. Ledbetter, Frank Watson, R. L. Night, and Mack Brown are hereby appointed a board of road trustees for the public roads of Cullowhee Township of Jackson County for a term of six years, and at the expiration of said term their successors shall be appointed for six years by the county board of commissioners of Jackson County. All vacancies caused by death, resignation, or removal from said township shall be filled for the unexpired term by the remaining members of said board: *Provided*, that the position of trustee shall not constitute an office within the meaning of article seven, section fourteen, of the Constitution of North Carolina. That the said board of road trustees and their successors shall be and are hereby constituted a body corporate by the name and style of 'The Board of Road Trustees of Cullowhee Township,' and by that name may sue and be sued, plead and be impleaded, make contracts, acquire real and personal property by gift, purchase, or devise, hold, exchange and sell the same, and exercise such other rights and privileges as are incident to other municipal corporations."

Appointment of successors.

Vacancies.

Proviso: trustees not officers.

Incorporation.

Corporate name.

Corporate powers.

SEC. 2. That this act shall only apply to Cullowhee Township in Jackson County. Application of act.

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

Ratified this the 1st day of March, A. D. 1915.

CHAPTER 340.

AN ACT TO REPEAL CHAPTER 118, PUBLIC-LOCAL AND PRIVATE LAWS, EXTRA SESSION 1913, AND TO REPEAL CHAPTER 655, PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1913.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and eighteen, Public-Local and Private Laws, extra session one thousand nine hundred and thirteen, and chapter six hundred and fifty-five, Public-Local Laws of North Carolina, session one thousand nine hundred and thirteen, be and the same are hereby repealed. Road laws for Columbus county.

SEC. 2. That the office of road commissioners for Columbus County and the township road supervisors for the respective townships in Columbus County that are now existing under and by virtue of chapter one hundred and eighteen, Public, Public-Local, and Private Laws, extra session one thousand nine hundred and thirteen, are hereby abolished. Offices abolished.

SEC. 3. That all the powers and duties pertaining to the public roads in Columbus County, the road fund, and the supervision and management of the convicts to be worked on the public roads that were by the enactment of chapter one hundred and eighteen, Public, Public-Local, and Private Laws, extra session one thousand nine hundred and thirteen, vested in the road commissioners and the township road supervisors for the several townships for Columbus County are hereby conferred upon, vested in, and required to be performed by the county commissioners of Columbus County and the justices of the peace of Columbus County, in the same manner and to the same extent as were before the enactment of chapter one hundred and eighteen, Public, Public-Local, and Private Laws, extra session one thousand nine hundred and thirteen, exercised and performed by the commissioners and justices of the peace for Columbus County. Powers vested in county commissioners and justices of the peace.

SEC. 4. That all persons in Columbus County who were prior to the enactment of chapter six hundred and fifty-five, Public-Local Laws of North Carolina, session one thousand nine hundred and thirteen, subject to road duty by virtue of section two thousand seven hundred and twenty-five of the Revisal of one thou- Persons subject to road duty.

sand nine hundred and five, are hereby declared to be subject to road duty as they were prior to the enactment of said chapter six hundred and fifty-five.

SEC. 5. That all laws and clauses of laws in conflict herewith are hereby repealed.

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

Ratified this the 1st day of March, A. D. 1915.

CHAPTER 341.

AN ACT FOR THE RELIEF OF THE CLERK OF THE SUPERIOR COURT OF MONTGOMERY COUNTY.

The General Assembly of North Carolina do enact:

Leave of absence. SECTION 1. That Edgar Haywood, clerk of the Superior Court of Montgomery County, be and he is hereby allowed to absent himself from his office on any Monday except the first Monday in each month by providing a competent deputy to keep his said office open and to transact the ministerial business thereof.

Competent deputy.

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

Ratified this the 1st day of March, A. D. 1915.

CHAPTER 342.

AN ACT TO CHANGE THE BOUNDARY LINE OF LOUISBURG TOWNSHIP IN FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

Territory included. SECTION 1. That the boundary of Louisburg Township in Franklin County be extended so as to include a small part of Sandy Creek Township, as follows: Beginning at the northeast corner of the extension made in one thousand nine hundred and thirteen, a stone near the west side of the Dickerson Branch (on C. S. Merritt's land); thence in a northerly direction to the corner of the county home lands on the Henderson road at the head of the old Cooke Avenue and the intersection of the Moulton road; thence in a southwesterly direction to Dr. D. T. Smithwick's fish-pond; thence in a southwesterly direction to the Louisburg and Hayesville Township line; thence along said line southwestwardly to its intersection with the north line of the township extension made in one thousand nine hundred and thirteen, which point being on

Boundary.

the lands of the R. S. Foster (deceased) estate; thence along the said north line of said extension, east, to the beginning, containing approximately three hundred and fifty acres.

SEC. 2. That all the territory embraced in the lines given in section one be taken from Sandy Creek Township and added to Louisburg Township, and the same be subject to all the laws now in force applicable to Louisburg Township. Territory added to Louisburg township.

SEC. 3. That this act be in force from and after its ratification. Ratified this the 1st day of March, A. D. 1915.

CHAPTER 343.

AN ACT TO INCREASE THE COMPENSATION OF THE BOARD OF EDUCATION OF WILKES COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the members of the board of education of Wilkes County shall hereafter receive the sum of three dollars (\$3) per day and the mileage allowed members of the board of county commissioners of said county for such days as they may be required to meet in the discharge of the duties of their office. Per diem.
Mileage.

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 full force and effect from and after its ratification.

Ratified this the 1st day of March, A. D. 1915.

CHAPTER 344.

AN ACT TO AUTHORIZE No. 2 TOWNSHIP, CLEVELAND COUNTY, TO ISSUE BONDS AND IMPROVE THE HIGHWAYS THEREIN.

The General Assembly of North Carolina do enact:

SECTION 1. For the purpose of building, grading, surfacing, or otherwise improving the roads of Number Two Township, in Cleveland County, the board of commissioners of said county is hereby authorized, empowered, and directed to issue bonds of the said township to an amount not exceeding forty thousand dollars (\$40,000), in denominations not exceeding one thousand dollars (\$1,000), bearing interest from date thereof not exceeding the rate of six (6) per cent per annum, with interest coupons attached, payable semiannually, at such time and place as may be directed Bond issue authorized.
Amount.
Denominations.
Interest.

- by said board of commissioners, such bonds to be of such form and tenor and to be transferable in such way and the principal thereof payable at such time or times, not exceeding forty years from date thereof, and at such place or places, as the said board of county commissioners may determine; and the said board of county commissioners may divide the said issue into series: *Provided*, that none of the bonds authorized by this act shall be disposed of by sale, exchange, hypothecation, or otherwise for a less price than their face value. In the event the board of commissioners shall sell all of said bonds at one time, or in greater amounts than is necessary for the ordinary operating expenses, then all of the excess of the money received from the sale of said bonds pending its use for road purposes shall be placed on interest, the said interest to be collected and applied to the principal fund for the purpose of carrying out the provisions of this act, and shall be used in the same manner as the principal fund is used.
- Maturity.**
- Proviso: sale below par forbidden.**
- Funds placed on interest.**
- Authentication of bonds.**
- Record of bonds.**
- Special tax.**
- Constitutional equation. Proviso: limit of tax rate.**
- SEC. 2. Such bonds shall be numbered and shall be signed by the chairman of the said board of commissioners and attested by the treasurer of said county, and shall bear the corporate seal of said county, and the coupons attached to these bonds shall bear the number of the bond as well as the number of the coupons, and shall be executed by the signing of the chairman of the board of commissioners or by his lithographic signature engraved or printed thereon.
- SEC. 3. A record shall be kept by the said board of commissioners in a separate book for this purpose, of all bonds sold in behalf of said township, and to whom, amount, and date of sale and the issuing of each bond, and its number.
- SEC. 4. In order to pay the interest on said bonds, create a sinking fund for taking up said bonds at maturity, to compensate laborers employed, and establish, alter, repair, and maintain the public roads and highways of Number Two Township in Cleveland County in good condition, the board of commissioners of the county of Cleveland, or other authorities vested with the power of levying taxes for said county, shall annually compute and levy, at the time of levying other county taxes, a sufficient tax on all polls, all real estate and personal property, and all other subjects of taxation in said township which said commissioners or other authorities now or hereafter may be allowed to levy taxes upon for any purpose whatever, always observing the constitutional equation between the taxes on property and taxes on poll: *Provided*, there shall not at any time be levied in Number Two Township in the county of Cleveland, for the purpose of road improvement, and including all expenditures made necessary by this act or any act or statute now existing, a tax greater than fifty (50) cents upon the hundred dollars of property and one dollar and

fifty cents on each poll: *Provided further*, that no sinking fund shall be created by such levy within less than ten years from the date of issuing said bonds; but the highway commission hereinafter created may use, for the purpose of this act, such sums of money remaining after the interest on said bonds shall be paid.

Proviso: sinking fund.

SEC. 5. That said taxes, when collected, shall be kept separate and apart from all other taxes, and shall be used only for the purpose for which they were collected, except as specified in section four of this act.

Taxes kept separate.
Specific appropriation.

SEC. 6. That it shall be the duty of the board of commissioners for Cleveland County to annually invest any and all moneys received from the special tax herein provided for the sinking fund in the purchase of any of said bonds, at a price deemed advantageous to said township by the said board of commissioners and to be agreed upon by them and the owners thereof. But in case said township bonds cannot be purchased at a satisfactory price, then the said commissioners are authorized and directed to invest said sinking fund upon security approved by them and upon terms advantageous to said township, and any money of said sinking fund so loaned and invested shall bear the legal rate of interest in North Carolina, and any interest from the said fund shall be annually invested in the same way; and the notes taken for said loan shall express on their face that the money borrowed belongs to said sinking fund.

Investment of sinking funds in bonds.

Alternative investments.

SEC. 7. That the money received from the sale of said bonds and derived from the special tax herein authorized to be levied, except a sufficient amount to pay the interest on said bonds, and the sum set apart for the sinking fund to pay the principal of the bonds, and such other sums of money as may be at the disposal of the highway commission hereinafter created, shall be used by them to purchase improved road-working machinery, to repair, survey, lay out, grade, surface, improve, and maintain the public roads in said township, either by contract or employing laborers, and for the purpose of carrying out the general provisions of this act.

Use of road funds.

SEC. 8. For the purpose of ascertaining the wishes of the voters in Number Two Township, Cleveland County, upon the question of issuing said bonds and improving the roads of said township as provided for in this act, an election shall be held in said township on the twelfth day of April, one thousand nine hundred and fifteen. At said election all voters in Number Two Township qualified to vote at said election may vote a written or printed ticket. Those who favor the purpose of this act shall vote a ticket with the words "For Good Roads" written or printed thereon, and those who oppose the purpose of this act shall vote a ticket with the words "Against Good Roads" written or printed thereon; and if a majority of the voters of Number Two Town-

Election on bond issue.

Date for election.

Tickets.

Effect of election.

ship, Cleveland County, who vote at said election shall vote "For Good Roads," then the bonds provided for in this act shall be issued and sold according to the provisions herein contained. The said election shall be held and the votes canvassed, the judges and registrars paid, and the result decided in the manner and form provided for election of members of the General Assembly, except said election officers shall appoint one of their number to make return of the official vote of said election to the first meeting of the board of county commissioners convening after the holding of said election, and at said meeting the board of county commissioners shall officially canvass, determine, and declare the result of said road bond election. In the event that the majority of the voters at said election fail to vote "For Good Roads," then the provisions of this act shall be inoperative. In the event the majority of electors voting at said election shall vote "For Good Roads," then no free labor shall be required of any of the citizens of Number Two Township on and after January first following the adoption of the provisions of this act.

SEC. 9. At the same time the foregoing election is held the electors shall vote for three citizens and taxpayers of Number Two Township, for members of the highway commission of Number Two Township, no two of whom shall reside in same voting precinct, and the three citizens and taxpayers who receive the majority of the votes cast at said election shall be declared elected as members of the said highway commission by the board of commissioners of Cleveland County, and the election officers appointed for the purpose of holding the elections in the respective precincts in Number Two Township shall certify the vote for members of the highway commission and deliver the same to the board of commissioners of Cleveland County in the same manner and at the same time that the vote of the bond issue is certified and delivered, and the three citizens and taxpayers receiving the majority of the votes cast at said election, and when declared elected by the board of commissioners of Cleveland County, shall serve for a period of two years and until their successors are elected and qualified, and their successors shall be elected at the next regular general election held in Cleveland County, and be elected in the same manner that justices of the peace are elected, and their names shall appear on the tickets prepared for justices of the peace and constable. Upon being declared elected highway commissioners, as above provided, the said members so elected shall file with the board of commissioners of Cleveland County a bond, with sufficient sureties, in the sum of three thousand dollars (\$3,000) for the faithful performance of their duties as prescribed by this act, and said bond shall be filed before they enter upon the discharge of any of their duties under this act; and at the same time said bond is filed they shall take and subscribe an oath

Law governing election.

Return of vote.

Canvass of returns.

Act inoperative.

Road duty abolished.

Election of commissioners.

Persons declared elected.

Return of votes.

Term of commissioners.

Election of successors.

Commissioners to give bond.

Commissioners to qualify.

for the faithful performance of their duties, and when thus qualified the same three citizens and taxpayers so elected shall be known, designated, and styled "The Highway Commission of Number Two Township" of Cleveland County. They shall each receive for their services three dollars per day during the time they are actually employed in the discharge of their duties assigned them by this act. They shall be allowed all necessary expenses for postage, stationery, attorneys' fees, and for such other additional expense as may be incurred by them in the discharge of their duties. The highway commissioners so elected and qualified shall immediately meet and elect one of their number chairman and another secretary of said commission, and the chairman and secretary shall certify to the board of county commissioners the name of the said chairman and secretary of the highway commission so elected. In the event that the majority of the electors voting at said election should vote "Against Good Roads," then the election of the highway commissioners as hereinabove provided shall be null and void and become inoperative.

SEC. 10. The highway commission of Number Two Township herein created shall be a body corporate, with the power to sue and to be sued, contract and be contracted with, and shall have all the rights and powers vested in corporations duly created by law, and shall have entire charge of the expenditure of the funds arising from the tax authorized by this act to be levied and collected, less the interest on the bonds issued and sold, and the amount set apart for the sinking fund; and the board of commissioners of Cleveland County shall turn over to the said highway commission of Number Two Township full and complete control of the roads and highways of said township, and said commissioners shall loan the highway commission of Number Two Township the road machinery and road implements now belonging to the said county for so much of the time as may appear to the board of commissioners to be just and equitable to other townships that may be now or may hereafter work their roads by taxation or by bond issue, taking receipt therefor; and it shall be the duty of the said highway commission herein created, immediately upon their qualification and organization as herein provided, to employ some competent and experienced man for such time or such portion of time as they may deem necessary, to have charge as road superintendent, or engineer, of the work of surveying, laying out the roads, and constructing and building same; and said commission shall have the roads of Number Two Township surveyed, graded, laid out, built, and constructed in such manner and in such way as to accomplish the best results with the money herein provided for, and for the purposes herein provided for. Wherever there shall be a change made in the location of any public road or new highways opened or old roads widened or straightened,

Official name.

Pay of commissioners.

Allowance of expenses.

Commissioners to meet and organize.

Certificate of organization.

Election void.

Incorporation.

Corporate rights.

Expenditure of funds.

Control of roads and highways.

Loan of equipment.

Employment of superintendent or engineer.

Road work.

Entry on lands.

Procedure for assessment of damages.

Proviso: notice to landowners.

Proviso: right of appeal.

Injunction not to lie.

Work may be let to contract.

Sale of bonds.

Orders for disbursement of funds.

Separate accounts.

Treasurer liable on bond.

No extra compensation.

Liability and duty of sheriff or tax collector.

and new land taken for the same, the highway commission, through its agents or employees, is hereby authorized to enter upon any land and locate and build such highways; and if the highway commission and the owner or owners of said land cannot agree as to the damages, if any, the highway commission shall, within sixty days after said highway is completed, cause to have summoned three freeholders, one of whom shall be named by the highway commission, one by the landowner, and the third by these two, who shall go upon the land and assess the damages and benefits under the general road law as it now stands: *Provided further*, that before entering upon the lands as authorized by this section it shall be the duty of the highway commission to serve notice upon the owner or owners of said land that the highways are to be located upon such land under the authority of this act; and *Provided, also*, that either party may appeal to the Superior Court upon the assessment of damages and benefits, where the matter shall be heard by jury *de novo*, but no costs shall be awarded against said highway commission on such appeal when the damages awarded by the jury are not greater than those given by the three referees, and in no case shall the highway commission be hindered from entering the lands of any person, firm, or corporation by injunction; and the said highway commission is further authorized to let the work of grading or building said roads, or repairing or maintaining them, by contract for any part of said road which they may deem advisable and for the best interest of the township.

SEC. 11. That the said board of commissioners of Cleveland County, upon demand made by the said highway commission, shall offer said bonds for sale in accordance with the terms of this act and the request of the said highway commission, and the funds received from the sale of said bonds and from the taxes herein levied shall be disbursed by the county treasurer, with whom it shall be deposited upon orders duly signed by the chairman of said highway commission and signed by the secretary thereof. The said county treasurer is hereby directed and required to keep a separate book of the moneys received by him from the proceeds received from the sale of said bonds and the disbursements and the date thereof made by him of the same, and the bonds of said treasurer shall be liable for the faithful accounting of the moneys received by him under this act. The treasurer shall receive no compensation for receiving or disbursing the funds under this act, and the sheriff or tax collector of Cleveland County shall receive no commission for collecting said taxes herein authorized to be levied, and the bond of said sheriff or tax collector shall be liable for the faithful accounting of taxes collected by him under this act, and the sheriff or tax collector shall collect said taxes.

SEC. 12. The board of commissioners of Cleveland County, upon the demand of the highway commission of Number Two Township, may issue and sell the bonds herein provided for in series and provide for the maturity of the respective series at any time from twenty to forty years from the date of issue.

SEC. 13. The highway commission of Number Two Township shall have all the powers, rights, authority, and privileges now granted under the general road law of the State or any other road law which may hereafter be adopted, and shall be vested with all the powers and authority which hitherto has belonged to the board of commissioners or of road supervisors in the management, conduct, and opening of roads in Number Two Township, except to require free labor of its citizens, and to regulate the opening of the cartways. Wherever roads are opened, created, surveyed, or constructed, said highway commission shall have the power to enter upon the lands in said township and take therefrom sand, clay, gravel, rock, or any other substance needed in the making of said roads, and where roads have been created or constructed they shall have the right to enter upon the lands on either side of said road and cut the timber therefrom for a sufficient distance on either side to permit the air and sunshine to reach said road to preserve it dry and in good condition: *Provided*, however, that the timber shall not be cut back from said road at a greater distance than one hundred feet on either side of the road; and for any damages which may be sustained by the landowner, either from taking the sand, gravel, clay, or rock from his land, or from cutting of timber, shall be determined and adjudicated in the same manner as provided in this act for damages for opening new roads, in the event the said highway commission and the landowner cannot agree as to damages; and *Provided further*, that wherever any timber is cut said timber shall remain the property of the landowner. Said highway commission shall have the power and authority to determine the width, grade, and location of roads in said township. The said highway commission is authorized, where the public roads cross a branch, creek, or river, to erect and construct thereover or have erected and constructed thereover such bridges as in their judgment may be necessary: *Provided*, that the cost of same shall be paid by the board of county commissioners out of such funds as may be collected by them in said township for bridge purposes.

SEC. 14. That the general law shall obtain as to the granting of cartways in Number Two Township, and the applicant for a cartway shall proceed in the same manner and under the same rules and regulations as if the bill had not been passed.

SEC. 15. That the board of commissioners of Cleveland County, at the first meeting following the passage of this act, shall appoint registrars and judges for election precincts in Number Two

Issue of bonds in series.

Powers under general laws.

Powers vested.

Cartways.

Entry on land for material.

Timber shading roads.

Proviso: limitation.

Assessment of damages.

Proviso: ownership of lumber.

Bridges.

Proviso: payment for bridges.

Cartways.

Appointment of election officers.

Notice of appointments and for election.

Township and cause notice to be published in a newspaper published in Cleveland County once a week for four successive weeks, giving the names of the registrars and judges of election for the precincts in said township and giving the date of election and the purpose for which said election is to be held.

Exclusive management and control of roads.

SEC. 16. In the event that this act shall be adopted and the bonds voted at the election herein provided for, then the purpose of this act is to give exclusive management and control of the public roads of Number Two Township to the highway commission of Number Two Township and to invest it with full power to do all the things necessary to be done in the furtherance of this act, and all acts in conflict herewith are repealed.

Act inoperative.

SEC. 17. In the event that the election is held on the date herein provided for, and the majority of the electors voting at said election shall vote "Against Good Roads," then this act shall become inoperative: *Provided, however,* that the board of commissioners of Cleveland County may order another election under the provisions of this act at such time or times as they may deem wise, upon the petition of at least thirty per cent of the voters of Number Two Township; and *Provided further,* that no election shall be held oftener than once in any calendar year.

Proviso: further election.

Proviso: limitation.

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

Ratified this 1st day of March, A. D. 1915.

CHAPTER 345.

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF WILKES TO ISSUE BONDS IN THE SUM OF \$500,000 TO BUILD AND IMPROVE THE PUBLIC ROADS OF SAID COUNTY AND TO PROVIDE FOR AND MAINTAIN SAME BY TAXATION.

The General Assembly of North Carolina do enact:

Bond issue authorized.

SECTION 1. That for the purpose of grading, building, and constructing of macadam, gravel, soil, sand-clay, topsoil, or other material, and otherwise improving and maintaining the public roads of Wilkes County the board of commissioners of said county is hereby authorized, empowered, and directed to issue bonds of the said county to an amount not exceeding five hundred thousand dollars, in denominations not exceeding one thousand dollars, bearing interest from the date thereof at not exceeding the rate of six per centum per annum, with interest coupons attached, payable semiannually at such time and place as may be directed by said board of commissioners, such bonds to be of such form and

Amount.

Denominations.

Interest.

tenor and transferable in such way and the principal thereof payable at such time or times, not exceeding forty years from the date thereof, and at such place or places as said board of county commissioners may determine; and the said board of county commissioners may divide the said issue into five series: *Provided*, that none of the bonds authorized by this act shall be disposed of, either by sale, exchange, hypothecation, or otherwise, for a less price than their face value.

SEC. 2. Such bonds shall be numbered and shall be signed by the chairman of the said board of commissioners and attested by the register of deeds of said county, and shall bear the corporate seal of said county; and the coupons attached to each bond shall bear the number of the bond as well as the number of the coupon, and shall be executed either by the signing of the chairman of the board of county commissioners and register of deeds of Wilkes County and the official clerk of said board or with their lithographed signatures.

SEC. 3. Such bonds, when prepared as prescribed in the preceding section, shall be turned over by the board of county commissioners to the good roads commission hereinafter created by this act, and said good roads commission shall, as hereinafter provided, sell said bonds and shall keep a record in a separate book for that purpose of all bonds sold, to whom sold, the amount and date of sale and the issuing of each bond, and its number, the number of coupons, and when due.

SEC. 4. In order to pay the interest on said bonds, create a sinking fund for taking up said bonds at maturity, and support a chain-gang and convict force, establish, alter, repair, and maintain the public roads and highways of said county in good condition, the board of commissioners for the said county of Wilkes, or other authorities vested with the power of levying taxes for said county, shall annually compute and levy, at the time of levying other county taxes, a sufficient special tax on all polls, all real estate and personal property, and all other subjects of taxation which the said commissioners or other authorities now or hereafter may be allowed to levy taxes upon for any purpose whatever, always observing the constitutional equation between the taxes on property and the taxes on polls: *Provided*, there shall not be at any time levied in the county of Wilkes for the purpose of road improvement, and including all expenditures made necessary by this act or any act or statute now existing, a tax greater than forty cents upon the hundred dollars of property and one dollar and twenty cents on each poll.

SEC. 5. The sheriff or tax collector of Wilkes County shall collect the tax provided for in the last preceding section without any commission thereon, and shall from time to time, not later than the first day of March of the year following that in which

Maturity.

Issue by series.

Proviso: sale below par forbidden.

Authentication.

Bonds delivered to good roads commission.

Sale and record of bonds.

Special tax.

Constitutional equation.
Proviso: limit of tax rate.

Collection of tax.

No commission allowed.
Settlement.

such taxes shall have been levied, turn the same over to the treasurer of the good roads commission.

Purchase of bonds
with sinking fund.

SEC. 6. That it shall be the duty of the good roads commission for the county of Wilkes to annually invest any and all moneys received from the special tax for sinking fund in the purchase of any of said bonds, at a price deemed advantageous to said county by said good roads commission, and to be agreed upon by them and the owners thereof. But in case said county bonds cannot be purchased at a satisfactory price, then the said commission is authorized and directed to invest said sinking fund upon security approved by them, and upon terms advantageous to said county; and any money of said sinking fund so loaned and invested shall bear a rate of interest not less than five per centum per annum, and any interest from the said fund shall be annually invested in the same way; and the notes taken for said loans shall express on their face that the money borrowed belongs to said sinking fund.

Investment of
sinking fund.

Fund expressed on
notes.

Use of road funds.

SEC. 7. That the money received from the sale of said bonds and derived from the special tax herein authorized to be levied, except a sufficient amount to pay the interest on said bonds, and the sum set apart for the sinking fund to pay the principal of said bonds, shall be used by said good roads commission to purchase improved road-working machinery, to survey, lay out, grade, surface, improve, and maintain the public roads and bridges of said county and in guarding and maintaining such convict force as may from time to time be assigned to work on said roads and the keeping of the public roads in repair.

Acceptance of
State aid.

SEC. 8. If any act shall be passed at this or any subsequent session of the General Assembly authorizing the State to loan money to the counties to aid in building or improving public roads, taking county bonds as collateral for said loans, then the good roads commission for Wilkes County, or other proper authorities of said county, are hereby authorized and empowered to avail themselves of the privileges and benefits of any such act.

Commissioners
named.
Incorporation.
Corporate name.
Corporate powers.

SEC. 9. That T. C. Myers, C. R. Triplett, W. A. Hendrix, R. Don Laws, and H. W. Horton, and their successors in office, are hereby incorporated under the name of the "Good Roads Commission of Wilkes County," and by that name may sue and be sued, make contracts, and do all things necessary to carry out the provisions of this act, and shall receive the same compensation as is now or may hereafter be allowed the board of commissioners of Wilkes County.

Pay of commis-
sioners.

Political affiliation.
Elections by
general assembly.

SEC. 10. That not more than three of said commissioners shall belong to one and the same political party, to be designated by the General Assembly as their terms expire, except as hereinafter provided, and T. C. Myers, C. R. Triplett, and W. H. Hendrix, and their successors, shall hold office for four years; R. Don Laws and

Terms of office.

H. W. Horton shall hold office for two years, and their successors shall hold office for four years. Should a vacancy occur by death, resignation, or removal, or otherwise, the same shall be filled by the said commission by choosing some one of the same political faith as was the member whose place became vacant, and such successor so chosen shall hold office until his successor shall be chosen by the Legislature and shall qualify.

SEC. 11. That as soon as practicable after any election held under the provisions of this act, and which shall result in favor of good roads, the members of the good roads commission shall qualify by taking the oath of office before some person authorized to administer oaths, and shall meet and organize by electing one of their members chairman, and another secretary, and another one of their members or some other suitable person treasurer. The treasurer shall not be allowed fees, but his salary shall be fixed by the good roads commission at a sum not to exceed six hundred dollars per annum. He shall be required to execute a bond, with good and sufficient sureties, to be approved by said good roads commission, in a sum double the amount of money that may come into his hands during any one year: *Provided*, that said good roads commission, in lieu of providing for a treasurer, may deposit such sums as may come into their hands in any or all of the responsible banks in Wilkes County, which said banks shall keep a faithful and just account of all such funds and how disbursed, and render statements thereof to said good roads commission whenever called upon to do so, and shall pay such interest on such sums as may be deposited with them as may be agreed upon by themselves and said good roads commission.

SEC. 12. The good roads commission shall have the power and authority to locate, relocate, widen, or otherwise change any public road or highway, or parts of the same, in said county, or lay out and establish any new public road, when in their judgment such location, relocation, widening, or other change or the opening of a new public road is deemed necessary and advantageous to the public travel; and said good roads commission shall have the further right to abandon and discontinue any public road or highway if the same is unnecessary and not advantageous to public travel; but the said good roads commission, before locating, relocating, widening, or changing any public road, or establishing a new public road, shall cause a survey of the same to be made by some competent engineer, and said commission shall further find that said changes, locations, relocations, and the openings of new public roads are necessary and advantageous to public travel: or, if said commission desire the discontinuance or abandonment of a public road, they shall state that said public road is unnecessary and not advantageous to public travel. The said good roads commission shall give to the landowners on and over whose lands any changes,

Vacancies.

Commissioners to qualify.

Meeting and organization.

Salary of treasurer.

Bond of treasurer.

Proviso: deposits.

Depository to render statements.

Interest on deposits.

Establishment and changes of roads.

Discontinuance of roads.

Surveys required.

Findings to be made by board.

Notice to land-owners.

location, or relocation of any public road, or the establishment of any new public road is to be made, or the discontinuing and abandonment of any public road, at least twenty days notice in writing of the time and place of deciding upon such change; and if any of the landowners on or over whose land the proposed changes are to be made and the new road established, or any road to be abandoned or discontinued, are minors, idiots, or lunatics, such notice shall be given to them and their duly appointed guardians, or if no guardian has been appointed, then such notice shall be given to any person with whom they are living. If any landowner is a nonresident, the said notice shall be mailed to him at his place of residence or be published in some newspaper published in Wilkes County for twenty days before the decision by said commission. The said commission, upon the day of hearing set by them, shall either make an order granting the change, location, or relocation of any public road or the opening and establishing of any new public road, which order, when so made, shall be a condemnation of the land or lands mentioned over which said roads may run, or such part thereof as shall be fully set out in the order; and if the order be for discontinuing and abandoning the public road, said order shall describe the same, ordering the discontinuance and abandonment. Any person owning land on or over which said changes are to be made, or said public road is to be discontinued or abandoned, shall have the right to appeal to the Superior Court of Wilkes County for a trial *de novo* upon the order of said commission, but he shall give a good and sufficient bond for the costs as in like cases of appeal; but the taking of said appeal shall not delay the changing, locating, or relocating of any public road or the discontinuing or abandoning of any public road according to the terms of the order made therein by said good roads commission, and said appeal shall only establish the quantum of damages which may exist because of the acts of the good roads commission as contemplated in this section.

SEC. 13. Any person who shall obstruct a public road or the surveyor or any employee of the good roads commission as road surveyor in making a survey, in changing the road, or the opening of a new public road or highway, shall be guilty of a misdemeanor, and upon conviction therefor shall be fined or imprisoned, or both, in the discretion of the court; and any person or persons who shall obstruct any one authorized by this section to open or change any public road or highway shall be guilty of a misdemeanor, and upon conviction thereof shall be fined or imprisoned, or both, in the discretion of the court; and it is hereby made the duty of the solicitor to prosecute all offenses against the provisions of this act. If, after changing, locating, or relocating any public road or highway, or opening or establishing any new public road or highway, any person be aggrieved, and he and the good roads

Notice to persons under disability.

Notice to non-residents.

Order upon hearing.

Condemnation of land.

Right of appeal by landowners.

Bond on appeal.

Appeal not to delay work.

Quantum of damages.

Obstructing roads or surveys a misdemeanor.

Punishment.

Obstructing opening or change a misdemeanor.

Punishment.

Solicitor to prosecute.

Procedure for assessment of damages.

commission cannot agree and fix the amount of damages for locating or relocating of such public road or highway, or opening or establishing any new public road, he may, within six months of said change, location, or relocation of said public road or highway, or the opening or establishing of a new public road, apply to the clerk of the Superior Court, who shall appoint a jury, to consist of three freeholders, to assess the damages; and the said jury in determining said damages shall take into consideration the benefits accruing to the property, subtract one from the other, and the result shall be their verdict; and the said damages, if allowed, shall be paid out of the road fund of the county; and if the jury award no more damages than the amount offered by the good roads commission, then the party aggrieved shall pay all cost for making the said assessment of damages: *Provided*, that the good roads commission or persons so aggrieved shall have the right to appeal to the Superior Court, after giving good and sufficient security for costs.

Proviso: right of appeal.

SEC. 14. That for the purpose of carrying out the provisions of this act the good roads commission, through its superintendent or road engineer or supervisor, after first consulting the owner or owners, agent or agents, of the land from which material for building and repairing roads is gotten, is hereby authorized to enter upon any land, to take or cause to be taken or carried away any gravel, sand, clay, rock, soil, stone, or other material which may be necessary to construct, improve, or repair said roads, together with the free ingress and egress from said roads for the transportation of said material.

Entry on land for material.

SEC. 15. That if any owner of land, or the agent or agents of said owner having in charge lands from which stone, gravel, soil, sand, clay, or rock or other material was taken, as aforesaid, shall present an account for the same to the good roads commission or to its superintendent, or other duly authorized employee, it shall be the duty of said commission to pay a just and reasonable price for the same; and any owner, agent or agents, shall have the right to appeal from said commission to the Superior Court to determine the value of such stone, sand, clay, soil, rock, gravel, or other material; but said good roads commission, through its superintendent, surveyor, or other duly authorized employee, shall not be prevented from entering upon any lands as aforesaid and using material as aforesaid at any time desired, whether the claim of the owner is made prior to or before the entry upon said land for said material.

Presentation and payment of accounts.

Right of appeal.

Appeal not to delay work.

SEC. 16. It shall be the duty of the good roads commission of Wilkes County to elect some competent and experienced engineer to pay out and supervise the building, improving, and maintenance of the public roads of the county of Wilkes and fix his compensation, and appoint such assistants and overseers as may be neces-

Employment and pay of engineer, assistants, and overseers.

Maps, profiles, and estimates.	sary. It shall be the duty of the said engineer, under the direction of the said good roads commission, and whenever they may so direct, to make maps and profiles of all the roads to be located, built, macadamized, or otherwise improved, and furnish estimates of the dirt, stone, or other material to be moved or used in the construction, macadamizing, and maintenance of said roads; and if the said good roads commission shall determine to let any part of the grading, macadamizing, improving, or construction of said roads by contract, then the corporation, partnership, and persons so bidding for said work shall bid upon the specifications for the same furnished by said engineer. The said good roads commission is hereby authorized to let the grading and surfacing or the grading or surfacing or the construction by contract of any section of road to be built, or any subdivision of any road to be built, to any person, partnership, or corporation, requiring the said person, partnership, or corporation to give a bond in such amount as the said commission may decide to complete the said road in accordance with the said specifications of the said engineer within the time prescribed by the said good roads commission; or the said good roads commission may hire labor and convicts, and use the convict force of the county of Wilkes, or other counties, and have the said roads graded and macadamized or constructed under the direct supervision and under such superintendents as it may employ, whichever it shall determine to be the most advantageous to the people of the county of Wilkes.
Bids on specifications.	
Work may be let to contract.	
Contractors to give bond.	
Work by hired labor and convicts.	
Bonds delivered to commission.	Sec. 17. Immediately upon the preparation and signing of said bonds the said board of county commissioners shall turn over to the chairman of the good roads commission hereinafter provided for all of said bonds, without the county seal having been affixed to any of them. The good roads commission shall have the power to advertise and sell any or all of said bonds, at such time and place or times and places as they may deem best, for the purpose of raising a fund with which to construct and improve the public highways of said county as aforesaid; the expense of such advertising and selling, or other necessary expenses in regard thereto, to be paid out of the funds arising from the sale thereof. Before delivering any of the bonds sold by the provisions of this section and under this act, the chairman of the good roads commission shall apply to the custodian of the seal of Wilkes County, whose duty it shall be to affix said county seal to the bonds so sold, and no bonds shall be of any value until such seal is so affixed. Said bonds shall not be disposed of in any way for less than their face value, nor shall they or their proceeds be used for any other purpose than those declared by this act: <i>Provided, however,</i> that the purchasers of said bonds shall not be required to see to the application of the fund. The good roads commission shall record all their proceedings in respect to said bonds in the minutes of their
Sale of bonds.	
Payment of expenses.	
Bonds sealed before delivery.	
Sale below par forbidden.	
Specific appropriation. Proviso: purchasers not liable for application. Record of bonds.	

meetings, and whenever the same are sold, the number of bonds and their denominations, to whom sold, and the number of coupons attached. Said minutes shall always be open to the inspection of the board of county commissioners.

Record open for inspection.

SEC. 18. When any of the bonds provided for in this act are sold the proceeds of the sale shall be turned over to the treasurer of the good roads commission and shall become part of the good roads fund hereinafter provided for. All orders directed to the treasurer or other custodian of said fund for the payment of money under this act shall state on their face that they are good roads orders, and to what account they are chargeable, and they shall be signed by the chairman and secretary of said good roads commission.

Proceeds turned over to treasurer.

Orders on fund.

SEC. 19. That the intent of this act is to provide for a uniform, comprehensive, and practicable system of good roads in Wilkes County, calculated in a general way to serve the needs of every section thereof, and to that end the good roads commission shall expend the funds coming into its hands so far as practicable and consistent with the general purposes of this act in the various townships of said county in proportion to the amount of road tax each pays: *Provided*, that not less than twenty-five per cent of North Wilkesboro Township's share of the total bond issue, as per the foregoing basis, shall be spent in other townships.

Uniform system of roads.

Expenditures in townships in proportion to road tax.

Proviso: proportion to North Wilkesboro.

SEC. 20. That the good roads commission, in ordering the laying out and construction of new roads or the repair of old highways, shall always have in view a uniform, comprehensive system of good roads that shall benefit the county as a whole, and to that end the roads shall, so far as practicable and consistent with the general purposes of this act, radiate from or converge towards the depots at Ronda, Roaring River, North Wilkesboro, the courthouse at Wilkesboro, and the depots of Goshen and Ferguson, or other important railroad or commercial and industrial centers in and about the county and the county line; and said commission is authorized and directed to expend the proceeds of said bonds as rapidly as they can be wisely or judiciously expended for the purposes in this act expressed, upon an equitable basis, in the construction of said system of public roads.

System kept in view.

Central points.

Expenditures.

SEC. 21. The roads to be laid out, built, and constructed by the good roads commission under this act shall be of the width and grade necessary for the proper construction of said roads, which width and grade may be determined by them within their discretion, taking into consideration the locality of the road. The said good roads commission are authorized, wherever the public roads shall cross a branch, creek, or river, to erect and construct thereover such bridges as in their judgment may be necessary.

Width and grade.

Bridges.

SEC. 22. Judges of the Superior Court, justices of the peace, and mayors holding court in Wilkes County are hereby authorized to

Convicts sentenced to road work.

- Convicts assigned to commission. sentence to work on the public roads of said county or township thereof persons convicted of misdemeanors and crimes in their courts held in said county. Persons thus sentenced shall be assigned by the board of county commissioners to the custody and control of the good roads commission. Said convicts, while in the custody and under the control of the said good roads commission, shall be employed in the construction or repair or maintenance of highways under the provisions of this act, and the expense of maintaining and guarding such convicts while so employed shall be paid by the good roads commission out of the road fund of the county. Upon application of the good roads commission for Wilkes County, it shall be lawful for the judge or recorder holding courts in any other county in the State to sentence persons convicted of like crime to work on any of the public roads in Wilkes County.
- Employment of convicts.
- Expense of maintenance and guarding.
- Convicts from other counties.
- Itemized statements published quarterly.
- No further road tax.
- Commission to adopt system.
- Funds applicable to road work.
- Manner and method of road work.
- Road supervisors for townships.
- Powers of supervisors.
- Pay of hands and supervisor.
- Monthly reports.
- Election to be ordered.
- SEC. 23. The treasurer of the good roads commission or other custodian or custodians of the good roads funds shall quarterly publish in some newspaper published in the county of Wilkes an itemized statement of all receipts and disbursements by him or them made of moneys received under the provisions of this act.
- SEC. 24. That no tax shall be levied for road purposes except such as provided for in this act.
- SEC. 25. That it shall be lawful for the good roads commission of Wilkes County to adopt a uniform system of maintaining the public roads of Wilkes County not otherwise provided for in the preceding sections of this act; and said commission is authorized to use so much of the funds raised by taxation under this act for road purposes as may not be necessary for the payment of the coupons, the sinking fund, and the chain-gang aforesaid, and also use for said purposes any moneys not otherwise appropriated of the general funds of Wilkes County. They shall provide the manner and method of working said roads with the view to keep them in good repair in every section of the county.
- SEC. 26. That the good roads commission shall, if this act becomes effective by the issue of the bonds herein provided for, organize the whole county, to the end that the roads may be kept up; by appointing a road supervisor in each township, who shall have the oversight of repairing all the old roads, appointing overseers, assigning sections, and the said supervisor shall pay hands one dollar per day for ten hours work, and himself one dollar and fifty cents per day for the actual time spent in organizing and superintending the upkeep of the roads of his township, and make a report monthly to the good roads commission, as said commission may direct.
- SEC. 27. That for the purpose of carrying out the provisions of this act the board of commissioners of Wilkes County be and it is hereby empowered and directed to submit to the voters of Wilkes County, upon presentation of a petition or petitions signed by two

hundred qualified voters of said county, the question whether said county shall issue bonds in the sum of five hundred thousand dollars, with interest coupons attached, the proceeds of which to be used for grading, improving, macadamizing, or otherwise surfacing the public roads of said county. The said board of commissioners shall for at least thirty days before the election give public notice of such election, together with the purpose thereof, by publication in one or more newspapers published in said county: *Provided*, that if a majority of the voters of said county shall not vote to issue bonds at the election so held, said board of commissioners may submit the said question to said voters at any other time or times, upon like terms and under the regulations hereinafter set out.

Question to be submitted.

Notice of election.

Proviso: further elections.

SEC. 28. That any election under the provisions of this act shall be conducted in the same manner as it is now or may hereafter be prescribed by law for holding elections for the General Assembly: *Provided, however*, that the said board of commissioners shall appoint the registrars of election, the judges or inspectors, and any other election officers, and registration and challenge of voters shall be conducted in the same manner as it is now or may hereafter be provided for the election of members of the General Assembly; and said county commissioners shall order a new registration for the first election held hereunder, and may or may not order a new registration for any other of said elections. The vote shall be counted at the close of the polls and returned to the said board of commissioners on the Thursday next following the election, and said board shall tabulate and declare the result of the election, all of which shall be recorded in the minutes of said board of county commissioners, and no other recording and declaring of the result of the election shall be necessary.

Law governing election.

Proviso: election officers.

Registration and challenges.

New registration.

Count and return of vote.

Canvass and record of returns.

SEC. 29. That at said election or elections the ballots tendered and cast by the voters shall have written or printed upon them "For Good Roads Bond Issue" or "Against Good Roads Bond Issue," and all electors who favor the issuing of said bonds shall vote for good roads bond issue and those opposed to the issuing of the bonds shall vote against good roads bond issue.

Ballots.

SEC. 30. In the event that the majority of the votes cast shall be for the bond issue at any election herein provided for, after the result has been declared and recorded as aforesaid the board of commissioners of the county shall have bonds prepared of the denomination and character provided in section one of this act, the total amount being that provided for in section twenty-seven of this act, and they shall be styled "Wilkes County Highway Improvement Bonds."

Preparation of bonds.

Official entitlement.

SEC. 31. In case the election shall be in favor of issuing bonds as aforesaid, the board of county commissioners shall levy annually the first Monday in June, or whenever under the law they

Special tax.

levy other taxes, a separate road tax for the county on the one hundred dollars worth of property of not less than twenty-five cents nor more than forty cents, and not less than seventy-five cents nor more than one dollar and twenty cents on the poll, as recommended by the good roads commission, the subject of the taxation and the levying of the tax to be the same as those on which the board of county commissioners are now or hereafter may be authorized to levy taxes for general county purposes. The taxes so levied shall be collected as other taxes, and the same shall be a separate fund, to be applied, first, to the interest on said bonds; second, to the creation of adequate sinking fund for the redemption of said bonds; third, for the maintenance of the roads constructed under this act and of the dirt roads. The sinking fund shall be held by said good roads commission on special trust for the payment of the bonds issued under the provisions of this act, and neither the principal thereof nor the interest thereon shall be used for any other purposes. The good roads commission shall manage and invest the funds at their discretion until paid out for the redemption of the bonds sold under authority of this act at their maturity. Balance of the fund raised by the annual road tax, after paying the annual interest on the bonds and setting aside the sinking fund, shall be paid over to the treasurer of the good roads commission, or other duly appointed custodians thereof, and become part of the good roads fund to be expended for the maintenance of the roads.

Limit of rate.

Collection.

Separate fund.

Specific appropriation.

Sinking fund a special trust.

Diversion forbidden.

Management and investment of funds.

Balance to good roads fund.

Election by sections or townships.

Law governing election.

Proviso: further elections.

SEC. 32. That irrespective of whether the question of an issue of bonds in the amount of five hundred thousand dollars for the road improvement in the county at large shall or shall not be submitted to the qualified voters thereof, as hereinbefore provided, it shall be lawful for and the duty of the county commissioners of Wilkes County, upon the presentation to them of a petition or petitions signed by one-fifth of the qualified voters of that section of Wilkes County lying on the north side of Yadkin River as a whole, or that section lying on the south side of said river as a whole, or of any township or group of townships of Wilkes County, to order an election for such section, township, or group of townships so petitioning, for the purpose of submitting to the qualified voters thereof the question whether said section, township, or group of townships shall issue bonds in such amount as is named in the petition or petitions asking for said election, the proceeds of said bonds to be used for the construction, repair, and maintenance of the public roads in said section, township, or group of townships. Said election shall be held in all respects as provided in sections twenty-seven, twenty-eight, and twenty-nine of this act for an election upon a question of an issue of bonds for the county at large: *Provided*, that if a majority of the qualified voters of such section, township, or group of townships shall not vote to issue

bonds at the election so held, said board of commissioners may submit the said question to said voters at any other time or times under the same regulations as are herein provided for the election.

SEC. 33. That for the purpose of carrying out the provisions of such parts of this act as relate to issuing good roads bonds by any section of Wilkes County, or by any township or group of townships thereof, the board of commissioners of Wilkes County are hereby constituted the agents of any such section, township, or group of townships, for the purpose of issuing said bonds, levying the necessary tax to pay the interest thereof and to create a sinking fund with which to pay the principal thereof at maturity.

Fiscal agents of sections or townships.

SEC. 34. In the event that the majority of the votes cast at any such election in said section, township, or group of townships shall be for the bond issue, after the result has been declared and recorded as aforesaid, the board of commissioners of the county shall have bonds prepared to the amount so voted of the character and denomination of those mentioned in section thirty of this act and in the same manner as therein provided for their issue.

Issue of bonds for sections or townships.

SEC. 35. That the provisions of section seventeen of this act shall apply in all respects to the issue of such bonds as may be issued for and in behalf of any section, township, or group of townships in Wilkes County.

Section applicable to minor bond issues.

SEC. 36. That in the event that any section of Wilkes County, as hereinbefore provided, or any township or group of townships thereof, shall vote in favor of a bond issue for the laying out, construction, repair, and maintenance of the public roads therein, then the good roads commission of Wilkes County hereinbefore provided for in this act shall, as early as practicable, take oath of office and organize by the election of a chairman, secretary, and treasurer, as hereinbefore provided in this act. Said good roads commission for Wilkes County shall appoint a subcommission, to be composed of three competent men of good and moral character, not more than two of whom shall belong to the same political

Good roads commission for sections or townships.

faith. These men shall reside in the section, township, or group of townships voting bonds for road improvement, and shall be known as road supervisors for said section, township, or group of townships, and shall take an oath to faithfully perform the duties of their office. It shall be their duty, subject to the approval of the good roads commission for Wilkes County, and under the advice, supervision, and approval of the county road engineer, or such other competent road engineer as may be provided by the good roads commission for Wilkes County, to provide for the laying out, building, surfacing, and completing new public highways, and changing, relocating and improving old highways in such section, township, or group of townships. The good roads commission shall have and exercise all the authority and rights with respect to the condemnation of land for highways and taking

Subcommission.

Residence of sub-commissioners.
Official designation.

Supervisors to qualify.
Duty of supervisors.

Authority and powers.

Uniform system. material for the construction and surfacing thereof as is herein-before conferred upon them by this act in respect to highways for the county at large, and shall exercise said authority and enjoy said rights in the same manner. The highways and roads provided for in this section shall be laid out, surveyed, constructed, repaired, and improved with the view that they shall become a part of a general and uniform system of good roads for the entire county in the event and whenever the entire county or a large part thereof shall have voted bonds for good roads.

Bonds of sub-divisions taken up. SEC. 37. That in the event and whenever the county of Wilkes, as a whole, shall vote bonds for good roads under the provisions of this or any other act, then the bonds issued for and in behalf of any section of the county, or any township or group of townships, under the provisions of this act may, in the discretion of the good roads commission, be taken up and replaced by good roads bonds issued for and in behalf of the entire county, under such terms and conditions as may be fair and equitable to all parties interested. That the good roads commission shall require surveyors, superintendents, and overseers to employ, so far as practicable, citizens of Wilkes County to do the work of building and maintaining the system of good roads in this act provided for.

Employment of citizens. Road duty abolished. SEC. 38. That in the event and whenever Wilkes County or any section, township, or group of townships thereof shall vote bonds under the provisions of this act, and shall sell said bonds and get ready to operate the road system provided in this act, then all laws and clauses of laws providing for the working of roads in said county, or any section, township, or group of townships, as the case may be, under any other system, are hereby repealed in so far as they apply to said county, section, township, or group of townships, respectively.

SEC. 39. That this act shall be in force from and after its ratification.

Ratified this the 1st day of March, A. D. 1915.

CHAPTER 346.

AN ACT TO PROVIDE GOOD ROADS IN No. 6 TOWNSHIP, EDGECOMBE COUNTY.

The General Assembly of North Carolina do enact:

Trustees. SECTION 1. That B. C. Pittman, Henry L. Speight, G. R. Gammons, A. Anderson, and W. T. Braswell are hereby constituted a board of trustees for the public roads of Number Six Township in Edgecombe County. The first three shall hold the position of trustee for four years, the last two for two years. At the expiration of the terms of any of said trustees their successors shall be

Terms of office. Election of successors.

elected by the qualified voters of Number Six Township at the regular biennial election as other township officers are elected. All vacancies caused by death, resignation, or removal from said township shall be filled for the unexpired term by the remaining members of said board: *Provided*, that the position of such trustee shall not constitute an office within the meaning of article seven, section fourteen, of the Constitution of North Carolina.

SEC. 2. That the said board of trustees and their successors shall be and are hereby constituted a body corporate by the name and style of "The Board of Road Trustees for Number Six Township," and by that name may sue and be sued, make contracts, acquire real and personal property by gift, purchase, or devise; hold, exchange, and sell the same, and exercise such other rights and privileges as are incident to other municipal corporations.

SEC. 3. That it shall be the duty of said board of trustees to take control and management of the roads of said Number Six Township, and said trustees are hereby vested with all the rights and powers for such control and management as are now vested in and exercised by either the "road commissioners for Whitakers Road District" or by the county commissioners of Edgecombe County: *Provided*, that nothing in this act shall be construed to apply to the bridges in said Number Six Township, the cost of repairing or building of which shall exceed the sum of fifty dollars in any one instance, the cost of repairing and building such bridges to be paid, as heretofore, out of the general fund of Edgecombe County.

SEC. 4. The board of trustees shall annually elect a chairman and secretary and a treasurer. The treasurer shall have charge of all road funds of the township and may be required to give bond in sufficient amount to cover the funds coming into his hands. The board of trustees shall annually elect three of their board, who shall constitute and be known as the executive committee. This committee shall meet at stated intervals as may be directed by their trustees, shall have a chairman and secretary, shall order and issue vouchers for the payment of general expenses connected with working the roads and to purchase all machinery and implements, which said vouchers shall be signed by the chairman and secretary of the said committee and a record thereof kept; and the board of trustees may delegate to said executive committee any and all of its powers, except that of issuing bonds; said trustees shall serve without compensation, except that said board of trustees may pay to the secretary of said board a sum not to exceed two and a half dollars per day for each day he shall actually spend in performing the duties of his said office, in no case to exceed the sum of fifty dollars for any one year.

SEC. 5. The said board of trustees may annually elect a superintendent of roads for said Number Six Township, who shall be paid such compensation out of the road fund of said township as

Vacancies.

Proviso: trustees not officers.

Incorporation.

Corporate name.

Corporate powers.

Control and management of roads.

Rights and powers vested.

Proviso: bridges a charge on county.

Organization of board.

Treasurer.

Bond of treasurer.

Executive committee.

Meetings and organization.
Vouchers.

Powers to be delegated.

Trustees to serve without pay.
Pay of secretary.

Election and pay of superintendent.

Term of office.	may be fixed by said trustees, and who shall hold office at the option of the trustees, and may be removed by said board of road trustees at any time. It shall be the duty of said superintendent, subject to the approval of the board, to supervise and direct the maintenance and construction of all public roads in Number Six Township, and he shall submit to said executive committee a monthly report concerning the work in progress and the moneys expended and such other reports as may be required of him. As a guarantee of the faithful and honest discharge of the duties of his office the said board may require of said superintendent such bond as may be deemed advisable.
Supervision and direction of road work.	
Monthly reports.	
Bond of superintendent.	
Purchase of equipment.	SEC. 6. The said board of trustees may purchase such machinery and implements as may be needed for the proper construction and working of the roads; may employ a competent engineer or surveyor, and may exercise such other powers and privileges as may be needed for the carrying out of the purposes and provisions of this act, not inconsistent with or superior in authority to the provisions of this act itself. They shall have authority to employ counsel in all matters in which they may deem it necessary and to pay such counsel out of any funds that may come into their hands as such road trustees.
Engineer.	
Other powers and privileges.	
To employ counsel.	
Township not liable to general road tax or duty.	SEC. 7. That the property embraced within the boundaries of Number Six Township shall not be liable to the county of Edgecombe for any road tax to be used outside of said Number Six Township, nor shall the persons living in Number Six Township be liable for any personal road services after this act shall have gone into effect; nor shall the county of Edgecombe be liable for any expense of public roads in said district after this act shall have gone into effect, except on account of repairs or construction of bridges, as aforesaid, costing more than fifty dollars, which said bridges shall be repaired or constructed as aforesaid out of the general fund of the county of Edgecombe.
County not liable for township road expense.	
Entry on land for material.	SEC. 8. That the superintendent of roads of Number Six Township is hereby authorized to enter upon any uncultivated lands near to or adjoining any public road of said township, to cut and carry away timber, except trees or groves on improved land planted or left for shade or ornament; to dig or cause to be dug and carry away any gravel, sand, clay, or stone which may be necessary to construct, improve, or repair such roads, and enter upon any lands adjoining or lying near such roads in order to make such drains or ditches through the same as he may deem necessary for the betterment of the road; and the drains and ditches so made shall not be obstructed by the occupants of such lands or any other person, and any person obstructing such drains or ditches shall be guilty of a misdemeanor and fined not exceeding fifty dollars or imprisoned not more than thirty days. If the owner of any land from which timber, stone, clay, or gravel or
Drains or ditches.	
Obstructing drains or ditches a misdemeanor.	
Punishment.	
Presentation and payment of claims.	

sand were taken, as aforesaid, shall present an account for the same through said superintendent to said board or executive committee within thirty days after the taking thereof, it shall be the duty of said board to pay for same at a fair price; and in case of any disagreement as to the value, the superintendent of roads shall appoint one freeholder, the person claiming the damages a second, and these two a third, which said freeholders shall assess said damages and report the same in writing to the superintendent of roads.

Arbitration of damages.

Sec. 9. That the said superintendent of roads, with the approval of the trustees or executive committee, is hereby given discretionary power to locate, relocate, widen on one or both sides, or change any part of any public road in said township when in his judgment the same will prove advantageous to public travel; that when any person on whose lands the new road or part of the road is to be located or widened claims damages therefor, and within thirty days petitions said board of trustees for a jury to assess the damages, the said trustees shall within not less than fifteen nor more than sixty days after the completion of said road order a jury of three disinterested freeholders of Number Six Township, to be selected and summoned by the sheriff of Edgecombe County as provided by law, who shall give said landowner forty-eight hours notice of the time and place when and where the said jury will meet to assess his damages; and said jury, in considering the question of damages, shall also take into consideration the benefits to the owner of the land, and if such benefits be considered equal to or greater than the damages sustained, the jury shall so declare, and it shall report its findings in writing to said trustees for revision and confirmation: *Provided*, that such owner may appeal to the Superior Court of Edgecombe County from the decision of said trustees.

Location and change of roads.

Procedure for assessment of damage.

Proviso: right of appeal.

Sec. 10. That the said board of road trustees shall be and are hereby authorized and empowered to issue bonds of said Number Six Township, to be styled "Number Six Township Road Bonds," to an amount not to exceed forty thousand dollars, of such denomination and of such proportion as such board may deem advisable, bearing interest from the date of issue thereof at a rate not exceeding six per cent per annum, with interest coupons attached, payable annually or semiannually, as may be deemed best, at such time or times and at such place or places as may be deemed advisable by said board of trustees; said bonds to be signed by the chairman and secretary of said board and to be of such form and tenor and transferable in such way, and the principal, or any part thereof payable or redeemable at such time or times, not exceeding forty years from the date thereof, and at such place or places as said board of trustees may determine. None of said bonds shall be disposed of for a less price than their par value, and

Bond issue authorized.

Entitlement.

Amount.
Denominations.

Interest.

Authentication.

Maturity.

Sale below par forbidden.

Obligation of bonds.	said bonds may be issued at such time or times and in such amount or amounts as may be deemed best to meet the expenditures provided for in this act. The liability for the payment of said bonds, together with all interest that may be due thereon, shall be attached to and imposed upon the political division of Edgecombe County known as Number Six Township as constituted at the time of the ratification of this act: <i>Provided</i> , that said board of trustees may use such other or tax as may come into their hands for the purpose of paying the principal or interest on said bonds.
Proviso: fund for payment of bonds.	
Special tax.	<p>SEC. 11. That for the purpose of providing for the payment of said bonds and the interest thereon and for the construction and improvement and maintenance of the roads of said township, the board of county commissioners shall annually, and at the time of levying the county taxes, levy and lay a special tax on the persons and property subject to taxation within the limits of said Number Six Township of not less than fifteen cents and not more than fifty cents on the one hundred dollars assessed valuation of property and not less than forty-five cents and not more than one dollar and fifty cents on each taxable poll. The taxes so levied shall be collected as other taxes are collected and paid by the sheriff or other tax collector direct to the treasurer of said board of road trustees, and the treasurer of Edgecombe County or said Edgecombe County shall have no right to any commissions on said amounts so collected.</p>
Limit of rate.	
Collection and settlement.	
No commission allowed.	
Act to be submitted to election.	<p>SEC. 12. That the provisions of all of the preceding sections of this act shall be submitted to a vote of the qualified voters of said Number Six Township at an election to be held on a day to be designated by the board of county commissioners of Edgecombe County; said date for holding said election shall be determined by the written request of a majority of the board of road trustees for Number Six Township as named in section one hereof. For the holding of said election the said county commissioners shall appoint a registrar and two poll-holders and any other officers necessary to said election, and shall order a new registration. At the close of said election the said registrar and poll-holders shall count and canvass the vote cast and declare the result thereof, and shall report such canvass to the board of county commissioners at their next regular meeting held after the date of said election, which said report shall be recorded in the minutes of said board of commissioners, and no other report, canvass, or recording shall be necessary. At said election all voters who shall favor the issue of bonds, the levy of a special tax, and the other provisions of this act shall cast ballots on which shall be written or printed "For Good Roads"; those opposed to such shall cast ballots on which shall be written or printed "Against Good Roads." In all other respects said election shall be held and conducted in</p>
Date for election.	
Election officers.	
New registration.	
Count and canvass of vote.	
Report and record of canvass.	
Ballots.	
Law governing election.	

the manner prescribed for the election of members of the General Assembly. If a majority of the qualified voters of said township shall vote "For Good Roads," then said bonds shall be issued and said tax levied and such other powers and duties exercised as provided for in this act: *Provided*, that if a majority of said qualified voters shall fail to vote "For Good Roads" said board of county commissioners shall order another election or elections to be held in the manner and with the same effect as above provided, at any time within one year of the date of the first election, when requested to do so by a majority of said board of road trustees of Number Six Township.

Effect of election.

Proviso: further elections.

SEC. 13. That all funds derived from the sale of any bonds by said board of trustees shall be paid over to the treasurer of said board of trustees and shall be used for the purpose of constructing and improving the public roads of said township, the purchase of such material, machinery, and implements and the employment of such officers and labor as may be found necessary in the carrying out of this work.

Specific appropriation of proceeds of bonds.

SEC. 14. That in the working and construction of said roads either convict labor or hired labor, or both, may be used, or said work may be let out by contract, as may be ordered by said board of road trustees; and in the working of convicts on the public roads all rights and privileges existing in regard thereto or that may hereafter exist for the use of the convicts in Edgecombe County or any township therein shall exist and apply to the use of convicts on the roads of Number Six Township.

Convict and hired labor.

SEC. 15. That all laws and parts of laws in conflict with the provisions of this act, so far as they relate to said Number Six Township, are hereby repealed.

SEC. 16. That this act shall be in force from and after its ratification.

Ratified this the 1st day of March, A. D. 1915.

CHAPTER 347.

AN ACT TO PROVIDE FOR THE IMPROVEMENT OF THE PUBLIC ROADS OF PILOT TOWNSHIP, SURRY COUNTY, AND TO AUTHORIZE THE ISSUANCE OF BONDS TO PAY THE EXPENSES THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. That R. E. Smith, P. R. Nelson, S. W. Fulk, D. H. Whittington, J. W. Denny, and C. H. Matthews, and their successors in office, are hereby incorporated under the name of the "Highway Commission of Pilot Township," and by that name may sue and be sued, make contracts, and do all things necessary to carry out the provisions of this act.

Highway commissioners.

Incorporation.

Corporate name. Corporate powers.

- Political affiliation. SEC. 2. That the said commission shall always consist of an equal number of members of opposite political belief, to be designated by the General Assembly as their terms expire, except as hereinafter provided, and of those named R. E. Smith, P. R. Nelson, and S. W. Fulk shall hold office for four years; D. H. Whittington, J. W. Denny, and C. H. Matthews shall hold office for two years. Should a vacancy occur by death, resignation, or removal, or otherwise, the same shall be filled by the said commission by choosing one of the same political belief as was the member whose place became vacant, and such successor so chosen shall hold until his successor shall be chosen by the Legislature and shall qualify.
- Terms of office.
- Vacancies.
- Powers and rights vested.
- Establishment, discontinuance, and alteration of roads.
- Cartways, church and mill roads.
- Proviso: width of roads.
- Commission to meet and organize.
- Secretary to keep records.
- Treasurer.
- Bond of treasurer.
- Deposit of funds.
- Orders on road funds.
- SEC. 3. That the said commission shall have the same supervision, powers, and rights in respect to all the public roads in Pilot Township as has heretofore been vested in either the board of supervisors of public roads or the board of county commissioners of Surry County, except as such laws are modified herein. The said commission shall have full power and authority to order the laying out of public roads, where necessary, in their judgment; to discontinue such roads as shall be found useless and to alter roads so as to make them more useful. Said commission shall also have power and authority to lay out cartways, church, and mill roads, and to alter or discontinue the same in the way and manner provided for in the general law, except as such laws are herein modified: *Provided*, that no public road shall be less than twenty or more than thirty feet wide.
- SEC. 4. That said commission shall meet in the town of Pilot Mountain within ten days after the adoption of this bill at an election herein provided for, and shall organize by electing one of their number president, who shall preside at all the meetings of the said commission; said commission shall also elect one of their number secretary, who shall keep a record of the proceedings of the said commission, and shall deliver the same to his successor in office; said commission shall also elect a suitable person as treasurer of said commission, who need not be a member of said commission, and he shall enter into a bond in the penal sum of not less than double the amount coming into his hands in any current year, which bond, upon approval by said commission, shall be recorded in the register of deeds' office of Surry County in the book of official bonds and filed in his office. That the amount of said bond shall be subject to increase, or may be diminished, at any time by order of said commission; said commission shall have the right to require said treasurer to keep said funds on deposit in some reliable bank that will pay interest on time deposits.
- SEC. 5. That the treasurer of said commission shall make payments out of the road funds belonging to said township only upon the written order of said commission, signed by the president and

secretary of said commission, and a strict record of each order drawn shall be kept, showing the object for which issued.

SEC. 6. That said commission shall authorize the sheriff of Surry County, or tax collector of said county, to collect all the taxes levied under this act, and he shall be entitled to the same fees as are allowed sheriffs and tax collectors of North Carolina for collecting taxes. The sheriff or tax collector shall be liable for all moneys so collected, and the sheriff or tax collector's bondsmen given for the county shall be and they are hereby declared liable for all township funds handled under this act, and the said commission may require the sheriff or tax collector to give an additional bond.

SEC. 7. That all road taxes for Pilot Township that may be collected by the sheriff of Surry County or tax collector of said county shall be paid over to the treasurer of said commission, who shall give a receipt therefor; and all money arising from sale of said bonds hereinafter provided for shall also be turned over to said treasurer. That the said sheriff or tax collector shall pay over promptly all road taxes collected by him, and shall at no time retain any portion of said taxes which may come into his hands, and that the said sheriff or tax collector shall not apply any of said money coming into his hands under this act to the payment of any other claim which may be drawn on him, but shall keep the road taxes collected in Pilot Township separate, and shall pay them to the treasurer of said commission as aforesaid. The sheriff or tax collector shall be required to settle in full with the treasurer of said commission not later than December twenty-fifth of each year, and shall pay over sooner if same shall be in his hands.

SEC. 8. That said commission may at their first meeting, or as soon thereafter as practicable, elect some competent, experienced, and discreet person to be superintendent of all the public roads in said township, and such superintendent shall hold office during the pleasure of said commission electing him, and he shall be entitled to such compensation as may be fixed by said commission. Said commission shall also have the power to employ one or more competent road engineers, fix their compensation, and prescribe their duties, and the term of any such employment shall be during the pleasure of said commission. As a guarantee for the faithful and honest discharge of the duties of the office of superintendent, the said commission may require the said superintendent to give such a bond as may be deemed advisable.

SEC. 9. That the said commission shall also have the power to employ such other persons as may be deemed necessary to carry out the work provided for in this act, and to purchase such machinery and implements as may be necessary for the proper working and constructing of said road.

Collection of taxes.

Fees for collection.

Liability of officers.

Additional bonds.

Moneys to be turned over to treasurer.

Prompt settlements.

Taxes kept separate.

Final settlement.

Election, term, and pay of superintendent.

Employment, pay, and duties of engineer.

Superintendent to give bond.

Employees.

Equipment.

Entrance on land for work or material.

SEC. 10. That the said commission or any of its employees or agents are hereby authorized and empowered to enter upon any lands in said township for the purpose of laying out any new road or roads, or changing the location of any road or roads, and for the purpose of taking rock, timber, dirt, sand, or gravel necessary to macadamize, sand-clay, or improve said roads, together with the free ingress and egress from roads for the transportation of said material, and they are further empowered to enter upon the said lands adjacent or lying near such roads in order to make such drains or ditches through the same as may be deemed necessary for the betterment of the roads: *Provided*, that no ornamental trees shall be destroyed.

Drains or ditches.

Proviso: ornamental trees not destroyed.

Arbitration for assessment of damages.

SEC. 11. That if the owner of any lands upon which road or roads or any part thereof shall be constructed, altered, or changed, or the owner of any lands from which timber, stone, clay, gravel, or sand were taken as aforesaid, shall claim damage therefor, and the said owner or his agent or agents cannot agree with the said commission as to the price due, each party shall choose one man, a freeholder and resident of said township, to serve as arbitrators, and should any party fail to choose a man, then the clerk of the Superior Court of Surry County shall choose one for him, and that the two persons so chosen shall choose a third, and they shall give all interested parties at least two days notice of the time and place of meeting to assess the damage; and in making out the damage for the land taken, or other materials, as aforesaid, the said arbitrators shall take into consideration the special benefit that the road when built will confer upon the land, as well as any actual damages done the said land by reason of the construction or change in the said road. The said damage, both for the lands taken and for the timber and materials as aforesaid, shall be paid out of the general road fund of the township, and any of the parties shall have the right of an appeal to the Superior Court, after giving good and sufficient security, from the award of the arbitrators: *Provided*, the appeal is prayed within ten days from the filing of the award; and the appeal or the pending of any such cause shall not prevent the said commission from entering and taking possession of the land and using it for road purposes, and the taking of the timber and other materials, as aforesaid, and the only effect of the pending cause or appeal shall be to settle the amount of damages. The quantum of damages is the only question contemplated in this section.

Payment of damages.

Right of appeal.

Proviso: time for taking appeal. Appeal not to delay work.

Quantum of damages.

Obstructing officers a misdemeanor.

SEC. 12. That any person who shall obstruct said commission, its agents or employees, in making a survey, or changing any road, or opening of a new public road, church road, cartway or highway, or the taking of the necessary timber or other materials, as aforesaid, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days.

Punishment.

- SEC. 13. That it shall be unlawful for any person to use, cut, or make any drain, except when there is a drain, cut-out pipe, or other opening under said highway to allow the water to pass off. Any person violating the provisions of this section shall be guilty of a misdemeanor and fined not exceeding fifty dollars or imprisoned not exceeding thirty days. Drains into roads. Misdemeanor. Punishment.
- SEC. 14. That all railroads or other incorporated companies shall build, erect, and keep up at their own expense, upon a specification furnished by the said commission, all bridges or trestles necessary to be built and erected over and across their railway tracks which shall be intersected by any public road, cartway, mill road, church road or highway, and all crossings which are made necessary to build or be made in establishing the respective roads, as aforesaid; and on failure to do so, after demand by said commission or its agent, shall be guilty of a misdemeanor, and fined not exceeding fifty dollars, and shall pay ten dollars additional for every day said work remains unperformed; and any written notice left with the agent of said companies shall be sufficient to give notice in law under this act. Bridges and crossings maintained by corporations. Failure a misdemeanor. Punishment. Penalty. Sufficient notice.
- SEC. 15. That it shall be the duty of the engineer employed by the said commission to prepare a full and complete specification covering the construction of all roads to be built or repaired or renewed, when called upon to do so by the said commission. Specifications for road work.
- SEC. 16. That after the approval of said specifications the said commission may, in their discretion, advertise for bids to do the work, or any part thereof, and shall have the right to let the work to the lowest responsible bidder, and if no satisfactory bid is made, the same may be done in any way in the discretion of said commission. Advertisement for bids. Award of contract. Work done by commission.
- SEC. 17. The said commission shall have the power and authority to fix the rate of compensation to be paid to all employees, and all expenses to be paid out of the road fund. Compensation of employees. Payment of expenses.
- SEC. 18. That for their services as commissioners each member shall receive such salary and per diem as may be fixed by the board of county commissioners of Surry County, and may be paid out of the road fund. Pay of commissioners.
- SEC. 19. The necessary expenses of the commissioners on account of stationery, attorney fees, clerk hire, etc., shall be paid by order of said commission out of the funds provided by this act. Office expenses.
- SEC. 20. That the board of commissioners of Surry County be and it is hereby empowered and instructed to submit to the voters of Pilot Township, Surry County, on Monday, April fifth, one thousand nine hundred and fifteen, the question whether the said township of Pilot shall issue bonds in the sum of thirty thousand dollars (\$30,000), with interest coupons attached, the proceeds of which to be used for the improvement of public roads of Pilot Township and streets of the town of Pilot Mountain, in the pro- Election on bond issue. Date of election. Amount. Use of proceeds.

- Notice of election. portion as hereinafter provided in this act. The said board of county commissioners shall for at least thirty days before the election give public notice of said election, by publication thereof in one or more newspapers published in Surry County: *Provided*, that if a majority of the votes cast in said election shall not vote to issue bonds at the election so held, said board of commissioners is hereby directed to submit the said question to the said voters at the expiration of six months, upon the petition of one-fifth of the registered voters, under the regulations hereinafter set out: and *Provided further*, that if a majority of the votes cast in said election shall not vote to issue bonds at the election so held, the said board of commissioners of Surry County are directed to submit the said question to the voters at any other time or times when as many as one-fifth of the registered voters of said township shall by petition request it.
- Proviso: subsequent election.
- Law governing election. SEC. 21. That any election under the provisions of this act shall be conducted in the same manner as is now or may hereafter be prescribed by law for holding elections for the General Assembly: *Provided*, that said county commissioners may or may not, in their discretion, order a new registration at any election held under this act. The vote shall be counted at the close of the polls and returned to the clerk of the board of county commissioners on the second day following the election, and the said board of commissioners shall at the next meeting thereafter held tabulate and declare the result of the election, all of which shall be recorded in the minutes of the board of county commissioners, and no other record and declaring of the result of said election shall be necessary.
- Proviso: new registration optional.
- Count and return of vote.
- Canvass and record of returns.
- Ballots. SEC. 22. That at said election or elections the ballots tendered or cast by the voters shall have written or printed on them "For Good Roads Bond Issue" or "Against Good Roads Bond Issue," and at such election those who favor the issuing of the said bonds shall vote "For Good Roads Bond Issue" and those opposed to the issuing of bonds shall vote "Against Good Roads Bond Issue."
- Preparation of bonds. SEC. 23. In the event a majority of the votes cast at any of the elections herein provided for shall be for the bond issue, after the result has been declared and recorded as aforesaid the board of commissioners of Surry County shall have the bonds prepared of the denominations of five hundred or one thousand, as they may deem best, the total amount being thirty thousand dollars (\$30,000). The said bonds shall draw a rate of interest of five per centum (5%) per annum, with interest coupons attached and payable semiannually during the time the bonds shall run, the principal payable in thirty years from their issue. Said bonds shall be payable in standard currency of the United States, at such bank as the purchaser of said bonds may designate. Both bonds and coupons shall be numbered consecutively, beginning with number
- Denominations.
- Amount.
- Interest.
- Maturity.
- Bonds payable in currency.
- Authentication.

one, and both shall be signed by the chairman of said board of county commissioners and the bonds countersigned by the clerk of said board of county commissioners, and each bond shall be authenticated by the seal of the county, and they shall be styled "Pilot Township Highway Improvement Bonds."

Official entitlement.

SEC. 24. Immediately upon the preparation and signing of said bonds the said board of county commissioners shall turn over to the president of said commission of Pilot Township all of the said bonds, without the seal of the county being affixed to any of them. The president of said commission of Pilot Township shall have the power to advertise and sell any or all of said bonds at such time and places as the said commission may direct, and as the same may be needed for the improvement of said roads, for the purpose of raising funds with which to construct and improve the public roads of Pilot Township, the expense of advertising and selling said bonds and other expenses necessary in regard thereto to be paid out of the funds arising from the sale of the said bonds. Before delivering any of said bonds sold by the provisions of this section and under this act, the president of said commission of Pilot Township shall apply to the custodian of the seal of Surry County, whose duty it shall be to affix the said seal of Surry County to the bonds so sold, and no bonds shall be of any value until such seal is so affixed. Said bonds shall not be sold or disposed of in any way for less than their face value, nor shall they or their proceeds be used for any other purposes than those declared by this act: *Provided, however*, that the purchasers of said bonds shall not be required to see to the application of the fund. The bonds and coupons shall state on their face when due and where payable, and the said bonds shall show by what authority they are issued. The said commission shall record all proceedings in respect to the said bonds in the minutes of their meetings, and, whenever the same are sold, the number of the bonds and their denominations, to whom sold, and the number of coupons attached.

Bonds delivered to commission.

Advertisement and sale of bonds.

Expense of advertisement and sale.

Bonds sealed before delivery.

Sale below par forbidden. Specific appropriation.

Recitals in bonds.

Record of bonds.

SEC. 25. In case any election herein provided for shall be in favor of issuing bonds as aforesaid, the board of county commissioners shall levy annually thereafter, on the first Monday in June, a special road tax for the township of Pilot on the one hundred dollars worth of property of not less than thirty nor over fifty cents, and on the poll not less than ninety cents nor over one dollar and fifty cents, as recommended by the said commission of Pilot Township, the subject of taxation and the levying of the taxes to be the same as those on which the county commissioners are now or may hereafter be authorized to levy taxes for general county purposes for the township of Pilot. The taxes so levied shall be collected as herein provided for, and shall be applied, first, to the interest on the said bonds; second, to the creat-

Special tax.

Limit of rate.

Collection and application.

- ing of an adequate sinking fund for the redemption of said bonds; third, for the maintenance of said roads of said township outside the incorporate limits of the town of Pilot Mountain. The sinking fund shall be held by the said commission of Pilot Township in special trust for the payment of the bonds issued under the provisions of this act, and neither the principal thereof nor the interest thereon shall be used for any other purpose. The said commission of Pilot Township shall manage and invest the funds at the discretion of said commission, until paid out for the redemption of the said bonds sold under authority of this act at their maturity: *Provided*, that said money shall only be loaned on securities of first mortgages on real estate at fifty per cent of the actual valuation, said valuation to be fixed by the said commission, and the title to the real estate investigated and an abstract made and approved by a reliable attorney, or deposited in a responsible bank at six per cent interest, said interest to be paid annually.
- SEC. 26. The funds received from the sale of the bonds herein provided for shall be divided between the town of Pilot Mountain and the territory outside the town of Pilot Mountain and within Pilot Township upon the following basis, viz.: fifteen (15) per cent to be paid to the commissioners of the town of Pilot Mountain by the board of commissioners herein provided for, to be used by the commissioners of the town of Pilot Mountain in improving Main Street, South Depot Street, the Grassy Knob Road and Westfield Road leading into Main Street from the corporate line to Main Street; eighty-five (85) per cent to be used by the commission in improving and building roads outside the corporate limits of the town of Pilot Mountain.
- SEC. 27. If a majority of the votes cast shall vote for good roads bond issue, then and in that event all laws and clauses of laws allowing compulsory labor upon the public roads of said county are hereby repealed so far as they apply to Pilot Township.
- SEC. 28. This act shall be in force from and after its ratification. Ratified this the 1st day of March, A. D. 1915.

CHAPTER 348.

AN ACT TO AMEND SECTION 1238 OF THE REVISAL OF 1905, RELATIVE TO CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section twelve hundred and thirty-eight (1238) of the Revisal of one thousand nine hundred and five be amended by adding to the end of said section the following proviso: "*Pro-*

Individual purchasers not incorporated.

vided, that the requirements of this section that purchasers shall become a corporation shall not apply to sales heretofore made in Cumberland County to individuals, and all such sales to individuals heretofore made in Cumberland County are hereby ratified:

Provided, that this act shall not apply to any pending litigation." Proviso: pending litigation not affected.

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

Ratified this the 1st day of March, A. D. 1915.

CHAPTER 349.

AN ACT TO AMEND CHAPTER 264, PUBLIC-LOCAL LAWS OF EXTRA SESSION 1913.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter two hundred and sixty-four of Public-Local Laws, extra session one thousand nine hundred and thirteen, be amended by adding the words "or drop nets" after the words "drag nets" at the end of said section. Drop nets.

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.

Ratified this the 1st day of March, A. D. 1915.

CHAPTER 350.

AN ACT TO AMEND SECTION 2725 OF THE REVISAL OF 1905, RELATIVE TO THE AGE LIMIT OF PERSONS LIABLE TO WORK THE PUBLIC ROADS OF BRUNSWICK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section two thousand seven hundred and twenty-five of chapter sixty-five, Revisal of one thousand nine hundred and five, be and the same is hereby amended by inserting a comma and the word "Brunswick" after the word "Columbus" in line three of said section. Age limit.

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 full force and effect from and after its ratification.

Ratified this the 1st day of March, A. D. 1915.

CHAPTER 351.

AN ACT TO AMEND CHAPTER 613 OF THE PUBLIC-LOCAL LAWS, REGULAR SESSION 1913, RELATING TO RECORDER'S COURT AT MOORESVILLE, IREDELL COUNTY,

NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Jurisdiction
extended.

SECTION 1. That chapter six hundred and thirteen of the Public-Local Laws of the regular session of one thousand nine hundred and thirteen be amended so as to include within the jurisdiction of said court that part of Barringer's Township, Iredell County, lying south of the line beginning at Ostwalt and on the Fallstown Township line and running with the road leading from Ostwalt to a point on the public road near the old Ervin place and following the public road by the Perry place to the Chambersburg Township line at George Mills' place.

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

Ratified this the 1st day of March, A. D. 1915.

CHAPTER 352.

AN ACT TO AMEND CHAPTER 190 OF THE PUBLIC-LOCAL LAWS OF 1913, PROVIDING A TAX COLLECTOR FOR GASTONIA TOWNSHIP, GASTON COUNTY.

The General Assembly of North Carolina do enact:

Salary of sheriff.

Collections for
Gastonia township.

Number of tax
collectors.

SECTION 1. That chapter one hundred and ninety of the Public-Local Laws of North Carolina, one thousand nine hundred and thirteen, be amended by striking out, in lines one and two of section four, "two thousand dollars (\$2,000)" and inserting in lieu thereof "fifteen hundred dollars (\$1,500)," and by striking out in line seven of said section the words "all taxes in Gastonia Township," and by striking out in lines eleven and twelve of said section "except Gastonia Township," and by adding after the word "one" and before the word "tax" in line eleven of said section the words "or more," and by adding to the word "collector" in said line of said section the letter "s."

SEC. 2. That all laws or parts of laws in conflict herewith are hereby repealed.

SEC. 3. That this act shall be in full force and effect on and after the first Monday in July, one thousand nine hundred and fifteen.

Ratified this the 1st day of March, A. D. 1915.

CHAPTER 353.

AN ACT TO AMEND CHAPTER 706 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA OF 1913, BY CHANGING THE NAME OF THE "POLICE JUSTICE'S COURT" TO "THE CITY COURT OF RALEIGH," AND CONFERRING CIVIL JURISDICTION ON SAID COURT.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter seven hundred and six of the Public-Local Laws of North Carolina of one thousand nine hundred and thirteen be amended by striking out the words "The Police Justice's Court of the City of Raleigh," in lines two and three of said section, and inserting in lieu thereof the following: "The City Court of Raleigh."

SEC. 2. Amend section two of chapter seven hundred and six of the Public-Local Laws of one thousand nine hundred and thirteen by adding as subsection (d) of said section two the following: "Said court shall have concurrent jurisdiction and powers in all civil matters which are now or may hereafter be given to justices of the peace, and in addition to the jurisdiction conferred by this section it shall have concurrent original jurisdiction with the Superior Court of all other civil actions arising out of contract where the sum demanded does not exceed the sum of five hundred dollars and those arising out of tort where the value of the property or the amount in controversy does not exceed the sum of five hundred dollars: *Provided*, the title to real estate shall not be in controversy: *Provided further*, that the original process of this court shall not run out of Wake County when the amount in controversy is less than two hundred dollars."

SEC. 3. Amend section two of chapter seven hundred and six of the Public-Local Laws of one thousand nine hundred and thirteen by adding the following sections:

"SEC. 2e. All civil actions shall be commenced in said court by summons, in which the cause of action need not be set out, signed and issued by the clerk of said court, and said summons shall command the officer to summon the defendant to appear before the judge of the city court of Raleigh on a day named in the summons, to answer the complaint of the plaintiff. The number of days within which the defendant is summoned to appear shall in no case be less than ten, exclusive of the day of service. The summons shall run in the name of the State of North Carolina and be addressed to the chief of police or any other lawful officer of the city of Raleigh or to the sheriff or any other lawful officer of any county in the State of North Carolina. The officer to whom the summons is addressed shall note on it the day of its delivery to him; and, if required by the plaintiff, he shall execute the same

Title of court.

Civil jurisdiction.

Concurrent with justices of the peace.

Concurrent with superior court up to \$500.

Proviso: title to real estate.
Proviso: process outside of county.

Summons in civil actions.

Return day.

Officer.

Execution.

Return.	immediately. When executed, he shall immediately return the summons, with the date and manner of its execution, by mail or otherwise, to the clerk of this court. The plaintiff shall file his complaint with a copy of the same in all cases with the clerk of the court at the time of the issuing of the summons.
Complaint.	
Election of plaintiff.	"SEC. 2f. In all civil actions and matters where this court has jurisdiction and where a justice of the peace does not have jurisdiction, the plaintiff in such action may bring an original suit either in the city court of Raleigh as prescribed by this act or in the Superior Court of Wake County, at his election; and when a justice of the peace does have jurisdiction, the plaintiff may bring his suit before a justice of the peace or in the city court of Raleigh, as he may desire. The procedure in said court shall, so far as practicable, conform to the procedure in the Superior Courts of the State.
Procedure.	
Force of judgments.	"SEC. 2g. All judgments in civil actions rendered by the judge of the city court of Raleigh shall have the same force and effect as judgments of the justices of the peace, but no judgment of the city court of Raleigh shall be a lien upon land until docketed in the office of the clerk of the Superior Court of Wake County.
No lien until docketed.	
Executions.	Executions shall issue from the city court of Raleigh when not to run against land. All judgments of this court may be docketed in the office of the clerk of the Superior Court of Wake County in like manner and with like effect as judgments of justices of the peace.
Docketing.	
Trial by jury.	"SEC. 2h. The plaintiff or the defendant in civil actions in this court shall, upon demand before trial, be entitled to a trial of the cause by a jury of six men, upon depositing with the clerk of said court six dollars in all cases; the said jurors to be drawn as hereinafter provided. The commissioners of the city of Raleigh shall prepare a jury box and a list of the qualified voters of Raleigh Township qualified to serve as jurors as now provided by law for the Superior Court, and turn said box and list of jurors over to said court, which box shall have two compartments as now provided by law for the jury box, and the judge of the city court of Raleigh shall have custody of the only key to the side of the box containing the list of qualified jurors who have not been drawn out or served, and the clerk of said court shall have custody of the only key to the other side of the box. Such jurors shall be drawn in open court by a child not over ten years of age, and the list given to the chief of police of the city of Raleigh and served by him or by a policeman or policemen of the city of Raleigh or by any officer duly authorized by the judge of the city court of Raleigh, on the day following such drawing, and the case set for trial at a time fixed by the court, giving the chief of police or the officer serving the same sufficient time to serve such jurors.
Jury box.	
Custody of keys.	
Drawing jurors.	
Summons.	
Number drawn.	The number of jurors drawn in each case where a jury is de-

manded shall be twelve. That said jury list shall be revised by the commissioners of the city of Raleigh every two years, as now provided by law for the jury lists of the Superior Courts: *Provided further*, that by consent of all parties to any action a jury may be summoned without being drawn from the box, and said jury fee of six dollars to be taxed against the losing party as part of the costs. The plaintiff and the defendant shall each have the right to challenge peremptorily two jurors and others for cause as now allowed by law in the Superior Court."

Revision of list.

Proviso: jury by consent.

Jury fee taxed as costs.

Challenges.

SEC. 4. That section eleven of chapter seven hundred and six of the Public-Local Laws of one thousand nine hundred and thirteen be amended by striking out the words "fifteen hundred" in line twelve of said section eleven and inserting in lieu thereof the words "two thousand."

Salary of judge.

SEC. 5. That section thirteen of chapter seven hundred and six of the Public-Local Laws of one thousand nine hundred and thirteen be amended by striking out all of said section and inserting in lieu thereof the following: "That the commissioners of the city of Raleigh shall appoint a substitute judge of the city court of Raleigh, and fix his salary, which shall be the same for the time he actually serves as is received by the judge of this court, and it shall be paid as the salary of the judge is paid: *Provided, however*, that the substitute judge shall not be paid for any time except when he serves in the absence of the judge, and this time shall not exceed fifteen days in any one year, except when the judge shall be sick or providentially prevented from attendance: *Provided*, that said salary shall not be deducted from the regular salary of the judge of this court unless the said fifteen days period is exceeded without being caused by sickness or providential cause. Said substitute judge shall have the same qualifications and before entering upon his office shall take the same oath and be subject to the same rules as the judge of said court, and said substitute judge shall preside at all hearings and try all cases and actions in said court when the judge shall be a party to such action or unable by sickness or other providential cause to preside."

Substitute judge.

Salary.

Proviso: limit of payment.

Proviso: pay not deducted from salary of judge.

Qualifications.

Oath of office.

To preside at hearings.

SEC. 6. That section nine of chapter seven hundred and six of the Public-Local Laws of one thousand nine hundred and thirteen be amended by striking out in lines five and six of said section nine the following words: "shall keep all records of said police justice's court."

Duty rescinded.

SEC. 7. That section nine (a) of chapter seven hundred and six of the Public-Local Laws of one thousand nine hundred and thirteen be amended by striking out all of said section nine (a) and inserting in lieu thereof the following: "The commissioners of the city of Raleigh shall elect a prosecuting attorney, who shall be an elector and a practicing attorney in Raleigh Township, and a clerk

Prosecuting attorney and clerk.

Duties of prosecuting attorney.	of said court, who shall be an elector of said township. The duties of said prosecuting attorney shall be to see to it that all proper processes are issued for the proper apprehension and trial of all violators of the law in the city of Raleigh and Raleigh Township and to represent the State of North Carolina in the trial of all criminal actions before said court and to faithfully and diligently prosecute the same. He shall be in attendance at the office of the judge of this court in the municipal building daily, Sundays excepted, during such hours as the judge of the city court shall fix.
Attendance on court.	
Salary.	The salary of the said prosecuting attorney shall be twelve hundred dollars a year, payable in equal monthly installments by the city of Raleigh. The duties of said clerk shall be to provide at the expense of the city of Raleigh and keep a permanent docket or dockets for recording, and he shall record, all process, civil and criminal, issued by said court and the return of the same or other action thereon, and the disposition of all causes, including judgments, orders, and decrees, which shall conform to the dockets kept by the clerk of the Superior Court. He shall also provide at the expense of the city of Raleigh proper files to properly keep and he shall therein keep records of all causes which shall be disposed of in said court or commenced therein and show what disposition has been made of them. He shall receive and collect all fines, costs, penalties, and forfeitures imposed by the judge of the city court of the city of Raleigh and keep a true record thereof and account for and pay over the same to the proper officials as provided by law. All records of the clerk shall be open to the public. Before entering upon the duties of his office as such clerk of said court he shall enter into a bond with good and sufficient sureties, to be approved by the commissioners of the city of Raleigh, in the sum of five thousand dollars, for the true and faithful performance of his duty as clerk, and for the faithful accounting for all moneys which may come into his hands as such.
Duties of clerk.	
File.	
Fines, costs, penalties, and forfeitures.	
Records open to public. Official bond.	
Salary.	The salary of said clerk shall be fixed by the commissioners of the city of Raleigh and shall be paid in the same manner as the salary of the judge of the city court is paid. The clerk shall have the power and authority to take appearance bonds for defendants in criminal actions or witnesses therein in such amount or amounts as may be fixed by the court. He shall have an office in the municipal building of the city of Raleigh, which said office shall be opened every day in the year, Sundays excepted, from nine o'clock a. m. until six o'clock p. m."
Power to take bail.	
Office and office hours.	
Chief of police and substitutes to attend court.	SEC. 8. That section sixteen (a) of chapter seven hundred and six of the Public-Local Laws of one thousand nine hundred and thirteen be amended by adding the following: "That said chief of police and the other police officers of the city of Raleigh shall be the officers of said court, and the chief, or his substitute, designated by him or by the judge of the city court of Raleigh, shall
Service of process.	

attend every session of said court and shall see that all warrants, summons, subpoenas, and other processes of the court addressed to them are served promptly, and shall keep a record of the same."

SEC. 9. Amend chapter seven hundred and six of the Public-Local Laws of one thousand nine hundred and thirteen by adding the following: "Any party in a civil action and the defendant in a criminal action tried and disposed of in the city court of Raleigh shall have the right to appeal to the Superior Court of Wake County, and the said action shall be tried *de novo* by the said Superior Court: *Provided*, that where an appeal is taken from the judgment of the judge of the city court of Raleigh no execution shall be issued upon such judgment rendered by said judge pending the trial of said cause in the Superior Court of Wake County if the appellant shall give bond to stay execution pending the trial of said cause as is provided for the stay of execution and judgments rendered in the Superior Court."

Right of appeal.

Proviso: stay of judgment.

SEC. 10. That chapter seven hundred and six of the Public-Local Laws of one thousand nine hundred and thirteen be amended by adding the following: "The same provisions and allowances as to witnesses shall apply to this court as are provided for the Superior Court by the general statutes of the State."

Witnesses.

SEC. 11. Amend section eleven of chapter seven hundred and six of the Public-Local Laws of one thousand nine hundred and thirteen by inserting the word "attorney" before the word "learned" in line two thereof, and by striking out of line four thereof the words "The City of Raleigh" and inserting in lieu thereof the words "Raleigh Township."

Judge to be attorney.

SEC. 12. That chapter seven hundred and six of the Public-Local Laws of one thousand nine hundred and thirteen be amended by adding the following: "That whenever the court or its presiding officer are named in said chapter seven hundred and six they shall be changed to conform to this act."

Changes for conformation.

SEC. 13. That all laws and parts of laws in conflict with this act are hereby, to the extent of such conflict, repealed.

Repealing clause.

SEC. 14. This act shall be in force and effect from and after the first day of April, one thousand nine hundred and fifteen.

When act effective.

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 354.

AN ACT TO REGULATE FISHING IN LIVERMAN'S MILL-POND, ST. JOHNS TOWNSHIP, HERTFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person except the miller to fish in Liverman's mill-pond, otherwise known as Brown

Fishing regulated.

Brothers' mill-pond, in St. Johns Township, Hertford County, in any manner other than with a hook and line.

Misdemeanor.
Punishment.

SEC. 2. That any person violating this act shall be guilty of a misdemeanor, and upon conviction shall be fined not to exceed ten dollars for each offense.

SEC. 3. That this act shall take effect from and after its ratification.

Ratified this the 3d day of March, A. D. 1915.

CHAPTER 355.

AN ACT FOR THE PROTECTION OF FISH IN SAWMILL AND TABOR'S MILL CREEK IN THE COUNTY OF SWAIN.

The General Assembly of North Carolina do enact:

Full protection.

SECTION 1. That it shall be unlawful for any person or persons to catch fish in Sawmill Creek and Tabor's Mill Creek in the county of Swain, with hook and line, net, trap, or seine, or in any way take or destroy same in either or both of the above-named streams, during a period of four years from the ratification of this act.

Misdemeanor.
Punishment.

SEC. 2. That any one violating the provisions of this act shall be guilty of a misdemeanor, and fined or imprisoned, or both, at the discretion of the court.

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

Ratified this the 1st day of March, A. D. 1915.

CHAPTER 356.

AN ACT TO INDUCE THE PROMPT PAYMENT OF TAX IN CASWELL COUNTY.

The General Assembly of North Carolina do enact:

Penalty for delayed
payment.

SECTION 1. That each and every person, firm, or corporation liable for State, county, township, or district tax, either general or special, and failing to pay said tax or taxes, or any part of same, prior to the first day of February next after the same has become due, shall be liable to a penalty of one per cent of the amount of such delinquent tax for each month or fraction of a month such delinquent tax, or any part thereof, remains unpaid thereafter.

Collection of
penalty.

SEC. 2. The amount of such penalty so collected shall be added to the amount of tax unpaid and entered on the tax receipt and stub on a place provided for the same, and collected by the sheriff

or tax collector under the same authority and in like manner as if said penalty was a part of the original tax.

SEC. 3. The sheriff or tax collector shall keep an accurate account of all penalties collected, and shall pay same over to the treasurer for the benefit of the general county fund. Account and settlement of penalties.

SEC. 4. That the sheriff or tax collector shall publish at the courthouse door and in one newspaper published in the county the list of delinquent taxpayers, showing the amount and by whom due, and the total amount for each township. Publication of delinquents.

SEC. 5. That this act shall apply only to Caswell County. Application of act.

SEC. 6. That all laws and clauses of laws in conflict with this act are hereby repealed. Repealing clause.

SEC. 7. That this act shall be in full force and effect from and after the first day of October, one thousand nine hundred and fifteen. When act effective.

Ratified this the 1st day of March, A. D. 1915.

CHAPTER 357.

AN ACT TO TAX DOGS AND TO REPLENISH THE SCHOOL FUNDS OF CLEVELAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That a license or privilege tax of one dollar shall be levied on all dogs, both male and female, annually. The taxes shall be listed at the same time and places as personal property is listed. License tax.
Taxes listed.

SEC. 2. That any person who shall feloniously take, steal, and carry away any dog upon which a license tax may have been paid as hereinbefore provided, shall be guilty of larceny. Stealing licensed dog larceny.

SEC. 3. That said taxes shall be paid to the sheriff of Cleveland County as provided for the payment of other taxes. Taxes paid to sheriff.

SEC. 4. That the foregoing sections of this act shall not take effect until ratified and approved by the board of commissioners of Cleveland County at a regular meeting of said board. Act to be ratified by county commissioners.

SEC. 5. That the revenue arising under this act shall be paid into the county treasury and placed in a separate fund to be known as the dog tax fund of Cleveland County. It shall be the duty of the county treasurer, on or before the first Monday in February of each and every year, to file with the board of education a verified statement of the amount received through the provisions of this act. Dog tax fund.
Verified statement of receipts.

SEC. 6. That it shall be the duty of the board of education to keep a record of said amount of money received and to apportion to the schools of the several townships the amounts in proportion Apportionment to schools.

to the number of license taxes paid in each township, each school to receive an equal share of the township apportionment.

Failure to list dogs
misdemeanor.
Punishment.

SEC. 7. Any person failing to list any and all dogs over six months old shall be guilty of a misdemeanor, and upon conviction shall be fined not less than five dollars nor more than ten dollars or imprisoned not more than thirty days.

Application of act.

SEC. 8. That this act shall apply to Cleveland County only.

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

SEC. 10. That this act shall be in force from and after its ratification.

Ratified this the 1st day of March, A. D. 1915.

CHAPTER 358.

AN ACT TO PROTECT FISH IN ROBESON, COLUMBUS, HOKE, AND SCOTLAND COUNTIES.

The General Assembly of North Carolina do enact:

Methods of fishing
forbidden.

SECTION 1. That it shall be unlawful for any person, firm, or corporation to fish with seine, traps, nets, or by gigging, muddying, striking, dynamiting, shooting, or using lime or other chemicals by which fish may be killed, in Lumber River or any of its tributaries, or other rivers, lakes, ponds, or swamps of Robeson, Columbus, Hoke, and Scotland counties: *Provided*, that gill nets may be set in the waters designated in this act, during six months in each year, beginning with October and ending with March.

Streams protected.

Proviso: use of gill
nets.

Misdemeanor.

Fine.

Fine to use of
school fund.

Imprisonment.

SEC. 2. That any person, firm, or corporation violating this act shall be guilty of a misdemeanor and on conviction shall be fined not more than fifty dollars nor less than ten dollars; the fine to be paid to the school fund of the county in which the offense was committed, or imprisoned not more than thirty days nor less than ten days in the county jail, the county commissioners of said counties of Robeson, Columbus, Hoke, and Scotland having the privilege of sending the said person or persons so convicted to the chain-gang of their respective counties or to hire them out in case there is no chain-gang.

Arrests without
warrant.

SEC. 3. That the police force of said counties shall have full power and authority to arrest, without warrant, any and all persons violating the provisions of this act.

SEC. 4. That 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.

Ratified this the 1st day of March, A. D. 1915.

CHAPTER 359.

AN ACT TO AMEND CHAPTER 143, PUBLIC LAWS 1909, RELATING TO ROAD LAW, JUDKINS TOWNSHIP, WARREN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and forty-three of the Public Laws of one thousand nine hundred and nine be and the same is hereby amended as follows: Strike out the names "R. L. Alston, D. L. Ryder, Charles S. Riggan, D. A. Fishel, and J. B. Harris" in section one of said chapter, and insert in lieu thereof the following: "R. L. Alston, Charles S. Riggan, and J. B. Harris." Commissioners.

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

Ratified this the 1st day of March, A. D. 1915.

CHAPTER 360.

AN ACT AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS OF HAYWOOD COUNTY TO BUILD A PUBLIC ROAD.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Haywood County shall appropriate the necessary amount of money out of either the special indebtedness fund or the general fund of Haywood County, to be used for the purpose of building and constructing, by contract or otherwise, a public road from the bridge site near Walnut Ford on Richland Creek to the mouth of Still-house Branch on Pigeon River, along the route and according to the survey and specifications made by Murrell and Hyatt, civil engineers, now on file with the road commissioners of Waynesville Township. Appropriation authorized.
Survey and specifications.

SEC. 2. That it shall be the duty of the road commissioners of Waynesville Township to obtain the necessary rights of way over said route in Waynesville Township and to furnish the necessary engineering without cost to the board of county commissioners. Rights of way.
Engineering.

SEC. 3. That the said board of county commissioners shall commence the construction of said road not later than the first day of July, nineteen hundred and fifteen, and shall continue the work on the same until it is completed. Beginning and completion of work.

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

Ratified this the 1st day of March, A. D. 1915.

CHAPTER 361.

AN ACT TO AUTHORIZE ROBERT J. LOWERY, FORMER SHERIFF OF ANSON COUNTY, TO COLLECT BACK TAXES.

The General Assembly of North Carolina do enact:

Collection of
arrears authorized.

Years.

SECTION 1. That Robert J. Lowery, former sheriff of Anson County, be and he is hereby authorized and empowered to collect all taxes which he may have failed to collect, and which were due 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, with full power to levy, distrain, and sell for the collection thereof, or any part of the same, in the same manner and to the same extent as authorized by the laws of such respective years for the collection of the taxes.

Authority to expire.

SEC. 2. That the power and authority herein granted shall expire on the first day of May, one thousand nine hundred and seventeen.

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

Ratified this the 1st day of March, A. D. 1915.

CHAPTER 362.

AN ACT TO PROVIDE FOR THE DRAGGING OF THE PUBLIC ROADS IN MONTGOMERY COUNTY.

The General Assembly of North Carolina do enact:

Meeting for division
of roads.

SECTION 1. That the road trustees for the several townships of Montgomery County, North Carolina, shall meet on the first Saturday in April, one thousand nine hundred and fifteen, and on the first Saturday in April of each year thereafter, and at that time shall divide such of the public roads of each township as have been graveled, clayed, or worked up in the center, into sections.

Person employed to
drag and repair
each section.

SEC. 2. That for each of said sections a responsible person shall be employed, whose duty it shall be to drag and otherwise repair the portion or section of road which he is employed to drag and otherwise keep up.

Funds set apart for
work.

SEC. 3. That where necessary for the proper upkeep of said roads, as much as forty per cent of the funds accruing to each of the several townships shall be set apart for the payment of said work.

SEC. 4. That at the end of every three months service said employees shall go before the chairman of the township trustees, who is hereby authorized to administer the oath, and qualify to amount of time or service actually devoted to work, and the said chairman shall issue voucher to the said employee for amount agreed upon, per diem or otherwise. Verified accounts
filed quarterly.

Vouchers.

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

Ratified this the 1st day of March, A. D. 1915.

CHAPTER 363.

AN ACT TO REPEAL SECTION 2 OF CHAPTER 19 OF THE PUBLIC LAWS, EXTRA SESSION OF 1913, RELATIVE TO COURTS IN JONES COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter nineteen of the Public Laws of extra session of one thousand nine hundred and thirteen be and the same is hereby repealed. Term rescinded.

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

Ratified this the 1st day of March, A. D. 1915.

CHAPTER 364.

AN ACT TO AMEND SECTIONS 3 AND 6 OF CHAPTER 859 OF THE PUBLIC LAWS OF NORTH CAROLINA, SESSION 1907, RELATIVE TO THE MAXIMUM AND MINIMUM AMOUNTS OF LIQUOR WHICH MAY BE SOLD ON PRESCRIPTION BY THE DEPOSITORY OF ANSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter eight hundred and fifty-nine, Public Laws of one thousand nine hundred and seven, be and the same is hereby amended by striking out in line eighteen of said section the words "one quart" and insert in lieu thereof the words "one-half pint." Also strike out the words "one-half pint" in line eighteen of said section and insert in lieu thereof the words "two ounces." Also amend section six of said chapter eight hundred and fifty-nine of the Public Laws of one thousand nine hundred and seven by striking out the words "one-half pint" in line five of said section six and insert in lieu thereof the words "two Maximum.
Minimum.

Size of packages.

ounces." Also amend section six of said chapter eight hundred and fifty-nine by striking out in line six of said section the words "one quart" and insert in lieu thereof the words "one-half pint."

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

Ratified this the 1st day of March, A. D. 1915.

CHAPTER 365.

AN ACT TO AMEND SECTION 2786 OF THE REVISAL OF 1905, RELATIVE TO THE COMPENSATION OF MEMBERS OF THE BOARD OF EDUCATION OF MADISON COUNTY.

The General Assembly of North Carolina do enact:

Per diem.

SECTION 1. That section two thousand seven hundred and eighty-six of the Revisal of one thousand nine hundred and five be amended by striking out the word "two" between the words "receive" and "dollars" in line two of said act, and inserting in lieu thereof the word "three."

Application of act.

SEC. 2. That this act shall apply only to Madison County.

When act effective.

SEC. 3. That this act shall be in force and effect from and after the first day of July, one thousand nine hundred and fifteen.

Ratified this the 1st day of March, A. D. 1915.

CHAPTER 366.

AN ACT TO ABOLISH THE OFFICE OF TREASURER OF BERTIE COUNTY AND TO HAVE ITS PUBLIC ACCOUNTS ANNUALLY AUDITED.

The General Assembly of North Carolina do enact:

Office abolished.

SECTION 1. That on the first Monday in December, one thousand nine hundred and sixteen, the office of treasurer of the county of Bertie shall be and the same is abolished; and any funds then to the credit of the then treasurer of Bertie County in any bank, or in his hands in any way, shall be transferred by him to the credit of the county of Bertie, or to the credit of the school fund of said county, or to the credit of the particular fund for which said money was levied and collected.

Transfer of funds.

Bank designated as treasurer.

SEC. 2. That on the first Monday in December, one thousand nine hundred and sixteen, the commissioners of Bertie County shall select and designate one or more banks of the said county to act as treasurer of the said county, where all moneys collected by the sheriff of the county, by any tax collector of the county, or by

Deposit of funds.

any other person for the county, or for the schools, roads, or any other purpose of the county, shall be deposited; and the said commissioners may increase the number of such depositaries or diminish them from time to time as they may deem necessary for the more convenient handling, securing, and paying out of the public fund: *Provided, however*, that no bank so selected shall be paid any compensation for receiving, keeping, and paying out of such funds except the benefit incident to the deposit thereof.

Number of depositaries.

Proviso: banks to serve without compensation.

SEC. 3. That it shall be the duty of such banks or depositaries to pay out upon the order of the proper county authority, general or otherwise, school, road, or any of the persons now authorized to issue orders upon the county treasurer, all such warrants and orders as may be denoted to be paid, and to charge the same to the particular fund upon which said warrant or order is drawn. In the receipt, keeping, and paying out of said funds the said bank or banks shall act in all respects as the county treasurer is now by law required to act; and they shall make report of the funds deposited and paid out at such times as the commissioners of the county, or the body in the county having the control of said funds and paying out the same, may order.

Payment of warrants and orders.

Reports of receipts and expenditures.

SEC. 4. Before receiving any funds under this act the designated bank or banks shall file with the commissioners of Bertie County good and sufficient bond in double the amount of the funds authorized in any way to be deposited in said bank or banks, conditioned for the faithful receiving, keeping, and paying out of said funds, the said bond being payable generally to the county of Bertie, and all collections made on account of said bond shall be placed to the credit of the county or other proper funds, as the case may be.

Banks to give bond.

SEC. 5. The county commissioners are authorized in their discretion to contract with said depositary bank or banks for payment of interest at such rate on said deposits as they may agree upon, to be placed to the credit of the particular fund upon which paid.

Interest on deposits.

SEC. 6. That it shall be the duty of the county commissioners of Bertie County to have an audit of the public accounts of said county in every department made annually, including the account with said banks or depositary, and to have such audit made they are authorized and empowered and directed to employ expert accountants for that purpose.

Audit made annually.

Employment of accountants.

SEC. 7. That the commissioners of Bertie County shall within ten days after such audit cause a detailed statement of the same to be published one time in some newspaper published in Bertie County.

Audit to be published.

SEC. 8. That all laws and clauses of laws in conflict with this act are hereby repealed.

Repealing clause.

SEC. 9. That this act shall be in force from and after the first Monday in December, one thousand nine hundred and sixteen.

When act effective.

Ratified this the 1st day of March, A. D. 1915.

CHAPTER 367.

AN ACT TO PROVIDE FOR LEVYING TAXES IN ALAMANCE COUNTY TO PROVIDE A FUND FOR PAYING THE INTEREST ON AND CREATING A SINKING FUND FOR RETIRING OF CERTAIN ROAD BONDS ISSUED BY SAID COUNTY, AND TO PROVIDE A FUND FOR MAINTAINING AND BUILDING ROADS AND BRIDGES IN SAID COUNTY, AND TO AMEND CERTAIN SECTIONS OF CHAPTER 477 OF THE PUBLIC LAWS OF 1903.

The General Assembly of North Carolina do enact:

Levy of taxes ordered.

SECTION 1. That in each year after the ratification of this act the board of county commissioners of Alamance County, at the time of levying taxes in said county for State and county purposes, shall levy taxes as follows: A tax of not less than twelve and one-half cents on the one hundred dollars valuation of property, the proceeds of which tax to be used by said commissioners in paying the interest on the road bonds issued and outstanding at the date of the passage of this act and to provide a sinking fund for the retiring of said bonds at maturity.

Tax for interest and sinking fund of road bonds.

Tax for maintenance of roads.

SEC. 2. In addition to the taxes to be levied under the next preceding section hereof, said commissioners at the same time shall levy a tax of not less than sixteen and two-thirds cents on the one hundred dollars valuation of property, the proceeds of which tax shall be used, appropriated, and paid out by said commissioners for the purpose of maintaining the roads in the county already improved by macadam and other methods and for building and maintaining new roads, bridges, and culverts in said county.

Levy and collection of taxes.

SEC. 3. Said taxes herein provided for shall be levied and collected as are taxes for State and county purposes, but they shall be levied separately, and the funds received from the taxes levied under section one hereof shall be kept in a fund to themselves and used only for the purpose of paying said interest on said bonds and for the further purpose of providing a sinking fund for the retiring of said bonds at maturity, and the funds realized from the taxes levied under section two hereof shall be kept in a separate fund and used only for the purposes set out in section one hereof.

Funds kept separate.

Specific appropriation.

Repealing clause.

SEC. 4. That all laws and parts of laws in conflict with the provisions hereof shall be and the same are hereby repealed, and particularly are those parts of sections ten and sixteen of chapter four hundred and seventy-seven of the Public Laws of nineteen hundred and three in conflict with the provisions hereof repealed.

Specific repeal.

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

Ratified this the 1st day of March, A. D. 1915.

CHAPTER 368.

AN ACT TO CORRECT CERTAIN GRANT ISSUED TO JOHN KENNEMURE IN HENDERSON (NOW TRANSYLVANIA) COUNTY.

Whereas, on January twenty-eighth, one thousand eight hundred and sixty-three, a grant was issued by the State of North Carolina for a tract of land containing one hundred acres on the waters of East Fork of French Broad River in Henderson County (now Transylvania County), the said grant being recorded in the office of the Secretary of State in record of grants number one hundred and sixty-five, at page sixty-one; and whereas said tract of land was entered by one John Kennemure, sometimes spelled "Kenne-
more," then a citizen of Henderson County, North Carolina, and said grant was paid for by him, but through a clerical error the grantee in said grant was named as John Kennemeese, which clerical error it is the purpose of this act to correct: Now, therefore,

Preamble.

Preamble.

The General Assembly of North Carolina do enact:

SECTION 1. The Secretary of State of North Carolina, upon presentation to him of the original grant above referred to, is authorized, empowered, and directed to correct the said clerical error by changing the name of the grantee therein from John Kennemeese to John Kennemure, and also make a similar change in said recorded copy of said grant in his office.

Correction authorized.

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

Ratified this the 1st day of March, A. D. 1915.

CHAPTER 369.

AN ACT TO AMEND THE LAWS RELATING TO DRAINAGE IN MECKLENBURG COUNTY, THE SAME BEING CHAPTER 538 OF THE PUBLIC-LOCAL LAWS OF 1911, AND CHAPTER 826 OF THE PUBLIC-LOCAL LAWS OF 1913.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter five hundred and thirty-eight of the Public-Local Laws of one thousand nine hundred and eleven be and the same is hereby amended by striking out, in line fifteen of said section, after the word "in," the words "an amount not exceeding fifteen thousand dollars (\$15,000)" and by inserting

Amount of bonds.

in lieu thereof the words "such an amount as they may deem necessary to carry out the purposes of this act"; and by adding at the end of said section the following: "And all notes, bonds, or obligations heretofore issued or made by the Mecklenburg Drainage Commission for the purpose of procuring funds to carry on the work in any drainage district in Mecklenburg County are hereby validated and approved."

SEC. 2. That chapter eight hundred and twenty-six of the Public-Local Laws of one thousand nine hundred and thirteen be amended by adding after section four of said chapter, and before section five, on page one thousand six hundred and seventy-two, the following sections:

"SEC. 4a. That hereafter, before commencing the drainage of any district, excepting McAlpine's Creek Drainage District, Number One, and McDowell's Creek Drainage District, which have heretofore been established, and on which work has been partly completed, it shall be the duty of the drainage commission to have an accurate survey and plat made of all the lands within such proposed drainage district, and the drainage commission, or a jury appointed by the clerk of the Superior Court pursuant to section three of chapter eight hundred and twenty-six of the Public-Local Laws of one thousand nine hundred and thirteen, shall make the classification of lands and assess the benefits that such lands will receive from the proposed drainage, as is provided in sections two, three, and four of chapter eight hundred and twenty-six of the Public-Local Laws of one thousand nine hundred and thirteen. The drainage commission shall also make or cause to be made an accurate estimate of the cost of doing the proposed dredging, and to that end shall advertise for bids for the dredging of such creek. After having ascertained the probable cost of dredging such creek, and after having ascertained the total benefits the lands in such drainage district will receive from the dredging, the drainage commission shall determine whether or not to establish the proposed drainage district, and in so determining, if the estimated cost of the dredging shall exceed the benefits found to be received by the lands in such district, they shall take into consideration the benefits to the health of the community and the county to be derived from the drainage of the creek within the proposed district.

"SEC. 4b. If the drainage commission shall determine to proceed with the drainage of the proposed district, they shall cause ten days written notice to be served by the sheriff on the owners of those lands in such drainage district which it shall have been ascertained will be benefited. Such notice shall contain a concise statement, setting out the filing of the petition, the estimated cost of the dredging, how obtained, and specifying the number of acres in each classification belonging to each owner, the ratio benefits the classes bear to each other, and the total benefits the several

Notes, bonds, and obligations validated.

Survey and plat preliminary to work.

Classification of lands and assessment of benefits.

Estimate of cost.

Advertisement for bids.
Determination as to establishment of district.

Benefits to public health.

Notice to be served on landowners.

Recitals of notice.

tracts of land of each owner will receive, according to the findings of the jury or of the commission. Such notice shall fix the date of a meeting of the jury to be held in the courthouse, at which the landowners, or any other persons interested, may be heard. If any of the owners are nonresidents, or unknown, or are infants, idiots, lunatics, or *non compos*, notice shall be given as herein-after provided. At such meeting the jury shall hear evidence as to the classification and benefits that each tract of land in the proposed district will receive from the dredging, and shall make complete and detailed report of their findings to the drainage commission: *Provided*, any owner of lands affected may have the right to appeal to the Superior Court, as hereinafter provided, by giving notice to the drainage commission within ten days after filing of the report by the jury. After the assessment shall have been finally ascertained, if the drainage commission shall be of the opinion that the cost of dredging the creek over and above the benefits assessed against the lands is out of proportion to the reasonable health benefits to be derived from such dredging, they may refuse to proceed further with the proposed drainage. The assessment roll, together with the plat or map accompanying same, shall be filed in the office of the sheriff or other tax collector in whose district the lands are located, and from and after the date of such filing shall have the force and effect of a judgment, and be a prior and paramount lien, subject only to State and county taxes, as is hereinafter provided in other cases.

"SEC. 4c. Before making the survey and plat mentioned in sections four (a) and four (b), and before fixing classification and assessing the benefits, as hereinabove provided, the drainage commission shall require the owners of lands petitioning for the dredging of such district to make bond, or to deposit sufficient money to pay the cost of making the survey and plat, and the cost and expense of making the classification and assessment of benefits herein provided.

"SEC. 4d. If the drainage commission shall proceed with the dredging of such district, the amounts advanced to cover the cost of survey, plat, etc., above mentioned, shall be credited on the assessments against the lands of the owners making such advancements.

"SEC. 4e. That sections numbers four (a), four (b), and four (c), above mentioned, shall be construed with and as a part of sections two, three, and four of chapter eight hundred and twenty-six of the Public-Local Laws of one thousand nine hundred and thirteen, and all parts of sections two, three, and four of chapter eight hundred and twenty-six of the Public-Local Laws of one thousand nine hundred and thirteen inconsistent herewith are hereby repealed in so far as affects any drainage district in Mecklenburg County hereafter laid off or established."

Date for meeting of jury.

Notice to non-residents and persons under disability.

Evidence as to classification and benefits.

Detailed report of jury.

Proviso: right of appeal.

Drainage commission may refuse to proceed.

Assessment roll filed.

Force and effect of filing.

Petitioners to secure costs and expenses.

Advances credited on assessments.

Construction of amendments.

Clauses repealed.

Assessment of benefits in McAlpin Creek district.

SEC. 3. That it shall be the duty of the jury heretofore appointed by the clerk of the Superior Court to fix the classification of the lands in McAlpin's Creek Drainage District, Number One, in Mecklenburg County, pursuant to sections two and three of chapter eight hundred and twenty-six of the Public-Local Laws of one thousand nine hundred and thirteen, to assess the benefits that the several tracts of land in the said drainage district will receive from the drainage of said districts as heretofore established. If any of the jury heretofore appointed refuse, or for any cause fail to serve, it shall be the duty of the clerk of the Superior Court of Mecklenburg County to appoint another in his stead. The said jury shall go upon and examine the lands within the said drainage district, and shall give ten days notice thereof by publication for five successive days in some daily newspaper published in the city of Charlotte, and by mailing written notice to the last known post-office address of each of the owners of said tracts of land. The jury may adjourn from day to day. They shall also hear the evidence of any persons interested touching the benefits the lands in said district will receive. It shall be their duty to make written report to the Mecklenburg Drainage District of the classification and benefits assessed by them, which report of classification and benefits, after being approved by the drainage commission, shall constitute the assessment roll of the benefits assessed against the several tracts of land in the said drainage district, as herein elsewhere provided for in other cases: *Provided*, any person owning lands against which benefits have been assessed shall have the right of appeal to the Superior Court of Mecklenburg County from the benefits assessed by the jury, as hereinafter provided.

Vacancies in jury.

Notice for examination of lands.

Adjournment. Evidence.

Written report.

Assessment roll.

Right of appeal.

Award of arbitrators in Little Sugar creek conclusive.

SEC. 4. The award of the arbitrators heretofore appointed to adjudicate the difference between the drainage commission and certain landowners in Little Sugar Creek Drainage District, Number Two, pursuant to a written agreement entered into between the drainage commission and such landowners, shall be conclusive and binding upon all the parties to such written agreement; and any benefits assessed by the said arbitrators against lands in the said drainage district owned by persons who are not or who do not become parties to the said arbitration agreement shall be held and considered as benefits assessed by the commission or jury in accordance with sections two, three, and four of chapter eight hundred and twenty-six of the Public-Local Laws of one thousand nine hundred and thirteen; and it shall be the duty of the drainage commission, before approving and filing the assessment roll for such drainage district in the office of the sheriff or other tax collector, to give ten days written notice, as is provided in other cases, to those owners of lands in such drainage district who are not at the time parties to the arbitration agreement and

Assessment not covered by arbitration agreement.

Notice before approving roll.

against which benefits have been assessed, which notice shall contain a general concise statement of the several tracts of land in the said district owned by such persons and against which benefits have been assessed, the names of the owner or owners of such tracts and the amount of the benefits assessed against each tract. Such notice shall fix a date when any such landowners may be heard, and any landowner not a party to the written arbitration agreement hereinbefore referred to shall have the right to appeal within ten days from the date the benefits assessed to the Superior Court of Mecklenburg County, the same as in other cases herein provided.

Recitals of notice.

Date for hearing.

Right of appeal.

SEC. 5. That section five of chapter eight hundred and twenty-six of the Public-Local Laws of one thousand nine hundred and thirteen be repealed and the following be inserted instead thereof:

“SEC. 5. It shall be the duty of the sheriff or other tax collector and of the treasurer of Mecklenburg County to keep a separate account of the funds collected from each of the drainage districts heretofore or hereafter established in Mecklenburg County, and the moneys collected from each district shall be applied only to paying the cost of the dredging, or to payment of bonds issued for such district.”

Drainage accounts kept separate.

Specific appropriation.

SEC. 6. That the drainage commission, before proceeding to complete the dredging of the creeks in McAlpin's Creek Drainage District, Number Two, heretofore established, and before establishing any other new drainage district in Mecklenburg County under this act, after having necessary surveys and plats made, shall cause notice to be given for ten days in some daily newspaper published in the county, and such additional publication elsewhere as they may deem expedient, requesting bids for completing the dredging of the creeks proposed to be drained, specifying the approximate amount of work to be done and the time fixed for the completion thereof, and fixing the date for the opening of bids and letting of contract. On the day appointed the commission, together with its engineer, shall convene and let to the lowest responsible bidder the proposed work, either as a whole or in sections, as they may deem most advantageous for the district. They shall have the right to reject all bids and advertise again, or, if in their judgment the work can be more satisfactorily and more economically done by the commission, the drainage commission may proceed to do the work. If the work is let by contract, the successful bidder shall first enter into a contract with the drainage commission and execute a bond for the faithful performance of such contract, with sufficient sureties, in favor of the drainage commission for the use and benefit of the drainage district, in an amount not less than twenty-five per cent (25%) of the estimated cost of the work awarded. The drainage commission shall have full power and authority to sell

Advertisement for bids.

Recitals of advertisement.

Award of contracts.

Right to reject bids.

Right to do the work.

Contracts and bonds.

Amount of bond.

Sale of equipment.

or lease any boat, machinery, or other equipment owned by it to any contractor or other person upon such terms as are reasonable and proper.

Action on bond of contractor.

SEC. 7. If any contractor to whom said work shall have been let shall fail to perform the same according to the terms of the contract, action may be had in behalf of the drainage commission against such contractor and his bond in the Superior Court for damages sustained by the drainage district, and recovery had against such contractor and his sureties. In such event the work shall be readvertised and relet, or may be completed by the drainage commission, as in their judgment may be most advantageous for the drainage district.

Completion of work.

Districts to be mapped at once.

SEC. 8. It shall be the duty of the Mecklenburg Drainage Commission, as soon after the ratification of this act as possible, to make or cause to be made plats or maps of the lands in Big Sugar Creek Drainage District, Number One (which district embraces part of Big Sugar or Erwin's Creek and a part of Stewart's Creek), Big Sugar Creek Drainage District, Number Two, McDowell's Creek Drainage District, and Briar Creek Drainage District, which have heretofore been established in Mecklenburg County, and file same in the office of the sheriff or other tax collector. Such plats or maps shall show the location of the ditch or ditches and the boundaries of the several tracts of land within the district, according to their several owners, as of the date when the assessment rolls for such district were filed in the office of the sheriff or other tax collector. The location of any railroad, public road or highway, and the boundary of any incorporated town or village within the district shall be shown on such map. It shall not be necessary to designate by metes and calls the particular tract or tracts of any person in the said district. Such plats or maps shall designate the amount of benefit assessed against each separate tract of land.

Details of maps.

Assessments designated.

Maps to be made before assessment.

SEC. 9. And hereafter, before any benefits shall be assessed against the lands in any other drainage district, the drainage commission shall make or cause to be made plats or maps, as above described, of the lands within such district and file same with the assessment roll, in the office of the sheriff or other tax collector. Such plats or maps, when so filed, shall be and constitute a part of the assessment roll levying or assessing benefits against the several tracts of land in such drainage district; and the assessment rolls heretofore filed in the office of the sheriff or other tax collector of Mecklenburg County shall, from and after the filing thereof, be a prior and paramount lien, subject only to State and county taxes, against each and every tract of land in any such district, owned by any person or persons appearing in said drainage roll, to the extent of the benefit assessed against each particular tract; and the assessment rolls, together with the maps herein required to be made, hereafter filed in the office of the sheriff

Maps part of assessment roll.

Lien of assessment rolls heretofore filed.

Lien of assessment rolls heretofore filed.

or other tax collector of Mecklenburg County, assessing the benefits against the lands in any drainage district, other than the four drainage districts above mentioned, shall, from and after the filing of the assessment roll and plats or maps as aforesaid, be a prior and paramount lien, subject only to State and county taxes, against each and every tract of land in such drainage district, owned by any person or persons appearing in such drainage roll and on such plats or maps, to the extent of the benefit assessed against each particular tract.

SEC. 10. All benefits heretofore assessed against any lands in Big Sugar Creek Drainage District, Number One, Big Sugar Creek Drainage District, Number Two, McDowell's Creek Drainage District, and Briar Creek Drainage District, still remaining unpaid, shall bear interest at six per cent per annum from and after sixty days after the assessment rolls were filed in the office of the sheriff or other tax collector, and all benefits heretofore assessed against lands in the above mentioned drainage district are hereby in all respects ratified and confirmed.

Assessments to bear interest.

Assessments ratified.

SEC. 11. All benefits heretofore assessed and levied against lands in Little Sugar Creek Drainage District, Number One, are hereby in all respects ratified and confirmed, and any such assessments remaining unpaid shall bear interest at six per cent from and after sixty days after the assessment rolls were filed in the office of the sheriff or other tax collector of Mecklenburg County, and if such assessments and interest are not paid within sixty days after the ratification of this act it shall be the duty of the sheriff or other tax collector of Mecklenburg County, upon written demand of the drainage commission, to sell such lands in the manner hereinafter provided.

Further assessments ratified.

Assessments to bear interest.

Sale of land for assessments.

SEC. 12. The drainage commission is hereby vested with full power and authority to issue and sell bonds, covering the benefits heretofore assessed in Big Sugar Creek Drainage District, Number One, and Big Sugar Creek Drainage District, Number Two, and which remain unpaid thirty days after the ratification of this act, and they shall also have power and authority to issue bonds covering any unpaid benefits hereafter assessed against the lands in any other drainage district. And the drainage commission is hereby vested with full power and authority to issue and sell bonds covering the benefits heretofore assessed in McDowell's Creek Drainage District in Mecklenburg County, and which remain unpaid at the date of the ratification of this act.

Issue of bonds covering assessments.

Further bond issue authorized.

SEC. 13. No bonds shall be issued or sold covering the benefits heretofore or hereafter assessed in any drainage district unless the owners of such lands shall first pay to the sheriff or other tax collector at least five per cent of the total amount assessed against such lands, together with all the interest due up to the date that such bonds are issued and sold, and all lands in any drainage district on which such five per cent and interest is not paid at the

Payment prior to bond issue.

Lands to be sold for assessments.

Assessments payable in installments.

time bonds are issued, covering the unpaid benefits assessed in such district, shall be sold by the sheriff or other tax collector as hereinafter provided for the purpose of paying the entire benefits assessed against such lands and any interest due thereon, as is herein provided for sales in other cases. Upon issuing bonds covering any benefits, the balance of the unpaid benefits assessed against the various tracts of lands in any drainage district shall be due and payable in ten equal annual installments, the first annual installment, together with interest at six per cent then due on the whole unpaid assessment, to be due and payable twelve months from the date of the issuance of the bonds, and one installment, together with interest at six per cent then due on the whole unpaid assessment, to be due and payable annually thereafter, until the tenth and last installment shall be due: *Provided*, that the drainage commission may issue such bonds covering the whole of the assessments in McDowell's Creek Drainage District, above mentioned, which remain unpaid at the date of the ratification of this act.

Proviso: bonds for McDowell's Creek district.

Supplemental roll.

SEC. 14. Whenever bonds are issued covering the unpaid benefits of any drainage district, evidenced by the assessment roll and map filed in the office of the sheriff or other tax collector, the drainage commission shall file a supplemental roll in the office of the sheriff or other tax collector, which supplemental roll shall indicate the name of the owner of each tract of land and the amount of benefit assessed against each tract, the amount unpaid on each assessment, the total amount of benefits assessed and unpaid, and the dates and amounts of the annual installments thereafter due and the interest to be due on each annual installment, and such supplemental roll, when so filed, shall constitute a part of the original assessment roll for such drainage district filed in the office of the sheriff or other tax collector.

Details of supplemental roll.

Part of original roll.

Sale of land on non-payment of installment or interest.

SEC. 15. Whenever any assessment or annual installment and accrued interest becomes due and is unpaid, the sheriff or other tax collector shall have the right, and it shall be his duty, upon written demand of the drainage commission, the county treasurer, or the holder of any bond or bonds covering benefits assessed against the lands in such drainage district, to sell, in the same manner as is provided by law for sale under judgment and execution, the land, or so much thereof as may be necessary, against which benefits or installments have been assessed and remain unpaid, and out of the proceeds shall pay over to the treasurer of Mecklenburg County the amount of assessment, or installment of assessment, and the interest then due. The balance of the assessment, or installments and interest thereafter accruing, shall be and remain a prior and paramount lien, subject only to State and county taxes, until the entire assessment or all the installments and interest are paid.

Lien for balance of assessment.

<p>SEC. 16. Drainage bonds issued by the drainage commission under this act shall bear interest not exceeding six per cent per annum, payable semiannually, and shall be paid in ten equal installments. The first installment of principal shall mature at the expiration of one year from the date of issue, and one installment shall mature at the expiration of each succeeding year for nine additional years. The drainage commission shall sell these bonds at not less than par and devote the proceeds, after paying cost of issuing and selling the bonds, to payment of cost of dredging the creeks in the district for which said bonds are issued and to the payment of other expenses of the district provided for in this act. The proceeds from sale of such bonds shall be for the exclusive use of the drainage district specified on their face and for which they are issued, and shall be numbered by the drainage commission and recorded in the drainage record, which record shall contain a list of the lands embraced in the district on which the benefits have been assessed and are unpaid. If any installment of principal or interest represented by the said bonds shall not be paid at the time and in the manner when the same shall become due and payable, and such default shall continue for a period of thirty days, the holder or holders of such bond or bonds upon which default has been made may have a right of action against the said drainage district and the drainage commission of Mecklenburg County, wherein the court may issue a writ of mandamus against the drainage commission, the sheriff or other tax collector, and the treasurer of Mecklenburg County, directing the sale by the sheriff or other tax collector, as herein provided, of the particular tract of land in such drainage district covered by the drainage bonds and against which assessments or installments of interest thereon may be due and unpaid; and such other remedies are hereby vested in the holder or holders of such bonds in case of a default as may be authorized by law. The official bonds of the sheriff or other tax collector in whose district any such lands may be located, and of the county treasurer, shall be liable for the faithful performance of the duties required of them by this act.</p>	Interest on drainage bonds.
	Bonds payable in installments.
	Sale at not less than par.
	Specific appropriation of proceeds.
	District specified on face of bonds.
	Record of bonds.
	Drainage record.
	Action on nonpayment of installment.
	Remedy by mandamus.
	Other remedies.
	Sheriff and treasurer liable on bonds.
	Consent of landowners presumed.
	Consideration for waiver of right.
	"Person" defined.
<p>SEC. 17. If bonds are issued covering any assessment levied and unpaid in any drainage district, as herein provided, each and every person owning land in the district owing any unpaid assessments or installments covered by such bonds shall be deemed as consenting to the issuance of the bonds by the drainage commission, and in consideration of the right to pay the benefits assessed against his lands in annual installments he shall be deemed to waive his right of defense to the payment of any installments which may be levied against his lands for the payment of the bonds, or the interest thereon, because of any irregularity, illegality, or defect in the proceedings prior to this time. The term "person" used in this act includes any firm, company, or corporation.</p>	

Settlement of sheriff with county treasurer.

SEC. 18. It shall be the duty of the sheriff or other tax collector to report and pay over to the county treasurer promptly the money collected by him upon any assessments or installments, designating the particular drainage district from which such funds have been collected, and it shall be the duty of the county treasurer, without any previous order from the board of drainage commissioners, to pay the installments of the principal due on said bonds at the time and place as evidenced by the said bonds, and the said treasurer shall be guilty of a misdemeanor and subject, upon conviction, to a fine and imprisonment, in the discretion of the court, if he shall willfully fail to make prompt payments of the said interest and principal upon said bonds, and shall likewise be liable in a civil action for all damages which may accrue either to the drainage commissioners or the holders of said bonds, to either or both of which a right of action is hereby given.

Payment of installments of bonds.

Failure to make payments a misdemeanor.

Punishment.

Civil liability.

Notice of claims for damages.

SEC. 19. No action for damages against said drainage commission, of any character whatsoever, to either person or property, shall be instituted against said drainage commission, unless within sixty days after the happening or infliction of the injury complained of the complainant, his executors or administrators, shall have given notice to the drainage commission of such injury, in writing, stating in such notice the date and place of the happening or infliction of such injury, the manner of such infliction, the character of the injury, and the amount of damages claimed therefor; but this shall not prevent any time of limitation prescribed by law from commencing to run at the date of happening or infliction of such injury, or in any manner interfere with its running: *Provided, however*, if the injury complained of happened or was inflicted prior to the ratification of this act, the complainant, his executor or administrator, shall have sixty days after the ratification of this act in which to give the written notice above mentioned.

Statute of limitations.

Proviso: injuries heretofore inflicted.

Appointment of guardians confirmed.

SEC. 20. That appointments heretofore made by the clerk of the Superior Court of Mecklenburg County of any guardian *ad litem* to represent the interest of any infants, idiots, or persons *non compos*, in connection with the assessing of benefits to the lands in any drainage district heretofore laid off, are hereby in all respects validated and affirmed; and hereafter, if it shall be made to appear to the clerk of the Superior Court by affidavit that the owner or owners of the whole or any share of any tract or tracts of land are unknown, and cannot after due diligence be found, or are infants, idiots, lunatics, or persons *non compos*, the court shall order a notice, in the nature of a summons, to be given to all such persons by publication for ten days in some daily newspaper published in Mecklenburg County, which notice shall describe generally the drainage district proposed to be drained, the assessments

Order for notice to nonresidents and persons under disability.

Recitals of notice.

of benefits against the several tracts of such persons for whom a guardian *ad litem* has been appointed, a general description of the tract or tracts of lands as to which the owner or owners are unknown, or are infants, idiots, lunatics, or persons *non compos*, and a copy of such notice shall also be posted at the courthouse door of the county. After the time of publication shall have expired the court shall appoint some disinterested person to represent the interest of such unknown owner or owners, or infants, idiots, lunatics, or persons *non compos*, and thereafter proceedings may be had to the same extent as if the true owners, or the infants, idiots, lunatics, or persons *non compos* were persons legally capable and represented. If at any time during the pendency of the drainage proceeding the true owner or owners of the lands shall appear in person, they may be made parties on their own motion, and without the necessity of personal service, and shall thereafter be considered as parties to the proceeding, but they shall have no right to except or to appeal from any order or judgment theretofore rendered as to which the time for filing exceptions or appealing shall have expired.

Appointment of representative.

Further proceedings.

Persons appearing in person.

SEC. 21. That section twenty-one of chapter five hundred and thirty-eight of Public-Local Laws of one thousand nine hundred and eleven be amended by adding after the word "services" in line two of said section the following: "and they shall also be reimbursed for any necessary expense incurred by them in the discharge of their duties upon filing proper vouchers covering same."

Payment of expenses.

SEC. 22. Whenever any person shall appeal from the order or findings of any jury, or of the drainage commission, under the provisions of this act, said appeal shall be taken and prosecuted as now provided for appeals in civil actions. Said appeal shall have priority over all other cases in point of trial at the next term of said court by reason of its public nature, as is provided in section three of the Public-Local Laws of one thousand nine hundred and thirteen.

Procedure on appeals.

Priority of trial.

SEC. 23. That section four of chapter eight hundred and twenty-six of the Public-Local Laws of one thousand nine hundred and thirteen be amended by striking out all of the said section after the word "drainage" in line fourteen thereof.

Specifications of drainage rolls.

SEC. 24. That section six of chapter five hundred and thirty-eight of the Public-Local Laws of one thousand nine hundred and eleven is hereby repealed.

Collection of assessments.

SEC. 25. That section twelve of chapter five hundred and thirty-eight of the Public-Local Laws of one thousand nine hundred and eleven be and the same is hereby repealed.

Contracts for drainage.

SEC. 26. That section twelve of chapter eight hundred and twenty-six of the Public-Local Laws of one thousand nine hundred

Special tax continued.

and thirteen be amended by striking out in line four of said section the words "thirteen and nineteen hundred and fourteen," and substituting instead thereof the words "fifteen and nineteen hundred and sixteen."

Notices served by sheriff.

SEC. 27. That all notices herein required to be served shall be served by the sheriff of Mecklenburg County, except as otherwise herein provided. If the person to whom such notice is directed cannot, after due diligence, be found in the county, such person shall be served by publication in some daily newspaper published in Mecklenburg County, once a day for ten days. Service on infants, idiots, lunatics, and persons *non compos* shall be made as provided by law for service on infants in other cases.

Notice by publication.

Service on persons under disability.

Use of special tax for payment of bonds.

SEC. 28. If at the time any installment of principal or interest on any bonds issued by the drainage commission falls due sufficient funds to meet said installment of principal or interest shall not have been collected upon the assessments or installments levied in the particular district against which said bonds are issued, then the drainage commission may, in its discretion, use any funds in its hands derived from the special tax provided for in this act to meet and pay said installment of principal or interest of said bonds: *Provided*, that when such delinquent assessments are collected they shall be covered into the special-tax fund to reimburse the amounts used to meet such installments of principal or interest.

Proviso: repayment to tax fund.

SEC. 29. This act shall be in full force and effect from and after its ratification.

Ratified this the 2d day of March, A. D. 1915.

CHAPTER 370.

AN ACT TO AMEND SECTION 1, CHAPTER 678, PUBLIC-LOCAL LAWS, SESSION 1913, RELATIVE TO CHARGES FOR RECONNECTING ELECTRIC METERS OR WATER AND GAS METERS IN BEAUFORT COUNTY.

The General Assembly of North Carolina do enact:

Limit of charge.

SECTION 1. That section one, chapter six hundred and seventy-eight, Public-Local Laws, session one thousand nine hundred and thirteen, be and the same is hereby amended by adding after the word "charge" and before the word "for," in line three thereof, the words "more than fifty cents."

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

Ratified this the 2d day of March, A. D. 1915.

CHAPTER 371.

AN ACT TO CONSTRUE CHAPTER 433, PUBLIC-LOCAL LAWS, SESSION 1911, AND CHAPTER 122, PUBLIC LAWS, SESSION 1913, TO RATIFY CERTAIN ACTS DONE THEREUNDER, TO CONSTITUTE CERTAIN BANKS CUSTODIANS OF THE PROCEEDS OF CERTAIN BONDS, AND FOR OTHER PURPOSES.

Whereas, by chapter four hundred and thirty-three, Public- Preamble.
Local Laws of North Carolina, session of one thousand nine hundred and eleven, "The Board of Road Commissioners of Rich Square Township" was created a body corporate and the entire supervision and jurisdiction of all the public roads of Rich Square Township, Northampton County, North Carolina, was by said act conferred upon said "The Board of Road Commissioners of Rich Square Township"; and whereas, under and by virtue of the Preamble.
power and authority conferred by chapter one hundred and twenty-two, Public Laws of North Carolina, session of one thousand nine hundred and thirteen, upon a petition in writing signed by more than one-fourth of the qualified voters of said Rich Square Township being presented to it, said petition being in due and legal form and complying in all respects with the requirements of said chapter one hundred and twenty-two, Public Laws of North Carolina, session one thousand nine hundred and thirteen, the board of county commissioners of Northampton County, North Carolina, duly ordered an election to be held in said Rich Square Township, Northampton County, on the eleventh day of July, one thousand nine hundred and fourteen, to submit to the qualified voters therein the question of issuing bonds, for the purposes named in said act, in the sum of twenty thousand dollars (\$20,000), with interest thereon at the rate of five per cent (5%) per annum, payable semianually, and becoming due twenty-five to thirty-five years after date, which said election was duly and lawfully held in said township on said date, after due and lawful advertisement and after the registration books had been kept open and revised according to law; and whereas at said election more than a majority of Preamble.
the qualified voters of said Rich Square Township voted "For Road Bonds," the returns of which said election were duly made to and the returns duly canvassed and the result declared by said board of county commissioners as provided by law; and whereas, Preamble.
in pursuance of said election and the authority conferred thereby and by said chapter one hundred and twenty-two, Public Laws of North Carolina, session one thousand nine hundred and thirteen, the said board of county commissioners of Northampton County, for and on behalf of said Rich Square Township, Northampton

County, North Carolina, issued, sold, and delivered the bonds of said Rich Square Township in the sum of twenty thousand dollars (\$20,000), said bonds being twenty in number, each of the denomination of one thousand dollars (\$1,000) and numbered from one to twenty consecutively and inclusively, and dated August first, one thousand nine hundred and fourteen, and to become due and payable as follows: two thousand dollars (\$2,000) of said bonds on August first, one thousand nine hundred and forty, and two thousand dollars (\$2,000) of said bonds on August first each and every year thereafter until all of said bonds have been paid, to wit, up to and including August first, one thousand nine hundred and forty-nine, with interest thereon until paid at the rate of five per cent (5%) per annum, payable semiannually on the first day of February and of August of each and every year from the date thereof, both principal and interest of said bonds to be payable at the Hanover National Bank in the city and State of New York, said bonds having been by said board of county commissioners sold and delivered to A. J. Hood & Co., Detroit, Michigan. who bid therefor the sum of twenty thousand and twenty-six dollars (\$20,026), it being the highest bid obtainable; and whereas the said board of county commissioners has turned over to the said board of road commissioners of Rich Square Township the net proceeds of said bonds, less the costs and expenses incurred in the preparation, negotiation, and sale of said bonds; and whereas there is doubt as to whether said net proceeds of said bonds ought to have been turned over to said board of road commissioners of Rich Square Township, under said chapter four hundred and thirty-three, Public-Local Laws of North Carolina, session one thousand nine hundred and eleven, or ought to have been put into the hands of the treasurer of Northampton County to be expended for said Rich Square Township by said board of county commissioners as provided in said chapter one hundred and twenty-two, Public Laws of North Carolina, session of one thousand nine hundred and thirteen; and whereas both of said boards believe it would be to the best interest of Rich Square Township and the roads thereof for said net proceeds of said bonds to be turned over to said the board of road commissioners of Rich Square Township, to be by said board expended for the purposes for which said bonds were issued and as provided by law: Now,

The General Assembly of North Carolina do enact:

SECTION 1. That said bonds and all the acts and doings of said board of county commissioners of Northampton County relative to said bonds and the execution, issuing, sale, and delivery thereof, and all sums allowed by said board of county commissioners in preparing, negotiating, and selling said bonds, and the turning over of the net proceeds of said bonds by said board of county commis-

Preamble.

Preamble.

Preamble.

Acts of commis-
sioners validated.

sioners to said board of road commissioners of Rich Square Township be and the same are hereby in all respects ratified, affirmed, and validated.

SEC. 2. That the said the board of road commissioners of Rich Square Township be and it is hereby authorized to deposit one-half of the net proceeds of the sale of said bonds in The Farmers Bank, Woodland, North Carolina, and one-half of the net proceeds of the sale of said bonds in The Bank of Rich Square, Rich Square, North Carolina, without requiring said banks to give bonds, said banks to receive no commissions from handling said funds, and said funds to be paid out on such warrants or vouchers as may be provided by the regulations of said the board of road commissioners of Rich Square Township.

Deposits
authorized.

Warrants on funds.

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

Ratified this the 2d day of March, A. D. 1915.

CHAPTER 372.

AN ACT TO ESTABLISH RECORDERS' COURTS IN COLUMBUS COUNTY AND TO PRESCRIBE THE JURISDICTION THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. That special courts to be designated "Recorder's Court for Whiteville District in Columbus County"; "Recorder's Court for Chadbourn District, Columbus County"; "Recorder's Court for Williams District, Columbus County"; "Recorder's Court for Cerro Gordo District, Columbus County"; "Recorder's Court for Lees and Bug Hill District, Columbus County"; "Recorder's Court for Bogue District, Columbus County"; "Recorder's Court for Bolton District, Columbus County"; "Recorder's Court for Acme District, Columbus County," are hereby created.

Courts established.
Districts.

SUBSEC. (a). Whiteville District shall be composed of Whiteville Township and Western Prong Township in said county. Chadbourn District shall be composed of Chadbourn Township and Tatums Township in Columbus County. Williams District shall be composed of Williams Township and South Williams Township in said county. Cerro Gordo District shall be composed of Fair Bluff Township in said county. Lees and Bug Hill District shall be composed of Lees Township and Bug Hill Township, Columbus County. Bogue District shall be composed of Bogue Township, Waccamaw Township, and Welchs Creek Township, Columbus County. Bolton District shall be composed of Bolton Township, Columbus County. Acme District shall be com-

Whiteville district.

Chadbourn
district.
Williams district.

Cerro Gordo
district.
Lees and Bug Hill
district.

Bogue district.

Bolton district.

Acme district.

Places for holding court.

posed of Ransom Township, Columbus County. The court of Whiteville District shall be held in the town of Whiteville. The court of Chadbourn District shall be held in the town of Chadbourn, or elsewhere in said district, wherever the recorder hereinafter appointed or elected for said district may desire to hold said court. The recorder's court of Williams District shall be held anywhere in said district the recorder hereinafter appointed or elected for said district may desire to hold said court. The recorder's court for Cerro Gordo District shall be held anywhere in said district the recorder hereinafter appointed or elected for said district may desire to hold said court. The recorder's court for Lees and Bug Hill District may be held anywhere in said district the recorder hereinafter appointed or elected for said district may desire to hold said court. The recorder's court for Bolton District shall be held in the town of Bolton. The recorder's court for Acme District shall be held anywhere in said district the recorder hereinafter appointed or elected for said district may desire to hold said court.

Nomination of candidates.

SUBSEC. (b). At the next primary of Columbus County and every two years thereafter tickets shall be printed containing names of the candidates for recorder for the several districts hereinbefore designated and established, and placed at the polls in each township in the respective districts, where separate ballot boxes shall be provided to receive ballots for the recorder of the district within which the township is located, and the same rules for primary which apply in nominating county officers for said county shall apply as to nominating recorders, and the same officers of the primary for nominating candidates for county offices shall act as officers of the primary for nominating a recorder.

Voters.

Every voter who is a qualified voter in the county primary for the nominating of county officers shall be qualified to vote for the nomination of recorder in this primary, and the candidate receiving a majority of the votes cast for recorder in his district in said primary shall be declared the candidate for election and at the same election of county officers, and every two years thereafter the names of the persons legally nominated at the preceding primary shall be printed on separate ballots and separate ballot boxes shall be provided for recorder in every township in the several districts hereinbefore designated and established, and every voter who is qualified to vote in the election for county officers shall be entitled to vote in the election of the recorder for his district.

Nominees.

Elections.

Voters.

Persons declared elected.

The candidate receiving the majority of votes in his district shall be declared elected recorder of said district, and the judges of election for each district at the meeting of the judges of election for the other county officers.

SUBSEC. (c). The regular term of office of the recorders herein provided for in the several districts in said county, hereinbefore designated and established, shall begin on the first Monday in December, one thousand nine hundred and sixteen, and until that time E. A. Maulsby be and he is hereby appointed recorder for Whiteville District; and E. T. Usher be and he is hereby appointed recorder for Chadbourn District; and Auty Baldwin be and he is hereby appointed recorder for Williams District; and W. D. Meares be and he is hereby appointed recorder for Cerro Gordo District; and B. A. Marlow be and he is hereby appointed recorder for Lees and Bug Hill District; and Bruce Pierce be and he is hereby appointed recorder for Bogue District; and Crandell Brown be and he is hereby appointed recorder for Bolton District; and S. B. King be and he is hereby appointed recorder for Acme District in said county.

Regular term of office.

Recorders appointed.

SEC. 2. Each court herein created shall be a court of record and shall be presided over by the recorder for the district wherein he is appointed or elected, who shall be a qualified elector of the district for which he is elected.

Courts of record.

Recorder.

SEC. 3. The recorders herein appointed, or hereafter elected, before entering upon the discharge of their duties shall take and subscribe the oath prescribed for the judges of the Superior Court, before the clerk of the Superior Court of Columbus County, which said oath shall be recorded by said clerk in his office. The salary of said recorders shall be fixed by the board of commissioners of Columbus County, as they deem just and equitable, to be paid out of the county treasury upon the warrant of said commissioners.

Recorders to qualify.

Salaries.

SEC. 4. Each court herein created shall have a seal bearing the name of the court, which seal shall be used in attestation of writs, warrants, or other proceedings, acts, and judgments of said court, as required, and in the same manner and to the same effect as the seal of other courts of record in the State of North Carolina.

Seals.

SEC. 5. Each recorder's court herein created shall hold sessions at such times. Sundays and legal holidays excepted, at some convenient place in said district as may be most convenient and designated by said recorder, except the recorder for Whiteville District and the recorder for Bolton District, who shall hold their sessions in the town of Whiteville, at the courthouse, and in the town of Bolton, at such times as the transaction and dispatch of any business, either criminal or civil, may be pending before said recorders' courts, as said recorders may decide.

Sessions.

SEC. 6. The jurisdiction of said courts shall be as follows, to-wit:

Jurisdiction.

(a) Said courts shall have final, exclusive, original jurisdiction of the violations of all town ordinances committed within the corporate limits of the town of Whiteville and the corporate limits of the town of Chadbourn, and within the corporate limits of the town of Tabor in said county of Columbus.

Of violations of town ordinances.

As to justices of the peace.

(b) Said courts shall have final, concurrent, original jurisdiction of all criminal offenses committed in Columbus County which are now or hereafter may be within the jurisdiction of a justice of the peace.

Of specified offenses.

(c) Said courts, in addition to the jurisdiction conferred in subsections (a) and (b) of this section, shall have final, original jurisdiction of the following criminal offenses, to-wit: carrying concealed weapons, gaming, gambling, keeping gambling places, keeping bawdy-houses, the larceny of and receiving stolen goods knowing them to be stolen, when the property stolen does not exceed twenty dollars in value; for failure to list taxes, assault and battery with deadly weapon or where serious damage is done, fornication and adultery, abandonment, failure to provide adequate support, cruelty to animals, malicious injury to real and personal property, trespassing on lands after being forbidden, forcible trespass, enticing servants to leave masters, retailing spirituous liquors and wine without license, selling or giving away spirituous liquors to minors, selling or giving away cigarettes to minors, obtaining advances under promise to work and failing to perform the services according to the agreement, false pretense, disposing of mortgaged property, maintaining nuisances, all crimes against public health as contained in the Revisal of one thousand nine hundred and five from section three thousand four hundred and forty to three thousand four hundred and fifty-eight inclusive, and not within the jurisdiction of justices of the peace, or misdemeanors contained in chapter eighty-one of the Revisal of one thousand nine hundred and five, or any acts amendatory thereof, where the punishment does not exceed a fine of two hundred dollars or imprisonment for more than two years, and which are not within the jurisdiction of justices of the peace, and all crimes which at common law are misdemeanors wherein the punishment is within the discretion of the court, and all such crimes hereinbefore enumerated are hereby declared by this act to be petty misdemeanors and punishment thereof shall be as now prescribed by law.

Of common-law misdemeanors.

Jurisdiction in preliminary hearings.

(d) In any other criminal matters wherein said courts have not final jurisdiction it shall have power and is hereby fully authorized to hear and bind over to the proper court all persons charged with any crime committed within the county of Columbus and to render such judgment in such matters as are now provided by law for justices of the peace; provided prosecution has been commenced prior to the ratification of this act, the court in which said prosecution has been instituted shall have jurisdiction thereof; and in any and all such cases heard by the recorders' courts established by this act as committing magistrates against any person or persons for any offense whereof said courts herein established have not final jurisdiction, in which probable cause of guilt is found, said person or persons so charged shall be bound in bond

Proviso: prosecution heretofore instituted. Court having jurisdiction. Bonds for appearance.

or recognizance with sufficient surety, if the crime be bailable under the law, to appear at the next term of the Superior Court of Columbus County for the trial of criminal offenses, and in default of such bond or recognizance such person or persons shall be committed to the common jail of Columbus County to await trial as aforesaid. If the crime be not bailable, then to commit the defendant so charged to the common jail of Columbus County to await the action of a Superior Court thereof.

Commitment in
default of bond.

(e) Said recorders shall have all the powers, jurisdiction, and authority as conferred by law upon justices of the peace or the Superior Court of Columbus County to sentence any person convicted in said court of a misdemeanor for which the punishment prescribed by law is imprisonment to be worked on the public roads of said county or in any township of said county as provided by law, or imprisoned in the county jail, and it shall be the duty of any constable or rural policeman or the sheriff of said county or any person specially deputized by said recorder to forthwith execute said sentence or judgment.

Sentences to road
work.

(f) Warrants may be issued by the recorders of said courts or by any justice of the peace of Columbus County, made returnable to said courts for any person or persons charged with the commission of any offense of which the said courts have jurisdiction. Any person convicted in said courts shall have the right to appeal, as is now provided for appeals from the jurisdiction of justices of the peace, to the Superior Court of Columbus County, and upon appeal the trial shall be *de novo* in the Superior Court.

Execution of
sentence.

Warrants by
justices returnable
to recorders.

Appeals.

(g) Said courts shall have jurisdiction to try all actions for the recovery of any penalty imposed by law in this act or any ordinance of a city or town wherein the court is held, for any act done within Columbus County in violation of said ordinance, and said penalty shall be recovered in the name of the State, if not inside the corporate limits of the town wherein the court is held, and if inside said limits, in the name of any such town.

Jurisdiction for
recovery of
penalties.

(h) Said courts shall have jurisdiction of any and all criminal offenses as hereinbefore in this section enumerated which have been committed before the ratification of this act and of which no court has taken jurisdiction.

Jurisdiction of
offenses heretofore
committed.

(i) Said courts shall have final, concurrent, and original jurisdiction in all civil matters arising in said county of Columbus which are now or may hereafter be given to justices of the peace.

Civil jurisdiction.

SEC. 7. When upon affidavit of a defendant, made before entering upon the trial of any cause before any justice of the peace of Columbus County, that said defendant cannot obtain a fair and impartial trial before said justice, said case may be moved for trial to the nearest recorder's court in the same district where said justice resides in Columbus County.

Trials removed to
recorders' courts.

- Jury trials. SEC. 8. That either plaintiff or defendant in actions in said courts may demand and have a jury as provided in courts of justices of the peace, and the county commissioners shall provide a jury box for each township in each district and deliver to said recorder's court herein established and created, and the jurors shall receive the same compensation as now provided in courts of justices of the peace, and the jury shall be drawn from the township wherein said court may be sitting.
- Jury boxes.
- Pay of jurors.
- Jurors from township.
- Summons in civil action. SEC. 9. All civil actions shall be commenced in the said courts by summons issued by the recorder or justice of the peace in such cases as they would have jurisdiction, made returnable to said court: *Provided*, either plaintiff or defendant may appeal to the Superior Court from any judgment rendered by the recorder in the same manner as is provided by law for appeals from courts of justices of the peace.
- Proviso: right of appeal.
- Costs.
- Fees.
- Costs paid to county.
- Separate accounts.
- Monthly reports.
- Proviso: trial fees.
- Officers to whom process shall issue.
- SEC. 10. The cost of serving warrants, subpoenas, summons, and other process issued by any of said recorders' courts shall be the same as now fixed by law, and shall be paid to the officers performing such services. The fees for issuing warrants, subpoenas, summons, and for other process or writs, and for making up the bills of cost, shall be the same as now fixed by law for justices of the peace and clerks of the Superior Courts in similar cases, and every defendant who pleads guilty or is adjudged guilty in such court shall be fined and taxed with the costs of the prosecution as now prescribed by law, and all such costs, except that due the sheriff, constable, police officers, or special deputized officers, shall be paid on the first Monday of each month by the recorders of said courts to the treasurer of Columbus County, who shall keep a separate account thereof and report to the board of county commissioners of Columbus County on the first Monday of each month the amount paid him by each recorder, and each recorder shall file with the said board of county commissioners on the first Monday of each month an itemized statement of all fines and costs collected by him and paid to the treasurer of the county of Columbus for the month preceding: *Provided*, in all cases within the jurisdiction of justices of the peace an additional tax of one dollar shall be added, and in all other cases an additional tax of two dollars shall be added by the recorder in the bill of costs, which shall be paid into the county treasury as other funds.
- SEC. 11. That warrants, subpoenas, summons, and other process issued by said courts shall be issued to the sheriff or other lawful officer of Columbus County, or to the sheriff or other lawful officer of the county where said process is to be served, and service thereof shall be lawfully made when made by the sheriff of the said county, any constable of said county, or any police officer of any city or town wherein the court is held, or by any rural policeman hereinafter elected or now serving in Columbus County, or, in the absence

of such officer, by any person specially deputized by the recorder in writing to make service; and said warrants, subpoenas, summons, and other process of said courts, when attested by the seal of any of said courts, shall run anywhere in the State of North Carolina, and shall be executed by all officers according to law: *Provided*, that when such courts are exercising the civil jurisdiction of a justice of the peace process shall issue and run therefrom as is provided by law for courts of justices of the peace and subject to the same limitations.

Extent of jurisdiction.

Proviso: extent of civil jurisdiction.

SEC. 12. That the mayors of Whiteville, Chadbourn, and Tabor in Columbus County shall issue warrants directed to any policeman of their respective towns, or other lawful officers, in the same manner and for the same offenses that they are now authorized by law to issue the same, but said mayors shall not try any cases. Said warrants shall be returnable before the recorder of the district wherein any of said towns are located, and the recorder for the district wherein said town is located shall try and dispose of all cases according to law, made returnable before him by any of said mayors.

Warrants issued by mayors.

Return of warrants. Trials.

SEC. 13. The same rules for challenge for jurors shall apply to the recorders' courts as apply under the present law in the courts of justices of the peace.

Challenge of jurors.

SEC. 14. The grand jury drawn and selected for the Superior Court for Columbus County shall make presentments of all matters it was their duty to present under the general law prior to the creation of the recorders' courts of Columbus County, and it shall be the duty of the clerk of the Superior Court as soon as practicable thereafter to certify said presentments to the recorder for Whiteville District, who shall make diligent inquiry and investigation from the witnesses whose names are marked on said presentment, and after making said investigation, if in his judgment the ends of justice demand, he shall issue a warrant on said presentments which shall fall within the jurisdiction of the recorders' courts, without any information or evidence to support said warrants other than the presentment of said grand jury; and should any of said recorders' courts fail to take cognizance of any act upon any crime within its exclusive or concurrent original jurisdiction within six months of the commission thereof, all such offenses shall be cognizable in the Superior Court, and the Superior Court shall thereafter have concurrent jurisdiction thereof with the said recorders' courts.

Presentments by grand jury.

Presentments certified.

Warrants on presentments.

Offenses cognizable in superior court.

SEC. 15. That there shall be taxed as costs in all causes in said recorders' courts a county tax which shall correspond with and be the same and collected under the same rules as the jury tax or costs are collected in the Superior Court, and that the said costs thus taxed shall be paid to the county as said jury costs are paid in the Superior Court.

Jury tax.

Substitute
recorders.

SEC. 16. When the recorder of either of the districts provided for in this act is unable to preside over the court on account of sickness, absence, or other cause, said recorder shall appoint some other person, who shall possess the same qualifications as provided herein for the recorder, to act as substitute recorder, and the person so appointed shall have all the powers and duties of the recorder of said district. The compensation for the said substitute recorder shall be paid by the recorder. Any vacancy occurring in the office of recorder of either of the districts shall be filled by the clerk of the Superior Court of Columbus County.

Pay of substitute.
Vacancy.

Sentences to road
work.

SEC. 17. Whenever any person is convicted of any offense of which said courts have jurisdiction, and the punishment imposed is a fine or imprisonment, or imprisonment and cost, the recorder shall sentence the person to work upon the public roads of Columbus County until such sentence has been complied with, and the recorder shall issue commitment of the defendant in accordance with the judgment of the court. In all cases where there is a conviction and the defendant sentenced to the roads or imprisoned the recorder shall certify to the board of commissioners at their regular monthly meeting the amount of costs taxed against the county, to whom due, and for what purpose, and the same, including the whole, shall be paid by the county: *Provided*, that the witness fees in all actions tried in the recorders' courts shall be the same as witness fees in the courts of justices of the peace, and only two witnesses shall be allowed to prove any one material fact in making out said bills of cost.

Cost certified to
county commis-
sioners.

Proviso: witness
fees.

Records to be kept.

SEC. 18. It shall be the duty of the recorders of said courts to keep an accurate account and true record of all costs, fines, penalties, and forfeitures and punishments by said courts imposed by the provisions of this act, and said recorder shall show the name and residence of such offender, the nature of the offense, the date of the hearing of the trial, the punishment imposed, which record, at all times, shall be open to and subject to inspection of the board of commissioners of Columbus County and other persons having business relating to said courts. Each recorder shall provide a permanent docket for recording all the proceedings and process issued by his court, which shall conform to the docket kept by the clerk of the Superior Court. He shall also provide proper files to properly keep records of all cases disposed of in his court and what disposition has been made of the same.

Dockets.

Files.

Probate powers.

SEC. 19. The recorders herein provided for shall have power to administer oaths, to take acknowledgment of deeds, mortgages, and all other instruments which notaries public are now authorized to take acknowledgments for, and all such acknowledgments so taken when directed outside the county of Columbus shall be attested by his seal, and all fees collected by reason of this authority herein conferred shall be accounted for and turned over to the county treasurer in the same manner as other costs.

Fees to county
treasurer.

SEC. 20. The salaries herein provided for shall be paid by the county treasurer to the recorders upon warrants issued by the board of county commissioners. Warrants for salary.

SEC. 21. That chapter two hundred and twenty-two (222) of the Public-Local and Private Laws of North Carolina, extra session of one thousand nine hundred and thirteen, be and the same is hereby repealed; and the county court of Columbus County and the office of county judge and the office of county attorney for Columbus County be and they are hereby abolished. Law repealed.
Court and office abolished.

SEC. 22. That all laws and clauses of laws in conflict herewith are hereby repealed.

SEC. 23. That this act shall be in force from and after its ratification.

Ratified this 2d day of March, A. D. 1915.

CHAPTER 373.

AN ACT TO PREVENT THE DUMPING OF SAWDUST IN
STREAMS OF WAKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm, or corporation to dump sawdust in or near any stream in Wake County, North Carolina. Any person, firm, or corporation violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than fifty dollars nor more than one hundred dollars, or imprisoned not less than thirty days nor more than sixty days. Dumping sawdust forbidden.
Misdemeanor.
Punishment.

SEC. 2. That this act shall only apply to Wake County. Application of act.

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

Ratified this the 2d day of March, A. D. 1915.

CHAPTER 374.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF CALDWELL
COUNTY TO ISSUE BONDS OF LOVELADY TOWNSHIP
AUTHORIZED BY CHAPTER 122 OF THE PUBLIC
LAWS OF 1913, AND HERETOFORE VOTED BY THE
QUALIFIED VOTERS OF SAID TOWNSHIP.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Caldwell County are hereby authorized and empowered to issue twenty-five thousand dollars of road bonds on behalf of Lovelady Township, Bond issue authorized.
Amount.

authorized by an election held in said township on December second, one thousand nine hundred and thirteen, pursuant to chapter one hundred and twenty-two, Public Laws of one thousand nine hundred and thirteen.

Interest. SEC. 2. The said board of county commissioners are hereby authorized and empowered to issue said bonds and cause the same to bear interest at six per cent per annum, payable semiannually, both principal and interest to be payable at some bank in New York City, and they are hereby authorized and empowered to cause said bonds to mature in twenty-five years after their date.

Maturity. Special tax. SEC. 3. That the said board of county commissioners are hereby authorized and empowered to levy a special tax upon all the taxable property within said township sufficient to pay the interest on said bonds as it becomes due and to create a sinking fund for the payment of the principal of said bonds at maturity, as provided for in said chapter one hundred and twenty-two, Public Laws of one thousand nine hundred and thirteen.

Election confirmed. SEC. 4. That said election held on the second of December, one thousand nine hundred and thirteen, is hereby ratified, approved, and confirmed, and the said bonds are hereby in all respects declared to be valid and binding obligations of said Lovelady Township. All of said bonds may be sold at public or private sale, as said county may deem advisable.

Bonds declared valid obligations. Sale of bonds. SEC. 5. That said bonds shall not be subject to call as provided for by section five of said act.

Bonds not subject to call. SEC. 6. This act shall be in force from and after its ratification. Ratified this the 2d day of March, A. D. 1915.

CHAPTER 375.

AN ACT TO RATIFY THE ADVERTISING FOR BIDS FOR \$150,000 BONDS OF MADISON COUNTY, AUTHORIZED BY CHAPTER 828, PUBLIC-LOCAL LAWS OF 1913.

Preamble. Whereas one hundred and fifty thousand dollars bonds of Madison County were on January twenty-first, one thousand nine hundred and fifteen, awarded pursuant to an advertisement published only once in the *Daily Bond Buyer* and once in the *Weekly Bond Buyer* of New York and five times in the *Asheville Citizen*, a daily newspaper: Now, therefore,

The General Assembly of North Carolina do enact:

Advertising declared sufficient. SECTION 1. That said advertising is hereby ratified and approved as a sufficient advertisement of the sale of said bonds.

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

Ratified this the 2d day of March, A. D. 1915.

CHAPTER 376.

AN ACT TO AUTHORIZE THE SCHOOL COMMITTEE OF RALEIGH TOWNSHIP TO SUBMIT THE QUESTION TO THE VOTERS OF SAID TOWNSHIP OF ISSUING \$100,000 IN BONDS FOR SCHOOL BUILDINGS.

The General Assembly of North Carolina do enact:

SECTION 1. That upon written request of a majority of the school committee of Raleigh Township, the board of county commissioners of Wake County shall order an election to be held in said township, at such time and places as may be specified by said school committee, to determine the question, "Shall the school committee of Raleigh Township, Wake County, issue one hundred thousand dollars in bonds (par value) of the said township, with interest coupons attached, bearing five per cent interest per annum, in the aid of the construction and equipment of new public school buildings and of additions to existing public school buildings in the said township?" That the said board of county commissioners shall at least thirty days preceding the said election give notice of said election and the purpose thereof by publication in one or more newspapers published in said county and at such other places as may be determined upon by it.

Request and order for election.

Question to be voted on.

Notice of election.

SEC. 2. That said election shall be held and conducted in the same manner and under the same requirements of law as are now in force or may hereafter be prescribed by law for holding elections for members of the General Assembly: *Provided*, that there shall be a new registration of all the qualified voters residing in said township, and for this purpose the said board of county commissioners is hereby empowered to prescribe such rules and regulations for the opening and closing of said registration books as may be fit and proper: *Provided further*, that the board of county commissioners shall appoint the necessary registrars and judges of election; and the registration of voters, except as herein provided, and the challenges of voters, shall be conducted in the same manner as is now or may hereafter be provided for the election of members of the General Assembly. That the vote shall be counted at the close of the polls and return of the count made to the said board of county commissioners, which shall canvass, tabulate, and declare the result of the election, which shall be recorded in the minutes of the said board of county commissioners, and no other recording or declaration of said election shall be necessary.

Law governing election.

Proviso: new registration.

Proviso: election officers.

Registration and challenges.

Count and return of vote.

Canvass and record of returns.

SEC. 3. That at said election ballots tendered and cast shall have written or printed upon the same "For School Bonds" or "Against School Bonds," and all qualified registered electors who may be opposed to the issue of bonds shall vote a ticket on which shall be written or printed the words "Against School Bonds."

Ballots.

Bond issue.	SEC. 4. That if a majority of the qualified voters in said election shall vote "For School Bonds," and the result shall be declared and recorded as aforesaid, then it shall be the duty of the board of county commissioners of Wake County to prepare bonds, in the usual form, in denominations not exceeding one thousand dollars and not less than one hundred dollars, and the total amount not to exceed one hundred thousand dollars, which said bonds shall bear interest at the rate of five per cent per annum, interest coupons being attached thereto payable semiannually on the first days of January and July in each year. The principal thereof shall be payable or redeemable at such time or times, not exceeding thirty years from the date of the issue, as said board of county commissioners of Wake County may determine upon. That said bonds shall be signed by the school committee of Raleigh Township, Wake County, in its name by its chairman and attested by the secretary of said committee, who shall attach the seal of said school committee to each of said bonds. Said bonds shall be styled "Bonds to aid in the construction of new public school buildings and in additions to existing public school buildings in Raleigh Township, Wake County, North Carolina."
Denominations.	
Amount.	
Interest.	
Maturity.	
Authentication.	
Official entitlement.	
Delivery and sale of bonds.	SEC. 5. That upon the preparation, signing, and executing of said bonds the said school committee of Raleigh Township, Wake County, shall deliver the same to the chairman of the school committee of Raleigh Township, Wake County, who shall after due advertisement for bids sell said bonds at such times and in such manner as the said school committee of Raleigh Township, Wake County, may direct. That none of said bonds or the proceeds thereof shall be used by the said school committee of Raleigh Township for any other purpose than provided for in this act.
Specific appropriation.	
Bonds numbered.	SEC. 6. Said bonds shall be numbered consecutively and the coupons attached shall bear the number of the bonds to which they are attached, and the said coupons shall bear the printed or engraved facsimile of the autograph signature of the chairman of the school committee of Raleigh Township, Wake County. The bonds and coupons shall state the time and place when they are due and by what authority issued. The school committee of Raleigh Township, Wake County, shall record all the proceedings in respect to said bonds in minutes of its meetings, and when sold, the number of bonds or bond, the denomination thereof, to whom sold, and the number of coupons attached.
Authentication of coupons.	
Recitals.	
Record of proceedings and bonds.	
Deposit of proceeds.	SEC. 7. That when the said bonds shall have been issued and sold the proceeds thereof shall be deposited with the chairman of the school committee of Raleigh Township, Wake County, in such manner and for such uses and purposes in the building and equipment of new public school buildings or in additions to existing public school buildings in Raleigh Township as a majority of the school committee of Raleigh Township herein mentioned shall direct, and no other. That the chairman of the school committee
Uses of proceeds.	
Fund kept separate.	

of Raleigh Township, Wake County, shall keep the proceeds of said bonds provided for in this act which may come into his hands separate from all other funds, and shall keep separate accounts of the same, and for the faithful performance of his duties in this respect the said chairman shall execute an official bond, payable to the school committee of Raleigh Township, Wake County, in the usual manner, in such amount as the school committee of Raleigh Township may direct.

Bond of chairman.

SEC. 8. That when said bonds shall have been issued, the board of county commissioners of Wake County shall levy annually on the first Monday in June, or whenever it shall make the annual levy of taxes, a special tax not exceeding six cents on the hundred dollars of property and eighteen cents on the poll in Raleigh Township, Wake County, and none other, to provide for payment of the interest upon the same and to create a sinking fund sufficient to meet the payment of said bonds at their maturity. The taxes so levied shall be collected as other taxes and shall be kept by the chairman of the school committee as a separate fund and applied first to the payment of the interest upon the said bonds and next to the creation of a sinking fund as aforesaid. That the chairman of the school committee shall be commissioner of the sinking fund for said bonds, and it shall be his duty to keep the said funds invested in some safe securities or bonds, approved by the school committee of Raleigh Township, Wake County, and said commissioner of sinking fund may be required to execute such bond as the school committee of Raleigh Township, Wake County, shall direct for the safe keeping of the said fund and the faithful performance of his duties as commissioner, and shall make such reports from time to time as the school committee of Raleigh Township, Wake County, or a majority thereof shall direct.

Special tax.

Collection.

Fund kept separate.

Specific appropriation.

Commissioner of sinking fund.

Investment of sinking fund.

Bond as commissioner.

Reports.

SEC. 9. That if at any election held under the provisions of this act the majority of qualified voters shall fail to vote "For School Bonds" it shall not prevent the board of county commissioners, upon the written request of the school committee of Raleigh Township, made by its chairman, so to do, from ordering another election under this act, under the same rules and provisions herein provided for the first election, at any time after the elapse of two months from date of such former election, and if at such other election a majority of the qualified voters shall vote "For School Bonds" it shall have the same force and effect as if no other election had been previously held.

Subsequent elections.

SEC. 10. That this act shall apply only to Raleigh Township, Wake County, North Carolina.

Application of act.

SEC. 11. That all laws and clauses of laws in conflict with this act are hereby repealed.

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

Ratified this the 2d day of March, A. D. 1915.

CHAPTER 377.

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF BUFFALO DRAINAGE DISTRICT, No. 1, CLEVELAND COUNTY, TO CORRECT ERRORS, TO SELL DREDGING OUTFIT, AND TO USE SURPLUS FUNDS IN PAYING INDEBTEDNESS, AND TO LEND SURPLUS.

The General Assembly of North Carolina do enact:

Petition for correction of errors.

SECTION 1. That in case the owner on January thirteenth, one thousand nine hundred and thirteen, of any land lying within the boundary of Buffalo Drainage District, Number One, in Cleveland County, which land is subject to the drainage tax, or has been assessed for the drainage tax, of said Buffalo Drainage District, Number One, under the proceeding before the clerk of the Superior Court of Cleveland County for the drainage of the lands lying in said Buffalo Drainage District, Number One, and the law governing same, or the grantee of such owner, ascertains that there has been an error in the assessment of said land by which he has been charged with a greater area or acreage of land in any class than he actually owned, or that was liable for said drainage tax, and by reason of such error he or said land will be required to pay a greater drainage tax than is right and proper, then such landowner, or grantee of same, may at any time before September first, one thousand nine hundred and fifteen, file his petition before the board of commissioners of Buffalo Drainage District, Number One, in Cleveland County, in which he shall set forth the facts and show the acreage for which he or said land has been assessed, and the true area or acreage for which it ought to have been assessed, accompanied by a survey and plat made by the county surveyor, asking for the correction of said error; and said board of commissioners of said Buffalo Drainage District, Number One, shall hear said petition and any evidence which may be offered in support thereof, and said board shall have the right to summon witnesses before them, or take such other steps as they may deem necessary for the ascertainment of the true facts, and said board shall pass upon said petition; and if they shall find error, they are empowered to correct same and make such releases or modifications of the assessments as may be just and proper under the premises, and the decision of said board of commissioners upon said matter shall be final and conclusive: *Provided*, that the costs of said proceeding in all cases shall be paid by the petitioner, and no part of same shall be borne by the board of commissioners of Buffalo Drainage District, Number One: *Provided further*, that wherever, as a result of said hearing, there shall be a release of any portion of the drainage tax, or modification of the assessment upon said

Hearing on petition.

Correction authorized.

Decision final.

Proviso: costs paid by petitioner.

Proviso: provision as to deficit.

lands, by which the same shall be lessened, then in such case said board of commissioners of said Buffalo Drainage District, Number One, shall set apart out of the funds in their hands a sufficient sum which, when added to the assessment upon said land as modified by them, will make up the full assessment of drainage tax now assessed and levied against said lands for the entire period: and *Provided further*, that said board of commissioners of Buffalo Drainage District, Number One, shall not hear or act upon any petition which shall not be filed before them prior to the first day of September, one thousand nine hundred and fifteen: *Provided*, that the modification of any assessment or liability under the provisions of this section shall in no manner affect the rights and legality of any assessment or liability against any other person, or land, than the petitioner.

Proviso: time petition must be filed.

Proviso: other assessments not disturbed.

SEC. 2. That the board of commissioners of Buffalo Drainage District, Number One, shall in no case pay the landowner in said district for any right of way taken by the said board in the construction of improvements in the said Buffalo Drainage District where said right of way follows the old channels of the streams, and in cases where the said right of way has left the old channels and has been cut across other lands of the owner, then in such case payment for said rights of way shall be in the discretion of the said board of commissioners of said district, but in no case shall there be a payment at a greater rate than thirty dollars per acre for the land taken for said right of way.

Payment for rights of way.

SEC. 3. That when the board of commissioners of Buffalo Drainage District, Number One, shall have completed the dredging work authorized in the proceeding aforesaid, and under the law governing same, said board shall be authorized, out of any funds or surplus which may be left in their hands, to set aside an amount which in their judgment shall be sufficient for the proper maintenance and upkeep of the improvements made by them for a period of three years after the completion of the work of construction, and said sum so set apart may be lent by the treasurer of Cleveland County under the direction of said board of commissioners of said dredging district, and said sums so set apart shall be used, so far as same shall be required, for the upkeep of said improvements, and paid out by the treasurer upon the order of said board.

Fund for maintenance of improvements.

Investment of fund.

SEC. 4. That after the completion of the improvements and dredging in said Buffalo Drainage District the board of commissioners of said Buffalo Drainage District, Number One, is authorized and empowered to sell the dredging outfit and other equipment belonging to said district, either in whole or in part, and upon such terms as they may deem right and proper, and the proceeds arising from said sale shall be turned over to the treasurer of Cleveland County, and said proceeds, together with any surplus or other moneys which may belong to said drainage district from

Sale of equipment.

Use of proceeds.

Investment. sale of bonds or other sources, may be used by said board in paying interest upon the bonded indebtedness upon said district, as well as the principal installments thereof, and the treasurer of Cleveland County shall pay out same under the direction of said board, and shall lend same, or any part of same, and relend same from time to time, as directed by the board, until such time as same can be used in making payments on the bonded indebtedness of said district, and in the event that payments are made from this source upon the bonded indebtedness upon said Buffalo Drain-
 Release of assess-
 ments. age District, then in such case the board of commissioners of said Buffalo Drainage District, Number One, are authorized and directed to release the assessments upon the landowner and lands lying in said drainage district to the extent of such payments, and make all necessary orders and do whatever may be required to that end.

Moneys for use of
 district. SEC. 5. That all moneys belonging to the board of commissioners of Buffalo Drainage District, Number One, of Cleveland County that may come into the hands of the treasurer of Cleveland County as *ex officio* treasurer of said board shall belong to said board and be used for the benefit of said Buffalo Drainage District, and all moneys belonging to said board that may be lent under the provisions of this act, or other law, shall be lent and made payable to said board in its corporate name.

Loans payable to
 board. SEC. 6. That this act shall be in force from and after its ratification.

Ratified this the 2d day of March, A. D. 1915.

CHAPTER 378.

AN ACT TO MAKE THE OWNERS OF CHICKENS, DUCKS, TURKEYS, GEESE AND OTHER FOWLS LIABLE FOR DAMAGES IN CERTAIN CASES.

The General Assembly of North Carolina do enact:

Liability of owner. SECTION 1. That if any chicken, duck, turkey, goose, or other fowl, not being at the time on the premises of the owner thereof, shall injure or damage any crop, garden, or truck of any nature whatsoever, the owner of such chicken, duck, turkey, goose, or other fowl shall be liable for all damages sustained by the injury, and for costs of suit.

Application. SEC. 2. That this act shall apply only to Wake County.

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

Ratified this the 2d day of March, A. D. 1915.

CHAPTER 379.

AN ACT TO REPEAL CHAPTER 469 OF THE PUBLIC-LOCAL
LAWS OF 1911.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and sixty-nine of the Public-Local Laws of one thousand nine hundred and eleven be and the same is hereby repealed. Swain stock law.

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

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

Ratified this the 2d day of March, A. D. 1915.

CHAPTER 380.

AN ACT TO ALLOW THE CONVICTS TO BE WORKED ON
THE ROADS OF WASHINGTON COUNTY, AND THE
STREETS OF THE INCORPORATED TOWNS OF SAID
COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That whenever any person is convicted of an offense in the recorder's court, or Superior Court, or other court having jurisdiction thereof, and the said prisoner is sentenced to jail with authority in the board of county commissioners of Washington County to work said prisoner on the county roads of Washington County and on the public streets of the incorporated towns of said county, which shall, for the purposes of this act, be considered a part of the public roads of the county, and said prisoner shall be worked by the said board of commissioners and proper authorities in charge of said convicts on the public streets of the said towns and on the public roads of Washington County without discrimination. Prisoners sentenced to road and street work.
Streets part of road system.

SEC. 2. That the board of county commissioners of Washington County shall work convicts sentenced to jail in Washington County upon the public roads of said county as authorized by law, and whenever the said board of commissioners are authorized by law to work said convicts upon the roads of the county they shall, under the same rules and regulations and without discrimination, work said convicts upon the public streets of said towns without cost or further expense to the said towns in any way. Discrimination in streets and roads forbidden.

Prisoners heretofore sentenced.

SEC. 3. That all prisoners now on said road force heretofore sentenced and being worked upon the public roads may be worked upon the streets of said towns as set out in this act, and for this purpose the streets of said towns are to be considered as a part of the public road system of the said county, notwithstanding the fact that the said towns are incorporated.

Control and authority of town governments.

SEC. 4. Except as herein designated, the control and authority of the board of councilmen of said towns over the streets of the said towns is in no wise affected or abridged nor is their responsibility for the upkeep of same affected, as is now prescribed by law.

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

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

Ratified this the 2d day of March, A. D. 1915.

CHAPTER 381.

AN ACT TO AMEND CHAPTER 564 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION OF 1913, RELATING TO A RECORDER'S COURT FOR RUTHERFORD COUNTY.

The General Assembly of North Carolina do enact:

Salary.

SECTION 1. That chapter five hundred and sixty-four of the Public-Local Laws of North Carolina, session of nineteen hundred and thirteen, be and the same is hereby amended as follows: Amend section three of said chapter by inserting the words "two hundred" after the word "thousand" and before the word "dollars" in line twenty-four of said section, and adding after the word "provided" at the end of said section, the words "from and after the first day of March, nineteen hundred and fifteen"; amend section eight of said act by striking out the words "except the jury shall be twelve instead of six in such actions as the justices of the peace do not have final jurisdiction" after the word "peace" in line three of said section, and by inserting in lieu thereof the words, "said jury shall be six in number, and said jurors so serving shall each receive one dollar per day as compensation for their services, and the amount necessary to compensate said jury shall be paid in advance by the party demanding said jury, and in civil actions the amount so advanced shall be taxed as a part of the cost in said action against the losing party"; and strike out all of section eight of said act after the word "court" in line six of said section. Amend section twenty-one of said act by striking out the words "to make out the tax

Number and pay of jury.

Jury fee in advance.

Pay of jurors.

Tax books.

books of Rutherford County and," after the word "auditor" at the commencement of line five of said section and before the word "to" at the end of line five of said section. Amend said act further by striking out section twenty-four of said act and inserting in lieu thereof the following: "SEC. 24. Section four of chapter six hundred and thirteen, Public Laws of nineteen hundred and nine, shall be amended so as to read 'that the register of deeds shall receive a salary of one thousand two hundred dollars per annum and shall be allowed such a reasonable compensation as the county commissioners of Rutherford County may determine upon for making the tax books and for clerical assistance, in lieu of all other compensation whatsoever, except claims for stationery and postage, in the performance of his official duties, when such claims are properly made out'; and that said act shall be further amended by striking out section twenty-five of said act.

Salary of register of deeds.

Salary of clerk.

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

Ratified this the 2d day of March, A. D. 1915.

CHAPTER 382.

AN ACT TO SECURE THE BETTER DRAINAGE OF KITTLE SHOALS CREEK IN GASTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Charles W. Costner, John A. Friday, and R. L. Friday of Gaston County be appointed to supervise and enforce the better drainage of Kittle Shoals Creek in Gaston County, from the intersection of said creek, at the point where it intersects and empties into the South Fork River, at a point below the Harden Mills to the forks of the said creek at the Emmeline Costner tract of land in Dallas Township, Gaston County.

Commission appointed.

Drainage district.

SEC. 2. That in case of a vacancy by death or otherwise of either or all of the said commissioners it shall be the duty of the county commissioners of Gaston County, upon application of any interested landowner, to appoint some suitable person owning land on said creek to fill said vacancy.

Vacancies.

SEC. 3. That the said commissioners shall appoint an overseer who shall serve for a term of two years from his appointment and until his successor be qualified.

Appointment and term of overseer.

SEC. 4. It shall be the duty of the said commissioners at least twice a year to examine said stream and notify the said overseer of any and all work necessary and proper to be done in order to keep said stream free from obstructions and the banks thereof clean; and so also notify the said overseer of any alterations or

Semiannual examination of stream. Instructions to overseer.

- Duty of overseer. changes that should be made in the channel of said stream. It shall be the duty of said overseer, upon such information received from the said commissioners, within five days thereof to notify the respective landowners of what work is needed along said stream.
- Work incumbent on landowners. SEC. 5. That the landowners along said stream shall keep the bed of said stream adjoining their lands clean from logs, brush, and other obstructions, and to keep the banks of said stream clean for a distance of fifteen feet from the water, and to widen, straighten, and change the channel of said stream when deemed necessary by the commissioners.
- Time for work. SEC. 6. That each landowner shall, within fifteen days after he has been notified by the overseer, begin and continue until he has completed any work required of him in accordance with the directions of the overseer.
- Landowners to furnish equipment. SEC. 7. That each landowner shall be required to furnish implements and means for working, clearing, and removing obstructions and straightening and changing the channel of said stream as are necessary and proper for such work, and shall be required, such time as the overseer may deem necessary and proper, not exceeding twenty days in a year.
- Penalty for refusal to perform work. SEC. 8. That any person who shall willfully refuse to perform the work required of him for a period of fifteen days after such notification shall forfeit and pay a penalty of ten dollars, to be recovered by an action in a court of competent jurisdiction prosecuted in the name of the commissioners herein provided for.
- Penalties devoted to work. SEC. 9. That all moneys arising from failure to work on said creek and all fines and penalties collected under the provisions of this act shall be paid to said overseer and by him expended under the direction of the said commissioners in improving the channel of said stream and in performing the work that was neglected by such landowner or landowners.
- Failure in duty by overseer a misdemeanor. Punishment. Proviso: term of service. SEC. 10. That any overseer that shall fail or neglect to perform the duties required by this act shall be guilty of a misdemeanor and on conviction shall be fined not more than twenty dollars: *Provided*, that no person shall be required to serve as overseer without his consent for more than one term of two years at any one term.
- Public bridges and roads. SEC. 11. That nothing contained in this act shall prevent the building of public bridges or public roads across said stream or private bridges or water-gates by the landowners for their own convenience.
- Private bridges and water-gates. SEC. 12. That nothing herein contained in this act shall be so construed as to prevent persons herein mentioned from working on public roads.
- Road duty not discharged. SEC. 13. That this act shall be in force from and after its ratification.

Ratified this the 2d day of March, A. D. 1915.

CHAPTER 383.

AN ACT RELATING TO MANURE, COMPOST, AND LITTER
MADE BY ANIMALS KEPT UPON RENTED OR LEASED
FARM LANDS IN WAKE AND CRAVEN COUNTIES.*The General Assembly of North Carolina do enact:*

SECTION 1. That all manure, compost, and litter made by any animals owned or kept upon any rented or leased farm lands in Wake and Craven counties by any tenant, cropper, or lessee shall be the property of the owner of such farm land. Property of land-owner.

SEC. 2. Any tenant, cropper, or lessee of any such farm land in Wake or Craven County who shall remove any manure, compost, or litter made by such animals, from such rented or leased farm lands, without the written consent of the owner of such farm land, shall be guilty of a misdemeanor, and upon conviction shall be fined not to exceed fifty dollars or imprisoned not to exceed thirty days. Removal a misdemeanor.
Punishment.

SEC. 3. That this act shall be in force from and after the first day of May, one thousand nine hundred and fifteen. When act effective.

Ratified this the 2d day of March, A. D. 1915.

CHAPTER 384.

AN ACT TO AMEND CHAPTER 33, PUBLIC-LOCAL LAWS OF
1913, RELATING TO THE IMPROVEMENTS OF THE PUBLIC
ROADS OF NORTH AND SOUTH ALBEMARLE TOWNSHIPS,
AND TO ALLOW THE HIGHWAY COMMISSIONERS
TO DISBAND OR DISPOSE OF THE CHAIN-GANG IN SAID
TOWNSHIPS.*The General Assembly of North Carolina do enact:*

SECTION 1. That chapter thirty-three, Public-Local Laws of one thousand nine hundred and thirteen, relating to the improvements of the public roads and highways of North and South Albemarle townships, Stanly County, be amended and added to as follows: Law amended.

SEC. 2. That A. F. Biles be and he is hereby appointed a highway commissioner of North and South Albemarle townships, to succeed himself, for a term of six years. Said term to begin with the first day of April, one thousand nine hundred and fifteen. Commissioner reelected.

SEC. 3. That section twelve of chapter thirty-three, Public-Local Laws of one thousand nine hundred and thirteen, be amended by adding to the end thereof the following: "If the highway commissioners of said township shall be unable to maintain said chain-gang. Commission may hire out chain-gang.

gang, or shall deem it best to dispose of the same, they are hereby authorized and empowered to hire said convicts to the highway commissioners of Stanly County, or to any other townships in said county, or to any other county in the State, and the term of imprisonment or sentence of each and every convict so turned over or hired shall remain and continue to be in as full force and effect as if the sentence had been originally made to serve where they are so hired; that said highway commissioners are hereby authorized and empowered, in case they decide to dispose of said convicts and chain-gang, to dispose of their camp stock at either public or private sale, as they may deem to the best advantage, and to apply the proceeds of said hire or sale on any indebtedness of said highway commissioners.

Sale of camp stock.

Application of funds.

Free labor discontinued.

SEC. 4. That free labor on public roads and highways in North and South Albemarle townships, as now required by law, be and the same is hereby discontinued.

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

Ratified this the 2d day of March, A. D. 1915.

CHAPTER 385.

AN ACT TO AMEND CHAPTER 442 OF PUBLIC LAWS OF 1909, RELATING TO THE DRAINAGE LAWS IN ROWAN COUNTY AND THE WATERSHED OF BACK CREEK IN IREDELL COUNTY.

The General Assembly of North Carolina do enact:

Law amended.

SECTION 1. That chapter four hundred and forty-two of the Public Laws of one thousand nine hundred and nine, and acts amendatory thereof, be amended by adding thereto the following:

Benefits assessed on city or town.

“(a) That whenever any drainage improvement or improvements shall benefit the public health of any city or town in Rowan County, or be of advantage as a sewer outlet, or otherwise beneficially affect such city or town, whether it be within or outside the drainage district, it shall be the duty of the viewers appointed to classify the land in that district to give in their report and assess as a fixed sum the amount of benefit to such city or town, and notice shall be given to the mayor or other process agent of the city or town affected of the amount of such assessment, and said city or town or its duly authorized representatives shall have the right to appear before the court and file objections and be heard the same as any landowner, and any judgment or order of the court in favor of the drainage district and against the city or town shall be collected in the same manner as other debts or obligations of the city or town.

Notice to town authority.

Right to appear and answer.

Collections against municipality.

- “(b) When the board of drainage commissioners have placed the assessment rolls in the hands of the clerk of the Superior Court he shall ascertain whether same are in accordance with the classification and ratio assessment for that district and whether benefits received are equal to amount of assessments, and shall have authority to make corrections in this respect and embody his findings in his order for the collection of said assessments. Clerk superior court to scrutinize and correct rolls.
- “(c) That if any person interested in land in any drainage district as tenant in fee, reversion, remainder, cotenant, life tenant, or tenant for years, should not be a party to the proceeding on account of mistake, inadvertence, or any other cause, the said land shall nevertheless be liable for its share of the drainage improvement in proportion to the benefits received from the construction of said drain or other improvement, to the same extent it would have been liable therefor if the owner had been an original party to such proceeding. A hearing may be had before the clerk of the Superior Court upon motion of the board of drainage commissioners after legal notice to any landowner not previously a party to the proceedings, or upon the motion of any landowner not previously a party, after legal notice to the board of drainage commissioners, said notice to be served personally or by publication in cases provided by law for service of summons by publication. Upon the return day such landowner, not previously a party to the proceeding, shall be entitled to make any and all contentions or defenses in respect to survey, classification, ratio of assessment and assessment that would have been available to said owner as an original party to the proceeding. If the landowner, at the return of said process, shall not file any pleadings or exceptions, the clerk of the Superior Court shall enter a final judgment fixing the liability: *Provided*, the defendant landowner shall be allowed ten days thereafter within which to appeal to the Superior Court. If the landowner shall file any pleadings or exceptions, then the other proceedings in respect to such hearing and the termination of liability shall conform as far as practicable to the drainage procedure provided in chapter four hundred and forty-two of the Public Laws of one thousand nine hundred and nine and amendments thereto, including reference to viewers, exceptions, and appeal: *Provided*, that where the matter is continued for hearing to a day certain on report of viewers or for other cause it shall not be necessary to make publication of such hearing, but the parties shall be deemed to have notice thereof from the order of continuance. The provisions of this section shall not extend to a person who derives title from or through a party to the proceeding, but when the owner is or has been a party to the proceeding before the court any and all conveyances are subject to the drainage proceedings and assessments levied or to be levied thereunder. Any hearing, order, or proceeding Liability for assessments on land.
- Hearings as to landowners not previously made parties.
- Right of defense.
- Final judgment.
- Proviso: time for appeal.
- Procedure on pleadings and exceptions.
- Proviso: continuance to day certain.
- Representatives of persons heretofore made parties.
- Effect of hearing.

under this section shall in no wise affect the proceedings in said drainage district, except as to the assessments against the particular land involved.

Work devolved on landowner.

“(d) That it shall be the duty of every landowner in a drainage district, at his own expense, to cut bushes and other growth from the banks and right of way fifty feet on each side or ditch through his premises, and keep same clear of obstructions, and upon failure to do so the drainage commissioners are authorized to have same done and charge cost of same as an assessment against the land, to be collected the ensuing year as other assessments.

Work by commission a charge on land.

Cultivation on watershed.

“(e) That if any landowner, tenant, or occupant on the watershed of any drainage district shall cultivate the same, he shall do so in husbandlike manner by terracing, by putting grasses and timber on wasting lands and honeysuckle or other check in sloughing gullies; and he shall take other reasonable precaution to prevent the filling of the ditch below. The drainage commissioners shall have a right of action to enforce this duty.

Enforcement.

Acts declared misdemeanors.

“(f) That any person or persons who shall place any log, brush, or other obstruction in or across the ditch in any drainage district, or willfully or negligently do anything or fail to do anything that tends to fill the ditch or impede the flow of the stream, or violate any of the provisions of the law in reference to drainage under chapter four hundred and forty-two of Public Laws of one thousand nine hundred and nine and amendments thereto, shall be guilty of a misdemeanor and punished by fine or imprisonment, or both, in the discretion of the court.

Punishment.

Application of act.

“(g) That this act shall apply, as far as practicable to districts heretofore organized and to drainage proceedings now pending, as well as proceedings to be hereafter instituted: *Provided*, the same is not inconsistent with the preceding acts and decrees and no vested rights impaired.”

Proviso: vested rights.

Application of act.

SEC. 2. That this act shall apply only to Rowan County and to the watershed of Back Creek in Iredell County.

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

Ratified this the 2d day of March, A. D. 1915.

CHAPTER 386.

AN ACT TO ABOLISH THE OFFICE OF COUNTY TREASURER OF GATES COUNTY.

The General Assembly of North Carolina do enact:

Commissioners may abolish office.

SECTION 1. That the board of commissioners of Gates County in the State of North Carolina is hereby authorized and empowered and shall abolish the office of county treasurer in said county,

and in lieu thereof to appoint one or more solvent banks located in its county as financial agent for the said county, which said bank shall perform the duties now performed by the treasurer of said county: *Provided*, that such bank or banks shall not charge nor receive any compensation for its services other than such advantages and benefits as may accrue from the deposit of the county funds in the regular course of banking.

Banks to perform duties.

Proviso: banks to serve without pay.

SEC. 2. That said bank or banks appointed and acting as financial agent of Gates County shall be appointed for a period of two years, and shall be required to execute the same bonds for the safe keeping and proper accounting of such funds as may come into its possession and belonging to said county and for the faithful discharge of its duties as are now required by law of county treasurers.

Terms of appointment.

Banks to execute bonds.

SEC. 3. This act shall be in force and effect from and after its ratification: *Provided*, that the present treasurer shall continue in office until the expiration of his term.

When act effective.

Proviso: present treasurer not affected.

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.

Ratified this the 3d day of March, A. D. 1915.

CHAPTER 387.

AN ACT TO PREVENT THE MANUFACTURE AND SALE OF SPIRITUOUS, VINOUS, AND MALT LIQUORS AND CERTAIN FORMS OF AIDING AND ABETTING IN THE SALE OF THE SAME, IN SWAIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, persons, firm, or corporation to manufacture, sell, or otherwise dispose of any spirituous, vinous, or malt liquors or intoxicating bitters within the county of Swain: *Provided*, this act shall not be construed to forbid the sale of such spirituous, vinous, or malt liquors by a druggist for sickness upon the written prescription of a regular practicing physician having such sick person under his charge.

Sales of spirituous, vinous, or malt liquors, or intoxicating bitters, forbidden.
Proviso: sale by druggists on prescription.

SEC. 2. That the place of delivery of any spirituous, vinous, or malt liquors or intoxicating bitters within said county shall be so construed as to mean the place of sale within the intent and purposes of this act, and that any station or other place within the aforesaid county to which any person, firm, or corporation shall carry, convey, or deliver any spirituous, vinous, or malt

Place of delivery made place of sale.

Place of sale further defined.

liquors or other intoxicating bitters for the purpose of delivery or carrying the same to a purchaser or delivering the same to a purchaser shall be construed to be the place of sale, and that any person, firm, or corporation who shall thus aid in such sale, or shall carry, deliver, or aid or abet in carrying or delivering any spirituous, vinous, or malt liquors or intoxicating bitters to any person, firm, or corporation, at any place within the limits of said county, shall be guilty of making a sale of such liquor, spirituous, vinous, or intoxicating bitters within said county, and shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned for each and every offense, or both, in the discretion of the court: *Provided*, this section shall not be construed to prevent the delivery of any spirituous, vinous, or malt liquors to a registered and licensed pharmacist or druggist in a sufficient quantity for medical purposes only.

Carrying or delivering liquor defined as sale.

Misdemeanor.

Proviso: delivery to druggists.

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

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

Ratified this the 3d day of March, A. D. 1915.

CHAPTER 388.

AN ACT TO AMEND CHAPTER 140, PUBLIC-LOCAL LAWS, EXTRA SESSION, 1913, RELATING TO ONSLOW COUNTY COURT.

The General Assembly of North Carolina do enact:

Law amended.

SECTION 1. That section three of chapter one hundred and forty, Public-Local Laws, extra session, be and it is hereby amended as follows, towit:

Jurisdiction as of mayor.

SEC. 2. To amend section three, second subheading, by striking out the word "exclusive" and substituting therein "concurrent."

Jurisdiction of larceny and embezzlement.

SEC. 3. To amend section three, third subheading, by striking out the word "twenty" wherever it occurs and substituting therefor the words "two hundred and fifty."

Removal of cause mandatory.

SEC. 4. To amend section ten as follows: (1) by striking out the word "may" in line five and inserting in lieu thereof the word "shall"; (2) by striking out all words of section ten after the word "court" in line six.

Drawing and number of jurors.

SEC. 5. To amend section eleven by striking out all words after the word "trial" in line six, down to and including the word "agreement" in line ten, and inserting between the word "trial" and the word "the" in line six of said section the following: "but the judge of the court, in his discretion, may sign an order directing the sheriff of Onslow County and the clerk of the county

court to draw ten talesmen from the regular jury box provided for Superior Court in Onslow County, and six of such talesmen drawn shall compose a jury in said court; and such talesmen drawn shall receive one dollar per day and mileage, as allowed jurors in the Superior Court. Pay of jurors.

SEC. 6. To amend section twelve by striking out all words after the word "court" in line one of said section, down to and including the word "may" in line three of said section and inserting in lieu thereof the word "shall." Docketing judgments.

SEC. 7. To amend section seventeen by striking out the words "two dollars" in line eleven and insert in lieu thereof the words "fees shall be allowed as in the Superior Court"; to amend said section seventeen further by striking out the word "one" between the words "of" and "dollar" in line fifteen and insert in lieu thereof the word "two"; and amend said section seventeen further by striking out the word "two" between the words "of" and "dollars" and insert in lieu thereof the word "four." Fees.

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

Ratified this the 3d day of March, A. D. 1915.

CHAPTER 389.

AN ACT TO AMEND CHAPTER 344, PUBLIC-LOCAL LAWS OF 1911, ENTITLED "AN ACT TO FIX THE SALARIES OF THE OFFICERS OF NASH COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That section eleven of chapter three hundred and forty-four of the Public-Local Laws of one thousand nine hundred and eleven be and the same is hereby amended by adding to the end thereof: "It shall be the duty of the auditor of Nash County to do and perform all duties required by law of the register of deeds of said county of Nash relative to making out tax lists, computing taxes, copying tax lists, making abstracts and returns; and he shall supervise and direct the listing of taxes levied in said county, and shall perform all the duties required by the laws of the register of deeds of said county relating to tax listing and taxes; and shall do and perform all the duties that are or may be required by law of a county assessor of taxes for said county of Nash." Duties of auditor as to tax lists.

SEC. 2. 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. County assessor.

Ratified this the 3d day of March, A. D. 1915.

CHAPTER 390.

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS
OF ROBESON COUNTY TO TRANSFER THE GAME FUND
TO THE GENERAL COUNTY FUND.

The General Assembly of North Carolina do enact:

Transfer
authorized.

SECTION 1. That the board of commissioners of Robeson County be and the same are hereby authorized to transfer to the general county fund the amount now to the credit of the game fund of said county.

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

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

Ratified this the 3d day of March, A. D. 1915.

CHAPTER 391.

AN ACT FOR THE RELIEF OF T. H. WALLS, DEPUTY
SHERIFF OF WAKE COUNTY.

Preamble.

Whereas the grand jury of the June term, one thousand nine hundred and fourteen, of the Superior Court of Wake County recommended that Deputy Sheriff T. H. Walls be paid the sum of fifty dollars on account of extra services and expenses incurred

Preamble.

in the investigation of the murder of Arthur Sanderford; and whereas the said recommendation was thereafter approved by the board of county commissioners of Wake County and by the county attorney, B. C. Beckwith, and Honorable H. E. Norris,

Preamble.

solicitor; and whereas, at the September term, one thousand nine hundred and fourteen, of the Superior Court of Wake County, Honorable H. W. Whedbee, judge presiding, found as a fact that

Preamble.

the same was a necessary expense in order to enable the State to ferret out and convict persons guilty of a very atrocious murder, and which said findings of fact appear upon the minutes of said court, book "P," page forty-four, and ordered that the said sum of fifty dollars be paid in accordance with the findings of said grand jury; and whereas the auditor of Wake County has re-

Preamble.

ferred to approve the payment of the said claim upon the ground that there is no statute authorizing the payment thereof; and whereas the treasurer of Wake County is not authorized to pay said claim without the approval of the said auditor of Wake County: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That H. G. Holding, auditor of Wake County, be and he is hereby authorized and directed to approve for payment the warrant in favor of the said T. H. Walls, and which said warrant was ordered paid as hereinbefore stated by the board of county commissioners, in the sum of fifty dollars; and that L. D. Stephenson, the treasurer of Wake County, be and he is hereby authorized and directed to pay said warrant upon the presentation thereof by the said T. H. Walls upon the approval of H. G. Holding, auditor of said county.

Approval of
warrant directed.

Payment directed.

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

Ratified this the 3d day of March, A. D. 1915.

CHAPTER 392.

AN ACT TO AMEND SECTION 1, CHAPTER 690, PUBLIC-LOCAL LAWS 1913, RELATING TO DOG TAX IN HARNETT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter six hundred and ninety of the Public-Local Laws one thousand nine hundred and thirteen be and the same is hereby amended by adding at the end of said section the following: "Provided, that the head of each household shall be entitled to own one dog or bitch exempt from taxes imposed under this act."

Proviso: one dog
exempt.

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

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

Ratified this the 3d day of March, A. D. 1915.

CHAPTER 393.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF RICHMOND COUNTY TO SELL THE PRESENT COUNTY HOME AND TO PURCHASE LAND AND ERECT BUILDINGS THEREON IN SOME OTHER PLACE IN RICHMOND COUNTY.

That whereas the present county home for Richmond County contains a number of old dilapidated buildings, and the land owned by the county for a county home contains one hundred and fifteen acres, which is largely unimproved and situated in an inaccessible

Preamble.

location, and on account of the condition of the said buildings it being necessary to rebuild the county home for said county: Now, therefore,

The General Assembly of North Carolina do enact:

Sale and conveyance authorized.

SECTION 1. That the commissioners of Richmond County be and are hereby authorized and empowered to sell the present property belonging to Richmond County and known as the county home tract of land either at public or private sale at such a time as they deem it advisable and to convey title to the purchaser of said tract. That they may purchase another tract of land at such a place as in their judgment will be to the best interest of the county or may receive gifts of said land and may erect thereon suitable building or buildings to be used as a county home for the aged and infirm.

Purchase of land, erection of buildings.

SEC. 2. That for the purpose of erecting suitable building or buildings for the aged and infirm of the said county the said board of commissioners is authorized and empowered to use the money in the hands of the board of commissioners for the sale of the said tract of land now used as the county home, or any other available funds of the county, for the purpose of building, equipping, and maintaining a suitable home for aged and infirm people of Richmond County.

Fund for building, equipment, and maintenance.

SEC. 3. This act shall be in force from and after its ratification. Ratified this the 3d day of March, A. D. 1915.

CHAPTER 394.

AN ACT TO INCREASE THE MEMBERSHIP OF THE BOARD OF EDUCATION OF JACKSON COUNTY FROM THREE TO FIVE.

The General Assembly of North Carolina do enact:

Additional members.

SECTION 1. That in addition to the two members of the board of education of Jackson County whose term of office does not expire the first Monday in July, one thousand nine hundred and fifteen, the following additional members are hereby appointed: J. N. Wilson for a term of six years, J. L. Broyles for a term of two years, and R. R. Fisher for a term of two years, all of said terms to begin the first Monday in July, one thousand nine hundred and fifteen.

Appointees and terms. Beginning of terms.

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 full force and effect from and after its ratification.

Ratified this the 3d day of March, A. D. 1915.

CHAPTER 395.

AN ACT TO REPEAL SECTIONS 3, 4, 5, AND 6 OF CHAPTER 350, PUBLIC-LOCAL LAWS, SESSION 1913, RELATIVE TO DOG TAX IN BEAUFORT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That sections three, four, five, and six of chapter three hundred and fifty, Public-Local Laws, session one thousand nine hundred and thirteen, be and they are hereby repealed. Sections repealed.

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

Ratified this the 3d day of March, A. D. 1915.

CHAPTER 396.

AN ACT TO REPEAL CHAPTER 234 OF THE PUBLIC-LOCAL LAWS OF 1911, RELATIVE TO ROADS IN SWAIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and thirty-four of the Public-Local Laws of session one thousand nine hundred and eleven be and the same is hereby repealed. Road law for Swain.

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

Ratified this the 3d day of March, A. D. 1915.

CHAPTER 397.

AN ACT TO INCORPORATE AUSTIN GROVE BAPTIST CHURCH IN MARSHVILLE TOWNSHIP, UNION COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That Austin Grove Church in Marshville Township, Union County, North Carolina, be and the same is hereby incorporated, and shall have all the rights and powers usually pertaining to corporations created for similar purposes, such powers to be vested in the officers of said church property. Incorporation.
Corporate powers.

SEC. 2. That it is hereby declared to be a misdemeanor for any person, firm, or corporation to give away, to sell, or otherwise dispose of for gain or profit any intoxicating liquors, beer, beerine, Sale of liquors a misdemeanor.

- Punishment. cider, or bitters within two miles of said church, under a penalty of not exceeding a fine of fifty dollars for each offense or imprisonment for thirty days.
- Drunkenness and disorderly conduct forbidden. Punishment. SEC. 3. That any person found drunk or disorderly within one mile of said church shall be guilty of a misdemeanor and fined or imprisoned, not exceeding a fine of fifty dollars for each offense or imprisonment for thirty days.
- When act effective. SEC. 4. That this act shall be in force from and after the first day of May, one thousand nine hundred and fifteen.
- Ratified this the 3d day of March, A. D. 1915.

CHAPTER 398.

AN ACT TO PREVENT TEAMS FROM RUNNING AT LARGE AND THE FEEDING OF STOCK ON THE HIGHWAYS OF MARTIN COUNTY.

The General Assembly of North Carolina do enact:

- Acts forbidden. SECTION 1. That it shall be unlawful for any person or persons, firm or corporation whatsoever in the county of Martin to turn out or permit to be turned out on any of the public highways of said county any horse or mule or other farm animal whatsoever, or to allow such horse, mule, or other farm animal to run at large upon any of the public highways of said county; and any person or persons, firm or corporation violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction shall be fined not less than one dollar and not more than ten dollars for each and every offense.
- Misdemeanor.
- Punishment. SEC. 2. That it shall be unlawful for any person or persons, firm or corporation of Martin County to feed or permit to be fed any stock of any kind whatsoever in or upon any of the public highways of Martin County, or within twenty feet of the lawful boundary of such highway; and any person or persons, firm or corporation violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction shall be fined not less than one dollar and not more than ten dollars for each and every offense: *Provided*, the provisions of this section shall not apply to stock of any kind when confined under a lawful fence.
- Feeding stock on highways misdemeanor.
- Punishment.
- Repealing clause. SEC. 3. That all laws and clauses of laws in conflict with this act, in so far as the same may relate to the county of Martin, are hereby repealed.
- When act effective. SEC. 4. That this act shall be in force from and after the first day of May, one thousand nine hundred and fifteen.
- Ratified this the 3d day of March, A. D. 1915.
- Proviso: stock under lawful fence.

CHAPTER 399.

AN ACT TO REPEAL CHAPTER 531, PUBLIC-LOCAL LAWS 1913, AND TO ABOLISH THE OFFICE OF TREASURER OF MADISON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and thirty-one, Public-Local Laws of one thousand nine hundred and thirteen, be and the same is hereby repealed. Law for county depositaries.

SEC. 2. That the office of the treasurer of Madison County be and the same is hereby abolished: *Provided*, that this section shall not become effective until the expiration of the term of office of the present county treasurer, to wit, the first Monday in December, nineteen hundred and sixteen. Office abolished. Proviso: expiration of present term.

SEC. 3. That on and after the first Monday in December, nineteen hundred and sixteen, the board of commissioners of Madison County are hereby authorized and empowered to designate some bank or trust company as financial agent for said county, which said bank or trust company shall be the official depository for said county for the purpose of receiving and disbursing any and all public moneys of the county. Said bank or trust company shall be required to give the same bond for the faithful performance of its duties as is required of county treasurers. Bank to be designated financial agent. Bank to give bond.

SEC. 4. That such bank or trust company designated under the provisions of this act shall receive no compensation for its services, except that it shall not be required to pay interest on any of the public funds received by it under the provisions of this act. Bank to serve without pay.

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

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

Ratified this the 3d day of March, A. D. 1915.

CHAPTER 400.

AN ACT TO ESTABLISH GRADED ROAD IN ASHE AND WILKES COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That L. V. Miller, C. W. Ray, and Jasper Bare be and they are hereby appointed commissioners for the purpose of having constructed a public road from a point in Wilkes County near George W. Bowlin's, and running the most practicable route Commissioners for construction of road appointed. Route.

from said point to a point in the Kelsey survey at or near Horton Sheets'; thence with said Kelsey survey to the Jefferson and Wilkesboro turnpike near the new river bridge.

Commissioners to view road.

SEC. 2. That said commissioners shall first go and view out said road, and if in their opinion said road is necessary for the reasonable convenience of the citizens of that section of said counties, then and in that event said commissioners are authorized, empowered, and directed to lay out said road and appoint competent overseers to superintend the construction of same, and said overseers when appointed shall have the same power and authority as overseers under the general road law of Ashe County and shall summon all hands subject to road duty within one mile from any point on either side of said road in Ashe and Wilkes counties, not exceeding ten days in any one year, until said road is constructed.

Commissioners to lay out road.
Appointment of overseers.
Powers of overseers.

Summons to hands.

Road duty.

Work under general road law.

SEC. 3. That said road shall be constructed under the provisions and regulations of the general road law of Ashe County not inconsistent with this act.

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

Ratified this the 3d day of March, A. D. 1915.

CHAPTER 401.

AN ACT TO PROHIBIT DOGS FROM RUNNING AT LARGE IN FAIRFIELD TOWNSHIP, HYDE COUNTY.

The General Assembly of North Carolina do enact:

Allowing dogs to run at large unlawful.

SECTION 1. That it shall be unlawful for any person or persons owning any dog or dogs in Fairfield Township, Hyde County, to let the same run at large except upon the premises of the owner thereof: *Provided*, the owner of any dog or dogs may enter upon the premises of another with said dogs, provided such person or persons have the written permission of the owner of said premises to do so.

Proviso: by written permission.

Misdemeanor.

SEC. 2. That any person convicted in any court having jurisdiction of violating section one of this act shall be deemed guilty of a misdemeanor and fined not less than two nor more than fifty dollars, one-half of said fine to be paid to the person or persons furnishing the evidence upon which a conviction is made.

Punishment.

Petition for election.

SEC. 3. That before this act becomes effective there shall first be a petition, signed by at least twenty-five *bona fide* citizens of said township, to the board of commissioners of Hyde County, asking for an election to be held in said township within thirty days after the filing of the same, and it is made the duty of said board of commissioners to order said election to be held under the

Commissioners to order election.

same rules and regulations as other elections are held, and if a majority of all the qualified voters of said township vote a ticket "To confine dogs" then this act shall be effective; otherwise, null and void.

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

Ratified this the 3d day of March, A. D. 1915.

CHAPTER 402.

AN ACT TO ABOLISH THE OFFICE OF COUNTY TREASURER IN FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the office of county treasurer in the county of Forsyth be abolished at the expiration of the present term of the treasurer now in office.

SEC. 2. That the board of county commissioners in the specified county in this act is hereby authorized, empowered, and directed to appoint one or more solvent banks or trust companies located in its county as a depository and financial agent for said county for a term of two years.

SEC. 3. That the bank or trust company so appointed shall perform the duties required by law of the county treasurer: *Provided*, that such bank or trust company shall not charge nor receive any compensation for its services as county financial agent other than such advantages or benefits as may accrue to it from the deposit of the county funds in the regular course of banking.

SEC. 4. That any bank or trust company acting as financial agent of said county shall be required to execute the same bond for the safe keeping and proper disbursing and accounting of such county funds as may come into its possession, and for the faithful discharge of such duties as are required by law of county treasurers.

SEC. 5. That the sheriff of the county specified in this act is hereby authorized and directed to deposit all county funds in the banks or trust companies designated as a depository and financial agent for his county.

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

SEC. 7. That this act shall be in force and effect on and after the first Monday in December, one thousand nine hundred and sixteen.

Ratified this the 3d day of March, A. D. 1915.

Majority of
qualified votes.

Office abolished.

Depository and
financial agent.

Term.

Duties.

Proviso; bank to
serve without pay.

Bank to give bond.

Deposits by
sheriff.

Repealing clauses.

When act effective.

CHAPTER 403.

AN ACT TO REGULATE THE PAY OF MEMBERS OF THE BOARD OF EDUCATION OF BERTIE COUNTY.

The General Assembly of North Carolina do enact:

Per diem.

SECTION 1. That the members of the board of education of Bertie County shall each be paid the sum of three dollars per day and mileage in going to and returning from each meeting of the said board.

Mileage.

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

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

Ratified this the 3d day of March, A. D. 1915.

CHAPTER 404.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF PITT COUNTY TO BORROW MONEY FOR THE PURPOSE OF ERECTING STOCK-LAW FENCE.

The General Assembly of North Carolina do enact:

Power to borrow money.

SECTION 1. That the board of commissioners of Pitt County be and they are hereby authorized and permitted to borrow money for the purpose of constructing and erecting stock-law fence for Pitt County.

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

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

Ratified this the 3d day of March, A. D. 1915.

CHAPTER 405.

AN ACT TO APPOINT A SPECIAL CONSTABLE IN A CERTAIN TOWNSHIP IN TRANSYLVANIA COUNTY.

The General Assembly of North Carolina do enact:

Appointment.

SECTION 1. That T. N. Loftis of Brevard, North Carolina, is hereby appointed a special constable for Brevard Township, Transylvania County, for a period of two years from the ratification of this act.

Term.

SEC. 2. That the said T. N. Loftis shall have the same right, power, and authority to serve both criminal and civil processes in Brevard Township that the sheriff of Transylvania County now has, and shall receive for serving papers the regular fees allowed by law.

Power and authority.
Fees.

SEC. 3. That before assuming the duties of his office the said T. N. Loftis shall take the oath required of constables and file his bond with the county commissioners, the amount of said bond to be the same as is required by said commissioners of other constables.

Appointee to qualify and give bond.

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

Ratified this the 3d day of March, A. D. 1915.

CHAPTER 406.

AN ACT TO ESTABLISH A COUNTY COURT FOR GREENE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That there shall be and hereby is established a county court in and for the county of Greene, which shall be called "The County Court of Greene County," which said court shall have an official seal with the words "County Court of Greene County" thereon, and said court shall be a court of record, which said court shall be organized whenever as hereinafter provided a judge and solicitor for said court shall be appointed by the board of commissioners of said county.

Court established.
Official title.
Official seal.
Court of record.
Organization.

SEC. 2. That said court shall be presided over by a judge, who shall be appointed by the board of commissioners of Greene County, as hereinafter provided, who shall hold his office two years from his appointment, except as hereinafter provided.

Appointment and term of judge.

SEC. 3. That except as herein specified, the provisions of the Code of Civil Procedure and the Code of Criminal Procedure, applicable to actions in the Superior Court, shall be applicable to actions in said court.

Rules of procedure.

SEC. 4. That said court shall have concurrent and original jurisdiction with the Superior Court of Greene County, and of all mayors' courts and courts of justices of the peace in Greene County, and all special courts of towns and cities for the trial of all persons charged with the commission of misdemeanors in Greene County.

Jurisdiction.

SEC. 5. That all trials of criminal actions in said court shall be upon warrants issued by the clerk of said county court upon complaint under oath as is now provided by law for the issuing of

Trials on warrants.

warrants by justices of the peace, and upon warrants returned to said court by committing magistrates in said county as herein provided.

Civil jurisdiction.

SEC. 6. That said court shall have original and concurrent jurisdiction with the Superior Court of Greene County and courts of justices of the peace for the trial of all civil actions upon notes and other evidences of debt signed by the defendant; upon all other accounts and contracts, express or implied, wherein the amount involved does not exceed one thousand dollars (\$1,000); upon all actions sounding in tort, where the amount involved or the value of the property in controversy does not exceed five hundred dollars (\$500); original and concurrent jurisdiction with the Superior Court of Greene County for the foreclosure of all mortgages upon real estate wherein the defendant does not set up any defense, either in law or in fact: *Provided*, said court shall have no jurisdiction to try any action involving the title to real estate, except as to foreclosure of mortgages as herein provided: *Provided further*, that in all cases wherein any defense to the foreclosure of a mortgage, either in law or in fact, is set up in the defendant's answer, the action shall be by the clerk transferred as upon appeal to the Superior Court of Greene County for trial.

Proviso: titles to real property.

Proviso: cases transferred to superior court.

Persons bound over to county court.

SEC. 7. That in all criminal cases heard by justices of the peace, mayors of incorporated towns or cities, or other committing magistrates in Greene County against any person or persons for any offense of which the county court of Greene County shall have jurisdiction, in which probate guilt is found, such committing magistrate shall bind over such person or persons to appear at the next sitting of said county court, taking such recognizance as is now provided by law.

Warrants to issue on affidavits.

SEC. 8. That any person may upon complaint under oath, charging any other person or persons with the commission of a misdemeanor under the laws of North Carolina, before any justice of the peace of Greene County or before the mayor of any incorporated city or town in said county of Greene, obtain a warrant for the arrest and detention of such other person or persons as now provided by law and have said warrants made returnable to said county court of Greene County.

Issue of summonses.

SEC. 9. That any person or persons or firm, corporation, association, or society may have summons issued against any other person or persons or firm, corporation, association, or society before any justice of the peace in Greene County as now provided by law and have the said summons made returnable to said county court of Greene County.

Transfer of cases to county court.

SEC. 10. That at the trial of any misdemeanor before any justice of the peace for Greene County or before the mayor of any incorporated town in said county of Greene, and before the introduction of testimony, on motion of either the prosecuting witness or counsel representing the prosecution or the defendant or his

counsel, in writing, the said case shall be transferred for trial as upon appeal to the county court of Greene County; and in such case the said justice of the peace or the said mayor of an incorporated city or town shall bind said person or persons charged with a misdemeanor as aforesaid to appear at the next sitting of said county court, taking such recognizance as is provided by law as upon an appeal taken: *Provided*, that the provisions of this and preceding sections shall not apply to any mayor's court in said county when the offense charged is only a violation of the city or town ordinances and not a misdemeanor under the general laws of the State of North Carolina.

Recognizance.

Proviso: violations of town ordinances.

SEC. 11. That at the trial of any civil case before any justice of the peace for Greene County, and before the introduction of testimony, on motion of either party, plaintiff or defendant, in writing, the said civil case shall be transferred to the county court of Greene County as upon appeal taken.

Transfer of civil cases.

SEC. 12. That any and all persons convicted in said county court of Greene County for any of the offenses mentioned in this act may be sentenced by the judge thereof to a fine or imprisonment in the common jail of Greene County, to be worked upon the public roads, and the said judge of said court shall have the same powers of punishment as is now provided by law for judges of the Superior Court whenever any one is convicted in said court of any offense of which the said court has any jurisdiction.

Sentences.

SEC. 13. The clerk of the Superior Court of Greene County shall be *ex officio* clerk of the county court, and shall have full power and is hereby authorized to appoint a deputy clerk to perform the duties of said office, if he shall see fit to do so.

Clerk of court.

Deputy.

SEC. 14. Either the plaintiff or defendant in actions to be tried in said court may demand and have a jury, which shall be twelve (12) in number: *Provided*, in civil actions the party demanding a jury trial shall give notice to the clerk of said court within not less than five (5) days from the date of trial, and shall deposit with said clerk the sum of five dollars (\$5), which said deposit shall be used for the purpose of paying the jurors. The judge of the said court in all cases in which, in his judgment, the ends of justice would be best subserved by submitting the issue to a jury, may have a jury called upon his own motion, as herein provided, and submit the same to the jury.

Jury trial.

Proviso: notice in civil actions.

Deposit.

Jury ordered by judge.

SEC. 15. That the judge of said court, when a jury is demanded, or when in his discretion he shall order a jury of his own motion, shall direct and order the register of deeds of Greene County to draw a jury from the regular box, and upon receipt of said order it shall be the duty of said register of deeds to draw from the jury box such number of jurors as said judge may direct in such order, and deliver the names so drawn to the sheriff of Greene County with an order to summon such named persons as jurors.

Order for jury.

Jury drawn by register of deeds.

- Jury of bystanders. The judge of said court shall have power during any term of said court to cause a jury to be summoned from the bystanders, as is now or may be hereafter provided by law for summoning tales jurors in the Superior Court. That such as may be drawn from the box and summoned, and qualified as jurors, shall receive the sum of one dollar and twenty-five cents per day and mileage at five cents per mile traveled to and from their homes by most direct route for one day only of the term, and that such as may be summoned and qualified as tales jurors shall receive the sum of one dollar per day, with no allowance for mileage.
- Pay of jurors.
- Summons in civil actions. SEC. 16. All civil actions shall be commenced in said court by summons issued by the clerk and which shall be returnable on the first day of the following term, not less, however, than ten (10) days after the date of issuing of said summons, and the plaintiff shall within ten (10) days file a written complaint with the clerk, and shall have served a copy of said complaint upon the defendant or his counsel, or shall leave a copy thereof with the clerk for the use of the defendant or his counsel, which fact must be noted on the summons, and the defendant shall file his pleadings within ten (10) days following the date on which the complaint is served upon him or a copy thereof is left with the clerk, and shall have served a copy of his pleadings upon the plaintiff or his counsel, or leave a copy thereof with the clerk, and the case shall stand for trial at the next term of said court: *Provided*, that process issued from it in matters originally in the jurisdiction of justices of the peace shall run just as if issued from a justice of the peace.
- Return day.
- Pleadings.
- Trial term. Proviso: process as from justice of the peace.
- Fees and costs. SEC. 17. That except as herein provided, all fees, costs which shall be taxed in this court, shall be the same as are now taxed in the Superior Court of Greene County: *Provided, however*, that the solicitor's fees shall be paid into the county treasury.
- Proviso: solicitor's fees to use of county.
- Judge to qualify. SEC. 18. That before entering upon the duties of said office the judge shall take and subscribe the oath prescribed for judges of the Superior Court, before some officer authorized by law to administer oaths, which oath shall be filed in the office of the clerk of the Superior Court of Greene County.
- Salary of judge. SEC. 19. That the judge of said court shall be paid a salary not exceeding the sum of eight hundred dollars (\$800) a year, to be paid in monthly installments by the treasurer of Greene County upon warrant of the clerk of said court.
- Solicitor to qualify. SEC. 20. That before entering upon the duties of his office, the solicitor shall take and subscribe the oath prescribed for solicitors of the Superior Court before some officer authorized by law to administer oaths, which oath shall be filed in the office of the clerk of the Superior Court of Greene County.
- Salary of solicitor. SEC. 21. That the solicitor shall receive a salary not exceeding the sum of four hundred dollars (\$400) a year, to be paid in

monthly installments by the treasurer of Greene County upon warrant of the clerk of said court.

SEC. 22. That the solicitor of said court shall be *ex officio* attorney for the board of county commissioners of Greene County, if required by said board so to do, and as such he may be paid a salary, in addition to the solicitor's herein provided for, as the board of county commissioners may determine.

Attorney for county commissioners.

SEC. 23. That whenever the said board of commissioners shall organize said court it shall elect a judge and a solicitor of said court to hold office till the first Monday of December, marking the end of its own term of office, and until their successors are elected and qualified, and that on the first Monday immediately preceding said date and biennially thereafter the county commissioners shall elect a judge and a solicitor of said county court for a term of two years, and until their successors are qualified. Said term of two years to begin on the first Monday of December following their election, and biennially thereafter.

Election of judge and solicitor.

Term of office.

Election of successors.

Beginning of term.

SEC. 24. The board of commissioners of Greene County are hereby authorized and empowered to name and appoint a substitute judge and solicitor, both of whom, after taking the oath prescribed, shall have power to act in their respective offices to the same extent as the judge and solicitor, in the event the said judge and solicitor shall be unable to perform the duties of their respective offices, and shall receive the same compensation for the time being.

Substitute judge and solicitor.

Qualification and powers.

Compensation.

SEC. 25. That said court shall meet on the second Tuesday after the first Monday of each and every month at the courthouse in Snow Hill, North Carolina, and shall continue in session until disposition shall be made of the business of the court: *Provided*, that the said court shall not meet during any session of the Superior Court of Greene County, and in the event of a conflict with any term of said Superior Court of Greene County, the county court of Greene County shall meet the Tuesday following the said conflicting term of Superior Court of Greene County as published: *Provided further*, that the judge of said court may adjourn said court during the months of July and August of each year.

Sessions of court.

Proviso: terms of superior court.

Proviso: adjournment for July and August.

SEC. 26. In all criminal actions tried in said court the defendant shall have the right of appeal to the Superior Court as is now provided by law in case of trials before justices of the peace.

Appeals in criminal cases.

SEC. 27. That in civil actions, either the plaintiff or defendant shall have the right of appeal from judgments rendered in this court to the Superior Court, under the same rules and procedure as now obtains in cases tried in courts of justices of the peace.

Appeals in civil actions.

SEC. 28. That a transcript of every judgment rendered in this court shall be docketed in the office of the clerk of the Superior Court of Greene County, and shall have the same force and effect, when so docketed, as a judgment rendered in the Superior Court of

Transcripts of judgments docketed.

Force and effect.

Greene County, and an action thereon shall be barred only as if the said judgment was rendered by a Superior Court of North Carolina, as provided in section three hundred and ninety-one of the Revisal of one thousand nine hundred and five.

Process to other counties.

SEC. 29. That whenever any process is issued out of said court, directed to any county other than the county of Greene, either civil or criminal, said process shall bear the seal of said court, as is now provided by law in cases of processes issuing from a Superior Court.

Transfer of civil actions from superior court.

SEC. 30. That whenever said judge and solicitor shall be appointed by the said board of commissioners, the clerk of the Superior Court of said county shall immediately transfer from the civil-issue docket of the Superior Court of said county to the civil-issue docket of said county court all civil actions then pending in said Superior Court in which the sum in controversy is not beyond the jurisdiction of said county court.

SEC. 31. That this act shall be in force from and after its ratification.

Ratified this the 3d day of March, A. D. 1915.

CHAPTER 407.

AN ACT FOR THE CONSTRUCTION, REPAIR, AND MAINTENANCE OF PUBLIC ROADS IN BATH TOWNSHIP, BEAUFORT COUNTY.

The General Assembly of North Carolina do enact:

Bath road-tax district.

SECTION 1. That the territory now surrounded by the township lines of Bath Township be and the same is hereby created as the "Bath Road-tax District."

Supervision of roads.

SEC. 2. That the public roads in said district shall be under the supervision of a board of road commissioners which shall be composed of three members, and there is herewith appointed Frank Winstead, J. H. Oden, J. F. Tyer as members of this commission, the same to hold office until the next general election and until their successors are elected and qualified. All vacancies caused by death, resignation, failure to qualify, or for any other cause, shall be filled by the remaining members of the board of road commissioners. Said board of road commissioners shall hold quarterly meetings at Bath, North Carolina, on the first Saturday in January, April, July, and October of each year.

Road commissioners.

Term of office.

Vacancies.

Quarterly meetings.

Roads divided into sections.

SEC. 3. The board of road commissioners shall be authorized to divide and lay off all public roads in said district into convenient sections, numbering each section, and shall appoint some good, competent man living in said section as overseer or an inspector for the entire district, and shall prescribe the duties and compen-

Appointment, duty, and pay of overseer or district inspector.

sation of said overseer, which compensation shall not exceed (\$2) two dollars per day, and the compensation of said inspector shall not exceed (\$3) three dollars per day, while actually engaged in road work, and their term of office shall expire at will of said board of road commissioners. Term of office.

SEC. 4. That the said overseer shall have the authority and power to order out and work, not to exceed six days in any one calendar year, all able-bodied male citizens between the ages of twenty-one and forty-five years living on said road, except members of the board of road commissioners; but he shall be required to give each road hand at least two days notice, which notice shall contain place of meeting on the road, the hour of such meeting, and the character of tool to furnish; and each road hand so notified shall be required to appear at the time and place, with the tool specified, and work as directed by the said overseer not less than eight hours nor more than ten hours each day required by said overseer, and shall receive as compensation for such work ten (10) cents per hour for each hour engaged in actual work on said roads: *Provided*, that extra days work may be required of persons liable to work under this section when extreme weather conditions make it necessary to repair the roads: *Provided further*, that any person summoned as aforesaid who shall by twelve o'clock of the day preceding the one appointed for work on the road pay to the overseer the sum of one dollar and fifty cents (\$1.50) shall be relieved from work on the road for one day. The money thus collected by the overseer shall be deposited with the treasurer as provided in section eight. Such sums shall be used to pay for repair of the road to which the person making the payment was summoned: *Provided further*, that any person who shall furnish one able-bodied hand as a substitute, with implement directed, shall be held to have complied with this chapter. Road duty.
Warning.
Pay of road hands.
Proviso: emergency work.
Proviso: commutation.
Deposit and use of money.
Proviso: substitute.

SEC. 5. That the board of road commissioners of said district, in order to provide for the improvement of the public roads of said district, shall on the last Saturday in April, one thousand nine hundred and fifteen, and annually thereafter, levy a special tax of twenty (20) cents on the one hundred dollars valuation of all subjects of taxation contained within said district, and two dollars (\$2) on each poll, and the money arising from said levy shall be used exclusively by the road commissioners for the purpose of improving the public roads and bridges of said district and in such manner and at such points as may appear to said commissioners to be for the best interest of the entire district. Special tax.
Rate.
Use of tax.

SEC. 6. That the said board of road commissioners hereinbefore provided for shall have full power and authority to adopt such rules and regulations for the government of the road overseers and inspector as they shall deem for the best interest of the public roads, and that such rules and regulations when adopted shall be mandatory upon said overseers, and upon conviction of any viola- Rules and regulations.
Rules and regulations mandatory.

Forfeit for violation.
Fine expended on roads.

tion thereof the overseer so violating shall forfeit and pay a fine of ten dollars (\$10) for each and every offense, which fine shall be expended upon the public roads of said district by the board of road commissioners.

Tax collector.
Commission.

SEC. 7. That the sheriff of Beaufort County is hereby appointed collector of the aforesaid road-tax district and shall receive as compensation for the collection of said tax three per cent of all moneys collected and paid over to the treasurer.

Treasurer.
Commission.

SEC. 8. That the treasurer of Beaufort County shall be the treasurer of the said road district and shall have the same powers and duties as is now provided, and shall receive for his services two per cent of all disbursements.

Pay of commissioners.

SEC. 9. That the said members of the board of road commissioners shall receive two dollars (\$2) per day for each day actually engaged in the supervision of the said roads and five cents per mile for each mile traveled to and from regular road meetings.

Term of commissioners.
Election of successors.

SEC. 10. That the said board of road commissioners shall hold office until the next general election, at which time their successors shall be elected in the same manner as is now provided by the law for the election of all township officers.

Forfeit for failure to discharge road duty.

SEC. 11. That any person subject to road duty who, after being notified as is herein provided, shall neglect or refuse to perform the duties required of him in the manner prescribed by the board of road commissioners under direction of the overseer in charge of said road, shall upon conviction forfeit and pay a fine of five dollars for such offense, which fine shall be paid over to the said road commissioners and used by them for the repair and construction of roads in said district.

Fine used on roads.

Ditches across roads.

SEC. 12. That it shall be unlawful for any person to construct a ditch or waterway across any public road in said district, except with the consent of the said board of road commissioners, and when said consent is obtained it shall be the duty of such person to cover said ditch or drainway with a good plank bridge of not less than two inches in thickness, or by tiling the same in a good workmanlike manner; and persons violating this section shall upon conviction be fined not less than twenty-five dollars, which fine when collected shall be spent upon the public roads of said district as is hereinbefore provided.

Cover.

Fine to use of road fund.

Commissioners to order covering.

SEC. 13. That the said board of road commissioners shall at their first meeting order all overseers and owners of ditches and drainways which cross any public road in said district to cover said ditch or drainway, within a limited time, with good substantial plank bridges or underground waterway, and any such overseer or owner who refuses to comply with this section shall be guilty of a misdemeanor.

Misdemeanor.

Obstructing roads a misdemeanor.

SEC. 14. That it shall be unlawful for any person to leave upon any public road in said district any log or other obstruction on

more than one side of any public road, and shall leave at least eight feet of clear space from center of road and such log or obstruction for traffic, and any person or persons, firms or corporations violating this section shall be guilty of a misdemeanor.

SEC. 15. That it shall be unlawful for any person to plow into or along the surface of any public road in said district within fifteen feet of the center of said road at any point, or in any wise cut up or damage the surface of said road; and any person violating this section shall be guilty of a misdemeanor.

Injuries to road by plowing misdemeanor.

SEC. 16. That the overseers or inspector provided for in this act shall file a semiannual report on the first Saturday in July and the first Saturday in January to the board of road commissioners, showing the present condition of his road, the number of days worked on his section since the last meeting, the number and names of hands who attended and worked each day, the number and names of hands who paid one dollar and a half per day in lieu of work and the amount each paid, the number and names of hands who furnished an able-bodied hand to take his place and the name of the hand so substituted, number and names of hands who failed to attend and work, number and names of hands who attended and refused to obey the directions of the overseer and spent their time in idleness, whether or not they were legally summoned, and whether or not they paid the one dollar and a half as before provided. The said overseer shall before some person authorized to administer an oath make written affidavit that the report is true and correct. Upon this report, sworn to as aforesaid, if it shall appear that any of the hands after being legally summoned have failed to attend and work on said road, or that they did not pay the one dollar and a half, then it shall be the duty of the said board of road commissioners to report the same to the solicitor of his district at the next succeeding term of court, who shall put him upon trial for the offense.

Semiannual reports.

Verification of report.

Report to and action by solicitor.

SEC. 17. Any work that an overseer is authorized to do by the board of road commissioners shall be paid for upon voucher signed by the overseer, giving an itemized statement of the purpose for which the expenditure was made. If the amount is approved by the board, warrant shall be issued by the chairman on the treasurer of the county of Beaufort. All other work authorized by the board of road commissioners shall be paid and vouchers approved by the chairman and two other members of the board by issuing warrant upon the treasurer of the county of Beaufort for the amount of the expenditure.

Vouchers.

SEC. 18. That all laws and clauses of laws in conflict with this act are herewith repealed.

SEC. 19. That this act shall be in force and effect from and after its ratification.

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 408.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF HENDERSON COUNTY TO LEVY A SPECIAL HOSPITAL TAX.

Preamble. Whereas the Hendersonville Hospital Association, duly incorporated by act of the General Assembly, has procured a title in fee to a lot, and has erected thereon a modern brick hospital building, and same is now operated by said association, mostly as a charitable institution, and has already been of great public use and benefit, and a great number of the indigent people of the county have received surgical and medical treatment and attention at said hospital without cost to them, and many others have paid wholly or in part for their treatment; and whereas there is a constant and increasing demand for the services of said institution, it being the only one of the kind in the county, or within twenty miles of its location; and whereas the said hospital association in completing its said building incurred a mortgage indebtedness of about six thousand dollars; and whereas the charitable ability of the said hospital association and the community is not more than sufficient to maintain and pay the running expenses of said institution, when added to the sums collected from patients able to pay, leaving the said mortgage indebtedness unpaid, and the property liable to be sold therefor, and the usefulness of the hospital thus destroyed; and whereas many citizens of the county have from time to time appealed to the board of commissioners of said county to make contributions each year to be applied to the said hospital indebtedness, incurred as aforesaid, which said contributions were denied for want of authority to make same; and whereas the said board of commissioners of said county are desirous of giving to said institution such aid: Therefore,

The General Assembly of North Carolina do enact:

Special tax authorized. SECTION 1. That the board of commissioners of Henderson County be and they are hereby authorized and empowered, in their discretion, to levy and cause to be collected annually, at the same time and in the same manner as the general county taxes, are levied and collected, a special tax of not more than one-tenth of Rate. Application of tax. one per cent on all the taxable property in said county, the same when collected to be applied to the present mortgage indebtedness of the said Hendersonville Association.

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

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

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 409.

AN ACT TO CREATE AND ESTABLISH A RECORDER'S COURT FOR THE TOWN OF ZEBULON AND LITTLE RIVER TOWNSHIP, IN WAKE COUNTY, AND TO PRESCRIBE THE JURISDICTION AND PROCEEDINGS OF SAID COURT.

The General Assembly of North Carolina do enact:

SECTION 1. That a special or recorder's court for the trial of misdemeanors and certain civil causes herein provided for and to be designated as "The Recorder's Court of the Town of Zebulon and Little River Township" is hereby created and established.

Court created.
Official title.

SEC. 2. The said court shall be a court of record and shall be presided over by a recorder who shall be an elector of Wake County of good moral character and a licensed attorney at law.

Court of record.
Recorder.

SEC. 3. That a recorder to preside over said court and perform the duties hereinafter prescribed shall be elected immediately after the ratification of this act, by the commissioners of the town of Zebulon, and said recorder shall hold said office until his successor shall be duly elected and qualified at the next election for members of the General Assembly, and he shall be elected by the voters of said Little River Township, including the town of Zebulon, at the election of members of the General Assembly on the first Tuesday in November, one thousand nine hundred and sixteen, and every two years thereafter. He shall take and subscribe the oath required of judges of the Superior Courts and shall receive a salary not to exceed twelve dollars and fifty cents per day while actually engaged in holding said courts (to be fixed and determined by the town commissioners of the town of Zebulon) and paid by the said town of Zebulon monthly.

Election and term
of recorder.

Election of suc-
cessor.

Oath and salary.

SEC. 4. The court shall hold a session once a month, to be fixed by the commissioners of the town of Zebulon, at such place in the town of Zebulon as may be designated by the commissioners of said town.

Sessions.

SEC. 5. Said court shall have final, exclusive, original jurisdiction of all misdemeanors occurring or committed within that territory embraced in the lines of Little River Township, including the town of Zebulon, as follows: carrying concealed weapons, gaming, keeping gambling houses; keeping bawdy-houses; larceny or receiving stolen goods knowing them to be stolen, wherein the value of the article or articles stolen does not exceed twenty dollars; failure to list taxes; assault and battery with a deadly weapon, or when serious damage is done; fornication and adultery; abandonment; cruelty to animals; resisting officers; malicious injury to real or personal property; trespassing on lands after being forbidden; forcible trespass; enticing servants to leave masters; in-

Jurisdiction.

decent exposure of person; retailing spirituous liquors without a license; selling or giving away spirituous liquors to a minor; selling or giving away cigarettes to a minor; obtaining advances by false pretense; bastardy; disposing of mortgaged property, and all other crimes against the public health as contained in the Revisal of one thousand nine hundred and five of North Carolina, inclusive of all misdemeanors as contained in chapter eighty-one of the Revisal of one thousand nine hundred and five of North Carolina and acts amendatory thereof, where the punishment does not exceed a fine of two hundred dollars and imprisonment for one year, and all crimes which under the common law are misdemeanors wherein the punishment is in the discretion of the court. All the foregoing offenses are hereby declared to be petty misdemeanors. Said recorder's court shall also have final, exclusive, and original jurisdiction in the territory embraced in the lines of said Little River Township, including the said town of Zebulon, wherein the mayor or justice of the peace now has or shall hereafter have jurisdiction.

Offenses declared petty misdemeanors.
Jurisdiction as of mayors and justices of the peace.

Jurisdiction in preliminary hearings.

SEC. 6. That in addition to the jurisdiction given in section five of this act, the said court is hereby given exclusive jurisdiction to hear and bind over to the Superior Court all persons charged with any crime committed within that territory embraced in the lines of Little River Township, including the town of Zebulon, wherein preliminary investigation thereof is now conferred on justices of the peace of Little River Township or the mayor of the town of Zebulon: *Provided*, no defendant shall, under this section, be bound over to the Superior Court in any case of which this court has been given final jurisdiction.

Proviso: final jurisdiction.

Issue of warrants.

SEC. 7. Warrants may be issued by the recorder of this court, by the clerk of this court, or by a substitute recorder, for any person or persons charged with the violation of any of the criminal laws of this State, which warrant shall be made returnable before said recorder within thirty days from the issuing thereof. Said recorder, substitute recorder, or clerk may also issue subpoenas, orders, capiases, and all other process applicable to said court. Any person convicted in said court shall have the right of appeal to the Superior Court of Wake County as is now provided for appeals from justices of the peace courts, and upon such appeal the trial shall be *de novo*.

Return of warrant.

Other process.

Right of appeal.

Bonds for appearance before superior court.

SEC. 8. In all cases heard by the recorder of said court established by this act, as committing magistrate, against any person or persons for any offense whereof the court herein established has not final jurisdiction, in which probable cause of guilt is found, such person or persons shall be bound in bond or recognizance with sufficient surety, to be fixed by the recorder of this court, to appear at the next succeeding term of the Superior Court for Wake County for the trial of criminal cases, and in default of such bond or recognizance such person or persons shall be committed to the

Commitment in default of bail.

common jail of Wake County, to await trial as aforesaid: *Provided*, in all capital offenses such person or persons shall be committed to the common jail of said county without bail.

Proviso: committal without bail.

SEC. 9. All costs incurred in issuing warrants and serving the same when executed by an officer of said town of Zebulon or Little River Township, in cases where the recorder of said court has not final jurisdiction as aforesaid, and for the service of process arising in such cases when executed by an officer of said town or township, except as hereinafter provided, shall be paid to the town of Zebulon. Officers serving process issued from said court shall be allowed the same fees as are now allowed sheriffs in like cases, the same when collected to be paid over as herein provided.

Cost paid by town.

Fees of officers.

SEC. 10. All persons pleading guilty or convicted in said court of any offense mentioned in this act shall be fined or imprisoned according to law, and any person entering such plea of guilty and who may be convicted of any offense shall pay the costs of the prosecution.

Punishments.

SEC. 11. When any person is convicted or pleads guilty to any offense of which said court has final jurisdiction said recorder may sentence said party to the common jail of Wake County and assign him to work on the public roads of said county or in the county workhouse, as provided by law: *Provided further*, that whenever any person is convicted or pleads guilty of any offense which is now or shall hereafter be within the final jurisdiction of the recorder of the said town of Zebulon, said recorder may sentence said party to the common jail in Wake County and assign him to work on the public roads of Little River Township or streets of the town of Zebulon.

Sentences.

Proviso: sentence to roads of township or streets of town.

SEC. 12. The recorder herein provided for shall preside over the said court and try and determine all actions coming before him, the jurisdiction of which is conferred by this act, and the proceedings of said court shall be the same as are now prescribed for courts of justices of the peace and of the Superior Court, so far as the same may be applicable to this court and in so far as not inconsistent with the provisions of this act, and in case of appeal to the Superior Court as herein provided, every defendant shall be required to give bond, with sufficient surety to be approved by the recorder of this court, to insure his appearance at said court, and in default thereof the recorder shall commit such defendant to the common jail of Wake County until he shall give bond or be otherwise discharged according to law.

Recorder to preside.

Procedure.

Bond on appeal.

Committal in default of bond.

SEC. 13. The court shall have jurisdiction to try all actions for the recovery of penalties imposed by law or by any ordinance of the town of Zebulon for any act done within the corporate limits of the said town or within the territory embraced within the lines of Little River Township, and said penalty shall be recovered in the name of the town of Zebulon; and in the cases where judgment may be entered against any person, imposing a fine and cost

Jurisdiction for recovery of penalties.

Road work for fines and costs.

or the cost only, and the person against whom the same is adjudged fails or refuses to pay such judgment, it shall be lawful for the recorder of said court to order and require said person to be worked either on the public roads of Wake County until at a fair rate of wages such person shall have worked out the full amount of said fine and costs.

Seal of court.

SEC. 14. Said court shall have a seal with the impression, "The Recorder's Court of Zebulon and Little River Township," which seal shall be used in attestation of writs, warrants, and other proceedings, acts, or judgments of said court in the same manner and to the same effect as the seal of other courts in the State of North Carolina.

Issue of process.

SEC. 15. The process of said court may be issued to the marshal, chief of police, or other policeman of the town of Zebulon, or to the sheriff, constable, or other lawful officer of Wake County, or any other county in the State of North Carolina, and such process when attested by the seal of said court shall run anywhere in the State of North Carolina and shall be executed by all officers and returns made according to law: *Provided*, no seal shall be required upon any process issued by or from said court to any officer in the town of Zebulon or the county of Wake.

Process under seal.

Proviso: process not under seal.

Substitute recorder.

SEC. 16. Should the recorder of this court be prevented from attending to his duties on account of sickness or other temporary disability, or by absence from the town of Zebulon and the township of Little River, then in that case the commissioners of the town of Zebulon shall elect a substitute recorder who shall have all the jurisdiction, power, and authority herein conferred upon the duly elected recorder of said court during the time said recorder is prevented from attending to his duties as aforesaid. Said substitute recorder shall be an elector of Little River Township and of good moral character. His compensation shall be the same as that of the regular recorder for each day that he shall preside over said court as aforesaid, to be deducted from the compensation due to the regular recorder.

Compensation.

Fees taxed as costs.

SEC. 17. In each case disposed of by said recorder or substitute recorder, where the defendant is convicted or pleads guilty, there shall, in addition to other lawful cost, be allowed the following fees, to be taxed as part of the cost against the defendant, as follows: for the judge of said court, two dollars, and the clerk of said court shall receive the same fees for all warrants and other process, papers, or affidavits as are now allowed to the clerks of the Superior Courts and justices of the peace in similar cases. All fines collected shall be paid by the clerk of said court to the town treasurer as provided by law, and all fees allowed by law for an arrest or the serving of other process in a criminal action, when the same shall have been made by the chief of police or other town officer who is on a salary, shall be paid to the treasurer of the

Payment of fines.

Fees of salaried officers.

town of Zebulon for the use of the said city and to reimburse it for the expense of supporting said court.

SEC. 18. The clerk of said court shall be appointed by the commissioners of the town of Zebulon on or before the first Monday in March, one thousand nine hundred and fifteen, to serve until the second Tuesday in May, one thousand nine hundred and seventeen, when the commissioners of the said town of Zebulon shall elect his successor to serve for the term of two years and until his successor shall have been duly elected and qualified, and his successor shall be elected by said board every two years thereafter. And the said clerk shall be an *ex officio* justice of the peace, with all the power and authority belonging to justices of the peace in said Little River Township. Before entering upon the duties of said office as such clerk he shall enter into a bond with good and sufficient surety in the sum of five hundred dollars, payable to the State of North Carolina for the use and benefit of the said town of Zebulon, for the true and faithful performance of his duties as such clerk and for the faithful accounting for and paying over of all moneys which may come into his hands by virtue of the said office. Said bonds shall be approved by the commissioners of the town of Zebulon. Said clerk shall be paid by the town of Zebulon a salary to be fixed within the discretion of the town commissioners, not to exceed the sum of two hundred dollars per annum, to be paid in equal monthly installments. Such clerk shall make monthly settlements with the county and town treasurers: *Provided*, the office of clerk may be combined by said commissioners with any other town office, and one person may be elected by said commissioners to perform the duties of both offices.

Appointment and term of clerk.

Election of successor.

Clerk *ex officio* justice.

Bond.

Salary.

Monthly settlements.

Proviso; offices combined.

SEC. 19. It shall be the duty of the clerk of said court to keep an accurate and true record of all costs, fines, and penalties, forfeitures, and punishments by said court imposed under the provisions of this act, and said record shall show the names and residence of such offender and the nature of such offense, the date of hearing and trial and punishment imposed, which said records shall at all times be open and subject to inspection by the commissioners of said town or other persons having business relating to said court. He shall keep a permanent docket for recording all the processes issued by said court which shall conform to the dockets kept by the clerk of the Superior Court. He shall also keep in proper files, to be provided by the town of Zebulon, a record of all cases which shall be disposed of in said court and what disposition has been made of them.

Records kept by clerk.

Records open for inspection.

Permanent docket.

Files.

SEC. 20. All cases which have heretofore been hearable by the mayor of the town of Zebulon shall, after the election and qualification of the recorder provided for in this act, be tried by the recorder of said court, but no cases which are pending in the Superior Court of Wake County at the time this act goes into effect shall be transferred to said recorder's court, but the same shall be

Cases pending.

Proviso: removal of cases.

disposed of in that court: *Provided*, no case can be removed from said recorder as is now provided for the removal of a case from one justice of the peace to another.

Removal of clerk for cause.

SEC. 21. The commissioners of the said town of Zebulon shall at any time have the right to remove the clerk of said court either for incompetency or the neglect of the duties of his office, and in the event of a vacancy from any cause in said office, said board shall have the right to fill the same.

Costs payable by county.

SEC. 22. That whenever under the judgment of said court any defendant is sentenced to the common jail of Wake County to work on the public roads or in the county workhouse of said county, or to pay a fine and the cost of the action, or the cost only, as provided by this act, and the said defendant is imprisoned in the common jail as aforesaid, and assigned to the public roads or to the county workhouse of said county as aforesaid, for the purpose of working out said fine and cost, or cost only, as the case may be, and such judgment is carried into effect, the said county of Wake shall be liable for and shall pay to the treasurer of the town of Zebulon the amount of the cost taxed in said case as taxed by the clerk of said recorder's court.

Prosecutor taxed with costs.

SEC. 23. Said court shall have full power, in any case in which he shall adjudge that the prosecution was not required by the public interest, to tax the prosecutor with the cost of the said action, and in the event said court shall adjudge that such prosecution is frivolous or malicious, he may imprison such prosecutor for the nonpayment of such cost, as provided in section one thousand two hundred and ninety-seven of the Revisal of one thousand nine hundred and five of North Carolina, until such costs are paid: *Provided*, when such costs are paid they shall belong to the town of Zebulon.

Imprisonment for nonpayment.

Proviso: costs to use of town.

SEC. 24. That the court created by this act shall have the same authority for granting continuances, taking bonds, recognizances, and rendering judgment on forfeited bonds and recognizances as is now vested by law in the Superior Courts of said State, and the rules of law regulating the issuing and service of notices against defendants and their sureties upon such bonds and recognizances and of proceedings for taking and enforcing judgments in such cases shall be the same as is now provided in like cases for the Superior Courts of the State. Transcripts of any judgment rendered in any case may be docketed in the Superior Court of Wake County in the same manner and with like effect of any other judgment docketed as provided by law, in said court.

Authority as to proceedings.

Transcripts docketed.

Power to punish for contempt.

SEC. 25. Said court shall have the same power to punish for contempt as is given to the Superior Courts of this State by chapter seventeen of the Revisal of one thousand nine hundred and five of North Carolina, and all amendments thereto, and the procedure in such matters shall be the same as now provided by law for said Superior Courts.

SEC. 26. In all cases the said court shall have the right to amend any warrant issued by the recorder of the court or the clerk of said court or sent up by any magistrate as hereinbefore provided for in the same way and to the same extent as justices of the peace are now authorized by law to make amendments of warrants issued in their courts.

Power of amendment.

SEC. 27. The clerk of said court shall monthly furnish to the board of county commissioners of Wake County a statement of the costs of maintenance of said court, and the board of commissioners of Wake County, at their regular monthly meeting, shall pay to the treasurer of the town of Zebulon twenty-five dollars each month to aid in the defraying the costs of maintaining said court.

Monthly statements to county commissioners.
Payment by county.

SEC. 28. This act shall not interfere with justices of the peace in Little River Township in issuing warrants and other papers, but in all criminal cases they shall make all warrants or process returnable to the said recorder's court within thirty days from the issuing thereof.

Warrants issued by justices.

SEC. 29. That said recorder's court shall also have jurisdiction to try all civil actions wherein the sum claimed therein shall not exceed the sum of five hundred dollars in actions on contract and two hundred and fifty dollars in torts, and in the trial and determination of such civil actions shall have final, exclusive, original jurisdiction within that territory embraced within the lines of Little River Township: *Provided*, that either the plaintiff or defendant in such civil action shall have the right of appeal to the Superior Court of Wake County as is now provided for appeals from justices of the peace, and from such appeal the trial shall be *de novo*.

Civil jurisdiction.

Proviso: right of appeal.

SEC. 30. That in the trial of civil cases in said court the rules of practice and laws governing the trial of causes in courts of justices of the peace shall prevail in this court and the said court shall have the same authority for granting continuances, taking bonds, and rendering judgments as now fixed by law in justices' courts, and the rules of law governing the issuing and service of notices and summons and all proceedings for taking and enforcing judgments in such cases shall be the same as is now provided in like cases in the courts of justices of the peace. Transcripts of any judgments rendered in any civil action may be docketed in the Superior Court of Wake County and in the same manner and with like effect of any judgment taken in the courts of justices of the peace.

Procedure in civil actions.

Transcripts docketed.

SEC. 31. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 32. That this act shall be in force from and after its ratification.

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 410.

AN ACT TO PROTECT GAME BIRDS IN ROBESON COUNTY.

The General Assembly of North Carolina do enact:

Sale of game
forbidden.

SECTION 1. That it shall be unlawful for any person to sell or offer for sale at any time game birds in Robeson County.

Close of season.

SEC. 2. That it shall be unlawful for any person to kill or in any manner destroy game birds between the fifteenth day of November and the first day of March in any year.

Netting forbidden.

SEC. 3. That it shall be unlawful for any person to net game birds.

Limit of kill.

SEC. 4. That it shall be unlawful for any person to kill more than twelve game birds in any one day between the fifteenth day of November and the first day of March in any year: *Provided*, that a nonresident member of the immediate family of a resident landowner shall with the consent of such landowner be allowed to hunt on lands of the resident landowner as though such member of his family were a resident, and a nonresident guest of a resident landowner shall be allowed to hunt on the lands of his host when accompanied by the host or a resident member of the host's family, provided that neither the host nor any member of his family receive from the guest any compensation, either directly or indirectly.

Proviso: nonresident
relatives and
guests of land-
owners.

Proviso: receipt of
compensation
forbidden.

Shipping forbidden.

SEC. 5. That it shall be unlawful for any person, firm, or corporation to ship or transfer game birds out of Robeson County in any manner whatsoever.

Nonresident
hunter's license.

SEC. 6. That it shall be unlawful for any person or persons, not a resident of the State of North Carolina, to hunt, pursue, kill, maim, or capture any game bird or wild animal within the limits of Robeson County without first having applied for and received a nonresident hunter's license as hereinafter prescribed: *Provided*, no license tax shall be collected from any nonresident of the State who owns land in Robeson County.

Proviso: nonresident
landowners.

Close season for fur-
bearing animals.

SEC. 6½. That it shall be unlawful to kill, maim, or destroy in any manner any squirrel or fur-bearing animal between the first day of March and the fifteenth day of October in any year in Robeson County. That it shall be unlawful for any person to net, snare, or trap in any manner any squirrel or fur-bearing animal at any time during any year in Robeson County: *Provided*, that this section shall not prohibit the setting of animal traps by any lessor or landowner in any field being cultivated or cropped by such lessor or landowner or in houses on his premises where his dwelling is situated: that it shall be unlawful for any person or persons to pursue, kill, maim, or destroy any deer in Robeson County for a period of five years from the ratification of this act.

Trapping
forbidden.

Proviso: traps on
cultivated land and
in houses.

Deer protected.

SEC. 7. That the clerk of the Superior Court of Robeson County shall upon application from any nonresident of the State of North Carolina collect from such applicant the sum of twenty-five dollars, and shall issue to him a nonresident's license, which shall state name and description of applicant and good only for the hunting season for which it is issued, and which shall permit the holder thereof to hunt in Robeson County as prescribed by law. The clerk of the Superior Court shall keep a record of each license issued and shall at the close of each hunting season, after deducting a fee of fifty cents for each license issued, pay over to the general road fund of Robeson County fifteen dollars for each license issued by him.

License for non-residents.

Record of licenses.

Fee of clerk.

Licenses to road fund.

SEC. 8. That game birds within the meaning of this act shall be considered river, fish, and sea duck, snipe, woodcock, dove, robin, quail and partridge.

Game birds defined.

SEC. 9. That each township constable and rural policeman be and they are hereby constituted a game warden as provided by the laws of North Carolina.

Game wardens.

SEC. 10. That any person violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not more than fifty dollars or imprisoned not more than thirty days.

Misdemeanor.

Punishment.

SEC. 11. That this act shall apply only to the county of Robeson.

Application of act.

SEC. 12. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 13. That this act shall be in force from and after its ratification.

Ratified this the 4th day of March, A. D. 1915.

CHAPTER 411.

AN ACT TO PROVIDE FOR RURAL POLICEMEN FOR ROBESON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That on the first Monday in April, one thousand nine hundred and fifteen, and annually thereafter on the first Monday in January of each and every year, the board of commissioners of Robeson County shall, on the recommendation of the sheriff of said county, appoint six (6) able-bodied men of good moral character, known not to be addicted to the use of alcoholic liquors, and commission them as rural policemen of Robeson County. The said commissioners are hereby empowered to remove any policeman provided for in this act, at any time, for good cause shown, and appoint others in their places. Until the policemen herein pro-

Appointments.

Power of removal.

Policemen named.

vided for are appointed by the commissioners, Eli Phillips of Lumberton, W. C. Britt of Proctorville, J. H. Carper of Rowland, W. A. Wilkerson of Maxton, R. B. Lindsey of Red Springs, and L. H. Townsend of St. Pauls are hereby appointed to serve as rural policemen of Robeson County, and they shall serve under the same bonds that they are now under.

- Bonds.
- Salary. SEC. 2. That the salary of each of said policemen shall be seventy-five dollars per month, payable monthly by the county treasurer upon warrants of the county commissioners: *Provided, however,* that said policemen shall provide themselves with policemen's billets and such firearms as may be required by the said county commissioners, and with horses or other means of conveyance for regular use in riding over the county and performing duties as mounted policemen, and shall bear all expenses incident to their services.
- Proviso: equipment.
- Duties and powers. SEC. 3. That it shall be the duty of said policemen, under the general control of the board of commissioners and sheriff of the county, especially in rural districts, to patrol and police the county and to prevent and to detect and prosecute the violations of the criminal law of every kind, making arrests upon their own initiative as well as upon complaint or information, and to report all their acts and all known or suspected violations of the criminal law to the sheriff of the county at least once a week if required by him, and they shall at all times obey and carry out the orders of the sheriff and board of commissioners of said county when not inconsistent with this act.
- Reports.
- Orders of sheriff.
- Patrols. SEC. 4. The said policemen shall patrol such portions of the county assigned to each by the sheriff and board of commissioners, at least twice a week, remaining on duty at night, when occasion or circumstances suggest the propriety thereof, to prevent or detect crime and to make an arrest, and they shall always be on duty for not less than ten hours a day, except when granted occasional indulgences or leaves of absence by the sheriff. They shall frequent railroad depots, stores, and other public places where people congregate or disorder is probable, or vagrants may be loafing, or alcoholic or spirituous liquors may be sold, bartered, or given away; and they shall as often as practicable ride by houses that are off the public highways and in lonely parts of the county, especially such as are without male protectors, and shall use every means to prevent or detect, arrest and prosecute for breaches of the peace, drunkenness, using obscene language, boisterous conduct, or discharging of firearms on the public highways or at any public place or gathering, carrying concealed weapons contrary to law, gambling, vagrancy, setting out fire, violations of the game and fish laws, cruelty to animals, violations of the child labor laws, lynching, and for violations of any and every law which is detrimental to the peace, good order, and morals of the com-
- Night duty.
- Hours of work.
- Places for special surveillance.
- Places for special protection.
- Offenses specially charged.

munity; and in addition to the foregoing duties and services, said policemen, when called upon, shall serve and execute all criminal and civil process from any of the courts of Robeson County which would be lawful for the sheriff of said county to serve.

Execution of process.

SEC. 5. That said policemen shall have authority, for any suspected freshly committed crime, whether upon view or on prompt information or complaint, to arrest without warrant; and they shall have the right and authority to summons any person or persons to assist in enforcing the laws and in arresting violators or suspected violators thereof; and any citizen who shall fail to respond and render assistance when so summoned or called upon shall be guilty of a misdemeanor, and upon conviction shall be punished by imprisonment for thirty days or fined fifty dollars. When an arrest is made without warrant, the person so arrested shall be forthwith carried before a magistrate or recorder and a warrant of arrest procured and disposed of as the magistrate or recorder shall direct.

Arrests without warrants.

Right to summons assistance.

Failure to render assistance a misdemeanor.

Punishment.

Warrant procured.

SEC. 6. That it shall be the duty of each policeman provided for under the provisions of this act to collect the fees for all process work rendered by him in either criminal or civil cases, and the fees so collected shall be the same as now provided by law, and said fees shall be turned over to the treasurer of Robeson County on the first day of each month, and the said policemen shall render a true and accurate itemized statement to the board of commissioners of said county on the first Monday in each month, showing in detail the amount of fees collected by him for the previous month and the amount turned over to the treasurer of said county.

Fees collected to use of county.

Monthly settlements and statements.

SEC. 7. That each of the said policemen shall, before entering upon the discharge of his duty and before being commissioned by the county commissioners, enter into bond in the sum of one thousand dollars (\$1,000), with sufficient surety, to be approved by the said board of commissioners, conditioned for the faithful performance of his duties and for the payment to the county and any person or corporation all such damages as they or any of them may sustain by reason of his malfeasance in office or abuse of his discretion; and he shall take and subscribe the following oath (or affirmation), to wit: "I solemnly swear (or affirm) that during my term of office as county policeman I will study the act creating the office and prescribing my duties, and will be alert and vigilant to enforce the criminal laws of the State, and to detect and bring to punishment every violation of the same, and will conduct myself at all times with due consideration to all parties and persons, and will not be influenced in any matter on account of personal bias or prejudice: so help me, God." The form of said bond shall be approved by the board of county commissioners, and, with the oath, shall be filed with and kept by the clerk of the Superior Court of Robeson County.

Bond of policemen.

Oath.

Conveyance of convicts to chain-gang.

SEC. 8. That when any person or persons arrested by any one of the policemen provided for in this act is carried before a recorder or justice of the peace and convicted, and the judgment of the court is that such person so convicted shall serve a term in the chain-gang of Robeson County, it shall be the duty of said policeman to transport said person so convicted to the chain-gang, but the actual expense of conveying such person to the chain-gang shall be paid by the county on a warrant issued by the board of commissioners at their discretion.

Law repealed.

SEC. 9. That chapter four hundred and eighteen of the Public-Local Laws of North Carolina, session of one thousand nine hundred and thirteen, be and the same is hereby repealed.

SEC. 10. That this act shall be in full force and effect from and after its ratification.

Ratified this the 4th day of March, A. D. 1915.

CHAPTER 412.

AN ACT TO AMEND CHAPTER 444 OF THE PUBLIC-LOCAL LAWS, SESSION 1913.

The General Assembly of North Carolina do enact:

Good roads commission named.

Term of office.

Vacancies.

Commissioners to qualify, meet, and organize.

Treasurer.

Pay of commissioners.

SECTION 1. That section one, chapter four hundred forty-four of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby stricken out, and in lieu thereof the following is hereby enacted: That W. G. Hedgepeth, Moses Strickland, E. A. Carter, J. R. Dickens, Fletcher Gregory, A. B. Schlicter, John L. Patterson, Whit A. Johnston, Sterling Johnston, C. P. Bounds, P. C. Gregory, and A. Paul Kitchin are hereby appointed members of a commission to be known as the Good Roads Commission of Halifax County, who shall hold office until the first Monday in December, one thousand nine hundred and sixteen, and until their successors are qualified, and shall have charge of the road work of said county. Any vacancy occurring on said commission before the next county election shall be filled by the appointment by the board of commissioners of Halifax County. As soon as practicable after the passage of this act, all members of said commission named herein shall qualify by taking an oath before a magistrate in said county to faithfully perform the duties imposed upon them by this act, meet and organize, or continue the present organization created under and by virtue of the section one which is herein repealed. The treasurer of the county shall be the treasurer *ex officio* of the good roads commission, but he shall not be allowed commissions out of any road fund which is the proceeds of bonds issued. The members of said good roads

commission shall be paid out of the road funds of the county per diem and mileage as those of the county commissioners: *Provided*, they shall not be paid for more than twelve days in one year. At the general election of one thousand nine hundred and sixteen, and every two years thereafter, the successors to the above-named commissioners shall be elected by the people of the county, the names of the persons voted for to appear on the ticket for county officers immediately after the candidates for county commissioners, and to be inducted into office as other county officers, and to hold their office for two years and until their successors are qualified: *Provided*, one commissioner shall be elected or appointed as hereinbefore provided from each township in said county. That the townships of Roseneath, Scotland Neck, and Palmyra, in said county, are hereby made a joint road district, and the three commissioners named from the said three townships shall be known as the joint road commission, who shall have full control of the public roads and public road work in said district, and all money collected in said three townships for the purpose of working and maintaining said public roads shall be known and used as the joint road fund, and all other moneys arising from the general road fund of said county which may be apportioned to the said three townships shall belong to said fund and used only on the roads in said district under the supervision of said joint road commission.

Proviso: limit.
Election of
successors.

Term.

Proviso: one from
each township.
Joint road district.

Joint road fund.

SEC. 2. That section fifteen, chapter four hundred forty-four, of the Public-Local Laws of one thousand nine hundred and thirteen, be and the same is hereby amended by adding at the end thereof the following: "*Provided*, no money shall be spent on the roads in any township in the county without the authority and approval of the commissioner from said township."

Proviso: approval
of township com-
missioner.

SEC. 3. That section seven, chapter four hundred forty-four of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby amended by adding at the end thereof the following: "*Provided*, that if in the opinion of a majority of the highway commission they deem it advisable and expedient to divide the county road force or chain-gang for the purpose of better working or more economically working of the said roads, the said commission is hereby authorized and empowered to make said division and to apportion any part of said road force or chain-gang to any part of said county they may wish and may deem proper."

Proviso: commis-
sion may divide
road force.

SEC. 4. That section five, chapter four hundred forty-four of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby stricken out, and in lieu thereof the following is hereby enacted: "In opening new highways, widening and straightening out old roads or repairing same, the good roads commission, before entering upon the lands of any person for the

Notice to and
agreement with
landowner.

Appraisal by
arbitration.

purposes of this act, shall first notify said landowner of its said intention, and agree with said landowner upon the amount of damage said landowner may be entitled therefor, and if the said commission and said landowner cannot agree, the said commission shall have the power, and it shall be the duty thereof, to select one disinterested freeholder, who shall be a resident in the township in which said land is sought, and the said landowner shall have the power and authority to select one disinterested freeholder in said township, and the said two so selected shall have the power and authority to choose a third freeholder in said township as an umpire in the matter, and the three persons so chosen shall, before any work is done on said land, personally inspect and view the same and assess the damage thereof; the judgment of two of those so chosen shall be the amount of damages the said commission shall pay said landowner: *Provided*, in case either party to said proceeding is not satisfied with the award of damages, they may appeal to the Superior Court of Halifax County as in all other cases of appeal from inferior courts: *Provided, also*, immediately upon the payment or tender to the condemnee of the amount assessed as damage as hereinbefore provided, the said commission or its agents is hereby authorized to enter upon and take the land sought to be condemned, notwithstanding the appeal to the Superior Court above provided."

Proviso: right of
appeal.

Proviso: possession
upon payment or
tender.

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

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

Ratified this the 4th day of March, A. D. 1915.

CHAPTER 413.

AN ACT TO AMEND CHAPTER 771 OF THE PUBLIC LAWS OF 1905, RELATIVE TO THE ROAD IN HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

Tax rate.

SECTION 1. That section three of chapter seven hundred and seventy-one be and the same is hereby amended by inserting after the word "twelve" and before the word "cents" in line eight, "nor more than thirty," and that said chapter be further amended by inserting between the words "thirty-six" and "cents" in line nine of said section the words "nor more than ninety."

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.

Ratified this the 4th day of March, A. D. 1915.

CHAPTER 414.

AN ACT TO AMEND CHAPTER 40 AND CHAPTER 828 OF THE PUBLIC-LOCAL LAWS OF SESSION 1913, AND CHAPTER 101 OF PUBLIC-LOCAL LAWS OF SPECIAL SESSION OF 1913, RELATING TO PUBLIC ROADS OF MADISON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section seven of chapter forty of the Public-Local Laws of regular session of nineteen hundred and thirteen be and the same is hereby amended by striking out the word "April" in line two, counting from the top of page ninety-three, and insert in lieu thereof the word "May," and that said section seven be further amended by adding at the end thereof the following: "That nine hours shall constitute a day's work by hands doing free service on roads."

Road year.

Day's work.

SEC. 2. That section nineteen of chapter eight hundred and twenty-eight of Public-Local Laws of regular session nineteen hundred and thirteen be and the same is hereby amended by striking out all that paragraph between the word "act" in line three, reading from top of page sixteen hundred and eighty-four, and the word "damages" in line four, reading from top of page as aforesaid; and that said section be further amended by adding at the end thereof the following: "that the court shall enter judgment on the verdict of the jury against the party cast; if the benefits as found by the jury shall exceed the damages, judgment for said amount shall be entered against landowners. That the jury summoned to assess damages as provided in this section may be allowed two dollars per day and mileage."

Proviso: stricken out.

Judgment for excess of benefits.

Pay of jurors.

SEC. 3. That section twenty-one of chapter eight hundred and twenty-eight of Public-Local Laws of regular session nineteen hundred and thirteen be and the same is hereby amended by striking out all of said section after the word "circulation" in line six of said section and before the word "the" at the end of line ten of said section.

Bids on contracts.

SEC. 4. That section ten of Public-Local Laws of extra session nineteen hundred and thirteen be and the same is hereby amended by adding at the end of said section the following: "and shall be credited to the township from which said funds come, and expended in said township."

Funds credited to townships.

SEC. 5. The Madison County Highway Commission is hereby authorized and empowered to commence the surfacing or macadamizing of the roads leading out from the main street of the town of Marshall as early as is practicable, and may use any funds in their hands available for road construction belonging to said town-

Roads to be surfaced.

Issue of script.	ship, and may in their discretion call on the county commissioners to issue script payable not later than ten years from date of issue
Interest on script.	of same, and not to draw a greater rate of interest than six per
Overseers.	cent. Said macadamizing to be done by the highway commission under skilled overseers.
County commis- sioners to issue script.	SEC. 6. That it shall be the duty of the board of county commissioners, when called upon by the highway commission, to issue script from time to time, in such denominations as may be requested, payable at such times as in their discretion may seem best at not a greater period than ten years from the date of issue and at not a greater rate of interest than six per cent, and turn the same over to the highway commission in order that the same may be used in payment of the work provided for in this act.
Maturity.	
Interest.	
Special tax.	SEC. 7. That the board of county commissioners of Madison County are hereby authorized, empowered, and directed to levy a special tax from time to time, at their regular time of levying taxes for the county, sufficient to pay the interest on any script that may be issued under the above provisions, and to pay off said script at maturity.
Commissioners named.	SEC. 8. That section nine of chapter eight hundred and twenty-eight of Public-Local Laws, regular session nineteen hundred and thirteen, be and the same is hereby amended by striking out the first four lines of said section and insert in lieu thereof the following: "That for the carrying out of the purposes of this act Fowler Shelton of Number One Township, A. F. Sprinkles of Number Fifteen Township, and G. V. Russell of Number Eight Township."
Repealing clause.	SEC. 9. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.
Secretary of State to send copy of act.	SEC. 10. That the Secretary of State is hereby authorized and directed within five days after the ratification of this act to forward certified copy of same to the chairman of the board of highway commissioners of Madison County.
	SEC. 11. That this act shall be in full force and effect immediately upon its ratification.
	Ratified this the 4th day of March, A. D. 1915.

CHAPTER 415.

AN ACT TO CREATE AND ESTABLISH A RECORDER'S COURT FOR LEAKSVILLE TOWNSHIP, ROCKINGHAM COUNTY, AND DEFINE THE JURISDICTION THEREOF.

The General Assembly of North Carolina do enact:

Recorder's court
created.

SECTION 1. That a recorder's court is hereby established and created, to be known as the Recorder's Court of Leaksville Town-

ship, and the jurisdiction of said recorder's court to cover all of Leaksville Township in Rockingham County. Extent of jurisdiction.

SEC. 2. That said court shall be a court of record, and shall be presided over by an elector residing in said territory, who shall be a man of good moral character, and who shall be known as the recorder of Leaksville Township. Court of record.
Recorder.

SEC. 3. That the recorder herein provided for in this act shall hold office until the first Tuesday in May, one thousand nine hundred and seventeen, when a successor shall be elected by the qualified voters of said township at an election to be held in Leaksville Township, on the first Tuesday in May, one thousand nine hundred and seventeen, and on the first Tuesday in May and every two years thereafter on odd years of calendar as long as this act is in force. That said election shall be held in Leaksville township under the same law, rules and regulations as now obtain and exist for the election of members of the General Assembly of North Carolina, except as herein provided: *Provided*, that the registration books used in the general election for members of the General Assembly held next preceding any election held under this act shall be used at any and every election held under and by virtue of this act. That the election officers herein provided for shall on the next day after each and every election held under this act meet at the courtroom herein established for the holding of court under this act, and canvass the returns of said election, and declare the result thereof, and certify the said returns over their signature to the register of deeds of Rockingham County, who shall record said returns of said elections in his office as other public records are recorded. That not later than the first Monday in March of each and every year in which an election is to be held hereunder the board of county commissioners of Rockingham County shall appoint a registrar and two poll-holders for each and every voting precinct in Leaksville Township. That said registrar and poll-holders shall hold said election in the same manner, under the same rules and law, and have the same powers as now exist and obtain under the law governing elections of members of the General Assembly of North Carolina. That in the event of a vacancy in either of election officers prior to election day the chairman of said board of commissioners may fill by appointment any such vacancy. Vacancies occurring on election day shall be filled as now provided by law for general elections. The cost and expenses of said elections shall be paid out of the fund herein created under subsection "e" in section seven. Same shall be paid by the clerk of the Superior Court, after said expenses have been audited and passed by the board of county commissioners, upon warrant duly issued as now provided by law. That the term of the recorder elected under this act shall begin on the first Tuesday in June in every year after said election, and he shall hold Term of office.
Election of successor.
Place of election.
Law governing election.

That the election officers herein provided for shall on the next day after each and every election held under this act meet at the courtroom herein established for the holding of court under this act, and canvass the returns of said election, and declare the result thereof, and certify the said returns over their signature to the register of deeds of Rockingham County, who shall record said returns of said elections in his office as other public records are recorded. That not later than the first Monday in March of each and every year in which an election is to be held hereunder the board of county commissioners of Rockingham County shall appoint a registrar and two poll-holders for each and every voting precinct in Leaksville Township. That said registrar and poll-holders shall hold said election in the same manner, under the same rules and law, and have the same powers as now exist and obtain under the law governing elections of members of the General Assembly of North Carolina. That in the event of a vacancy in either of election officers prior to election day the chairman of said board of commissioners may fill by appointment any such vacancy. Vacancies occurring on election day shall be filled as now provided by law for general elections. The cost and expenses of said elections shall be paid out of the fund herein created under subsection "e" in section seven. Same shall be paid by the clerk of the Superior Court, after said expenses have been audited and passed by the board of county commissioners, upon warrant duly issued as now provided by law. That the term of the recorder elected under this act shall begin on the first Tuesday in June in every year after said election, and he shall hold Canvass and record of returns.
Election officers.

That the election officers herein provided for shall on the next day after each and every election held under this act meet at the courtroom herein established for the holding of court under this act, and canvass the returns of said election, and declare the result thereof, and certify the said returns over their signature to the register of deeds of Rockingham County, who shall record said returns of said elections in his office as other public records are recorded. That not later than the first Monday in March of each and every year in which an election is to be held hereunder the board of county commissioners of Rockingham County shall appoint a registrar and two poll-holders for each and every voting precinct in Leaksville Township. That said registrar and poll-holders shall hold said election in the same manner, under the same rules and law, and have the same powers as now exist and obtain under the law governing elections of members of the General Assembly of North Carolina. That in the event of a vacancy in either of election officers prior to election day the chairman of said board of commissioners may fill by appointment any such vacancy. Vacancies occurring on election day shall be filled as now provided by law for general elections. The cost and expenses of said elections shall be paid out of the fund herein created under subsection "e" in section seven. Same shall be paid by the clerk of the Superior Court, after said expenses have been audited and passed by the board of county commissioners, upon warrant duly issued as now provided by law. That the term of the recorder elected under this act shall begin on the first Tuesday in June in every year after said election, and he shall hold Vacancy in election officers.
Cost of election.
Payment by clerk of superior court.
Term of office.

Recorder to qualify.	office for the term of two years, and until his successor is elected and qualified. Before entering upon the duties of said office the said recorder shall take and subscribe before the clerk of the Superior Court of Rockingham County the same oath that is now required of judges of the Superior Court. That A. W. Dunn of Leaksville Township, Rockingham County, shall be appointed the first recorder for said Leaksville Township, who, upon taking the oath herein provided for said recorder, shall hold office until his successor is elected and qualified as herein provided.
Recorder named.	
Fees.	SEC. 4. The recorder shall be allowed the sum of one dollar for the trial and judgment in all civil and criminal cases within the jurisdiction of justices of the peace; two dollars for trial and judgment in all civil and criminal actions above the jurisdiction of justices of the peace, and within the jurisdiction of said recorder's court; one dollar for preliminary trials in cases above the jurisdiction of recorder's court: <i>Provided</i> , that all costs in cases of acquittal or in cases of suspended sentences where costs are not collected shall be paid out of the "Special Recorder's Court Fund of Leaksville Township" as provided for in section seven, subsection "e"; also the cost of all such books, stationery, dockets, files, and other necessary expenses of said court shall be paid out of this fund by the clerk of Superior Court, upon order drawn by the recorder.
Costs in acquittals and suspended sentences.	
Supplies and office expenses.	
Sessions of court.	SEC. 5. Said recorder shall hold sessions of his court as often as is necessary to speedily serve the public, legal holidays and Sundays excepted. Said sessions to be held in a duly appointed courtroom, to be located in the building now containing the Spray post-office, or in a building as near this central point as possible.
Courtroom.	
Jurisdiction.	SEC. 6. The jurisdiction of said court shall be as follows:
As of justices of the peace.	a. The said court shall have exclusive original jurisdiction to hear and determine all of the criminal offenses committed within said township, within the jurisdiction of justices of the peace, except that in that part of Leaksville Township lying east of the public road running from the Virginia State line, near the Scales plantation, by David M. Vernon's residence, thence in a southerly direction east of the so-called Blue Creek section, to intersect the Spray-Draper public road near the residence of Widow Cox, thence in a southerly direction just west of Claud McIver's residence, along an imaginary line, direct to Dan River, the said recorder shall have concurrent jurisdiction in criminal matters with justices of the peace of Leaksville Township, wherein their jurisdiction extends. In addition to the jurisdiction of said recorder aforesaid, the said recorder shall have concurrent jurisdiction with the Superior Court in all criminal offenses beyond the jurisdiction of the justices of the peace, and below the grade of felony, arising in Leaksville Township, and all of such offenses committed within Leaksville Township are hereby declared to be petty misdemeanors.
Territory excepted.	
Of crimes below felony.	

In all criminal offenses committed within said Leaksville Township below the grade of felony and tried in the Superior Court the said Superior Court shall have all the powers with reference to suspended sentences and parole of prisoners, and likewise all the powers relative to delinquent, dependent, and wayward children, as given the said recorder in this act.

Jurisdiction of superior court.

b. Justices of the peace issuing warrants for criminal offenses committed within the exclusive original jurisdiction of the said recorder's court, or within the jurisdiction in which said recorder has concurrent jurisdiction with the Superior Court of Rockingham County, shall issue such warrants returnable before said recorder, and for issuing such warrants the justices of the peace, in case of conviction, shall receive the same fee as now allowed by law. Such fee to be collected by the recorder and paid to the issuing justice of the peace: *Provided*, that in all criminal offenses wherein the said recorder's court has been given jurisdiction by this act and no prosecution has commenced within six months from the commission thereof, the Superior Court of Rockingham County may proceed to try the same as though this court did not exist.

Warrants by justices returnable to recorder's court.

Fees of justices.

Proviso: prosecution not commenced within six months.

c. The said court shall have all jurisdiction, power, and authority as is conferred upon the justices of the peace by the Constitution and existing laws of North Carolina, and shall have power and authority to sentence any person convicted in said court, of which the punishment is imprisonment, to be confined to the county jail of Rockingham County, to be worked on the public roads of said county, and any person convicted and punished by fine may be required to work on the said roads for nonpayment of the same, at fair and reasonable wages, to be fixed by the board of county commissioners, until the same is paid in full, together with the cost.

Sentences.

d. Said court shall have power and authority to suspend sentence, pending good behavior, of any defendant convicted by said court, upon agreement of said defendant to make regular reports for such a time and to such person as the said recorder shall designate. Upon failure of said defendant to comply with said terms of agreement as to good behavior and report, he or she shall again be brought before the recorder, who shall impose the suspended sentence or such part of the same as the court may deem necessary.

Suspended sentences.

Rearrest.

e. Upon the recommendation of the board of county commissioners, the Governor of the State shall appoint a chief probation officer for the township; and upon the recommendation of the board of county commissioners, the chief probation officer, and the township recorder, the Governor shall appoint such deputy probation officers as shall be necessary for the township. Said chief probation officer and such deputy probation officers shall serve without pay for a period of two years or until their successors shall be

Chief probation officer.

Deputies.

Officers to serve without pay.

Term.

- Reimbursement of expenditures. appointed and installed in office. Nothing in this clause shall prevent said chief or deputy probation officers from being reimbursed by the board of county commissioners for such expenditures as they have been called upon to make in the performance of their duty, said reimbursements to be made only after the usual methods as provided for expenditures by the said board of county commissioners. It shall be the duty of the said probation officers, under the direction of the township recorder's court, to take charge of such delinquent, dependent, or wayward children as said recorder shall parole to them, and such other cases as the recorder shall deem necessary to parole.
- Charge of probation officers. *f.* The term "delinquent child," for the purpose of this act, shall be construed to mean any boy or girl between the ages of six and eighteen years who violates any ordinance or commits any offense of which this court has jurisdiction.
- "Delinquent child" defined. *g.* The term "dependent child" shall be construed to mean any boy or girl between the ages of six and eighteen years who is for any reason destitute, homeless, or abandoned, or dependent upon the public for support, or has not proper parental care or guardianship or home environment.
- "Dependent child" defined. *h.* The words "wayward child" shall be construed to mean any boy or girl between the ages of six and eighteen years who habitually associates with vicious persons, or persons of bad character, which, as a result of such circumstances and association, would tend to degrade or encourage immorality.
- "Wayward child" defined. *i.* Any child suspected of being a "delinquent," "dependent," or a "wayward" child may be brought before the recorder, and if, upon investigation, he or she be found to be such as above defined, the recorder may, at his discretion, place said child under the care of a duly appointed probation officer for such time and under such conditions as may seem proper, or may deal with said child in any manner provided by law. The court may, at its discretion, and shall if circumstances tend to show a necessity for an investigation, detail one of the duly appointed probation officers to make an investigation of the home, school record, environment, and previous conduct of any child between the ages of six and eighteen who comes before said court. The said court shall have all power necessary to commit "delinquent," "dependent," or "wayward" children to any institution to which they might be committed. In no case shall a child be committed to prison or confinement under the jurisdiction of this court until all efforts at reformation, by duly appointed probation officers, have failed. If, in the judgment of said recorder, it is necessary or advisable to detail the said child to the charge of another probation officer, he may do this before final commitment to prison or such other institutions to which he has access. In case of the necessity for such commitment, such child or children must not be associated with confirmed or hardened criminals.
- Children under care of probation officer. Detail of officer for investigation. Commitment to institutions. Efforts at reformation. Child committed to second probation officer. Association with criminals forbidden.

j. If a boy or girl is adjudged to be a "wayward child" or a "delinquent child" as defined by this act, any parent or guardian of such child who is found to have been responsible for such waywardness or delinquency shall be guilty of a misdemeanor, and shall be fined, or imprisoned at the discretion of said court.

Person responsible for waywardness or delinquency guilty of misdemeanor.
Punishment.

SEC. 7. *a. Provided further*, that in all cases where an appeal is taken to the Superior Court it shall be the duty of the said recorder to require a reasonable bond, and send the same, together with all papers, to the next term of the Superior Court to be held in this county, where the trial of all such cases shall be *de novo*, said appeals to be perfected as from a court of justice of the peace.

Bonds on appeal.

Trial on appeal.

b. Defendants before justices of the peace, desiring to appeal to recorder's court, may do so as in cases appealed from justices of the peace to the Superior Court, and such trial before recorder shall be *de novo*: *Provided*, that nothing herein shall be construed to prevent a defendant in a justice of the peace court in said township from appealing directly from the said justice's court to the Superior Court of Rockingham County, as now allowed by law, if such defendant so desires.

Appeals to recorder's courts.

Proviso: direct appeal to superior court.

c. In any case the recorder may, at his discretion, employ to represent the interests of the State a prosecuting attorney, or attorneys if necessary, who shall receive a fee of one dollar and fifty cents each for each conviction of offenses in the jurisdiction of the justices of the peace; and the fee of three dollars each for each conviction in all cases above justices of the peace jurisdiction. They shall receive each one dollar for each absolute judgment in *sci. fa.* cases, to be paid on recovery of said judgments; the said fees shall be taxed by said court in the bills of cost and collected by said court as other costs are collected.

Prosecuting attorney.

Fee.

Fee in sci. fa.

d. In all cases in which defendants are convicted and sentenced to be confined in the county jail of Rockingham County and assigned by said recorder to be worked on the county roads the county commissioners of Rockingham County shall order to be paid to the recorder all costs incurred in the trial and conviction of said defendant.

Costs paid by county.

e. The fees for issuing warrants, subpoenas, summons, and for other process or writs for making up the bill of costs by the recorder shall be the same as now fixed by law for justices of the peace and clerks of the Superior Court in similar cases, and all such fees shall be taxed in the bill of costs and collected in the same manner as cases tried in the Superior Court of Rockingham County. The recorder of said court shall deposit all such fees collected by his court with the clerk of the Superior Court of Rockingham County, who shall credit such deposits to the account of the fund to be known as the "Special Recorder's Court Fund of Leaksville Township": *Provided*, all surplus remaining to the credit of said fund on the fifth days of September and March of

Fees for issue of process.

Fees deposited with clerk.

Official title of fund.

Proviso: surplus to school fund.

each year shall be applied to the general school fund of Leaksville Township, Rockingham County.

Civil jurisdiction.

SEC. 8. *a.* In addition to the criminal jurisdiction conferred in this act, said court shall have full concurrent jurisdiction and powers in all civil matters arising in Rockingham County which are now or may be given to the justices of the peace, and in addition shall have concurrent jurisdiction with the Superior Court of Rockingham County in civil actions arising in said Rockingham County out of contract where the sum demanded does not exceed the sum of three hundred dollars, and those arising out of tort where the sum demanded does not exceed two hundred dollars, and where the value of the property sued for or demanded does not exceed two hundred dollars.

Jury trials.

b. That also in the trial of civil cases before the recorder either the plaintiff or the defendant or the recorder, if in his judgment he deems it necessary to submit the issues to a jury, may demand and have a jury as provided in courts of justices of the peace and the provisions of this act.

Appeals.

c. Any person desiring to appeal from the judgment of the recorder's court shall be allowed to do so in the same manner as is now provided by law for appeals from the courts of justices of the peace.

Court optional with plaintiff.

d. In all civil actions and matters within the jurisdiction of justices of the peace or the Superior Court of Rockingham County and also within the jurisdiction of the said recorder's court, it shall be optional with the plaintiff as to whether such suit or action shall be brought in said recorder's court or a court of justices of the peace, or the Superior Court of said county, and it shall be lawful for any and all actions within the jurisdiction of the said recorder's court to be brought in said court which could be brought and maintained in such courts of justices of the peace or the Superior Court of said county, jurisdiction being concurrent.

Procedure.

e. That in all civil actions brought and tried in the said recorder's court the same law in all things shall govern and control, and said actions shall be commenced and tried according to the law now governing the trial of civil actions in justices of the peace courts.

Removal to recorder's court.

f. When upon affidavit for removal of any case before a justice of the peace for trial before some other justice, it shall be lawful and optional with the justices of the peace to remove same for trial before said recorder's court in such manner as is prescribed by law for procedure and practice in courts of justices of the peace.

Seal of court.

SEC. 9. Said recorder shall have a seal with the impression "The Recorder's Court of Leaksville Township," which seal shall be used in the attestation of all writs, warrants, summons, and other proceedings, acts, process, judgments, or decrees of said court, in

the same manner and to the same effect as the seal of other courts of North Carolina.

SEC. 10. *a.* The said recorder shall, on the fifth day of each month, prepare and submit a true record of all his official accounts to the clerk of the Superior Court of Rockingham County. All fines imposed, forfeitures and penalties collected shall be paid to the treasurer of said county on or before the fifth day of each month, and said recorder shall file with the county board of education an itemized account of all fines and forfeitures. Monthly reports and sentences.

b. Said recorder shall also file with the board of commissioners of Rockingham County an itemized statement of all fines, forfeitures, and penalties collected by said court on or before the first Monday of the following month, in order that said statement shall be published with other reports of monthly receipts of said board of commissioners in the county papers. Itemized report to county commissioners.

SEC. 11. *a.* At all trials before recorder's court when the action, either criminal or civil, is within the jurisdiction of justices of the peace courts of the State, upon the demand for a jury, the said recorder shall draw a jury of six men after the manner of securing jurors of justices of the peace courts. Juries in cases within justice's jurisdiction.

b. When the action, civil or criminal, is above the jurisdiction given justices of the peace, the recorder, upon demand for a jury, shall order a jury of twelve men, drawn from the jury list of Leaksville Township, unless the recorder of such court in the exercise of his discretion, upon cause shown, shall direct the jury to be drawn from the jury list of some other township in Rockingham County. Such jury to be drawn by recorder or clerk if there be such a one, after notice to the parties; they shall possess the qualifications required of jurors in like cases in Superior Court and subject to the same challenges, and shall serve until discharged by the court. If any juror or jurors shall be excused, the court may call tales jurors to take the place of regular juror or jurors excused, who shall possess the qualifications and be subject to the same challenges as the tales jurors in the Superior Court. All the regular jurors or tales jurors serving on a case where a jury of twelve is ordered shall receive one dollar per diem and the same mileage as now allowed jurors of the Superior Court. The per diem and mileage of jurors to be taxed as a part of the bill of cost against the party cast. Juries in other cases.

c. There shall be no jury fee taxed in the recorder's court except where there is a trial by jury. Tales jurors.

SEC. 12. That in case of vacancy in said recorder's office, for any cause, it shall be the duty of the board of county commissioners of Rockingham County to appoint a recorder for the balance of unexpired term. Pay of jurors.

SEC. 13. It shall be the duty of said board of county commissioners to appoint a substitute recorder to act during the sickness of the recorder. Jury fee only on trials.

SEC. 14. It shall be the duty of said board of county commissioners to appoint a substitute recorder to act during the sickness of the recorder. Vacancy.

SEC. 15. It shall be the duty of said board of county commissioners to appoint a substitute recorder to act during the sickness of the recorder. Substitute recorder.

or other inability of the recorder to act. Said substitute recorder shall, during the sickness or other inability of the recorder, have all rights and powers herein given to said recorder, and discharge all the duties of said recorder herein provided for.

Removal for cause.

SEC. 14. The recorder or substitute recorder or clerk, if one, may be removed from office by the board of commissioners of Rockingham County, in session, upon hearing and notice to the officer whose removal is being investigated, upon proof of immorality, incompetency, or continued neglect of the duties of his office; and if either of said officers is removed, said board at said general meeting shall elect his successor for unexpired term.

Recorder may practice law.

SEC. 15. In case the recorder shall be an attorney at law, nothing in this act shall prevent him from practicing his profession: *Provided*, such practice shall in no way conflict with the faithful performance of his duties as recorder.

Special policemen and constables.

SEC. 16. The recorder shall have power and authority to appoint special policemen and constables for the territory over which his jurisdiction extends, whenever he thinks it necessary. When such policemen and constables are appointed, they shall have and possess all the powers and duties that are now given under the law to constables elected in Leaksville Township, and in addition to such powers shall have power to serve any process issued from said recorder's court, and shall be entitled to charge for their services the fees now allowed by law to other officers for such service; and said recorder shall have power and authority to direct his warrants and other processes and papers to the sheriff of Rockingham County or any other lawful officer thereof, or any lawful officers of any township thereof.

Powers and duties.

Fees.

Warrants and other process.

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

SEC. 18. This act shall be in full force and effect from and after its ratification.

Ratified this the 4th day of March, A. D. 1915.

CHAPTER 416.

AN ACT RELATING TO COURT STENOGRAPHERS IN THE COUNTIES OF LEE, SCOTLAND, MOORE, AND RICHMOND.

The General Assembly of North Carolina do enact:

Statement to be filed by stenographers.

SECTION 1. That all stenographers in the counties of Lee, Scotland, Moore, and Richmond in North Carolina who are paid either by the county or State for services in doing court work, shall, before entering upon the work, file in the office of the clerk of the court a statement, duly subscribed, to the effect that he or she

submits himself or herself to the jurisdiction, orders, and decrees of the court in all matters appertaining to the work to be done.

SEC. 2. That said stenographer, when notice of appeal to the Supreme Court is given in any case that has been tried, shall file in the clerk's office of the county in which the trial takes place, within ten days from the adjournment of the court, a full and complete record of the trial, including the charges of the judge, and the same shall be filed in duplicate.

Record in duplicate filed on appeals.

SEC. 3. That if any case is tried and reported by the stenographer, but is not appealed to the Supreme Court, any attorney who appeared in the cause, or any party of record in the case, shall be entitled to a full and complete transcript of the evidence and the charge of the court, to be furnished by the stenographer, on paying to the stenographer the usual charges therefor; and if any dispute shall arise as to the amount to be paid, the clerk of the court or the judge shall settle the same.

Transcript to attorney or party on payment of fee.

Clerk or judge to settle amount.

SEC. 4. That any stenographer who fails to comply with the foregoing shall not again do any official court reporting in those counties.

Stenographers not complying ineligible.

SEC. 5. That the time for furnishing the work stated in paragraph two hereof may be enlarged only by an agreement in writing by one attorney on each side.

Extension of time for transcripts on appeals.

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

Ratified this the 4th day of March, A. D. 1915.

CHAPTER 417.

AN ACT TO AMEND PUBLIC-LOCAL LAWS OF 1913, CHAPTER 443, RELATING TO SUBSTITUTING AND APPOINTING HIGHWAY COMMISSIONERS AND ENLARGING THE BOND ISSUE FOR ELKIN TOWNSHIP, SURRY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all of section one of chapter four hundred and forty-three, Public-Local Laws of one thousand nine hundred and thirteen, be stricken out and the following substituted as section one, as follows: "That A. G. Click, E. E. Harris, I. A. Eldridge, Arch McCain, W. W. Whitaker, and J. A. Chipman, and their successors in office, are hereby incorporated under the name of the Highway Commission of Elkin Township, and by that name may sue and be sued, make contracts, and do all things necessary to carry out the provisions of this act."

Commissioners named and incorporated.
Corporate name.
Corporate powers.

SEC. 2. That said act be further amended as follows: That the first six lines in section two of Public-Local Laws one thousand

nine hundred and thirteen, chapter four hundred and forty-three, beginning with the word "that" in line one and ending with the word "years" before the word "provided" in line six, inclusive, be stricken out and the following inserted in lieu thereof: "that the said commissioners shall always consist of an equal number of members of opposite political belief, to be designated by the General Assembly as their terms expire, except as hereinafter provided, and those named, A. G. Click and W. W. Whitaker and E. E. Harris, shall hold office for four years from the ratification of this act, and I. A. Eldridge, Arch McCain, and J. A. Chipman shall hold office for a term of two years from the ratification of this act.

Political affiliation.

Terms of office.

Work on streets.

SEC. 3. That said act be further amended by striking out all after the word "Commission" in line nine down to and including the word "Elkin" in line twelve in section three, Public-Local Laws one thousand nine hundred and thirteen, chapter four hundred and forty-three.

Amount of bond issue.

SEC. 4. That after the word "exceeding" and before the word "five" in line six of section fourteen of Public-Local Laws one thousand nine hundred and thirteen, chapter four hundred and forty-three, strike out "twenty" and insert in lieu thereof the word "thirty" and strike out figures in said line six the figures "25" and insert in lieu thereof the figures "\$35."

Amount of bond issue.

SEC. 5. That after the word "exceed" and before the word "thousand" in line seven, section seventeen, chapter four hundred and forty-three, Public-Local Laws one thousand nine hundred and thirteen, strike out the words "twenty-five" and insert in lieu thereof the words "thirty-five"; and in said line and section strike out the figure "2" and insert the figure "3."

SEC. 6. That 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.

Ratified this the 4th day of March, A. D. 1915.

CHAPTER 418.

AN ACT TO AMEND CHAPTER 353, PUBLIC-LOCAL LAWS OF 1913, AND TO PROVIDE FOR PROMPT PAYMENT OF THE SCHOOL FUND IN BURKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section seven of chapter three hundred and fifty-three, Public-Local Laws of one thousand nine hundred and thirteen, be amended by adding at the end of said section the fol-

lowing: That it shall be the mandatory duty of the sheriff or tax collector of Burke County to collect and pay over to the county treasurer of the county depository designated by the county commissioners at least twenty per cent of the county school fund levied for the current year on or before the first day of December of the year for which said levy is made, and at least twenty per cent of said county school fund on or before the first day of each and every month thereafter until all of said county school fund is collected and paid over. The amount of the school fund to be so collected and paid over in installments as aforesaid shall be ascertained by the estimate certified to the county board of education by the register of deeds as now provided by law. Failure to make the payment on account of the school fund in installments of at least the amount aforesaid shall subject the sheriff or tax collector to a penalty of twenty-five dollars, for which his official bond shall be liable, and which may be sued for and collected by the county board of education of Burke County for the use of the school fund. It shall moreover be the duty of the sheriff or tax collector of Burke County to make full settlement of all the county school fund on or before the first day of June of the year subsequent to the year for which said county school tax is levied; and upon all settlements made with the county commissioners by the sheriff or tax collector of Burke County, the county board of education of Burke County shall be entitled to representation by the county superintendent or by some other member of the board designated by the said board of education to take part in said settlement. Failure of the sheriff or tax collector of Burke County to make final settlement of the county school fund levied for the preceding year on or before the first day of June in each and every year as aforesaid shall subject him to a penalty of fifty dollars, for which his official bond shall be liable, and which may be sued for and collected by the county board of education of Burke County for the use of the school fund of said county.

Failure of the sheriff or tax collector of Burke County to make full settlement with the State Treasurer for the taxes levied for the preceding year on or before the first day of June in each and every year shall, in addition to the penalties provided by section five thousand two hundred and forty-eight of the Revisal, subject him to a penalty of fifty dollars, for which his official bonds shall be liable, and which may be sued for and collected by the county board of education of Burke County for the use of the school fund of said county.

SEC. 2. That section eight of chapter three hundred and fifty-three, Public-Local Laws of nineteen hundred and thirteen, be amended by adding at the end of said section the following: "All reports now required to be made by the county treasurer of Burke County with respect to the school fund to the State Super-

Mandatory duty of tax collector.

Ascertainment of amount.

Penalty for failure.

Final settlement.

Board of education represented in settlement.

Penalty for failure to make final settlement.

Penalty on failure to settle State tax.

Reports of school funds.

intendent of Public Instruction or the State Treasurer shall hereafter be made by the county superintendent of public instruction of said county of Burke.

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

Ratified this the 4th day of March, A. D. 1915.

CHAPTER 419.

AN ACT TO REGULATE FEES IN CRIMINAL ACTIONS IN FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

Full fees.

SECTION 1. That in all criminal actions wherein the defendant is convicted and sentenced to a term on the public roads, and actually serves as much as thirty days on the public roads, the board of county commissioners shall pay to all officers entitled to any fees in such criminal action full fees.

Payment to county from road funds.

SEC. 2. That the board of trustees or the governing body, by whatever name known, of the roads on which such defendant shall serve shall pay to the county treasurer all fees and costs paid out upon order of the county commissioners in such cases.

Application.

SEC. 3. That this act shall apply only to Franklin County.

SEC. 4. This act shall be in force from and after its ratification. Ratified this the 4th day of March, A. D. 1915.

CHAPTER 420.

AN ACT TO AMEND CHAPTER 353 OF PUBLIC-LOCAL LAWS OF 1913, RELATIVE TO THE DISTRIBUTION OF SURPLUS FEES OF BURKE COUNTY OFFICERS ARISING UNDER SAID ACT.

The General Assembly of North Carolina do enact:

Surplus to general fund.

SECTION 1. That section one of chapter three hundred and fifty-three (353), Public-Local Laws of one thousand nine hundred and thirteen (1913) be and the same is hereby amended by striking out all of said section after the word "the" (the last word in said line), in line twenty-two of said section, and by adding in lieu thereof the words, "general funds of said county, to be used by said board of commissioners for the current expenses of said county."

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

Ratified this the 4th day of March, A. D. 1915.

CHAPTER 421.

AN ACT TO AUTHORIZE NORTH WILKESBORO TOWNSHIP
IN WILKES COUNTY TO ISSUE SUPPLEMENTAL BONDS
IN FURTHER PAYMENT OF RIGHT OF WAY FOR THE
WATAUGA AND YADKIN RIVER RAILROAD.

The General Assembly of North Carolina do enact:

SECTION 1. That North Wilkesboro Township in the county of Wilkes is hereby authorized to donate to the Watauga and Yadkin River Railroad Company, successor to the Yadkin River Railroad Company, an amount not to exceed five thousand dollars over and above the amount it has already donated for that purpose, to pay the balance yet remaining unpaid for the right of way of the Watauga and Yadkin River Railroad, successor to the Yadkin River Railroad, from North Wilkesboro, North Carolina, to Elkville, North Carolina, said amount to be secured by the bonds of said township, and the costs and expenses incident to procuring said right of way; said bonds to be known as North Wilkesboro Township Supplemental Railroad Right-of-way Bonds. Said bonds to run for a period of not exceeding thirty years, to bear interest at a rate not exceeding six per cent per annum, the issue of said bonds to be subject to the approval of the qualified voters of said township as hereinafter provided.	Donation authorized.
	Amount.
	Purpose of donation.
	Designation of bonds.
	Maturity.
	Interest.
	Approval of qualified voters.
SEC. 2. That the board of commissioners of Wilkes County are authorized, and it shall be their duty, whenever twenty taxpayers in North Wilkesboro Township shall petition the same, to cause an election to be held in said township, at the proper and legal voting places therein, after thirty days notice of said election published in any newspaper published in said county, and to submit to the qualified voters of said township the question of making an additional donation as aforesaid of the sum of money mentioned in the request of the petitioning taxpayers, said sum not to exceed five thousand dollars, at which election those in favor of said additional donation shall deposit a ballot on which shall be written or printed the words "For Additional Donation," and those opposed shall deposit a ballot on which shall be written or printed the words "Against Additional Donation." Said election shall be held as required by law for elections of members of the General Assembly, except as herein otherwise provided. The returns of said election shall be made to the county commissioners on Tuesday next after the day on which said election is held, who shall on that day canvass the same and declare and record in their minutes the result, and no other or further record of said election shall be necessary to the validity of said election or the issue of bonds thereunder. If a majority of the qualified voters in said township shall vote for donation, then the donation so	Petition and order for election.
	Notice of election.
	Question submitted.
	Amount.
	Ballot.
	Law governing election.
	Returns.
	Canvass and record of returns.
	Donation made.

authorized shall be made by the chairman of the board of commissioners of Wilkes County.

- Bond issue authorized.** SEC. 3. For the purpose of carrying into effect any donation made as provided in the next preceding section, the board of commissioners of Wilkes County shall issue bonds to the amount authorized to be donated, or in whatever less amount may be found to be sufficient to pay the balance due for said right of way and the costs and expenses incident to procuring the same, payable to bearer, and said bonds shall express on their face by what authority and for what purpose they are issued. Said bonds shall be coupon bonds in denominations of not more than one thousand dollars and not less than one hundred dollars, the interest and principal of said bonds to be payable on such terms and at such times and places as may be determined by the commissioners of Wilkes County. Said bonds may be issued in such form as may be determined by said commissioners, subject to the provisions of this act, and shall be signed by the chairman of said board of commissioners and the clerk of said board. The coupons may be signed by the chairman alone.
- Denominations.**
- Form and authentication.**
- Special tax.** SEC. 4. That to provide for the payment of the interest on said bonds the board of commissioners of Wilkes County shall each year compute and levy an additional special tax upon the proper subjects of taxation in said township sufficient to pay the interest on said bonds issued as aforesaid, and in order to pay said bonds as they mature the said commissioners shall annually compute and levy an additional special tax sufficient to pay the principal of said bonds as they mature in accordance with the terms of their issue. Said taxes levied under this section shall be collected by the sheriff or other tax collector of Wilkes County, under the same rules and regulations as are provided for the collection of other taxes, and he and his sureties shall be liable to the same penalties and subject to the same remedies as are now prescribed by law for the faithful collection and paying over taxes to the State and county. The treasurer of Wilkes County shall first pay the interest on said bonds and the coupons shall be his vouchers and evidences of payment, and the balance of the money shall be applied to the redemption of said bonds in the order in which they are payable. The treasurer shall keep a separate account of the moneys collected and paid over to him under this act, and the balance, over and above the amount necessary to pay the coupons as they mature, shall be treated as a sinking fund to be applied to the payment of the principal of the bonds as they mature in their order. Said treasurer shall invest a surplus, if any, and the sinking fund provided for in this act, in some solvent bank at a rate of interest not less than four per cent, compounded quarterly.
- Collection.**
- Payment of interest.**
- Sinking fund.**
- Separate accounts.**
- Investment of sinking fund.**
- New registration.** SEC. 5. That it shall be lawful for and the duty of said commissioners to order a new registration for any election held under

this act; and the board of elections of Wilkes County shall provide for such new registration; said board of elections shall appoint a registrar and judges of any election held under this act. Election officers.

SEC. 6. That for the purposes of this act North Wilkesboro Township is created a body politic and corporate, with power to carry out the provisions of this act; and the county commissioners of Wilkes County are declared to be the corporate agents of said township for the purposes of this act. Township incorporated.
Corporate agents.

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

Ratified this the 4th day of March, A. D. 1915.

CHAPTER 422.

AN ACT TO AMEND CHAPTER 602, PUBLIC-LOCAL LAWS 1913, ESTABLISHING RECORDER'S COURT FOR HARNETT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section five of chapter six hundred and two of Public-Local Laws, enacted by the General Assembly of North Carolina at its session one thousand nine hundred and thirteen, be and the same is hereby amended as follows: That in line two of section five, after the word "recorder" and before the word "have," a "comma" and the words "and biennially thereafter" be inserted, and that in line nine of section five the words "seven hundred and fifty" be stricken out and "six hundred" be inserted in lieu thereof.

Salary of recorder.

SEC. 2. That section seventeen of said chapter six hundred and two be and the same is hereby amended to read as follows:

"SEC. 17. All civil actions shall be commenced in said recorder's court by summons issued by the clerk of the Superior Court and shall be returnable to the first sitting of said court thereafter: *Provided*, service shall be had ten days prior to the day of return. The plaintiff shall file a written complaint five days prior to the return day of said summons. The defendant shall file his answer or demurrer on or before Monday prior to the return day, and the case shall stand for trial at the first sitting of the court: *Provided*, that the recorder shall, in his discretion, have power to grant extension of time to file pleadings."

Issue and return of civil summons.

Proviso: service ten days prior. Pleadings.

Proviso: extension of time.

SEC. 3. That section nineteen of said chapter six hundred and two be stricken out and the following inserted in lieu thereof:

"SEC. 19. That the recorder's court provided for in said chapter shall be opened at ten o'clock in the morning of each and every Tuesday after the first Monday of each month, at the county-seat, and shall continue in session daily until the business before it

Sessions of court.

Proviso: preliminary examinations and jail cases.

shall be disposed of: *Provided*, the recorder shall have power to convene his court at any time for the purpose of conducting preliminary examinations of criminal matters wherein said recorder's court has not final jurisdiction, and for the trial of criminal cases where the defendant is in jail and unable to give bail, provided such prisoner shall demand trial before the regular term of said court."

Proviso: demand for trial.

Fees of clerk.

SEC. 4. That section seven of said chapter six hundred and two be amended by inserting in line three, after the words "shall be" and before the words "the same," the words "one-half."

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

When act effective.

SEC. 6. That this act shall be in force from and after the first Monday in April, one thousand nine hundred and fifteen.

Ratified this the 4th day of March, A. D. 1915.

CHAPTER 423.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF MACON COUNTY, NORTH CAROLINA, TO LEVY A TAX TO PAY THE PRINCIPAL OF BONDS HERETOFORE ISSUED BY FRANKLIN TOWNSHIP, MACON COUNTY.

The General Assembly of North Carolina do enact:

Special tax authorized.

SECTION 1. That the board of commissioners of Macon County are hereby authorized and empowered to levy a special tax in Franklin Township, if necessary, of sufficient rate to pay the principal on the bonds heretofore issued by the highway commission of Franklin Township under the authority of chapter one hundred and ninety-seven, Public-Local Laws of one thousand nine hundred and thirteen.

Purpose of issue.

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

Ratified this the 4th day of March, A. D. 1915.

CHAPTER 424.

AN ACT TO GIVE TO OWNERS OF PEANUT PICKERS A LIEN ON PEANUTS PICKED.

The General Assembly of North Carolina do enact:

Lien on peanuts for picking.

SECTION 1. That owners of peanut pickers hired to pick off peanuts for any person shall have a lien on the peanuts picked off by their machine or picker for the contract price, and such liens

shall have priority over other liens and mortgages, and every person getting possession of said peanuts shall be liable for the cost of picking off said peanuts and until said lien is discharged. Priority of lien.

SEC. 2. That any party renting such machine and using it in picking off peanuts for others shall be regarded as the owner, as much so as if he or they were the real owner. Owner of machine.

SEC. 2½. That this act shall apply only to the counties of Washington, Hertford, Onslow, and Halifax. Application of act.

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

Ratified this the 4th day of March, A. D. 1915.

CHAPTER 425.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF LENOIR COUNTY TO SUBMIT TO THE VOTERS OF THE COUNTY THE QUESTION OF ISSUING BONDS TO MAKE AND IMPROVE THE PUBLIC ROADS OF SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Lenoir County be and it is hereby empowered to submit to the voters of Lenoir County, at such time or times as in its discretion it may deem best, the question whether said county shall issue bonds in the sum of not to exceed two hundred and fifty thousand dollars with interest coupons attached, the proceeds of which to be used in repairing, grading, improving, and surfacing the public roads of said county. The said board of commissioners shall for at least thirty days before the election give public notice of such election, together with the purpose thereof, by publication in one or more newspapers published in said county: *Provided*, that if a majority of the voters of said county shall not vote to issue bonds at the election so held, said board of commissioners may submit the said question to said voters at any other time or times, under the regulations hereinafter set out.

SEC. 2. That any election under the provisions of this act shall be conducted in the same manner as is now or may hereafter be prescribed by law for holding elections for the General Assembly: *Provided, however*, that the said board of commissioners shall appoint the registrars of election, the judges or inspectors, and any other election officers, and registration and challenge of voters shall be conducted in the same manner as is now or may hereafter be provided for the election of members of the General Assembly, and said county commissioners may or may not order a new registration for any or all of said elections. The vote shall be counted at

County commissioners to call election.

Question for determination.

Purpose of bond issue.

Notice of election.

Proviso: subsequent election.

Law governing election.

Proviso: election officers.

Registration and challenges.

Count and return of votes.

Canvass and record of returns.	the close of the polls and returned to the said board of commissioners on the Thursday next following the election, and said board shall tabulate and declare the result of the election, all of which shall be recorded in the minutes of said board of county commissioners, and no other recording and declaring of the result of the election shall be necessary.
Ballots.	SEC. 3. That at said election or elections the ballots tendered and cast by the voters shall have written or printed upon them "For Good Roads Bond Issue" or "Against Good Roads Bond Issue," and all electors who favor the issuing of said bonds shall vote for good roads bond issue and those opposed to the issuing of the bonds shall vote against good roads bond issue.
Records and declaration of result. Expenditure of funds.	SEC. 4. In the event that the majority of the votes cast shall be for good roads bond issue at any election under the act, the result shall be recorded and declared as aforesaid, and in such event the board of commissioners of said county shall have full control and charge of the expenditures of the funds derived under this act under the provisions thereof, and also shall have full charge, supervision, and control of the building, improving, laying out, and working of the roads to be so built, improved, laid out, and worked hereunder in the same manner and under the same terms as is now provided by the present road law of Lenoir County, as appears in chapter two hundred and fifty-nine, Public Laws of one thousand nine hundred and seven; and further, the said board of commissioners shall have full authority to do all things needful and necessary to carry out the purposes of this act, whether such things specifically appear in the above mentioned chapter of the Laws of one thousand nine hundred and seven or not.
Charge and control of road work.	SEC. 5. The highways, roads, and ways to be made open, built, or improved under the provisions of this act shall from time to time be designated, planned, and laid out by the board of county commissioners as hereinbefore enacted, and in so doing the said board of county commissioners are directed and required to employ at least one competent expert road engineer, who shall submit plans, specifications, profiles, and estimate, and shall lay before the said board of commissioners the same, and that both the said expert road engineer and the board of commissioners, in passing upon the matter of laying out, locating, making, and improving highways, roads, and ways hereunder, shall take into consideration the needs of the entire county and every part thereof.
Designation and laying out roads.	SEC. 6. In the event that the majority of the votes cast shall be for the bond issue at any election herein provided for, after the result has been declared and recorded as aforesaid, the board of commissioners of the county shall have bonds prepared of the denomination of one thousand dollars, five hundred dollars, or one hundred dollars, as they may deem best, the total amount being that provided for in the first section of this act. The said
Employment of engineer.	
Plans, specifications, profiles, and estimates.	
Issue of bonds.	
Denominations.	
Amount.	

bonds shall bear a rate of interest to be determined by the board of commissioners, not exceeding five per cent per annum, with interest coupons attached, payable semiannually during the time the bonds shall run, with the principal payable forty years from their issue. Said bonds and coupons shall be payable in standard currency of the United States at the office of the treasurer of Lenoir County, in the city of Kinston, North Carolina. Both bonds and coupons shall be numbered consecutively, beginning with number one, and both shall be signed by the chairman of said board of commissioners and countersigned by its clerk, and each bond shall be authenticated by the seal of the county, and they shall be styled "Lenoir County Highway Improvement Bonds."

SEC. 7. Immediately upon the preparation and signing of said bonds they shall be turned over to the chairman of the board of county commissioners without the county seal having been affixed to any of them. The said board of commissioners shall have power to advertise and sell any and all of said bonds at such time and place as they may deem best for the purpose of raising a fund with which to make, improve, and repair the public highways and roads of said county as aforesaid; the expenses of such advertising and selling, or other necessary expenses in regard thereto to be paid out of the funds arising from the sale thereof. Before delivering any of the bonds sold by the provisions of this section and under this act, the board of county commissioners shall, as said bonds are sold, cause the clerk of said board to affix the seal of the county of Lenoir to the bonds so sold, and no bonds shall be of any value until such seal is so affixed. Said bonds shall not be sold or disposed of in any way for less than their face value, nor shall they or their proceeds be used for any other purpose than those declared by this act: *Provided, however*, that the purchasers of said bonds shall not be required to see to the application of the fund. Said bonds shall be numbered consecutively, and the coupons attached and issued with them shall bear the number of the bond to which they are attached. The bonds and coupons shall state on their face when they are due and where payable, and the bonds shall show by what authority they are issued. The board of commissioners shall record all their proceedings in respect to said bonds in the minutes of their meetings, and whenever the same are sold, the number of bonds and their denominations, to whom sold, and the number of coupons attached.

SEC. 8. When any of the bonds provided for in this act are sold the proceeds of the sale shall be turned over to the treasurer of Lenoir County, who shall keep separate accounts of the same. Said treasurer shall, annually, before any fund provided for in this act is paid over to him, execute an official bond payable to the county of Lenoir in the usual form, the penal sum to be equal

Interest.
Standard currency.
Authentication.
Entitlement.
Bonds turned over without seal.
Sale of bonds.
Bonds sealed before delivery.
Sale below par forbidden.
Specific appropriation. Proviso: specific appropriation of proceeds.
Bonds numbered.
Recitals.
Record of bonds.
Proceeds paid to treasurer.
Separate accounts.
Bond of treasurer.

to the greatest amount which may at any time come into his hands during the succeeding year, the annual premiums upon which shall be paid out of the funds derived hereunder, and which bond shall be passed upon and received by said board of commissioners. All orders directed to the treasurer for the payment of the money under this act shall state on their face that they are "Good Roads Bond Issue Orders" and to what account they are chargeable, and they shall be signed by the chairman and clerk of said board of commissioners.

Orders on funds.

Special tax.

SEC. 9. In case the election shall be in favor of issuing bonds as aforesaid, the board of county commissioners shall levy annually, the first Monday in June, a separate road tax for the county of not less than ten cents nor more than thirty cents on a hundred dollars (\$100) worth of property, and not less than twenty cents nor more than sixty cents on the poll, the subjects of taxation and the levying of taxes to be the same as those which the board of county commissioners now or may hereafter be authorized to levy taxes for general county purposes. The tax so levied shall

Limits of rate.

Collection.

Separate fund.

Specific appropriations.

be collected as other taxes, and the same shall be a separate fund, to be applied (1) to the interest on said bonds; (2) to the improving and maintaining of all the public roads of the county under the provisions of this act; and (3) to the creation of an adequate sinking fund for the redemption of said bonds. The sinking fund shall be held by the treasurer of Lenoir County under said board of county commissioners on special trust for payment of the bonds issued under the provisions of this act, and neither the principal thereof nor the interest thereon shall be used for any other purpose. The board of county commissioners shall manage and invest the fund at their discretion until paid out for the redemption of bonds in the manner set out in this act: *Provided, however*, the said board may, in their discretion, from time to time use any of said sinking fund for the purchase in open market of any bonds issued under the provisions of this act.

Sinking fund a special trust.

Diversion forbidden.

Investment of sinking fund.

Proviso: purchase of bonds.

Use of road fund.

Equipment.

Employees.

Convicts assigned to road work.

SEC. 10. The said board of commissioners shall use the funds derived from the sale of said bonds to construct and improve the public highways in said county, and shall purchase and hold or contract for the use of such tools, machinery, implements, and stock, and employ such contractors, overseers, foremen, and laborers as they may deem necessary for the said purpose. Persons convicted in any of the courts of the county, Superior, justices' or mayors' courts, and sentenced to the public roads, may be assigned by the board of county commissioners as is now provided by the road law of the county of Lenoir hereinafter referred to.

Width of right of way and roadbed.

SEC. 11. The highways and roads in said county constructed and improved under the act shall have a right of way of not less than thirty feet, which shall be free from logs, stumps, rocks, and drains, not less than twenty or more than forty feet wide, at least

- fifteen feet of which shall be macadam or sand-clay or gravel, and the whole of which shall be as straight as practicable and with no grade over ten per cent except as such grade is considered impracticable by the road engineer: *Provided, however*, that all matters in reference to this section, including the action of said road engineer, shall be under the direction of and approved by the board of county commissioners. Grade.
Proviso: matters in discretion of commissioners.
- SEC. 12. The treasurer of Lenoir County shall be required to account to the board of county commissioners quarterly in each year for said good roads bond issue fund which may be raised by this act, and he may be required oftener, within the discretion of the board of commissioners, to make such additional reports as may be deemed proper; and, further, the said treasurer of Lenoir County shall include in his annual statement now required by law to be posted at the courthouse door of said county a full and complete itemized statement showing an account of his receipts and disbursements hereunder. Annual reports of treasurer.
Additional reports.
- SEC. 13. The board of county commissioners is hereby authorized to require, as often as they may deem best, reports from all officers, employees, and workmen concerning their progress and duties, and to what extent and in what manner they have performed the same under this act. Further reports.
- SEC. 14. In opening any highways, widening and straightening old roads, and improving and repairing the same, the board of commissioners, through its agents and employees, is hereby authorized to enter upon any land and make use of same in the manner and under the terms set out in sections twelve, thirteen, and fourteen of chapter two hundred and fifty-nine of Public Laws of one thousand nine hundred and seven, just as if said sections and any other sections relative to the subject-matter were rewritten in this act; and the owner or owners of such lands as may be entered or used hereunder, and all persons having an interest therein, shall have the same rights and remedies as are specifically provided in the above mentioned act. Entry on lands.
Procedure.
Rights and remedies of landowners.
- SEC. 15. The board of commissioners of Lenoir County shall audit the accounts of the sheriff for all taxes levied and collected under this act, and make settlement of the same between said sheriff, the county treasurer, and said board of county commissioners, and may institute and prosecute any necessary action for recovery of any such road taxes in case any officer fails to account for the same. Audit and settlement of accounts.
Actions for recovery.
- SEC. 16. All expenses incurred by the board of commissioners on account of meetings held by reason of duties imposed by this act shall be paid upon their order and in the same manner as is now provided by law: *Provided, however*, that during such times as the board of commissioners is not in session it shall be the duty of the chairman of said board to have supervision of the carrying Expenses.
Proviso: powers and duty of chairman.

out of the duties of said board as set forth in this act, and shall have general supervision and oversight over the expert road engineer to be employed hereunder, and for such additional duties so placed upon said chairman of said board under this act he shall be allowed, in addition to the salary now provided by law, a sum not to exceed two hundred dollars (\$200) per year, to be determined by said board.

Pay of chairman.

Engineer to lay out highways and prescribe grades and plans.

SEC. 17. It shall be the duty of the expert road engineer to be employed by the commissioners hereunder to have supervision and control, under the directions of said board, of laying out said highways and roads and providing for grades, together with carrying out the plans for construction and repair of said roads: *Provided, however,* that this section shall not interfere with the control of the road superintendent as now provided by law over the convicts and workmen, but such road superintendent shall, in controlling such labor, carry out and conform to the plans, specifications, locations, and grades as directed by the expert road engineer under the authority vested in such expert road engineer by this act.

Proviso: control of road superintendent.

Salary of engineer.

SEC. 18. The salary of the expert road engineer shall be determined by the board of commissioners in a sum not to exceed ----- per year.

SEC. 19. All laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 20. This act shall take effect from and after its ratification. Ratified this the 4th day of March, A. D. 1915.

CHAPTER 426.

AN ACT PROVIDING FOR THE BETTER WORKING OF THE PUBLIC ROADS OF BURKE COUNTY.

The General Assembly of North Carolina do enact:

Township commissioners.

SECTION 1. That there shall be three commissioners appointed for each township in Burke County as hereinafter provided, who shall be styled the road commissioners of the various townships, and who shall have full and complete control and supervision of the public roads of their respective townships, with the right and power to work, keep in proper repair, change, discontinue, lay out and establish, and build new roads in said townships.

Official title.

Control and supervision of roads.
Rights and powers.

Power to divide roads into sections.

SEC. 2. That said boards of supervisors of the various townships are hereby authorized and empowered to divide into sections the roads of any township, to the end that the same may be worked out and kept in proper repair, and they shall have the power and authority to let to the lowest bidder the keeping in proper repair of any or all of the roads of their respective townships, requiring

May let work to contract.

of the said contractor a good and sufficient bond with approved security to do and perform the said contract according to the terms thereof. Bond of contractor.

SEC. 3. That no public road shall be changed or new road built until such proposed change or new road has been first surveyed out and put on the best possible grade by some competent surveyor, and it shall be the duty of said board to employ an expert surveyor or civil engineer for this purpose, such surveyor to be obtained, if possible, from the United States Government or from the State Government. Roads surveyed and graded.
Employment of engineer.

SEC. 4. That the said board shall in all cases, where they deem it necessary to make changes or lay out new roads, have the power of eminent domain, to take such lands as they may deem necessary for such changes or new roads, and they shall not be enjoined or stopped in such work by any landowner, but such landowner may, if he thinks himself damaged, file a claim for such damage at any time within six months from the completion of such change or new road, but not later. If said board is of the opinion that said claim is just and reasonable, then it is authorized to pay the same out of the road fund belonging to the township in which said change or new road is constructed; but if such board shall be of the opinion that said claim is unjust, then it shall notify said claimant, who shall select one disinterested freeholder of no relation to the party selecting him, and from another township from the one in which said damages are sought to be recovered, and said board shall select a man with like qualifications, and these two men shall view the premises and assess the damages, if any; and if they shall fail to agree, then these two shall select a third man to act with them, who shall be of no relation to any of the parties, have no claim against the said board, and from another township from the one in which the road to be passed upon is located; and from their award or judgment either party shall have the right to appeal to the Superior Court by giving notice of such intention within thirty days after the filing of the award or report as aforesaid; that the arbitrators shall, in estimating the damage for the taking of land for public purposes, take into consideration the benefits, if any, to such landowner by the improving of the public road over his said land, and such special benefits shall be assessed, and the same deducted from the amount of damages, if any, and such net amount shall constitute the amount to be paid, if any, by the said board. Right of eminent domain.
Claim for damages.
Payment of claim.
Assessment by arbitration.

SEC. 5. That the respective boards of the various townships as soon as practicable after their appointment shall meet and elect from their number a chairman and a secretary, and said board when so organized shall have a right to meet as often as in their opinion it is necessary. Right of appeal.
Benefits assessed.

SEC. 6. That there shall be annually levied by the board of county commissioners, and collected as provided by law, a special Organization of board.
Meetings.
Special tax.

tax of twenty cents on each one hundred dollars (\$100) valuation of all property within the various townships and sixty cents on each poll, which shall be known as the road tax and shall be held and kept as a separate fund and expended by the various boards of the various townships exclusively on the public roads of their respective townships.

Fund kept separate.

Exclusive application.

Moneys to be turned over.

SEC. 7. Upon the ratification of this act it shall be the duty of the board of county commissioners, upon the appointment of the said road commissioners of the said various townships, to turn over to the said commissioners the amount of money collected or to be collected from the various townships for the road purposes as hereafter assessed.

Road duty.

SEC. 8. That all male residents of the various townships of Burke County except in incorporated towns, between the ages of eighteen and forty-five years, shall be required to do six days free road duty on the public roads of said county, who shall perform said services on the public roads of said county upon due notice of two days given, either written or orally, by some designated person acting for the road commissioners of the township in which said road hand resides: *Provided*, that not more than two days work shall be required at any one time or in any one week, except in case of washout or other unforeseen emergency: *Provided further*, that all persons liable for road duty under this section who shall pay to said road commissioners of his township on or before March the first of each year three dollars (\$3) in cash shall be released and discharged from all road service for the period of twelve months, said money to be turned into the road fund of the township in which party who pays it resides.

Warning to road hands.

Proviso: limit of work.
Emergency work.

Proviso: commutation.

Collection of road tax.

SEC. 9. That the road tax arising from the levy above specified shall be collected as other taxes and kept as a separate road tax and distributed among the townships according to the amount paid by each township.

Distribution to townships.

Bridges and approaches.

SEC. 10. That all bridges and the approaches thereto of the various townships shall be kept up by the road commissioners of such township except as hereinafter provided.

Bridges and repairs to be viewed by county commissioners.

SEC. 11. That wherever there is a bridge to be repaired or a new bridge to be built, and the cost shall exceed four hundred dollars, then it shall be the duty of the board of county commissioners, upon being notified of this fact, to call a meeting of the county commissioners, together with the chairmen of the various township road commissioners, and view the repairs or improvements asked for, and if they think it wise to make said repairs or build such new bridge, and the cost exceeds four hundred dollars, then the same shall be ordered by the board of county commissioners; and in order to meet such expense, the said board of commissioners be and they are hereby authorized and empowered

Order for construction or repairs.

Special tax.

to levy and collect as other taxes are collected not more than eight cents on the one hundred dollars valuation of all property within Burke County and not more than twenty-four cents on each poll in any one year, and the proceeds arising from said levy to be used for the purposes above mentioned in this section. Limit of rate.

SEC. 12. That all taxes hereafter levied and assessed for road purposes shall, when collected, be turned over and placed to the credit of the township from which the same has been collected, which shall be paid out on the order of the board of said township, signed by its chairman and secretary. Taxes hereafter collected.

SEC. 13. That the road commissioners herein created for the various townships shall have the power to prescribe the manner of working of public roads of their respective townships, methods of working and of applying the free labor to the said roads, and shall have the right and power to create such agencies as are necessary to carry into effect the provisions of this act. Manner and method of work.
Agencies.

SEC. 14. That the said road commissioners of any township shall have the power and authority to establish and maintain a chain-gang when in their judgment the same can be done advantageously to the said township. Chain-gang.

SEC. 15. That it shall be the duty of the overseers and supervisors of the public roads of the various townships in Burke County, upon the ratification of this act and the organization of the board of road supervisors, to turn over to said commissioners a list of all those liable to road duty, records and proceedings heretofore had, and any other records pertaining to the public roads of the said townships, together with any road machinery belonging to their respective townships. List of road hands.
Records.
Equipment.

SEC. 16. That the road commissioners of the various townships shall have the right and authority to purchase any road machinery which they may deem necessary to the proper working of the roads of their respective townships, and to pay for the same out of the said road fund. Purchase of equipment.

SEC. 17. That any person liable to road duty as provided by law who shall fail to appear and work as directed and required of him, first having two days notice of time and place of such work, shall be guilty of a misdemeanor, and upon conviction shall be fined not more than fifty dollars or imprisoned not more than thirty days: *Provided, however,* that the payment of three dollars as herein provided in lieu of the actual work on the road shall be a full release for a period of one year, when a receipt duly signed by the chairman of road commissioners of his respective township is produced. It is *Further provided,* that any supervisor or overseer appointed under this act who shall fail to serve one year shall be liable to pay a fine of five dollars. Failure of road hand to appear and work misdemeanor.
Punishment.
Proviso: payment of commutation a release.
Penalty on supervisor or overseer.

Mileposts and signboards.

SEC. 18. That the commissioners of the various townships shall have placed on all the roads of their said townships mileposts and signboards, and it shall be unlawful for any one to injure, deface, or mutilate any of such mileposts or signboards; and any one convicted of such mutilation or injury shall be fined not more than fifty dollars or imprisoned not more than thirty days.

Injury or defacement a misdemeanor.

Appointment of road commissioners.

SEC. 19. That as soon as practicable after the ratification of this act the county commissioners of Burke County shall appoint three road commissioners for each township in Burke County: *Provided*, that not more than two of said commissioners shall belong to the same political party, who shall serve as road commissioners until the next general election, at which time there shall be nominated and elected three road commissioners in each township, one of which shall serve for two years, one for four years, and the third for six years; and that at each general election thereafter there shall be one road commissioner elected for a term of six years, and that at no time shall there be more than two members of the board of road commissioners of any township members of the same political party.

Proviso: political affiliation.

Term of service.

Election and terms of successors.

Verified itemized statements.

SEC. 20. That the road commissioners of the various townships shall, on or before the first day of December of each year, file with the county commissioners, under oath, an itemized statement of all the money received by them from all sources for road purposes, the disbursement of the same, to whom paid, and for what; and it shall be the duty of the board of county commissioners to have said various statements published in some newspaper published in Burke County.

Publication of statements.

Township may levy additional tax.

SEC. 21. That any township of Burke County, in addition to the taxes as herein provided, may levy a special tax for road purposes, to be collected and used in the township in which said levy is made.

Law repealed.

SEC. 22. That chapter three hundred and forty-nine, Public-Local Laws of the acts of one thousand nine hundred and eleven, be and the same is hereby repealed, to take effect on the first Monday in December, one thousand nine hundred and sixteen.

Repeal effective.

Application of act.

SEC. 23. That this act shall apply only to Burke County.

Morganton township.

SEC. 24. That nothing in this act shall be construed in any way to interfere with Morganton Township road building under bond issue, as heretofore provided.

SEC. 25. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 26. That this act shall be in force from and after its ratification.

Ratified this the 4th day of March, A. D. 1915.

CHAPTER 427.

AN ACT TO PRESCRIBE THE NUMBER OF PERSONS CONSTITUTING THE BOARD OF COMMISSIONERS FOR THE COUNTY OF TYRRELL.

The General Assembly of North Carolina do enact:

SECTION 1. That on and after the first Monday in December, Date.
 one thousand nine hundred and sixteen, the board of commis- Number.
 sioners for the county of Tyrrell shall consist of three persons,
 to be elected at the next general election to be held in the year Election.
 one thousand nine hundred and sixteen, and every two years
 thereafter.

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.

Ratified this the 4th day of March, A. D. 1915.

CHAPTER 428.

AN ACT TO ALLOW BREVARD TOWNSHIP TO VOTE BONDS FOR ROAD IMPROVEMENT IN TRANSYLVANIA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the county commissioners of Transylvania Petition for election.
 County are hereby authorized, empowered, and directed, upon peti-
 tion filed with them, signed by a majority of the property owners
 of Brevard Township, asking that an election be held in said town-
 ship upon the question of whether or not bonds of the said town-
 ship shall be voted for the purpose of macadamizing, sand-claying,
 or otherwise improving the roads, streets, and sidewalks embraced
 in said township, to call said election, after giving not less than Order for election.
 twenty days notice thereof; said notice of election shall be printed Notice of election.
 in the *Sylvan Valley News* and a copy thereof attached to the peti-
 tion filed, and also recorded on the permanent records of the board
 of commissioners, together with a true copy of the petition. The Recitals of petition.
 petition above mentioned shall state the amount of bonds to be
 voted upon, in no case exceeding the sum of fifty thousand dol-
 lars; what roads and streets in said township are to be improved,
 and the kind of material to be used in making said improvements.

SEC. 2. The election authorized in the foregoing section shall be Laws governing election.
 held under the general laws governing the election of county offi-
 cers in so far as the same may be applicable thereto, and the Appointment of registrar.
 county commissioners aforesaid shall appoint some discreet and

qualified elector of Brevard Township to act as registrar for said election, who shall keep his book open for registration of voters for fifteen days, Sundays excluded, next prior to the day of election, and the said commissioners shall also appoint two discreet qualified electors of Brevard Township as judges of said election, who, together with the registrar aforesaid, shall attend the voting place on the day of election to receive, count, and make return of the votes cast in said election, and shall receive as their compensation the sum of one dollar for each day's service so rendered, to be paid out of the general road fund of Brevard Township, and the road overseer of said township is hereby authorized and directed to pay said amounts upon warrant signed by the chairman of the board of county commissioners. In appointing the judges aforesaid the commissioners shall select one person known to favor the bond issue and one person known to oppose the said issue, and at such election those favoring the bond issue shall vote a ticket upon which shall be printed; or partly printed and partly written, the words "For Bond Issue," and those opposed to the bond issue shall vote a ticket upon which shall be printed, or partly printed and partly written the words "Against Bond Issue"; and if a majority of the qualified voters of Brevard Township shall approve said bond issue, as shown at said election, then it shall be lawful for the county commissioners aforesaid to issue road bonds for Brevard Township, as herein provided. But if said election fails to show a majority of the qualified voters in favor of said bond issue, then it shall be unlawful to issue any bonds under this act.

Registration. A new registration of voters shall not be necessary or required in the election herein provided for, but the registration books of Brevard Township used at the general election in one thousand nine hundred and fourteen shall be used for the election held under the provisions of this act. The registrar and judges above mentioned shall, after counting the ballots at said election, officially determine and declare the result of the same, and certify said result to the board of commissioners of Transylvania County.

Appointment of judges.

Pay of election officers.

Warrants for payment.

Selection of judges.

Tickets.

Bond issue authorized.

Registration books.

Count of votes and declaration of results.

Certificate of result.

County commissioners to issue and sell bonds.

Amount.

Maturity.

Denominations.

Sale of bonds.

Proviso: sale below par forbidden.

Authentication.

SEC. 3. If said county commissioners are authorized by a majority vote of the qualified voters of Brevard Township, as herein provided, to issue road bonds, the said commissioners shall forthwith issue and sell road bonds on behalf of said Brevard Township in such an amount as has been designated in the petition, in no case to exceed the sum of fifty thousand dollars, and said bonds shall mature at such times as the said commissioners may fix, not to exceed thirty years from the date thereof, and shall be issued in such denominations as the said board of commissioners may determine, and the said board of commissioners may sell said bonds at either public or private sale: *Provided*, that said bonds shall not be sold for less than par. The bonds shall be signed by the chairman of the board of county commissioners and countersigned by the clerk of said board, bear the corporate seal of the

county, and have attached thereto the requisite number of interest coupons; and the said bonds shall bear no greater rate of interest than six per centum per annum, payable at such times as the board may determine.

SEC. 4. That if bonds are issued as herein provided, the trustees hereinafter named to act for the town of Brevard shall spend such part of the funds raised from the said bond issue as may be set apart in the petition upon which the election herein provided for is called for said town of Brevard, on such streets and sidewalks as will in their judgment be deemed best for the interest of the town at large, using such material in the way and manner as shall be set out in ordinances duly passed by the town authorities: *Provided, however,* that the property abutting on any street within the corporate limits of Brevard which shall be paved, macadamized, sand-clayed, or otherwise improved, whether such paving, macadamizing, sand-claying, or otherwise improving shall extend the full width of said street, or cover only a part thereof, shall be assessed one-half the costs of such pavement and the remaining one-half of said cost paid by the town; but in no case shall the town of Brevard pay the whole costs of such pavement; the object of this provision being to compel the abutting property owners upon the streets authorized to be paved under this act to pay the same proportion of costs as those property owners paid under authority of ordinances passed assessing the cost of pavement authorized by the General Assembly of one thousand nine hundred and thirteen. The words "property abutting on any street," as above used, shall be held and construed to mean the land touching each side of the streets so paved, regardless of whether it touches the pavement as above mentioned or not; and no ordinance passed by the board of aldermen of the town of Brevard contrary to the direct and mandatory provision above set out shall be lawful, any provision in the charter of the said town or acts amendatory thereto to the contrary notwithstanding; and if the board of aldermen of Brevard shall violate this provision, each member thereof shall be guilty of a misdemeanor and each be fined not less than five hundred dollars nor more than one thousand dollars, in the discretion of the court. The amount chargeable to each property owner abutting any street paved as hereinbefore provided shall be a lien against said property, and enforceable and collectible as provided by law. However, the amount charged against said property shall be divided into five equal annual installments, drawing six per cent interest on deferred payments, and the owner of said property shall have the option of paying the total amount in one payment or in five yearly payments; but the above provision shall not apply to the roads improved in Brevard Township outside the corporate limits of the town of Brevard: *Provided further,* that not more than sixty-six and two-thirds per cent of the amount of money arising from said bond issue on the property

Interest.

Expenditures on streets and sidewalks of Brevard.

Proviso: assessment on abutting property.

Construction of term.

Ordinances unlawful.

Aldermen guilty of misdemeanor.

Punishment.

Assessment a lien on property.

Assessments payable in installments. Interest.

Option of owner.

Streets outside of town.

Proviso: amount apportioned to town.

Proviso: apportionment to outside township.	valuation within the corporate limits of the town of Brevard shall be set apart for the use of the streets and sidewalks of said town: <i>Provided further</i> , that the remaining thirty-three and one-third per cent of said bond issue arising on the property valuation within said corporate limits of Brevard shall be used in connection with and become a part of the fund which shall arise from property valuation within the township and outside the corporate limits
Expenditure.	of the town of Brevard, and said funds allotted to said township outside of the corporate limits of the town shall be expended by the trustees hereinafter named on such roads as shall be designated in the petition upon which said bonds were issued, using such material as shall be designated in said petition: <i>Provided further</i> , that said trustees shall have power, at their discretion, if it will serve the best interests of either town or township, to vary the material used on the roads and streets, and vary the manner of the application of said material used, and shall likewise have power, in their discretion, to change the specifications set out in said petition so as to obtain the best results for the public.
Proviso: variation by trustees authorized.	SEC. 5. Said trustees shall have general power to widen and amend any of the roads of said township which they shall attempt to improve, and if condemnation proceedings are required for the purposes of widening or changing location of roads, the person or persons over whose land said amendments shall be made shall not receive any greater sum as damages than the actual value of the said land taken: <i>Provided</i> , that if any landowner is dissatisfied with the damages awarded, he shall have the right to appeal from said award of damages to the courts, as now provided by statute, and such appeals shall only be upon the question of compensation, and the construction or amendment of said road or roads shall not be delayed on account of any appeal taken: <i>Provided further</i> , that no person or persons shall hinder or delay, or attempt to hinder or delay, any person having in charge the building, repairing, amending, or improving the roads of Brevard Township, but such person or persons having the said road work in charge shall be allowed to do all things necessary to be done in order to successfully carry out the provisions of this act; and any person or persons who shall attempt to hinder, delay, obstruct, or otherwise interfere with those having said road work in charge shall be guilty of a misdemeanor, and upon conviction therefor shall be fined not more than fifty dollars or imprisoned not more than thirty days. Said trustees shall also have power, wherever the same can be obtained, to take sand, rock, or gravel from any stream, gravel bed, or rock quarry in Brevard Township, and if unable to agree with the owner or owners of the land covering said stream, gravel bed, or quarry, as to compensation for the sand, rock, or gravel taken, or for a right of way to and from said stream, gravel bed, or quarry to the public road, over which to haul said material. they may take said material and appropriate
Power to widen and amend roads.	
Limitation of damages.	
Proviso: right of appeal.	
Appeal.	
Proviso: hindering or delaying work forbidden.	
Acts declared misdemeanor.	
Punishment.	
Power to take material.	
Compensation.	

said right of way by making due compensation therefor; and if said landowner is not satisfied with the compensation offered, either for the right of way or the material taken, he may appeal to the proper courts as is now provided by statutes. That T. T. Loftis, T. T. Patton, and L. R. Scruggs be and they are hereby appointed trustees to act for and on behalf of Brevard Township outside of the town of Brevard; and that T. H. Galloway, W. P. Weltt, and C. M. Cooke, Jr., be and they are hereby appointed trustees to act for and on behalf of the town of Brevard; and the duty of said trustees shall be to see that the money expended within their respective territories is expended in a judicious manner, and they shall have all the powers hereinbefore designated, and such additional powers as may be necessary for the proper carrying out of their duties to the public under the provisions of this act. Said trustees, both inside and outside the town of Brevard, respectively, shall have the power to have the work herein contemplated done by letting same to the lowest responsible contractor, or they may have said work done by purchasing their own material and employing their own labor, as will best serve the interest of the people: <i>Provided, however</i> , that the trustees within the corporate limits of the town of Brevard, in improving the streets and sidewalks, shall be governed by such ordinances as may be enacted by the town authorities, regulating the paving of streets and sidewalks within the town limits, if such ordinances are not in conflict with the provisions of this act. Said trustees shall also have power to employ a competent road engineer, who is versed in scientific road building, and they shall fix his compensation for services, but in no event shall the compensation of such engineer exceed five dollars per day for the time actually engaged in service: <i>Provided further</i> , that said engineer shall be recommended by the State Geologist as a competent engineer, or he shall have had at least three years experience in practical, scientific road building: <i>Provided further</i> , that it shall be the duty of said trustees to obtain, if possible, a road engineer furnished by the United States Government. The compensation of the trustees herein appointed shall not exceed two dollars per day for the time actually spent in service, and no bill for work done or material furnished, either by contractor or otherwise, shall be paid until same has been approved by the chairman of the trustees selected on the part of the town and township respectively.	Right of appeal. Trustees for township. Trustees for town. Duty of trustees. Powers. Work may be let to contract. Alternative method. Proviso: trustees for town governed by ordinances. Employment and compensation of engineer. Limit of pay. Proviso: recommendation of State geologist. Proviso: procurement of engineer from national government. Pay of trustees.
SEC. 6. That if bonds are issued as herein provided, it shall be the duty of the board of county commissioners to levy at the time other taxes are levied a special tax on all the property within Brevard Township on whose behalf said bonds have been issued, of a sufficient rate and amount to pay the interest on said bonds as it becomes due and to create a sinking fund to pay the principal of said bonds at maturity. Said special tax to be levied and collected in like manner as other taxes are levied and col-	Approval of bills. Special tax. Levy and collection.

Proviso: fund kept separate. Specific appropriation.

Proviso: no duty imposed on purchaser of bonds.

Pay of sheriff and treasurer.

Trustee to qualify.

Term of office.

Vacancy.

General road law.

Secretary of State to furnish copy of act.

lected: *Provided*, that the said fund shall be kept separate and apart from other funds of said county, and the same shall be applied toward the payment of interest on said bonds and to create a sinking fund to retire the principal at maturity: *Provided further*, that the purchaser of said bonds shall not be responsible for the expenditure of the funds derived from the sale of said bonds, and the sheriff or tax collector and the county treasurer shall each not receive more than one per cent of said money for their respective services connected therewith.

SEC. 7. The trustees hereinbefore named shall qualify by taking an oath before the clerk of the Superior Court to faithfully, diligently, and honestly discharge their duties to the best of their ability, and shall hold office for two years after their qualification, but the said qualification shall not be effective until the bonds herein provided for shall have been issued. If a vacancy occurs in said board of trustees, the same shall be filled by the remaining members of the said trustees. But if all of either board should die, resign, or otherwise be disqualified, then the county commissioners shall have the right to appoint a board to serve outside of the corporate limits of the town of Brevard, and the aldermen of the town of Brevard shall have the right to appoint those serving within said town.

SEC. 8. That no provision of this act shall be held or construed to in any manner whatever change, amend, modify, or repeal any provision of the general road law of Transylvania County enacted by the General Assembly of one thousand nine hundred and fifteen; otherwise, all other laws conflicting with this act are hereby repealed.

SEC. 9. That the Secretary of State shall within ten days after the ratification of this act transmit a certified copy thereof to the chairman of the board of county commissioners at Brevard.

SEC. 10. That this act shall be in force from and after its ratification.

Ratified this the 4th day of March, A. D. 1915.

CHAPTER 429.

AN ACT TO AMEND SECTION 3872 OF THE REVISAL OF 1905, RELATING TO AGRICULTURAL SOCIETIES.

The General Assembly of North Carolina do enact:

Hyde included.

SECTION 1. That section three thousand eight hundred and seventy-two be and the same is hereby amended by adding after the word "Tyrrell" and before the word "and," in line four thereof, the word "Hyde"; amend further by striking out the words "The Albemarle Agricultural and Fish Association" in lines five and six

Name changed.

thereof and insert in lieu thereof the following: "The Albemarle Agricultural Association, Incorporated."

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

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

Ratified this the 4th day of March, A. D. 1915.

CHAPTER 430.

AN ACT TO PROHIBIT THE MANUFACTURE, SALE, OR GIVING AWAY OF SPIRITUOUS LIQUORS WITHIN TWO MILES OF STONY FORK BAPTIST CHURCH IN MONTGOMERY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful to manufacture, sell, or give away any spirituous liquors, wines, or ciders within five miles of Stony Fork Baptist Church in Montgomery County. Manufacture, sale, or gift forbidden. Locality.

SEC. 2. That any person or persons violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, in the discretion of the court. Misdemeanor. Punishment.

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

Ratified this the 4th day of March, A. D. 1915.

CHAPTER 431.

AN ACT TO PROHIBIT THE MANUFACTURE OR SALE OF WINE OR ANY OTHER INTOXICANTS WITHIN 3 MILES OF PORTER SWAMP BAPTIST CHURCH, COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or corporation to manufacture or sell any wine, whiskey, or any intoxicants whatever within three miles of Porter Swamp Baptist Church in Columbus County. Manufacture or sale forbidden. Locality.

SEC. 2. Any person or corporation violating this act shall be fined or imprisoned, in the discretion of the court. Punishment.

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

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

Ratified this the 4th day of March, A. D. 1915.

CHAPTER 432.

AN ACT TO CREATE A SPECIAL PUBLIC SCHOOL DISTRICT
COMPOSED OF PORTIONS OF MOORE, MONTGOMERY,
AND RICHMOND COUNTIES.

The General Assembly of North Carolina do enact:

School district
created.

SECTION 1. That a public school district is hereby created to be composed of the three contiguous districts or territories of Moore, Montgomery, and Richmond counties, described as follows:

Boundary.

(a) Beginning at Drowning Creek at the mouth of Pool's mill branch and running thence with said branch and its general direction to Montgomery and Richmond County line; thence direct to A. H. Saunders' mill site; thence in a southeasterly direction to the south corner of W. H. Carpenter's land; thence to the north head of Graham mill branch; thence down the general direction of said branch to Drowning Creek; thence with said creek to Miry branch; thence with said branch to Keyser road; thence with said road to and including the J. B. Clark place, and continuing with said road to the Markham log landing; thence to the ford of James L. Currie Shop branch; thence with said branch to Drowning Creek, the beginning point.

(b) Beginning at the north corner of the Hoffman District in Richmond County and running up Drowning Creek to the Little Cabin branch at its mouth; thence up Little Cabin branch to its head; thence southward in a straight line to a point on the old plank road one mile eastward of the late Mary Bennett's residence; thence eastward with the old plank road to the line of the Hoffman District; thence northward with the line of the Hoffman District to the beginning.

(c) Beginning at the mouth of Little Cabin branch and running up said branch to its head; thence southward with the line of District Number Four, Beaver Dam, to Naked Creek; thence with Naked Creek to the mouth of Rocky Fork; thence up Rocky Fork to its head; thence in a straight line to the point where the county line crosses Naked Creek; thence eastward with the county line to Drowning Creek; thence down Drowning Creek to the beginning—excluding from said territory, however, any portion thereof that may be west of what is known as the Capital Highway.

Excluding land
west of Capital
Highway.

Incorporation.

SEC. 2. That the foregoing described district or territory shall, for the purposes of this act, be and it is hereby declared a body politic and corporate by the name and style of "Derby Memorial School District," and is vested with all the necessary power and authority to carry out the provisions of this act; and for the purposes of this act to exercise all the rights and privileges incidental to municipal corporations generally. The school committee created

Corporate name.

Powers vested.

Corporate agents.

under the provisions of this act and their successors are declared to be the corporate agents of said "Derby School District," and may sue and be sued in the name of "Derby School District," and shall have the power and authority to carry out the provisions of this act. That the said district in its corporate name shall be capable of receiving gifts and grants, of purchasing and holding real and personal property, of selling and transferring the same for school purposes, when authorized by the school committee created by this act, of prosecuting and defending suits for or against the municipal corporation hereby created. Conveyances to said district shall be to it in its corporate name aforesaid and its successors in office; and all deeds, mortgages, and other agreements affecting real estate shall be deemed sufficiently executed when signed in its corporate name by the chairman of said school committee and attested by the secretary thereof.

Powers in acquiring and holding property.

Conveyances to district.

Execution of papers.

SEC. 3. That the school committee provided for by this act shall have entire and exclusive control of the public schools to be taught in said district, and of the interests and property of said district; shall provide rules and regulations for its government not inconsistent with the provisions of this act and existing law; shall employ and fix compensation of officers and teachers of the public schools and of employees; shall make an accurate census of the school population of said district, as required by the general school law of the State, make reports thereof, as provided by law, and shall do all other acts required by this act and by law to conduct and manage the public school interests in said territory: *Provided*, all children resident in said district or territory between the ages of six and twenty-one years shall be admitted to the schools taught in said territory free of tuition charges.

Control schools and property.

Rules and regulations.
Employment and pay of teachers and employees.
School census.

Reports.

Proviso: no charge for tuition.

SEC. 4. That the school committee created by this act shall cause a free public school to be taught in said district annually for a length of time equal at least to the time authorized and required by the general school law of the State; that there shall be employed in the teaching of said school at least two teachers, one of which shall be the principal of said school, and shall be employed as such by said school committee; that the school committee created and appointed by this act shall elect all teachers and other officers and employees of said school district; that the teachers so employed to teach said public school shall have a proper certificate for that purpose from the proper school authorities of either Moore, Montgomery, or Richmond County, or such certificate as may be provided by the general laws of the State authorizing such teacher to teach in the public schools of the State. The course of study prescribed by the general school laws of the State shall be taught in said school, and in addition thereto a course of study up to at least the tenth grade.

Length of school term.

Teachers.

Principal.

Election of teachers and officers.

Certificate of teachers.

Course of study.

School committee
and term of office.

SEC. 5. The school committee provided for under the provisions of this act for the government of said school district and property shall be composed of Roger A. Derby, whose time shall expire on the first Monday of July, one thousand nine hundred and eighteen; W. A. Clark of Moore County, whose term shall expire on the first Monday of July, one thousand nine hundred and sixteen; Ira A. Stuart, of Richmond County, whose term shall expire on the first Monday of July, one thousand nine hundred and seventeen; and Alex. L. Currie, of Montgomery County, whose term shall expire on the first Monday of July, one thousand nine hundred and eighteen. At the expiration of the term of Roger A. Derby, or in case a vacancy should occur in his term earlier, by resignation or otherwise, the said school committee shall consist of three members to be elected at the times provided for the election of school committees under the general laws of the State, one by the board of education of Moore County, one by the board of education of Montgomery County, and one by the board of education of Richmond County. The board of education of Moore County shall elect the successors of W. A. Clark; the board of education of Montgomery County shall elect the successors of Alex. Currie, and the board of education of Richmond County shall elect the successors of Ira Stuart. The term of office of the successors to the members of the school committee in this act named shall be for the term of three years. Nothing in this section shall be construed to authorize the respective boards of education aforesaid to elect the successors for the school committee named in this act prior to the expiration of the terms of said members, as fixed by this act, unless vacancy should occur prior to the expiration of the term named, in which case the board of education of the county in which the member resides causing such vacancy shall elect a member of the committee for the unexpired term.

Future boards.

Election of
successors.

Terms of successors.

Time of election.

Organization of
committee.

Treasurer.

Term of treasurer.

Funds to be paid
to treasurer.

Bond of treasurer.

SEC. 6. The school committee created by this act shall elect one of their members chairman and one of their members secretary of the committee; said committee shall also elect a treasurer of said school district, who may or may not be a member of said committee. Said treasurer shall hold office for three years from his election and until his successor shall be elected and qualified. All school taxes collected by the treasurer or other officers of Moore County, Montgomery County, and Richmond County, belonging to said school district, and all funds of whatsoever character apportioned to said school district or belonging to said school district from any source shall be paid to said treasurer, and the receipt given by said treasurer to the persons paying the same shall be a proper and legal voucher for the payment of said fund. Before entering upon the duties of his office the said treasurer shall execute a bond payable to the State of North Carolina, with sufficient sureties, in a sum to be fixed by said school committee, not less

than the amount of funds likely to come into his hands during any one year, conditioned, as provided by law, for the faithful discharge of his duties as treasurer, as provided by this act and the general laws of the State, which bond shall be approved by said school committee and recorded in the book of official bonds of the counties of Moore, Montgomery, and Richmond, and the original shall be deposited with the register of deeds of Richmond County. Suit may be brought upon said bond or bonds in the name of the State of North Carolina upon relation of the school committee of said district or upon relation of the board of education of either of the counties of Moore, Montgomery, or Richmond. Said chairman shall pay out said funds coming into his hands and belonging to the said school district only upon written orders or vouchers signed by the chairman of said school committee and countersigned by the secretary thereof, after having been audited and approved by said school committee. Said treasurer shall render an itemized account of the receipts and disbursements of said school fund to the boards of education of the counties of Moore, Montgomery, and Richmond annually on the first Monday of July, and oftener if required by any one of said boards. Said reports, prior to the rendition thereof, shall be approved by the school committee of said district, and when so approved shall be recorded in the office of the register of deeds of each of said counties in the book of official reports, and the register of deeds of the county shall be entitled for such services, and for all other services required of him under the provisions of this act, to the fees prescribed for recording deeds, which fees the said school committee are authorized to pay out of any funds in the hands of the treasurer of said school district. The school committee shall fix the compensation to be paid to said treasurer: *Provided*, it shall not exceed one per cent on all disbursements made by said treasurer. Said school committee of said district may require said treasurer to execute the bond herein required with some bonding or surety company to be approved by said school committee, in which case said school committee shall pay the premiums due on said bond out of the school funds belonging to said school district.

SEC. 7. The board of commissioners respectively of the counties of Moore, Montgomery, and Richmond shall levy the school taxes provided by law in those portions of said district belonging to said counties, respectively, as provided by the general laws of the State, and cause the same to be collected by the sheriff, tax collector, or other proper officer designated by law for the collection of other taxes, and the school funds so collected as aforesaid belonging to the said district, together with all school moneys belonging to the said district and apportioned by the respective boards of education or other proper authorities, shall be paid to the treasurer of said school district in this act named, and the

Suit on bonds.

Vouchers.

Itemized annual accounts.

Approval and record of accounts.

Fees of register of deeds.

Compensation of treasurer. Proviso: limit.

Premium on bond of treasurer.

Levy of school tax.

Collection.

Funds paid to treasurer.

Apportionment from general school fund.

moneys which shall from time to time be apportioned under the general school law of the State to said school district or portions of district embraced in the territory described in this act, and any moneys to which said district or portions of said district may be entitled by reason of any special taxes, gift, grant, apportionment, or otherwise, shall be paid to and received by the treasurer of said district, to be expended under the provisions of this act for the purpose of conducting a free public school in said district under the provisions of this act, and as provided by law.

Territory consti-
tuted school
district.

SEC. 8. For the purposes and benefits of this act the territory in this act set forth shall be and is hereby constituted a public school district for the white race.

Transportation of
pupils.

SEC. 9. The school committee of said district is authorized and empowered to make provision for the transportation of pupils in said district that reside too remote from the schoolhouse to attend, and to pay the expenses thereof out of the school funds belonging to said district.

Annexation of con-
tiguous territory.

SEC. 10. Any territory contiguous to said district, either in the counties of Moore, Montgomery, or Richmond, may become a part of said district upon filing a petition for that purpose, describing the territory sought to be annexed, signed by a majority of the qualified voters in such territory, and approved by said school committee and the respective boards of education of the counties of which such territory is a part: in such case an order shall be made by the boards of education aforesaid annexing such territory to said district, and from and after the first Monday of July following said order such territory shall be and become a part of said district and be subject to all the provisions of this act.

High school or
farm-life school.

SEC. 11. The school committee created by this act are authorized and empowered, in their discretion, to conduct, in addition to the schools in this act provided, a high school or a farm-life school, when sufficient funds for such purposes may be available.

Derby memorial
school.

SEC. 12. When and if Roger A. Derby shall cause to be conveyed to the said district his residence situate in said school district, consisting of three adjoining connected wings, each sixteen by forty feet, with six windows in each wing, two bathrooms and plumbing, and five fireplaces, ceiled and weather-boarded, roof shingled and all stained, together with ten acres of adjoining land, free of all encumbrances; or shall cause a school building acceptable to said school committee to be built in said school district for the purposes of conducting a school therein, the said residence or school building, one or both, shall be known and designated as the "Derby Memorial School." as a memorial to the father and mother of the said Roger A. Derby.

Use of buildings.

SEC. 13. The school committee created by this act shall have power and authority, in their discretion, if said residence is conveyed to said school district, to use the same as a school building

or to use said residence as a residence for the teacher or teachers of said district, and any other school building donated by the said Roger A. Derby, or by him and others, for the purpose of teaching the schools of said district.

SEC. 14. The school and school district created and provided for in this act, and the schools to be conducted and taught therein, shall in all respects wherein the same is not provided for by this act be governed and controlled by the general laws of the State governing the public schools of the State. Application of
general law.

SEC. 15. That all laws and clauses of laws inconsistent with this act are hereby repealed.

SEC. 16. That this act shall be in force from and after its ratification.

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 433.

AN ACT TO AMEND CHAPTER 478 OF THE PUBLIC LAWS OF 1907, RELATING TO THE AUTHORITY OF THE BOARD OF COMMISSIONERS OF DURHAM COUNTY TO DESIGNATE AND PURCHASE A NEW SITE FOR A COURTHOUSE AND TO PURCHASE ADDITIONAL LANDS FOR THE COUNTY HOME AND WORKHOUSE.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter four hundred and seventy-eight of the Public Laws of one thousand nine hundred and seven be and the same is hereby amended by inserting after the word "empowered" in line two of said section and before the word "to," the following: "by a majority vote of the entire board at any regular meeting hereafter held." Action by majority
of board.

SEC. 2. That section three of chapter four hundred and seventy-eight of the Public Laws of one thousand nine hundred and seven be and the same is hereby amended by inserting after the word "domain," in line three of said section, the following: "which said power shall be exercised in the manner now prescribed for condemning lands by railroad companies; and said Durham County, acting through its board of county commissioners, is hereby authorized and empowered to acquire by condemnation land upon which dwelling-houses are situated and property of any other kind and description, and it shall not be subject to any of the restrictions and limitations imposed upon railroads and other corporations contained in section two thousand five hundred and seventy-eight of the Revisal of one thousand nine hundred and five." Procedure for con-
demnation of land.

Restrictions on
power rescinded.

SEC. 3. That section five of chapter four hundred and seventy-eight of the Public Laws of one thousand nine hundred and seven be and the same is hereby amended by inserting after the word "empowered" in line two of said section, the following: "by a majority vote of the entire board at any regular meeting hereafter held." Only after thirty days of continuous advertisement in two newspapers in Durham County, and in three other public places, showing the intention of said board to act on said proposition at the time and place set out in said advertisement.

Majority.

Notice of proposed action.

SEC. 4. That section five of chapter four hundred and seventy-eight of the Public Laws of one thousand nine hundred and seven be and the same is hereby amended by inserting after the word "empowered," in line fourteen of said section, the following: "by majority vote of the entire board at any regular meeting hereafter held."

Majority.

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

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

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 434.

AN ACT TO PROVIDE GOOD ROADS IN BANNER TOWNSHIP, JOHNSTON COUNTY.

Preamble.

Whereas, out of a voting population of four hundred and sixty-three in Banner Township, Johnston County, three hundred and twenty-six have earnestly petitioned the Legislature to authorize a bond issue and special tax for said township for the purpose of building and improving the public highways therein; and whereas the present board of road trustees in said township has by resolution found and declared as a fact that a bond issue for road building in said township is a necessary expense within the meaning of the Constitution, and a large majority of the voters aforesaid are in favor of issuing the same: Now, therefore,

Preamble.

The General Assembly of North Carolina do enact:

Trustees appointed.

SECTION 1. That P. B. Johnson, H. A. Parker, and Preston Woodall are hereby appointed a board of trustees for the public roads of Banner Township in Johnston County, to hold office from their installment until the first Monday in December, one thousand nine hundred and sixteen, one thousand nine hundred and eighteen, and one thousand nine hundred and twenty, respectively. One

Terms of office.

Election and terms of successors.

member of the board of said township shall be elected at each general election for a term of six years, to take the place of the member whose term of office expires the first Monday in December next succeeding his election, and until his successor is duly elected and qualified; and all vacancies caused by death, resignation, removal from township, or otherwise shall be filled by the remaining members of said board until next general election, when his successor shall be elected: *Provided*, that the position of trustee shall not constitute an office within the meaning of article seven, section fourteen, of the Constitution of North Carolina.

Vacancies.

Proviso: trustees not officers.

SEC. 2. That the said board of trustees and their successors shall be and are hereby constituted a body corporate by the name and style of the "Board of Road Trustees of Banner Township," and by that name may sue and be sued, make contracts, acquire real and personal property, hold and exchange and sell the same, adopt a corporate seal, and exercise such other rights and privileges as are incident to other municipal corporations.

Incorporation.

Corporate name.

Corporate powers.

SEC. 3. That it shall be the duty of said board of trustees to take the control and management of the public roads of said township, and said trustees are hereby vested with all the rights and powers for such control and management as are now vested in and exercised by the board of trustees holding office by virtue of chapter five hundred and thirty-one, Public Laws of nineteen hundred and nine, relating to the public roads of said township, and also by the road supervisor of said township, or any other authority having to do with the building and maintaining of the public roads of Banner Township.

Control and management of roads.

Rights and powers vested.

SEC. 4. That said board of trustees shall elect from its number a chairman, who shall hold office for a term of two years, and biennially thereafter a chairman shall be elected in the same manner and for a like term of office. Said board shall also elect a treasurer for such term and on such compensation as may be fixed by said board: *Provided, however*, that said board of trustees may arrange with some bank or banks to act as financial agent for said board of trustees, and in any event said treasurer or financial agent shall execute bond in such sum as may be determined upon and fixed by the board of trustees aforesaid, conditioned upon the faithful performance of his or its duties, and for the correct and honest accounting of all road funds of said township, whether derived from bond issue, special tax, or otherwise. The said board of trustees shall also elect a secretary and such other officers as may be deemed necessary for the proper discharge of the duties imposed upon said board.

Election and term of chairman.

Election, term, and compensation of treasurer.

Proviso: bank as treasurer.

Treasurer to give bond.

Secretary and other officers.

SEC. 5. That said board of trustees shall annually elect a superintendent of roads for Banner Township, who shall be paid such compensation out of the road fund of said township as may be

Election, compensation, and term of superintendent.

Proviso: removal for cause.	fixed by said board, and who shall hold office for one year or until his successor shall be elected and qualified: <i>Provided</i> , that said superintendent may at any time be removed by said board, after having been given ten days notice and a hearing, when in the opinion of said board there exists a good and sufficient cause for such removal. It shall be the duty of said superintendent, subject always to the approval of the board, to supervise, direct, and have charge of the maintenance and construction of all public roads in Banner Township, and he shall submit to said board of trustees a monthly report concerning the work in progress and the moneys expended therefor, and such other reports as may be required of him: <i>Provided, however</i> , that nothing herein shall disqualify a member of said board from acting as superintendent of the roads of said township; and <i>Provided further</i> , that such superintendent shall make no contracts involving the liability of the road fund of said township except by and with the expressed approval of the board of road trustees previously obtained, and no money shall be paid out of the road fund of said township on any account except on vouchers drawn by the secretary and countersigned by the chairman of the board of trustees.
Duty of superintendent.	
Monthly reports.	
Proviso: trustee may be superintendent.	
Contracts to be approved by board.	
Vouchers.	
Purchase of equipment.	SEC. 6. That said board of trustees may purchase such machinery and implements as may be needed for the proper working and construction of the roads, may employ a competent engineer or surveyor, and may exercise such other powers and privileges as may be needed for the carrying out of the purposes and provisions of this act: <i>Provided, however</i> , that no person shall be subject to road duty.
Employment of engineer.	
Proviso: no road duty.	
Entry on land for material.	SEC. 7. That the superintendent of roads of Banner Township is hereby authorized to enter upon any uncultivated land near to or adjoining any public road of said township, to cut and carry away timber, except trees or groves on improved land planted or left for shade or ornament; to dig or cause to be dug and carried away any gravel, sand, clay, or stone which may be necessary to construct, improve, or repair such road, and enter upon any land adjoining or lying near such road in order to make such drains or ditches through the same as he may deem necessary for the betterment of the roads; and the drains and ditches so made shall not be obstructed by the occupants of said land or any other person, and any such person obstructing such drain or ditch shall be guilty of a misdemeanor and fined not exceeding fifty dollars or imprisoned not exceeding thirty days. If the owner of any lands from which timber, stone, clay, gravel, or sand shall be taken as aforesaid shall present an account for the same through said superintendent to said board of trustees within thirty days after the taking thereof, it shall be the duty of said board to pay for the same at a fair price; and in case of any disagreement as to the value, the board of trustees shall appoint one
Drains or ditches.	
Obstructing drains or ditches misdemeanor.	
Presentation and payment of claims.	
Arbitration for assessment of damages.	

freeholder and the person claiming the damages a second, and these two a third, which said freeholders shall assess said damages and report the same in writing to the board of trustees, who shall pay the same from the road fund of said township.

SEC. 8. That the said superintendent of roads, with the approval of the trustees, is hereby given discretionary power to locate, relocate, or change any part of any public road in said township when in his judgment the same will prove advantageous to the public travel. That when any person on whose lands the new road or part of the new road is to be located claims damages therefor, and within thirty days petitions said board of trustees for a jury to assess the damages, the said trustees shall within not less than fifteen nor more than sixty days after the completion of said road order a jury of three disinterested freeholders of Banner Township to be selected and summoned by the sheriff of Johnston County as provided by law, who shall give said landowner forty-eight hours notice of the time and place when and where the said jury will meet to assess his damages; and said jury in considering the question of damages shall also take into consideration the benefits to the owner of the land, and if such benefits be considered equal to or greater than the damages sustained, the jury shall so declare, and it shall report its findings in writing to said trustees for revision and confirmation: *Provided*, that such owner may appeal to the Superior Court of Johnston County from the decision of said trustees.

SEC. 9. That the said board of trustees shall be and are hereby authorized and empowered to issue bonds of said Banner Township, to be styled "Banner Township Road Bonds," to an amount not to exceed fifty thousand dollars, of such denomination and of such proportion as said board may deem advisable, bearing interest from the date of issue thereof at a rate not exceeding six per centum per annum, with interest coupons attached payable annually or semiannually, as may be deemed best, at such time or times and at such place or places as may be deemed advisable by said board; said bonds to be signed by the chairman and secretary of said board and to be of such form and tenor and transferable in such ways and the principal thereof payable and redeemable at such time or times, not exceeding forty years from the date thereof, and at such place or places as said board of trustees may determine; that none of said bonds shall be disposed of for a less price than their par value, and the said bonds may be issued at such time or times and in such amount or amounts as may be deemed best to meet the expenditures provided for in this act. The liability for the payment of said bonds, together with all interest that may be due thereon, shall be attached to and imposed upon the political division of Johnston County known as Banner Township, as constituted at the time of the ratification of this act.

Location and
change of roads.

Claims for damages.

Procedure for
assessment of
damages.

Proviso: right of
appeal.

Bond issue author-
ized.

Entitlement of
bonds.

Interest.

Authentication.

Maturity.

Sale below par
forbidden.

Obligation of
bonds.

Special tax. SEC. 10. That for the purpose of providing for the payment of said bonds and the interest thereon, and to provide a sinking fund for the retirement thereof at maturity, the board of county commissioners of Johnston County shall annually and at the time of levying the county taxes, levy and lay a special tax on all persons and property subject to taxation within the limits of Banner Township of twenty-five cents on the one hundred dollars assessed valuation of property and seventy-five cents on each taxable poll. That the taxes so levied shall be collected as other taxes are collected and paid to the treasurer or financial agent of said board of road trustees.

Rate. SEC. 11. That all funds derived from the sale of any bonds by the said board of trustees shall be paid over to the treasurer or financial agent of said board, and shall be used for the purpose of constructing and improving the public roads of said township, the purchase of such material, machinery and implements, and the employment of such officers and labor as may be found necessary in the carrying out of this act.

Collection and settlement. SEC. 12. That all of the funds in the hands of the county treasurer of Johnston County or that may hereafter come into his hands for the road fund of Banner Township, and all funds in the hands of the present board of trustees, or its treasurer, or which shall come into its or their hands, shall be immediately turned over to the treasurer or financial agent of the board of road trustees provided for in this act.

Proceeds of bond sale paid to treasurer. Use of fund. SEC. 13. That in the working and construction of roads either convict labor or hired labor, or both, may be used, as may be ordered by said board of trustees, and in the working of convicts upon the public roads all rights and privileges existing in regard thereto, or that may hereafter exist for the use of convicts in Johnston County or any township therein, shall exist and apply to the use of convicts on the public roads of Banner Township.

Road funds to be paid over. SEC. 14. That the said board of road trustees may in their discretion let under contract to the lowest bidder any or all of the public roads of Banner Township on such terms and conditions as may be determined and fixed by said trustees, in which event the said roads shall be built and constructed according to the specifications and details agreed upon by said board of trustees and the road-building contractors to whom such contracts may be let: *Provided, however,* that such contractors shall give such bond for the faithful performance of their contract as may be fixed and determined by said board of road trustees: *Provided further,* that in the event the roads of said township are built by contract as provided for in this section, then the requirement for the election of a superintendent of roads shall be dispensed with.

Convict or hired labor. SEC. 15. That no moneys shall be expended under this act upon any street in any incorporated town, except that the board of

Work on streets.

trustees may in its discretion work that part of the streets of said town which form a continuation or part of any public highways leading directly through said town: *Provided*, that the purchasers of the bonds provided for by this act shall not be required to look to the application of the money paid by them for any of the bonds issued under this act.

Proviso: no duty imposed on purchasers.

SEC. 16. That after the levy of the special tax provided for by this act the tax heretofore levied and collected for road building in said township shall be discontinued, and it shall not be lawful for the county commissioners of Johnston County to levy any other road taxes against the taxable property and polls of Banner Township except that provided for in this act in support of the bond issue aforesaid, unless an additional tax shall be found and ascertained to be necessary to create a supplemental fund for the payment of interest and to retire the road bonds at maturity, in which event the board of county commissioners may levy an additional tax not exceeding five cents on the one hundred dollars valuation of property and fifteen cents on the poll, to be used exclusively as a supplemental interest and sinking fund for said bond issue provided in this act.

Former tax discontinued.

No other tax to be levied.

Tax for interest and sinking fund.

SEC. 17. That so much of chapter five hundred and thirty-one, Public Laws of nineteen hundred and nine, relating to the public roads of Banner Township, and any other laws or clauses of laws in so far as they are inconsistent or are in conflict with the provisions of this act, be and the same are hereby repealed.

Repealing clause.

SEC. 18. This act shall not become effective, nor shall the bonds hereinbefore provided for be issued and sold, unless and until the same shall be ratified by the vote of the majority of the qualified voters of said township at an election to be held as herein-after provided for, and the number of electors registered in any election hereinafter provided for shall be conclusively held to be the number of qualified voters in such territory.

Ratification of qualified voters.

SEC. 19. That the board of commissioners of Johnston County, when a petition of one-fifth of the voters in Banner Township is filed, is hereby empowered and directed to submit to the voters of Banner Township, Johnston County, on a day to be designated by the board of commissioners of Johnston County, the question whether the said township (Banner) shall issue bonds in a sum not exceeding fifty thousand dollars, with interest coupons attached, the proceeds of which to be used for the improvement of the public roads of Banner Township as hereinbefore provided in this act. The said board of county commissioners shall for at least thirty days before the election give public notice of said election, together with the publication thereof in one or more newspapers published in Johnston County: *Provided*, that if a majority of the voters of said township shall not vote to issue the

Petition for election.

Order for election.

Question submitted.

Notice of election.

Proviso: subsequent election.

bonds at the election so held, said board of commissioners is hereby directed to submit the said question to the said voters at the expiration of four months from the time of first election under the regulations hereinafter set out; and *Provided further*, that if a majority of the voters of said township shall not vote to issue bonds at the election so held, the said board of commissioners of Johnston County are directed to submit the said question to the voters at any other time or times when as many as one-fourth of the voters of said township shall by petition request it.

Proviso: further elections.

Law governing election.

Proviso: election officers.

Registration and challenges.

Count and return of vote.

Canvass and record of returns.

Ballots.

Denominations of bonds.

SEC. 20. That any election under the provisions of this act shall be conducted in the same manner as is now or may hereafter be prescribed by law for holding elections for the General Assembly: *Provided, however*, that the election board of Johnston County shall appoint the registrars of the election, the judges, and any other election officers, and registration and challenging of voters shall be conducted in the same manner as is now or may hereafter be provided in the general election of members of the General Assembly, and that the board of commissioners of Johnston County may or may not order a new registration for any or all elections held under this act. The vote shall be counted at the close of the polls and returned to the clerk of the board of county commissioners on the Thursday next following the election, and the said board of commissioners shall, at their next meeting thereafter held, tabulate and declare the result of the election, all of which shall be recorded in the minutes of the board of county commissioners, and no other record and declaring of the result of said election shall be necessary.

SEC. 21. That at said election or elections the ballots tendered and cast by the voters shall have written or printed upon them "For Good Roads Bond Issue" or "Against Good Roads Bond Issue"; and at such election those who favor the issuing of the said bonds shall vote "For Good Roads Bond Issue" and those opposed to the issuing of the bonds shall vote "Against Good Roads Bond Issue."

SEC. 22. In the event that a majority of the votes cast shall be for the bond issue at any election herein provided for, after the result has been declared and recorded as aforesaid, the board of commissioners of Johnston County shall have bonds prepared of the denominations of one thousand dollars, five hundred dollars, or one hundred dollars, as they may deem best, the total amount not to exceed fifty thousand dollars.

SEC. 23. This act shall be in force from and after its ratification.

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 435.

AN ACT RELATING TO THE ERECTION AT BURGAW, PENDER COUNTY, NORTH CAROLINA, OF A MONUMENT TO THE MEMORY OF THE CONFEDERATE SOLDIERS OF PENDER COUNTY.

Whereas the Pender County Chapter, number seven hundred and sixty-one, North Carolina Division, United Daughters of the Confederacy, have caused to be erected a monument in the town of Burgaw, Pender County, said State, to perpetuate the memory of the Confederate soldiers who took part in the late Civil War, one thousand eight hundred and sixty-one to one thousand eight hundred and sixty-five, and especially those who enlisted in the service of that sacred cause from the county of New Hanover which now forms Pender County; and whereas said chapter of the United Daughters of the Confederacy have raised the money wherewith to erect said monument, and no part of the same has been paid by the county of Pender, and the said monument has been erected in Fremont Street immediately east of the line of Wright Street, in the town of Burgaw; and whereas, the board of town commissioners of the town of Burgaw, by resolution duly passed, authorized the erection of said monument at the place above recited: Now, therefore,

Preamble.

Preamble.

Preamble.

The General Assembly of North Carolina do enact:

SECTION 1. That sections one and two of chapter five hundred and eight of the Public-Local Laws of North Carolina, session nineteen hundred and thirteen, be and the same is hereby repealed.

Power of county to subscribe rescinded.

SEC. 2. That the commissioners of the town of Burgaw, by resolution duly passed thereby granting to the said Pender County Chapter of the United Daughters of the Confederacy the right to erect the said Confederate monument in Fremont Street east of the eastern line of Wright Street, and in pursuance of said permission and resolution the said Daughters of the Confederacy have erected the said monument at said point dedicated for that purpose by the said board of commissioners of the town of Burgaw, be and the same is hereby condemned for the location of said monument, and the said acts and resolution of the board of commissioners of the town of Burgaw are hereby ratified and confirmed in all respects.

Land condemned for location of monument.

Act of town commissioners confirmed.

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.

Ratified this the 3d day of March, A. D. 1915.

CHAPTER 436.

AN ACT TO APPOINT J. O. BELL A JUSTICE OF THE PEACE IN AND FOR GREEN RIVER TOWNSHIP, HENDERSON COUNTY, AND TO AUTHORIZE HIM TO APPOINT A SPECIAL CONSTABLE WITH POLICE POWERS.

The General Assembly of North Carolina do enact:

Appointment.

SECTION 1. That J. O. Bell is hereby appointed justice of the peace in and for Green River Township, Henderson County, for

Term.

a term of six years, beginning the eighth day of March, A. D. one thousand nine hundred and fifteen.

Appointment of constable.

SEC. 2. That J. O. Bell, a justice of the peace in and for Green River Township, in Henderson County, is hereby authorized and empowered to appoint a constable for Green River Township, in Henderson County, which constable when so appointed shall have power and authority in said township and county given by law to all constables in their several townships in said county, and he shall give a like bond for the faithful performance of his duties.

Authority.

SEC. 3. That the said constable, when so appointed, shall have within the limits of two miles in all directions from the cotton mill of the Green River Manufacturing Company, in said township and county, the powers and authority given under the law as published in the Revisal of one thousand nine hundred and five of North Carolina to marshals and policemen of cities and towns in the State, and acts amendatory thereof.

Police powers in defined territory.

SEC. 4. That the said constable, when so appointed by the said Bell, shall continue in office until the expiration of the term of office of the said Bell as justice of the peace, namely, the eighth day of March, A. D. one thousand nine hundred and twenty-one, or until said constable shall die, resign, remove from said township, or be removed from office for good cause shown, the said J. O. Bell to have the power to determine the cause and remove said constable, and in the event the appointee of the said Bell shall die, resign, remove from the limits of the two miles aforesaid, or be removed from office, the said Bell shall have the right, power, and authority to immediately appoint a successor to hold said office until the expiration of the term of office of the said Bell as a justice of the peace.

Term of constable.

SEC. 5. That the said J. O. Bell shall appoint said constable and make report of said appointment to the clerk of the Superior Court of Henderson County within sixty days after the ratification of this act, which said appointment and report shall be in writing under the hand and seal of the said J. O. Bell, justice of the peace.

Appointment of successor.

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

Time for appointment.

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 437.

AN ACT TO PROVIDE FOR THE WORKING OF THE ROADS
IN REYNOLDSON TOWNSHIP, GATES COUNTY.

The General Assembly of North Carolina do enact:

- SECTION 1. That from and after the passage of this act Reynoldson Township in Gates County shall constitute a road district, and the provisions of this act are hereby substituted for any road law or laws now in force in said township, and the public roads in said township shall be under the management of three commissioners as hereinafter provided for.
- SECTION 2. That for the purpose of working, improving, and maintaining the public roads in Reynoldson Township in Gates County a board of commissioners is hereby created, which said board shall consist of three members, who shall be elected for a period of six years; that E. S. A. Ellenor, H. L. Langston, and E. C. Story be and they are hereby appointed and shall constitute a board of commissioners for Reynoldson Township in Gates County; that the term of office of E. C. Story shall be two years, that the term of office of H. L. Langston shall be four years, and the term of office of E. S. A. Ellenor shall be six years from the day of their qualification and organization under this act, and until their successors shall be duly elected and qualified; that immediately after the ratification of this act the three members aforesaid shall meet in Reynoldson Township at the voting precinct and organize by electing one of their number chairman of the board and one of their number as secretary of the board; that the members of said board shall serve without compensation except as hereinafter provided; that after the expiration of their respective terms of office, or if a vacancy on the said board shall occur by reason of death or resignation of any member, the remaining members of the board shall elect some well qualified elector of the said township by and with the consent of the board of county commissioners to fill the vacancy. Each member of the board shall take and subscribe an oath before the clerk of the Superior Court of Gates County for the faithful performance of his duties as a member of the said board. The secretary of the said board shall make and keep a record of all the proceedings of the said board in a book especially provided for that purpose, and shall make and file with the register of deeds of Gates County an annual statement showing such proceedings.
- SECTION 3. That the said board of road commissioners of Reynoldson Township in Gates County and its successors in office be and it is hereby constituted a body corporate under and by virtue of the laws of the State of North Carolina and by this act, under

Road district.

Management of roads.

Board of commissioners.

Term of commissioners.
Commissioners named.

Term of office.

Meeting and qualification.

Election of successors and to fill vacancies.

Commissioners to qualify.

Record of proceedings.

Annual statement.

Incorporation.

Corporate name.

Corporate powers.	the name and style of "The Highway Commission of Reynoldson Township," and in that name may sue and be sued, make contracts, and exercise such other rights and powers as are incident to other municipal corporations of like nature, such as the condemnation of lands for the construction, widening, and changing of any roads in the said township, and to carry out all the provisions of this act; and in the event the said board shall deem it necessary to condemn any land for the purpose aforesaid it shall adopt the same method of procedure as now obtains.
Procedure for condemnation of lands.	
Duty of commission.	SEC. 4. That it shall be the duty of the said highway commission to take charge of the working, repairing, maintaining, altering, and constructing of any and all roads in Reynoldson Township now maintained by the county as public roads, and it is hereby vested with all the powers, rights, and authority now vested in the board of county commissioners of Gates County for Reynoldson Township for the general supervision of the roads in said township, and for the construction and repair thereof, and the said highway commission of Reynoldson Township is hereby authorized and empowered to borrow money in whatever manner and from whatever person or persons or institutions it shall deem most expedient, or, in its discretion, to issue bonds of the said township of not to exceed two thousand dollars for the construction and maintenance of the public roads in said township. If bonds are issued they shall be styled "Reynoldson Township Good Roads Bonds," and the same shall be of such denominations and of such proportions as the said commission may deem advisable, bearing interest from the date of issue, not to exceed six per cent per annum, with interest coupons attached, payable annually, and payable at such time or times and at such place or places as the said commission may elect. The bonds, if they are issued, must be issued with the approval of a majority of the said commission, signed by the chairman thereof and countersigned by the secretary; and such bonds are to be of such form and tenor and transferable in such way, and the principal thereof payable and redeemable at such time or times and at such place or places, not to exceed ten years from the date thereof, as the highway commission may determine. None of said bonds shall be disposed of for less than par value. Such bonds may be issued at such times and in such amounts, not to exceed two thousand dollars, and payable and redeemable within ten years, as may be deemed best in the opinion of the commissioners to meet the needs of the township in the construction, repair, and maintenance of the said roads.
Power and authority vested.	
Power to borrow money and issue bonds.	
Limit of amount.	
Style of bonds.	
Denominations.	
Interest.	
Approval of majority of commission.	
Authentication.	
Maturity.	
Sale below par forbidden. Issue of bonds.	
Seal of commission.	The commission shall adopt a seal, and any bonds issued under this act shall have the corporate seal of the commission attached thereto.
Obligation of bonds.	All the taxable property, real, personal, and mixed, and all polls in said township shall be liable for the payment of any bonds issued hereunder and by virtue of this act, together with

all interest that may be due thereon, and the liability therein shall be inserted in the body of the said bonds; and the taxes for the payment thereof shall be levied and collected as other taxes are levied and collected in Reynoldson Township in Gates County. The bonds issued under and by virtue of this act by the highway commission shall be as valid in law, and the same liability for the payment therefor imposed upon Reynoldson Township, as if the same had been issued by the county commissioners of Gates County under the same law, power, and authority.

Levy and collection of tax.

Validity of bonds.

SEC. 5. That for the purpose of providing a sinking fund for the payment of the bonds issued under this act, and the interest thereon, and to provide for the expenditure provided for in this act for the maintenance of the said roads, the board of county commissioners of Gates County are authorized and directed, and shall, when requested by the commission herein provided, and at the time of levying State and county taxes, levy and cause to be collected a special tax on all property, real, personal, and mixed, and on all persons subject to poll tax within the limits of Reynoldson Township, of not more than fifteen cents on the one hundred dollars assessed valuation on property and not more than forty-five cents on each taxable poll: *Provided*, that in levying the said tax the constitutional equation between polls and property shall be observed by the said commission. The amount of taxes to be levied hereunder is to be determined by the said commission, but always within the limitation prescribed in this act. The taxes so levied shall be collected by the sheriff of Gates County as other taxes, and the sheriff shall receive only two and one-half per cent commissions for collecting and depositing the taxes with the treasurer; and all the taxes thus collected by the sheriff shall be deposited with the Bank of Gates, Gatesville, North Carolina, which institution with its consent shall act as treasurer to the said commission without compensation and shall pay out money only when duly authorized by order of the said commission as hereinafter mentioned. In addition to the foregoing tax, all able-bodied male persons in said township between the ages of twenty-one and fifty years, both inclusive, shall pay to the sheriff, when called upon to do so, a road tax of two dollars and fifty cents: *Provided, however*, that in lieu of paying the road tax of two dollars and fifty cents aforesaid, each person of the ages above enumerated may work on the said road in said township three days in each year; that ten hours shall constitute a day hereunder; that each person choosing to work rather than pay the road tax aforesaid shall be under the direct supervision of the road supervisor hereinafter mentioned, and may be called upon at any time to work anywhere on the said roads and with such tools, implements, or road machinery as the said road supervisor may direct. Any person subject to road tax or road duty as herein provided who shall will-

Special tax.

Limit of rate.

Proviso: constitutional equation.

Collection of tax.

Commission of sheriff.

Deposit of tax.

Road tax.

Proviso: work in lieu of road tax.

Supervision of work.

Failure to discharge road duty misdemeanor.

Punishment. fully fail or refuse to comply with the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than five nor more than twenty-five dollars: *Provided*, the payment of the road tax and costs herein provided shall be a bar to prosecution hereunder. All the funds collected from the special and road tax shall be turned over to the aforesaid treasurer and shall be used by the said commission in the payment of the bonds and interest, if bonds be issued, for constructing and repairing the said roads, and for properly maintaining them after construction.

Road superintendent and other employees. Sec. 6. That for the purpose of construction and the repair of the roads in the township, the highway commission shall employ a road superintendent by the year and such other subordinate employees as may be necessary for the proper construction and repair and maintenance of the roads of the township, and the commission shall pay such compensation to the road superintendent and the subordinate employees as the commission may deem sufficient to compensate them for services rendered. The commission may delegate to the road supervisor such power as will enable him to carry out for the commission the provisions of this act effectually. He shall hold office for such length of time as agreed on between him and the said commission, but may be removed at any time for incompetency or for other and sufficient causes, in the discretion of the commission. Subject to the approval of the said commission, he shall have general supervision of the roads of the township and shall have in charge the construction and repair of the said roads and shall employ such subordinates as are necessary, subject at all times to the approval of the said commission. The commission may require of the road supervisor such reports in regard to the construction, expenditures of money, and needs in regard to road improvement as it may deem necessary. The road supervisor shall not be required to furnish bond for the faithful performance of his duties.

Compensation.

Powers delegated.

Term of office.

Removal for cause.

Supervision of roads.

Employment of subordinates.

Reports.

Bond.

Purchase of equipment. Sec. 7. The commission is hereby empowered and authorized to purchase or otherwise lawfully acquire for use in the construction, change, or repair of roads, any machinery, tools, implements, and teams as may be necessary, and to exercise such rights and authority as will enable them to lawfully and properly carry out the provisions of this act. That the commission, through its officers and agents, is hereby authorized to enter upon any uncultivated land near or adjoining any public road of said township, to cut and to carry away any timber, except trees or groves on improved land planted or left for shade or ornament; to dig or cause to be dug and carry away any sand, clay, or other road-building materials for the proper repair and construction of the aforesaid roads in said township; to enter upon any lands adjacent to any road in said township in order to make such drains or ditches

Entry on land for material.

Drains or ditches.

through the same that the said highway commission may deem necessary for bettering the roads; and the drains and ditches so made shall not be obstructed by the occupants or owners of such lands; that any person obstructing such drains or ditches shall be guilty of a misdemeanor and fined not exceeding fifty dollars or imprisoned not exceeding thirty days.

Obstructing drains or ditches a misdemeanor.
Punishment.

SEC. 8. The owner of any land from which any timber or other material has been removed may present to the commission his claim therefor, in writing, and upon presentation it shall be the duty of the commission to set a day, unless agreed upon, for the hearing of his claims. The landowner may waive such hearing and demand a jury, and upon such demand being made, the commission shall appoint three disinterested freeholders, whose duty it shall be to assess the damages. The jury shall make its report in writing to the commission and communicate by the commission to the landowner. If the landowner is then dissatisfied, he may appeal to the Superior Court of Gates County to have the cause heard as in other civil cases. The commission shall notify the landowner at least three days before the jury shall meet to assess the damage alleged to have been done. Unless such landowner shall present his claims as aforesaid within six months after the removal of the trees and building material, his action shall be forever barred, and unless the landowner shall recover more, in the event of an appeal to the Superior Court, than the said commission offers by way of compensation for damage done, the said appellant shall not recover costs against the said commission.

Presentation of claims for material.

Day for hearing.

Procedure for assessment of damages.

Right of appeal.

Notice to landowner.

Time for presentation of claims.

SEC. 9. Nothing herein shall be construed to prevent the commission from constructing, repairing, and maintaining the roads or any part thereof of the said township by contract, if in their judgment such course is better than working the said roads by the road supervisor as aforesaid.

Work may be let to contract.

SEC. 10. In the case of any issue of bonds under this act, before the sale thereof the commission is not required to advertise for competitive bids on the same, but the said bonds shall not be sold for less than par value.

Sale of bonds.

Sale below par value forbidden.

SEC. 11. Any person to whom the road funds are intrusted under this act who shall unlawfully misapply or misuse such funds shall, upon conviction, be guilty of a misdemeanor and fined or imprisoned, in the discretion of the court.

Misapplication of funds a misdemeanor.

Punishment.

SEC. 12. The highway commission shall meet and travel over the said roads of the said township, officially, at least once every three months for the purpose of inspecting said roads, and for this official inspection each member of the commission shall be paid two dollars per day: *Provided*, that no member shall receive a greater compensation for this inspection than twelve dollars during any one year.

Quarterly inspection of roads.

Pay of commissioners.

Proviso: limitation.

- Orders on fund. SEC. 13. No fund shall be paid out by the treasurer except by order of the commission and warrant issued thereby, signed by the chairman and countersigned by its secretary.
- Nature of roads. SEC. 14. All roads built under and by virtue of this act shall be of such nature as the said commission shall deem best commensurate with the funds at its disposal.
- Meetings of commission. SEC. 15. The commission shall meet as often as it may deem necessary to carry out the provisions of this act.
- Selection of roads. SEC. 16. The roads to be built under and by virtue of this act shall be in the discretion of the said commission.
- Expense declared necessary. SEC. 17. That the construction, repairing, and maintenance of the roads in Reynoldson Township be and the same is hereby declared a necessary county expense for Reynoldson Township.
- Bridges. SEC. 18. That all bridges heretofore kept up and maintained by the county in said township shall continue to be kept up and maintained by the said county.
- Terms defined. SEC. 19. Whenever the word "commission" or "highway commission" is used in this act, it shall be held to mean and refer to the "Highway Commission of Reynoldson Township" as created by this act.
- SEC. 20. That all laws and clauses of laws in any way in conflict with this act are hereby repealed.
- SEC. 21. That this act shall be in force from and after its ratification.
- Ratified this the 5th day of March, A. D. 1915.

CHAPTER 438.

AN ACT TO AMEND CHAPTER 782, PUBLIC LAWS 1907, WHICH SAID LAWS RELATE TO THE IMPROVEMENT OF PUBLIC ROADS IN UNION COUNTY.

The General Assembly of North Carolina do enact:

- Proviso; amount of bond issue. SECTION 1. That the following words be added after the word "years" in the last line of section six of said act: "*Provided*, the county commissioners in ordering the election shall at the time fix the sum of the amount of bonds to be issued."
- Width of road. SEC. 2. That after section twenty-one of said act and before section twenty-two there shall be a new section, twenty-one and one-half, which shall read as follows: "That the road commissioners of any such township shall have the right, within their discretion, to make the public roads thirty feet wide, and shall also have the right, within their discretion, to work the public roads and streets within any incorporated town in such township."
- Work within towns. SEC. 3. This act shall be in force from and after its ratification.
- Ratified this the 6th day of March, A. D. 1915.

CHAPTER 439.

AN ACT TO AMEND AN ACT TO IMPROVE THE PUBLIC
ROADS OF WAKE COUNTY AND EMPLOY A ROAD ENGI-
NEER.*The General Assembly of North Carolina do enact:*

- SECTION 1. That chapter four hundred and forty-seven, Public-Local Laws of one thousand nine hundred and thirteen, be amended as follows: That the public roads of Wake County be and they are hereby divided into "highways" and "roads." That the highways shall comprise the main thoroughfares of the county designated in this act, and shall be under the supervision and control of the board of county commissioners; that the roads shall comprise the less important ways of the county, and shall be construed to include all public ways not designated highways by this act, and they shall be under the supervision and control of the board of county commissioners. It shall be the duty of the county commissioners to cause a record to be made of all highways. The right of way of all highways and roads shall be forty feet, but only so much shall be used as in the opinion of the county commissioners is necessary for the public good.
- SEC. 2. That the county commissioners shall have the right to let the building of highways or public roads by contract to any responsible person, company, or corporation, who, before entering upon the building of said highways or roads, shall give bond acceptable to the said commissioners, in their discretion, in not less than one-third the amount of the contract price. They shall have power to hire the county convicts to such contractor upon such conditions as they may deem proper, to be worked upon the highways only.
- SEC. 3. That the board of county commissioners shall have power to let out to responsible persons the keeping in repair of a section or sections of the highways or roads whenever in their discretion such course seems wise. Such persons shall enter into a contract and give such bond for the faithful observance of the conditions of the same as the commissioners may require.
- SEC. 4. The board of county commissioners for the county of Wake shall as soon as may be practicable after passage of this act elect a competent road engineer, who shall be a competent civil engineer and experienced and skilled in road and bridge building; and said road engineer shall determine what assistants and subordinates he may need, subject to the approval of the county commissioners, and he shall select the person or persons to fill such positions, and such person or persons shall be appointed by said board, including one township road supervisor for each of the townships, at a compensation to be fixed by the said board for
- Law amended.
- Highways and roads.
Highways main thoroughfares.
- Roads less important ways.
- Record of highways.
Right of way.
- Work may be let to contract.
- Bond on contract.
- Hire of convicts to contractor.
- Maintenance let to contract.
- Bond on contract.
- Election of engineer.
- Assistants and subordinates.
- Township road supervisor.

Terms of office.	such number of days as the said board shall deem necessary. That the said road engineer and such assistants as shall be appointed shall hold office for twelve months from the date of their election or until their successors are appointed and qualified: <i>Provided</i> , that he or they or either of them shall not have been removed from office by said board of commissioners. The road engineer and his assistants and subordinates shall be under the direction and control of the board of county commissioners for said county, and the said board of commissioners may, whenever in the opinion of a majority of said board the public good may be promoted thereby or the public interest may so require, and in its discretion, summarily remove or suspend from office any person, officer, or agent appointed or employed under or by authority of this act.
Proviso: subject to removal.	
Engineer and assistants subject to commissioners.	
Power of removal or suspension.	
Qualifications of road engineer.	That said road engineer shall be experienced and trained in the work of road construction and building of highways and bridges; and it shall be the duty of the road engineer, subject to the discretion of said board of county commissioners, to supervise and have charge of the building and maintenance of all highways and public roads in said county, and the maintenance of all bridges and fords of said county; and he shall submit a monthly report showing the condition of highways and bridges, works in progress, suggesting plans for improvement of the same, and such other matters and things as appertain to his duties as such road engineer and as may be required of him by the board of county commissioners; and it shall be the duty of such road engineer to purchase all supplies, tools, machinery, and other necessary things appertaining to his department, under the direction of and by and with the advice and consent of the board of county commissioners.
Supervision of roads, bridges, and fords.	
Monthly reports.	
Purchase of supplies and equipment.	
Counsel and advice of experts.	It shall be the duty of the road engineer to seek the advice and counsel of the experts of Good Roads Department of the United States Government whenever any important construction or method of maintenance is about to be determined and such advice and counsel can be obtained. The road engineer shall at the beginning of each fiscal year submit to the county commissioners a budget of the cost of properly maintaining the several highways, roads, and bridges already constructed, and the county commissioners shall set apart such amounts and shall not expend the same in any other manner, and the amounts so expended shall be charged against the funds of the several divisions and townships, as the case may be, as provided for in this act. The road engineer, before entering upon the duties of his office, shall make and file with said board of county commissioners a bond payable to the State of North Carolina, to be approved by the board, in a sum within the discretion of the county commissioners, conditioned that he will faithfully discharge the duties of said office and faithfully account for and turn over, upon demand, to said board or any one under its direction, all property coming into or that
Engineer to submit budget.	
Funds set apart.	
Charge of expenditures.	
Bond of engineer.	

ought to have come into his hands by virtue of his said office, which bond shall be duly recorded in the office of the register of deeds for said county and filed with the clerk of the Superior Court of said county. The board of commissioners may in their discretion require bond of any assistant or subordinate appointed under the provisions of this act. In case of any vacancy occurring in said office of road engineer, either by removal, resignation, or otherwise, the board of county commissioners shall fill the same. That the salary of the said road engineer and wages of the township supervisors and others employed under this act shall be fixed by the board of county commissioners.

Bonds of assistants or subordinates.

Vacancy.

Salary and wages.

SEC. 5. That all prisoners confined in the county jail of Wake County under final sentence of the court for misdemeanors and crimes, for imprisonment for nonpayment of costs or fines, or under final judgment in cases of bastardy or under the vagrant acts, all insolvents and misdemeanants who shall be imprisoned by any court in said county for nonpayment of costs or fines, and all persons sentenced in said county to the State's Prison from said county for a term of less than ten years, shall be worked on the highways of the county designated in this act: *Provided*, that the board of county commissioners may arrange with the commissioners of any neighboring county or counties for such exchange of prisoners during alternate months or years as will enable each such cooperating county to thereby increase the number of prisoners at work on its highways at any given time; and upon application of the road engineer or his assistants or that of the board of county commissioners to the judge of the Superior Court or judge of the criminal court, the justice of the peace and the principal officers of any municipal or any other inferior court, it shall be the duty of said judge or justice of the peace or said principal officer to assign such persons convicted in his court for work on the highways and bridges of said county; all such convicts to be fed, clothed, and otherwise cared for at the expense of the county, out of the road fund: *Provided further*, that in case of serious physical disability, certified to by the county physician, persons convicted in said Superior, criminal, or inferior courts may be sentenced to the penitentiary or to the county jail.

Prisoners subject to road work.

Proviso: exchange of prisoners.

Sentences to roads.

Proviso: convicts under physical disability.

SEC. 6. That the convicts sentenced to labor on the public roads, or shall be by operation or authority of this act or of law assigned to work on the public roads, shall be under the control of the county commissioners of said county, and said board of commissioners shall have power to enact and enforce all needful rules and regulations for the successful working of all convicts upon the highways, and shall commit to the road engineer and his assistants the custody of the whole of the convict force; and they may authorize and empower him to use such discipline only as may be necessary to carry out the rules and regulations in the working

Convicts under control of commissioners.

Rules and regulations for working.

Custody.

Discipline.

of the highways to which said convicts may be put by the order of the county commissioners to the same extent as is allowed by law to the authorities of the penitentiary in the custody and control of convicts committed to the State's Prison.

Safe keeping.

SEC. 7. That for the purpose of equipping and maintaining said convict system the said county commissioners are hereby authorized and empowered to use the county jail for the safe keeping of said convicts, and to build and keep a convict camp or camps for such purposes, and to provide for the safe keeping and maintaining of said convicts. The rules and regulations enacted and enforced by the county commissioners must be in accord with the general rules and regulations governing the use and discipline of convicts on public roads and highways laid down and published by the State Highway Commission. The prisoners employed in working the highways who are working out fines and costs shall be allowed so much per day as in the opinion of the county commissioners their services are worth, which amount shall be credited to them on the account charged against them. The superintendent of health of the county shall attend the convicts as though they were confined in the county jail. If the superintendent of health shall fail or be unable to attend the convicts for any cause as required by the board of county commissioners, the county commissioners, if the case be urgent, are hereby authorized to contract with a physician to attend to such convicts.

Rules as established by State highway commission.

Allowance on fines and costs.

Medical attendance.

Highways surveyed and located.

SEC. 8. That the highways to be improved or constructed according to the provisions of this act, prior to the inauguration of any such permanent improvements on highways to be so improved and constructed, shall be first carefully surveyed and located by the road engineer; and any person who shall obstruct the road engineer or any other person in making a survey for the changing of a highway, road, or cartway shall be guilty of a misdemeanor, and upon conviction thereof shall be fined or imprisoned, or both, in the discretion of the court. All such highways when changed or hereafter located or relocated shall be given a grade nowhere greater than four feet in one hundred feet, and shall be thoroughly drained; and whenever it may be necessary to turn water across the road this shall be done by putting in approved sewer pipes or other form of drain or culvert: *Provided*, that where in the opinion of the road engineer the grade above described is impracticable, it may be increased, in his judgment.

Obstructing survey a misdemeanor.

Punishment.

Grade.

Drainage.

Drains across roads.

Proviso: increase of grade.

Width of highways.

SEC. 9. All highways built hereunder shall be not less than eighteen nor more than forty feet wide, except by special order of the board of county commissioners. No highway shall be constructed to a greater distance than ten miles from the corporate limits of the city of Raleigh until all other highways within that division within a radius of ten miles from said corporate limits shall have been constructed to a distance of ten miles from said corporate limits.

Preference of construction.

<p>SEC. 10. In relocating or widening roads now in use, or in opening new roads, the county commissioners, if highways or public roads, shall cause the road engineer to make survey of the proposed change of any old road or the new road to be opened, and if they adopt said survey, they shall give notice to the owner or owners of the land that they have adopted said survey or surveys, and that the same is hereby condemned for the use of the township or county, as the case may be, for a public road or highway.</p>	Survey of changes.
<p>Any person who shall obstruct the road engineer or his assistants or subordinates in making a survey for the changing of a highway or road, or the opening of a new highway or road, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined or imprisoned, or both, in the discretion of the court; and any person or persons who shall obstruct the road engineer or any of his assistants from opening said change of road or new road shall be guilty of a misdemeanor, and upon conviction thereof shall be</p>	Notice to land-owners.
<p>fined or imprisoned, or both, in the discretion of the court: <i>Provided</i>, that if any person be aggrieved he may, within three months after said change of road, highway, or new highway has been opened and completed, apply to the board of county commissioners, who shall appoint a jury, to consist of three freeholders, to assess the damages. The said jury in determining said damages shall take into consideration the special benefits made to the property and the damages sustained by the property, subtract one from the other, and the result shall be their verdict. The county shall pay damages for highways and the townships for the public roads.</p>	Obstructing survey a misdemeanor.
<p>Sec. 11. That the convict forces of the county shall be restricted to four camps having an equal number of convicts or as near thereto as the total number of convicts will permit of being divided into four parts, except as is hereinafter provided. That each of said four convict camps shall have the necessary guards and equipment of all kinds belonging to the road working forces of the county in so far as the same can be equally divided into four parts, except as is hereinafter provided. That as thus constituted one of the said convict forces, with all of its equipment, shall be assigned to each of the four sectional divisions named in this act, and shall be permanently stationed at a point or points most convenient to the work to be done in the sectional division to which it shall be allotted; and no convict force assigned to the sectional divisions shall be worked out of the division to which it has been allotted. That whenever the convict force of the county shall be in excess of the number that can be properly accommodated by the four permanent convict camps the excess shall be organized into not exceeding two floating maintenance and emergency camps of not exceeding eighteen men to an emergency camp, which camps may be used in conjunction with the permanent road camps at the discretion of the road engineer. The existence of the said emer-</p>	Punishment.
<p></p>	Obstructing work misdemeanor.
<p></p>	Punishment.
<p></p>	Proviso: application for and assessment of damages.
<p></p>	Assessment.
<p></p>	Payment of damages.
<p></p>	Convict camps.
<p></p>	Guards and equipment.
<p></p>	Assignment of forces.
<p></p>	Work confined to division.
<p></p>	Floating maintenance and emergency camps.
<p></p>	Emergency camps to recruit regular camps.

gency or floating camps shall be automatic, in that at all times said emergency camps shall replenish any deficiency in the force of convicts in the permanent camps; and at all times the permanent camps shall be kept up to their maximum force and accommodation in so far as the total number of convicts will permit. When the excess convicts of the county shall exceed the full quota to each emergency camp, then the accommodations of each of the four permanent camps shall immediately be increased to care for one-fourth of such excess, or as many more convicts as economy of investment shall require. That the entire convict force shall be used exclusively on the highways and highway bridges comprised in the four sectional divisions named herein, the said highways being designated in this act, and on the tributaries of the same, including all roadways in Raleigh Township: *Provided*, that work thereon shall be begun at the city limits of Raleigh, and shall be extended as rapidly as possible to the county line. That the work done annually in each sectional division by the convict camps shall be equally divided between the highways of each division, to the end that each and every section of the county shall receive annually a just and equitable share of the road funds and road work: *Provided*, that in addition to the convict camps in the aforesaid four sections, nothing herein contained shall prevent the maintenance of one or more camps (of not exceeding four persons to the camp, including convicts as hereinafter provided) for the scraping, dragging, and repairing of roads needing the same, said camps to be employed not exceeding three weeks in one township before proceeding to another township, provided stress of weather does not demand an extension of said time: *Provided further*, that when the road engineer deems the same expedient, he may order convicts to be worked in said scrape or drag camps and the expenses of said camps shall be borne by any township for such work as is done upon a road therein and not herein designated a highway.

SEC. 11a. That all of the funds arising from the net proceeds of the general road taxes levied and collected in Raleigh Township and from all taxes whenever collected in the county from corporations of any nature, and from corporation stock of any nature, and from corporation excess, and such other sums as accrue to the road fund, together with twenty-five per cent of the net road taxes collected from the several townships other than Raleigh Township, shall be set apart by the county commissioners and expended exclusively in the maintenance of the convict forces and all necessary expenses in connection with the construction and maintenance of the leading highways in the four sectional divisions named in this act and on the tributary roads thereof named in this act, together with the bridges situated on said highways and on said tributary roads, one-fourth part to each sectional division; such funds to be expended on each of the highways comprised in

Permanent camps kept up to maximum.

Increase of permanent camps.

Exclusive use of force.

Proviso: beginning and extension of work.

Division of work.

Proviso: camps for scraping, dragging, and repair of roads.

Limit to township.

Proviso: work in drag camps.

Fund for convict forces and highways.

the four divisions and on the tributaries of each of the same designated in this act: *Provided*, all roadways in Raleigh Township are hereby designated highways, and shall be worked as other highways herein named.

Proviso: roadways in Raleigh township.

SEC. 11b. That twenty-five per cent of the general road fund collected from each of the townships shall be allotted to the township where the same is collected and shall be expended, under the direction of the road engineer, by the township supervisors in the building and maintenance of township roads and bridges in the township where collected in contradistinction from the highways set apart to be convict forces: *Provided*, this shall not apply to Raleigh Township: *Provided further*, that one-half of the salary and expenses of the road engineer and of such assistants and subordinates to him as he shall have selected shall be paid by the four sectional divisions, each sectional division paying one-eighth, and the remaining one-half of said salary and expense shall be prorated and paid by the townships out of the fund allotted to them; but this shall not apply to Raleigh Township: *Provided*, that all township road funds shall be paid into the county treasury, and shall be paid out only upon the order of the township supervisor, countersigned by the road engineer, approved by the board of commissioners, and duly audited.

Fund allotted to townships.

Expenditure.

Proviso: Raleigh township.
Proviso: salary of engineer and assistants.

Raleigh township.
Proviso: orders on township road funds.

SEC. 11c. That the highways of the county shall be divided and put into four divisions, the first named the Northern Division and comprising as near as practicable one-fourth of the highway mileage of the county, and shall include the following highways, to wit:

Divisions.

Northern division.

Raleigh and Oxford Road—From Wake Forest Road north of Crabtree Creek by county home, via Tipper's X Roads, via Penny and Hester's Mill, by Stony Hill to J. W. Mangum's Store.

Nipper's Graveyard Road—From north of Hutchinson's Store by Nipper's Graveyard, W. L. Bledsoe's, by Pugh's Store, crossing river at Boyce Bridge, by Keith's Chapel to stool tree.

Robertson's Store Road—Leave Nipper's Graveyard Road near Shell Thompson's, crossing river at Lawrence Bridge by Robertson's Store Precinct to Granville County line.

New Light Bridge Road—From Bayleaf High School by George Norwood's, by Dr. Penny's, by Fab. Holloway's, crossing river at New Light Bridge, by Laws' old store at Lonnie Lassiter's, by Woodlief's old store, to Granville County line.

Falls Road—From Wake Forest Road, below Causs's, via E. C. Beddingfield's, via Falls of the Neuse, via Harris's to Franklin County line.

Wake Forest Road—Via Millbrook, via Neuse, via Wake Forest.

Louisburg Road—From Wake Forest Road near Norfolk and Southern Railroad, via Lindsey's, via New Hope Church, via Rogers' X Roads and Rolesville to the county line.

Eastern division.

The second, named the Eastern Division, shall comprise as near as practicable one-fourth of the highway mileage of the county, and shall include the following highways, to wit:

Raleigh and Wakefield Road—Via Milburnie, Hepzibah Church, and Wakefield to the county line; from Hepzibah Church to Wendell to the Johnston County line by Mopus Bridge; from Eagle Rock to Dennis Jones' to Rolesville; from Milburnie to Petts to Rogers' X Roads; from Wakefield by Hickory Grove to Rogers' X Roads; from Shotwell by B. P. Williamson, Jr.'s, and Knightdale to Tarboro Road near H. H. Knight's.

Pool Road—From Raleigh, cross Neuse River by Hood's Mill, to Eagle Rock Station.

Rock Quarry Road—From Raleigh via Mahler's Vineyard and W. T. Howle's, via Mount Moriah Church, to Johnston County line.

Rock Quarry Road—From H. Bryant's by U. Baucom's Bridge, thence to Millard Mial's.

Southern division.

The third, named the Southern Division, shall comprise as near as practicable one-fourth of the highway mileage of the county and shall include the following highways, to wit:

Holloman Road—From Raleigh via Garner, Rand's Mill to Johnston County line below Thomas Turner's.

Holloman Road—From Garner to B. Hobgood's, thence taking Smithfield Road to Johnston County line.

Auburn Road—From Hobgood's to Mount Moriah Church.

Fayetteville Road—From Raleigh to the Johnston County line.

Fayetteville Road—From near Parker's Schoolhouse to the Harnett County line below Mr. Parker's Mill.

Medical Road—From Fayetteville Road at Williams', via Jordan's, to the county line.

Asylum Road to Upchurch's Store via Franklin's Precinct, to Holly Springs to the county line.

Asylum Road—From Upchurch's Store via Penny's Pond to Isaac Rowland's.

Medical Road—From Milton Banks' to Fayetteville Road at Williams'.

New Catholic Orphanage Road, via Catholic Orphanage to Holly Springs Road at Macedonia Church.

Western division.

The fourth, named the Western Division, shall comprise as near as practicable one-fourth of the highway mileage of the county and shall include the following highways, to wit:

Hillsboro Road—From Raleigh to Cary, to Apex, to New Hill, to Chatham County line; from New Hill to Eno; from New Hill to Olive's Chapel; from Apex to Olive's Chapel.

Jenks Road—From New Salem Church to Chatham County line.

Pittsboro Road—From Kree'l's by Green Level to Chatham County line.

Raleigh and Chappell Road—From Cary, by Morrisville to Carpenter, to Chatham County line; from Morrisville by Cedar Fork to Durham County line.

Leesville Road—Starting at Glenwood, to Dr. R. H. Lewis', to Leesville, to Durham County line.

Hillsboro Road—From Thompson's Crossing to Blivius' by Polards, to Durham County line.

SEC. 12. The county commissioners may establish or order the laying out of or discontinuing or altering any public road upon a petition in writing, signed by at least ten citizens; and if it appears to the board that every one over whose land the said public road may pass shall have had ten days notice of the intention to file such petition, the same shall be filed in the office of the clerk of the board until the succeeding meeting of the board, and notice thereof posted during the same period at the courthouse door, at which meeting the board shall hear all the allegations set forth in the petition, and if sufficient reason be shown the board shall, upon the recommendation of the road engineer, establish or order the laying out of or discontinuing of or altering said road.

Roads established, altered, or discontinued on petition.
Notice of petition.

Hearing and action by board.

SEC. 13. In all applications provided for in the preceding section the county commissioners may direct how and by whom the cost shall be paid, and any person may appeal to the Superior Court at term-time; and if any person shall appeal from the board on such petition, he shall give bond to the opposing party, as provided in other cases of appeal; and the Superior Court at term-time shall hear the whole matter anew, and the parties to said proceeding shall be entitled to have every issue of fact joined in said proceeding tried in the Superior Court in term-time, by jury; and from the judgment of the Superior Court either party may appeal to the Supreme Court as provided in other cases of appeal.

Costs.

Right of appeal.

Bond on appeal.

Hearing on appeal.

Trial by jury.

Appeal to supreme court.

SEC. 14. When in the opinion of the road engineer a bridge shall be necessary, the county commissioners, being satisfied that such necessity exists, shall contract for or order the building, keeping, and repairing thereof, and the same shall be a charge on the county or the township, as the case may be, and as the necessity and justice of the situation may require, except as is herein otherwise provided in this act.

Contracts for bridge work.

Charge on county or township.

SEC. 15. It shall be the duty of every corporation or person who, for the purpose of draining his land or any other purpose whatever, shall construct any ditch, drain, or canal, or cut across a highway or public road, to keep at his or their own expense in good and sufficient repair all bridges that are or may be erected, in whole or in part, on said highways or public roads, and shall construct and keep in repair the approaches to said bridges acceptable to the road engineer; and any person or corporation who shall place any pole or other obstruction, ditch, or drain, in or upon any public road or highway for any purpose whatsoever

Bridges on drains across roads.

Removal of obstructions.

Failure a misdemeanor.	shall remove the same, if in the opinion of the road engineer the same is an obstruction to said road or a hindrance to the public traveling over the same. Any person or persons or corporation who shall fail to perform the duties imposed on him or them by this section, having been warned by the road engineer leaving written notice at his residence or the residence of his agent, or having been notified verbally, and failed to perform said duties as required by the road engineer, shall be guilty of a misdemeanor, and be fined not less than five dollars, and each day such failure is continued shall be an additional offense against the provisions of this section; and the money so collected shall be paid to the road fund for the use of the highways or the roads of the township where the offense is committed, in the discretion of the board of county commissioners.
Punishment. Additional offense. Use of fines.	
Bridges of railroad and other companies.	SEC. 16. All railroad, turnpike companies, and other incorporated company each shall keep up at their own expense all bridges on or over highways, public roads, and roads not public or used as neighborhood roads, and all crossings which they have severally made, if necessary to be built or made in establishing their respective roads, and on the failure to do so shall be guilty of a misdemeanor, and fined at the discretion of the court; and shall forfeit and pay twenty-five dollars for each ten days he or they shall fail to perform the duties imposed by this section, to the use of the road fund. That the board of county commissioners shall at its regular meeting in May, one thousand nine hundred and fifteen, proceed to elect, upon the recommendation of the road engineer, for each and every township in Wake County, a road supervisor for said township, who shall be a resident thereof and who shall hold office for one year and until his successor is appointed and qualified; and annually thereafter the board of commissioners shall, upon the recommendation of the road engineer, appoint his successor: <i>Provided</i> , that said township supervisors shall receive such pay as in the opinion of the county commissioners their work is reasonably worth. Said township road supervisors shall be under the direction of the road engineer, and before taking office shall give a bond payable to the State of North Carolina, in trust for their respective townships, with security approved by the commissioners, conditioned for the faithful discharge of their duties. They shall have the right to recommend to the commissioners the tax for road purposes to be levied in their respective townships, as hereinafter provided.
Misdemeanor. Forfeit.	
Election of road supervisors.	
Term. Successors.	
Proviso: pay of supervisors.	
Supervisors under road engineer.	
To give bond.	
Recommendation of tax.	
Public roads in one township.	SEC. 18. The several township supervisors shall have the right to lay out, alter, or discontinue public roads and cartways that are wholly within their townships, upon the approval of the road engineer; and the road engineer shall have the right to lay out, alter, or discontinue public roads that extend into two or more townships, upon the approval of the board of county commission-
Public roads in two or more townships.	

ers: *Provided further*, that the right of way of all public roads shall be forty feet wide, and the supervisors, with the approval of the road engineer, shall determine how much of said right of way shall be used for road purposes.

Proviso: right of way.

SEC. 19. That each and every person who shall neglect or refuse to perform the several duties enjoined by this act shall be guilty of a misdemeanor, and upon conviction thereof shall be fined or imprisoned, or both, in the discretion of the court, unless some other punishment be specifically prescribed in some other section of this act.

Neglect of duty misdemeanor.

Punishment.

SEC. 20. That the township supervisors of the several townships of Wake County shall, by and under the direction of the road engineer, on the first Monday of May next, or within four weeks thereafter, divide their respective townships into suitable road districts, and annually thereafter make such alterations therein as they may deem proper, and cause a brief description thereof to be made to the board of county commissioners, and also furnish the road engineer with a description thereof.

Division of townships into road districts.

Alterations.

Descriptions filed.

SEC. 21. When a vacancy shall occur in the office of township supervisor, by death, resignation, or otherwise, the road engineer, with the consent of the commissioners, shall appoint some suitable person to fill such vacancy. The person so appointed shall, before entering upon the duties of his office, take an oath to faithfully and impartially discharge the duties of his office, and shall be under the same restrictions and penalties as was his predecessor.

Appointment of supervisor to fill vacancy.

Oath of office.

SEC. 21. That it shall be the duty of the road engineer to open or cause to be opened all such public roads and highways which shall have been or may hereafter be laid out and established, the same to keep in repair, and remove or cause to be removed all obstructions that may from time to time be found thereon, for which purpose the road engineer and township supervisors are hereby authorized to enter upon any land not encumbered by crops, near or adjoining such roads, to cut or carry away timber, except trees or groves on improved lands planted or left for ornament or shade; to dig or cause to be dug and carried away any gravel, sand, clay, or stone which may be necessary to make, improve, or repair said road; and to enter on any lands adjoining or lying near the road to make such drains or ditches through the same as they may deem necessary for the benefit of the roads, doing as little injury to said lands and improvements thereon and timber as the nature of the case and the public good will permit; and the drains or ditches so made shall be conducted to the nearest water-course, ditch, or drain, and shall be kept open by the road engineer or supervisors and shall not be obstructed by the owner or occupier of such land or any person or persons having the same in charge, under the penalty of forfeiting a sum not

Road engineer to open and maintain roads and highways.

Entry on land for material.

Drains or ditches.

Forfeit for obstructing drains.

exceeding ten dollars for each and every offense, to be collected by the road engineer or supervisors and paid over to the county treasurer and applied to the road fund of the county; and if the road engineer or supervisors shall willfully injure any cultivated or improved lands by failure to conduct said drains and ditches to the nearest waterway, ditch, or drain, and keep said ditches and drains in repair, he shall be guilty of a misdemeanor.

Road duty.

SEC. 22. That all able-bodied male persons and all male persons able to perform the labor herein required, between the ages of twenty-one and forty-five years, except residents of incorporated cities and towns, shall be liable annually to do and perform not more than six days labor on the public roads, under the direction of the supervisor of the road district in which he shall reside: *Provided*, that if any person, being warned as hereinafter provided, shall pay to the supervisor in whose township he may reside the sum of one dollar for each day's labor required by this act, the same shall be received in lieu of each day's labor, and shall be applied by the supervisor receiving the same to the improvement of the roads of the district and accounted for as hereinafter provided: *Provided further*, that the road supervisors of each township may reduce the six days labor to any less number of days, or not enforce the labor on the roads provided for in this section: *Provided*, whites and blacks shall be worked in separate squads.

Proviso: commutation.

Proviso: supervisors may reduce or abolish duty.

Proviso: whites and blacks in separate squads.

Lists of delinquent poll taxes.

Warning for road work.

Proviso: payment of poll tax and costs.

Delinquents not worked with convicts.

Whites and blacks worked separately.

SEC. 23. It shall be the duty of the sheriff of the county to furnish, in July of each year, a list of all persons who have not paid their poll tax for the preceding year by said time, to the road supervisors of the several townships, who shall cause all such persons to be warned to work upon the public roads at such time and place as they may see fit, and give to such at least three days notice by leaving written notice at the home or place of residence, specifying the time and place when such work is to be performed: *Provided*, that any person may in lieu of such work pay to the sheriff of the county, before the day on which he is summoned to work, his poll tax and costs incurred. Any person summoned to work the road shall not be worked with convicts, and whites and blacks shall be worked in separate squads. No person shall be worked on the roads more than five miles from his place of residence.

Failure to appear and work misdemeanor.

Punishment.

Forfeit.

SEC. 24. That any person liable to road duty as above provided who shall, after being notified, fail to appear and work as required, or shall fail to perform reasonably good labor, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than two dollars nor more than ten dollars, or sentenced to work on the public roads of the county not more than ten days, or shall forfeit and pay the sum of five dollars for such offense, to be recovered in an action before a justice of the peace of the proper township at the suit of the supervisor of the district in which said delinquent may reside.

- SEC. 25. That it shall be the duty of the supervisor, unless otherwise directed by the board of county commissioners, to order out every such person resident as aforesaid between the first day of March and the first day of December annually, to do and perform the work aforesaid on the public roads within the township; and if any such resident, being personally warned by such supervisor or by leaving a written notice at his usual abode, shall refuse or neglect, having had at least two days notice, to attend himself or to send an able-bodied substitute acceptable to the supervisor, or, having attended, shall refuse to obey the directions of the supervisor, or if he shall spend the time in idleness or inattention to the duties assigned to him, every such delinquent shall forfeit and pay the sum of one dollar for every such offense, and shall further be liable in all cases of nonattendance to the amount of labor required by the road supervisor in such township, to be recovered in an action before any justice of the peace of the proper township, at the suit of the supervisor within whose township he may reside, and shall also be guilty of a misdemeanor and fined not exceeding five dollars or imprisoned not exceeding five days; and the money so collected shall be applied by the said supervisor to the improvement of the roads in his township, and accounted for by him, in monthly statement, with the county auditor: *Provided*, that no person shall be released from the performance of the labor on the public roads by reason of the neglect of any supervisor to order out such person on or before the first day of December, as herein provided.
- SEC. 26. That in case any person shall remove from any township to another, who has, prior to such removal, performed the whole or any part of the amount of labor aforesaid, or in any way has paid the whole or any part of the amount aforesaid in lieu of such labor, he shall produce a certificate of the same, signed by the supervisor of the proper district. Such certificate shall be a complete discharge of the amounts therein specified.
- SEC. 27. That any person called upon to perform any of the labor upon the public roads under any portion of this act shall by himself or substitute appear at the place appointed by the supervisor at the hour of seven o'clock in the forenoon, with such necessary tools and instruments as the supervisor may direct; and the supervisor may, if necessary for the improvement of the road, order any person owning the same to furnish a team of horses, mules, or oxen, wagon, cart, plow, or scraper to be employed or used on the road under the direction of the supervisor.
- SEC. 28. That for the purpose provided for in the preceding section of this act the residence of any person who has a family shall be held to be where his family resides, and the residence of any other person shall be held to be where he boards in any road district in Wake County.

Hands to be warned out.

Forfeit for refusal or failure to work.

Misdemeanor.

Punishment.

Proviso: obligation not released.

Removal.

Certificate of work.

Time for appearance.

Teams.

Residence defined.

Collection of fines, forfeitures, and penalties.

SEC. 29. That the several supervisors within their respective townships shall collect, by suit or otherwise, all fines, forfeitures, and penalties arising or accruing under the provisions of this act, unless the question thereof is otherwise provided for, and they are hereby authorized and required, before their final settlement with the county auditor, to prosecute to final judgment all such persons neglecting or refusing to comply with the provisions of this act, from whom such fines, forfeitures, or penalties can be collected; and said judgment if not paid, together with the costs therein, shall remain and be in force against the judgment debtor.

Claims prosecuted to judgment.

Payment and expenditure of funds.

SEC. 30. That the several township supervisors shall pay into the county treasury all moneys that may come into their hands collected for the benefit of the roads of their several townships, and shall, under the direction of the county commissioners, subject to the approval of the road engineer, expend the same for the benefit of the roads in their several districts, payment for said work being made upon orders countersigned by the road engineer, approved by the board of commissioners and duly audited; and every supervisor is hereby required to account to the auditor at the monthly settlement for all moneys expended under this act, and they shall also return a full and true list and statement of the names of all persons within their respective districts who have been ordered out to perform the day's labor as required by this act, and also those who have refused or neglected to perform the same; and all fines and forfeitures sued for and recovered under the provisions of this act shall be paid over, on demand, by the justice of the peace or constable collecting the same, to the supervisor of such road district wherein such fines and forfeitures accrued; and the several supervisors shall also render an account to the auditor, when called for by said auditor, of all the moneys that remain in their hands at the time of the settlement; also all judgments that remain unpaid, and the name of the judgment debtor and the justice of the peace before whom such judgment was obtained, with the amount thereof; and the county commissioners shall make such order as to the prosecution of the suits by the road supervisors of the proper districts against such delinquents as in the judgment of the commissioners the interest of the township may require.

Orders for payment.

Monthly settlements.

Detailed lists and statements.

Order by county commissioners.

Moneys paid to successor.

SEC. 31. That all moneys that remain in the hands of any supervisor at the time of the monthly settlement with the auditor shall be paid over to his successor in office as soon as such successor shall be elected and qualified, taking a receipt therefor, and deposit such receipt with the auditor. It shall be lawful for any road supervisor to sue out executions on any judgments that remain unpaid within his proper district at any time when in his opinion the same can be collected, and the money so received and collected shall be expended as provided in the foregoing sections.

Executions on judgments.

SEC. 32. That each supervisor within his township shall erect and keep up at the expense of the township at the forks or cross of public roads a post and guideboard, or "finger-board," containing an inscription, in legible letters, directing the way and distance to the town or towns or other public place or places situated on each road, respectively. The post and guideboard or "finger-board" aforesaid shall be furnished to the supervisor by the county auditor. The county commissioners shall cause to be set up along the highways and principal thoroughfares of the county substantial mileposts, on which are indicated the distance from the county-seat; and at important crossings and forks on said highways or thoroughfares the said commissioners shall cause to be erected guideboards on which are indicated the principal place or places to which these roads lead, and the distances to the same.

Guideboards.

Guideboards furnished by auditor.

Mileposts.

Guideboards.

SEC. 33. That if any person shall willfully demolish, throw down, alter, or deface any such post or guideboard, every person so offending shall, upon conviction thereof before a justice of the peace, be fined not exceeding twenty-five dollars and costs, or imprisoned not exceeding twenty days, and the money, when collected, shall be by the justice of the peace collecting the same paid over to the supervisor in whose township the offense was committed, and by him applied to the repair of the public roads within his township.

Injury to posts or boards a misdemeanor.

Punishment.

Application of fine.

SEC. 34. That the road engineer, by and with the approval of the board of commissioners, upon request of the township supervisor, is hereby authorized to furnish plows, scrapers, and other tools and implements for the use of the several road districts within their township to be paid out of any moneys in the treasury to the credit of said township for road purposes not otherwise appropriated. The road engineer shall take a receipt from every supervisor for such tools and implements as are delivered to him, showing the number, kinds and condition thereof, and such supervisor shall be liable for any injury or damages that may result to such implements or to any of them by improper use thereof or by unnecessary exposure to the weather during the time same be in his possession, and he shall on the first Monday in May annually report the same to said road engineer, who shall file said report with the county auditor. The amount for which such supervisor may be liable for such improper use or neglect may be recovered by an action in the name of the county commissioners, and when so collected shall go to the road fund of district of such supervisor for use upon the roads of such district.

Equipment furnished townships.

Receipt.

Liability of supervisor.

Annual report.

Action for misuse or neglect.

SEC. 35. That the supervisors of the several townships shall have jurisdiction over cartways and may order the laying out and discontinuance of the same when in their opinion it ought to be done as a matter of convenience, irrespective of the location of the said cartway: *Provided*, the applicant for the said cartway shall pay the damages assessed as provided in this act.

Cartways.

Proviso: applicant to pay damages.

"Snaking" logs a misdemeanor.	SEC. 36. Any person engaged in hauling or transporting saw-logs or other timbers on any highways or public roads who shall transport or cause to be transported, by means of chains and grab-hooks or other means whereby said logs or timbers are made to slide on the roadbed by a method known among lumbermen as "snaking" logs, shall be guilty of a misdemeanor, and on conviction shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days.
Punishment.	
Application of act.	SEC. 37. That this act shall apply only to Wake County.
Repealing clause.	SEC. 38. That all laws and clauses of laws in conflict with this act be and the same are hereby repealed.
When act effective.	SEC. 39. That this act shall be in force from and after the first Monday in April, one thousand nine hundred and fifteen. Ratified this the 8th day of March, A. D. 1915.

CHAPTER 440.

AN ACT TO AMEND CHAPTER 618 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1913, BEING AN ACT TO PROVIDE FOR THE WORKING OF THE PUBLIC ROADS OF ROBESON COUNTY AND TO LEVY A TAX FOR THE SAME.

The General Assembly of North Carolina do enact:

Road duty abolished.	SECTION 1. That chapter six hundred and eighteen of the Public-Local Laws of North Carolina, session one thousand nine hundred and thirteen, be amended as follows, to-wit: Strike out section 40a, section 40b, section 40c, section 40d, section 40e, section 40f, section 40g, and section 40h.
Apportionment to convict force.	SEC. 2. That section forty-one of said chapter be amended as follows: in line seven of said section forty-one strike out the words "six and two-thirds cents" and insert in lieu thereof the following: "nine cents."
Township trustees to maintain roads.	SEC. 3. After section forty-one of said chapter six hundred and eighteen add the following, viz.: "SUBSEC. 41½. <i>Provided</i> , it shall be the duty of the board of road trustees of any township in Robeson County through which the board of commissioners have built a highway by use of the chain-gang to at all times keep said highway in good repair and condition, and it shall be the duty of the board of road trustees of any township in said county where such highway has been built to set aside a special fund from the taxes collected in said township, to be at least two cents on every hundred dollars valuation of taxable property in said township, as a special fund to be used in the maintenance and repair of said highway; and it is hereby
Special fund.	
Work let to contract.	

further declared to be the duty of the board of road trustees of each township in said county where such highway has been built to let out the upkeep and repair of said highway to contract to the lowest responsible bidder, who shall enter into written contract with said board of road trustees that he will faithfully and properly carry out the provisions of said contract, and keep said highway in good repair and condition during the term of the same. Before the letting of the contract the board of road trustees shall give written notice of the same for a period of at least ten days in three public places in said township. Notice of letting.

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

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

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 441.

AN ACT TO PROVIDE FOR THE IMPROVEMENT OF CERTAIN PUBLIC ROADS IN HENDERSONVILLE TOWNSHIP, HENDERSON COUNTY, AND AUTHORIZING SAID TOWNSHIP AND THE CITY OF HENDERSONVILLE TO SELL BONDS FOR THE PAYMENT THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of this act the Clear Creek road, the Asheville road, the Haywood road, the Shaws Creek road, the Willow road, the Crab Creek road, the Flat Rock road, the Upward road, the new Dana road leading out Fourth Avenue east, and the Edneyville road within the corporate limits of the city of Hendersonville are hereby declared to be public roads. Roads declared public.

SEC. 2. That the commissioners of the city of Hendersonville are hereby empowered, authorized, and directed, and it is their mandatory duty to have prepared, issued, and sold, bonds in such denominations as they may deem best, to the amount of fifty thousand dollars, said bonds to bear interest at a rate not exceeding six per centum per annum, with interest coupons attached, payable semiannually during the time of their running, and the principal thereof shall be redeemable at such time, not exceeding thirty years from the date of their issue, as the commissioners of said city may determine, and said bonds shall be payable at such place as said commissioners and the purchasers of said bonds may agree upon; said bonds and coupons shall be signed by the mayor of said city and countersigned by the secretary of Bond issue by city ordered.
Amount.
Interest.
Maturity.
Authentication.

Entitlement of bonds.	said board of commissioners, and the said bonds shall have upon them the seal of said city and shall be styled "Public Road Bonds."
Bond issue by township ordered.	SEC. 3. The commissioners of Henderson County are hereby authorized, empowered, and directed, and it is their mandatory duty to have prepared, issued, and sold Hendersonville Township bonds in such denominations as they may deem best, to the amount of fifty thousand dollars, said bonds to bear interest at a rate not exceeding six per centum per annum, with interest coupons attached, payable semiannually during the time of their running, and the principal thereof shall be payable or redeemable at such time as the said commissioners of the said county may determine, and said bonds shall be payable at such place as the said commissioners and the purchasers of said bonds may agree upon.
Denominations. Amount. Interest.	Said bonds and coupons shall be signed by the chairman of the said board of commissioners and countersigned by the secretary of said board, and said bonds shall have upon them the seal of said board of commissioners and shall be styled "Public Road Bonds."
Authentication.	
Entitlement.	
Special tax for city.	SEC. 4. That the commissioners of said city shall levy annually, at the time the tax levy for general municipal purposes is made, a special tax on all property subject to taxation in said city sufficiently large to pay the semiannual interest on said fifty thousand dollars of municipal bonds and to provide a sinking fund sufficient, with the assessments to be collected from the abutting property owners as hereinafter provided, to pay off and discharge said bonds at maturity; said special tax to be collected and accounted for in the same manner as other city taxes are collected and accounted for.
Collection and settlement.	
Special tax for township.	SEC. 5. That the board of commissioners of Henderson County shall levy annually, at the time the tax levy for general county purposes is made, a special tax on all property subject to taxation in that political division of Henderson County known as Hendersonville Township, as constituted at the time of the ratification of this act, sufficiently large to pay the semiannual interest on said fifty thousand dollars of township bonds and to provide a sinking fund sufficient, with the assessments to be collected from the abutting property owners as hereinafter provided, to pay off and discharge said bonds at maturity; said special tax to be collected and accounted for in the same manner as other county taxes assessed on property in said township are collected and accounted for.
Collection and settlement.	
Work within city.	SEC. 6. That the money derived from the sale of said bonds shall be used for the purpose of paving the roads mentioned in section one of this act within the corporate limits of said city and the construction of bridges thereon, where necessary, of the kind hereinafter described. The cost of building said roads and bridges
Apportionment of fund.	

to be paid one-half out of the moneys arising from the sale of the fifty thousand dollars of township bonds and one-half out of the moneys arising from the sale of the fifty thousand dollars of bonds of said city.

SEC. 7. That the roads mentioned in section one of this act, within the corporate limits of said city, shall be paved with concrete, or concrete base properly finished with other suitable material, not less than twenty feet wide, and modern concrete bridges not less than twenty feet wide shall be constructed on said roads where necessary.

Specification of paving.

SEC. 8. That none of the bonds issued by the authority of this act shall be disposed of by sale, exchange, or otherwise for a less price than their face value; when said bonds are so sold the moneys arising from the sale thereof shall be turned over to the treasurer of the road commission hereinafter named, who shall give bond in such sum as may be named by the said road commission, and who shall disburse said moneys only for the purpose of paving said roads and building said bridges in the manner provided by this act.

Sale of bonds below par forbidden.

Proceeds to treasurer of road commission.
Bond of treasurer.

Exclusive use of funds.

SEC. 9. That the cost of grading the roads mentioned in section one hereof shall be paid for by Hendersonville Township and Henderson County equally, which grading shall be done under the supervision of the road commission hereinafter named, said township's part to be taken out of funds now on hand and realized from bonds last sold by said township for road improvements, and the said Henderson County's part to be taken out of funds realized from the sale of bonds authorized by the last General Assembly for hard-surfacing roads in Henderson County, or otherwise, as the commissioners may direct.

Apportionment of cost of grading.

Fund for grading.

SEC. 10. That one-half the cost of paving said roads mentioned in section one of this act, exclusive of road crossings and bridges, shall be paid by abutting property owners, and the same shall constitute a lien on abutting property, one-fourth the cost to be paid by the property owners on one side of the road and one-fourth by such property owners on the other side of the road, in the proportion that each lot or piece of property bears to the length of the improvement upon each road, the same to be paid in ten equal annual installments with six per cent interest, one-half to be paid to the tax collector of the city of Hendersonville and one-half to be paid to the tax collector of Henderson County, the same to be kept and invested as a sinking fund to be applied on the payment of said bonds when they fall due. The abutting landowners may pay their assessments in full at any time before maturity, with accrued interest.

Apportionment to be paid by abutting property.

Lien on property.

Payment in installments.

Assessments to be invested as sinking fund.

Payment in full.

SEC. 11. J. W. McCarson, S. H. Hudgins, John S. Forest, W. H. Bangs, and D. S. Pace are hereby appointed a road commission, and it shall be their duty to supervise, direct, and look after the

Road commission.

Duty.

- Work may be let to contract. and expenditure of the money derived from the sale of the bonds hereinbefore provided for, as well as the work of grading said roads and preparing them for the concrete or other paving. The said commissioners may have said work done themselves or let the same, or any part thereof, to contract in such manner as they may deem best, and in case of a vacancy on said commission for any cause whatsoever, the remaining members thereof shall fill said vacancy by the election of some proper person to fill same.
- Vacancies. SEC. 12. The road commissioners provided for in section eleven of this act shall organize by the election of a chairman, secretary, and treasurer. The treasurer shall give bond for the faithful performance of his duties in such sum as the other members of the commission may direct. The money arising from the sale of the township and city bonds shall be turned over to the treasurer of said road commission in bulk, and the said treasurer shall pay out said money only upon the written orders of the chairman of said road commission, countersigned by the secretary. The said treasurer shall render to the road commission every thirty days, or oftener if required, a written statement showing the condition of said fund at the time of making such reports, until the money is expended, and it shall be the duty of the said road commission to publish such reports in the two weekly newspapers published in Henderson County.
- Organization. SEC. 13. If upon the completion of the work on the roads as hereinbefore provided for there shall be any funds remaining on hand realized from the sale of said bonds, it shall be the duty of the said road commission, and they are hereby authorized, to continue said pavements not less than ten feet in width beyond the city limits, on roads thought to be most important, until all of said funds have been used, and upon completion of said work all equipment and road machinery purchased by the said commission shall belong to the said city and township jointly and shall be turned over to the said city and township by the said road commission.
- Bond of treasurer. SEC. 14. The work to be done on said roads, as provided in this act, shall be conducted without unnecessary delay and in a thorough and businesslike manner. The said road commission shall employ only experienced and capable men to have supervision of said work and are authorized to receive from the State Highway Commission any assistance that it may be able to render not inconsistent with this act.
- Funds turned over to treasurer. SEC. 15. Upon the completion of all the work provided for in this act the road commission shall render a complete and itemized statement to the board of commissioners of Henderson County and the board of commissioners of the city of Hendersonville, showing in detail the receipts and expenditures of said road commission, also the amounts due on assessments of abutting property owners as provided for in this act, which report shall be filed with the
- Orders on fund.
- Monthly reports.
- Publication.
- Surplus to be used in extension of work.
- Equipment on completion of work.
- Conduct of work.
- Supervision of work.
- Assistance from State highway commission.
- Itemized statement on completion of work.
- Details of statement.

secretaries of the board of county commissioners and the board of city commissioners respectively, which shall be kept by them for permanent record.	Permanent record.
SEC. 16. That the said road commission shall be entitled to such reasonable compensation for the time spent by them in the performance of the duties herein imposed upon them as they may deem just and proper, to be decided by them by unanimous vote, not to exceed two dollars each per diem.	Pay of road commissioners.
SEC. 17. That the bonds authorized by sections two and three of this act shall constitute the full, direct, and valid obligations of said city of Hendersonville and of Hendersonville Township.	Limit. Obligation of bonds.
SEC. 18. The bonds of the city of Hendersonville herein authorized shall not be issued until approved by a majority of the votes which shall be cast at an election to be held for that purpose in the city of Hendersonville. Upon written petition of twenty-five qualified voters of said city, said election shall be called forthwith by the board of commissioners of said city, and notice of said election and the purposes of the same shall be given and published in the same manner as notice of the regular election for town officers is required by law to be given and published. At said election those favoring said bond issue shall vote a ballot on which shall be written or printed the words "For City Road Bonds" and those opposing said bond issue shall vote a ballot on which shall be written or printed the words "Against City Road Bonds." Said ballots shall be deposited in a box to be provided by the city for that purpose, which shall be distinctly marked "City Road Bond Issue," and the result of said election shall be certified, returned, canvassed, and declared in the same manner as the vote for city officers; and if a majority of the votes so cast shall be for bonds, then the said bonds shall be issued as provided in this act, but not otherwise. The bonds of Hendersonville Township herein authorized shall not be issued until approved by a majority of the votes which shall be cast at a special election to be held for that purpose at the various voting places in said township. Upon written petition of twenty-five qualified voters of said township said election shall be called forthwith by the board of commissioners of Henderson County, who shall cause notice of said election and the purposes of the same to be published for thirty days prior to said election in two newspapers published in Henderson County; and the said commissioners shall appoint a registrar and judges of election at the various voting precincts in said township to hold said election. At said election those favoring said bond issue shall vote a ballot on which shall be written or printed the words "For Township Road Bonds" and those opposing said road bond issue shall vote a ballot on which shall be written or printed the words "Against Township Road Bonds." The result of said election shall be certified, returned, canvassed, and declared in the same manner	Bonds of city approved by election. Petition, order, and notice for election. Ballots. Ballot box. Certificate of result. Election on township bonds. Petition, order, and notice for election. Election officers. Ballots. Certificate of result.

as in case of an election for township officers; and if a majority of the votes so cast shall be for said road bonds, then the said county commissioners shall issue bonds for said township as herein provided, but not otherwise.

SEC. 19. That all laws and clauses of laws in conflict with this act are hereby repealed.

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

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 442.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF BURKE COUNTY TO MAKE SUBSCRIPTION TO ANY RAILROAD PROPOSED TO BE BUILT THROUGH ANY TOWNSHIP OF SAID COUNTY UPON PETITION OF THE VOTERS OF SUCH TOWNSHIP, AND TO PROVIDE MACHINERY FOR AN ELECTION THEREON AND FOR THE PAYMENTS OF SUCH BONDS.

The General Assembly of North Carolina do enact:

SECTION 1. That upon the presentation of a written petition signed by one-fourth of the voters resident of any township of Burke County, requesting that the said board of county commissioners of Burke County subscribe stock in any railroad now under construction or which may hereafter be under construction, or proposed to be constructed, through such township for the benefit of such township, then it shall be lawful and the duty of said board of county commissioners to make such subscription to such railroad in a sum of not less than two and one-half per cent nor more than five per cent of the assessed valuation of the real and personal property situated and located in such township for the previous year as shown by the tax list of said county for said township for said year. The said subscription shall be entered of record, which shall show the amount subscribed, to what company subscribed, and whether in bonds, money, or other property, and the condition and limitations that may be deemed wise and expedient by said board of county commissioners for the payment of the interest and the principal of said bonds, together with the length of time which said bonds shall run, together with any condition precedent that may be required of such railroad before such bonds are issued and delivered to said railroad.

SEC. 2. That immediately after making such subscription said board of county commissioners shall order an election to be held at such reasonable time as they may deem necessary, to be held

Petition for subscription.

County commissioners to make such subscription.

Limit of amount.

Record of subscriptions.

Order for election.

Notice of election.

on notice of not less than thirty days, submitting to the qualified voters of such township petitioning for such subscription for voting for or against the proposition subscribing stock to such railroad as hereinbefore provided. The said election shall be held at the voting place or places in the township petitioning for the subscription of such stock to said railroad under the same rules and regulations as are now or may hereafter be prescribed for electing members of the General Assembly. The election shall be held by the sheriff of said Burke County and the vote shall be canvassed by the judges and registrars of election and a return thereof made to the board of county commissioners, who shall make a record of the same. If a majority of the qualified voters of the township petitioning for the subscription to the stock of said railroad or proposed railroad shall vote in favor of the proposition, the said board of county commissioners, through its chairman, shall subscribe the amount of stock proposed by them and submitted to the voters of such township, subject to the rules, regulations, and restrictions of other stockholders of such railroad company.

Polling place.

Law governing elections.

Canvass and return of votes.

Record of returns.
Effect of election.

SEC. 3. In case the voters of the township petitioning for such subscription to be made to such railroad or proposed railroad as herein provided, the said board of county commissioners shall have power to fix the rate of interest, not to exceed the rate of six per cent, when the principal on said bonds shall be payable, and at what place or places, and shall also fix the time and places of paying the interest, and shall also determine the mode and manner of paying the same, and also to raise by taxation from the taxable property located and situated within the boundaries of the township petitioning for the subscription from year to year the amount necessary to meet the interest on said bonds and to pay off and discharge said bonds at their maturity. No bonds to be issued or delivered until said railroad shall be completed through the township in accordance with the terms of the subscription by said township to the capital stock of said railroad.

Powers of county commissioners.

Taxes for interest and bonds.

Condition precedent to delivery of bonds.

SEC. 4. The taxes authorized by this act shall be levied by the board of county commissioners against the taxable property, both real and personal, situated and being in the township petitioning for the subscription, to be made to such railroad or proposed railroad as herein provided, at such times and in such way as the general taxes of the county are now levied or may by law hereafter be required to be levied, all of the property, both real and personal, within the limit of said township petitioning for such subscription as herein provided shall upon ratification by a majority of the qualified voters of such township be thereby irrevocable pledges and held for the payment of such subscription.

Levy of tax.

Obligation of bonds.

SEC. 5. The sheriff or other person charged with the collection of the general State and county taxes for the said county of Burke shall be and he is hereby required to collect under the same rules

Levy and collection of tax.

Settlement.

and regulations as are now required, or may hereafter be by law established and required, for the collection of such State and county taxes. The taxes levied and assessed against the taxable property of said township petitioning for such subscription and election, such taxes shall be assessed against the property of such township for the payment of such subscription and interest thereon. Such taxes when so collected shall be accounted for by said sheriff or other person charged with the collection thereof, shall be paid to the county treasurer or other person designated and authorized by law to receive such taxes, to be used by the board of county commissioners to pay off and discharge such subscription as allowed and provided by this act.

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

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 443.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF LEE COUNTY TO ISSUE BONDS FOR THE IMPROVEMENT OF THE HIGHWAYS OF SAID COUNTY, AS PROVIDED IN CHAPTER 586, PUBLIC-LOCAL LAWS 1911.

The General Assembly of North Carolina do enact:

SECTION 1. The county commissioners of Lee County are hereby authorized and required to issue one hundred thousand dollars five per cent forty-year coupon bonds, as provided in chapter five hundred and eighty-six of the Public-Local Laws of nineteen hundred and eleven and amendments thereto; and the highway commissioners of Lee County are hereby authorized to sell the same in accordance with the terms and provisions of said chapter five hundred and eighty-six of the Public-Local Laws of nineteen hundred and eleven and amendments thereof.

SEC. 2. The election held in said county on the sixteenth day of January, nineteen hundred and fifteen, upon a question of the issue of said bonds, and the canvass and return thereof, are hereby made and declared to be in all respects valid, fully authorizing the issue and sale of the said bonds as provided in said chapter five hundred and eighty-six, Public-Local Laws of nineteen hundred and eleven, and amendments thereof, notwithstanding the omission of any matter or thing required to be done in the premises or the non-observance of any requirements as to the petition, calling, holding, or advertising said election, or canvass or return of the same.

SEC. 3. This act shall not be construed to authorize the issue or sale of any bonds other than those named in section two hereof,

Issue of bonds ordered.
Amount.
Interest and maturity.

Provisions of former laws.
Sale of bonds.
Sale governed by former laws.

Election validated.

Construction of act.

and shall not in any way limit or curtail the power and duty of said board of county commissioners and highway commissioners to issue and sell the said bonds under authority of said election and laws pertaining thereto.

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

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 444.

AN ACT FOR THE CONSTRUCTION, REPAIR, AND MAINTENANCE OF PUBLIC ROADS IN RICHLAND TOWNSHIP, BEAUFORT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the territory now surrounded by the township lines of Richland Township be and the same is hereby created as the "Richland Road-tax District." Richland road tax district.

SEC. 2. That the public roads in said district shall be under the supervision of a board of road commissioners which shall be composed of five members, and there is herewith appointed Benjamin Potter, B. B. Thompson, W. J. Whitley, T. L. Hardy, and T. M. Peel as members of this commission, the same to hold office until the next general election and until their successors are elected and qualified. All vacancies caused by death, resignation, failure to qualify, or for any other reason shall be filled by the remaining members of the board of road commissioners. Said board of road commissioners shall hold quarterly meetings at town hall, Aurora, North Carolina, on the first Saturday in January, April, July, and October of each year. Supervision of roads.
Road commissioners named.
Term of office.
Vacancies.
Quarterly meetings.

SEC. 3. The board of road commissioners shall divide and lay off all public roads in said district into convenient sections, number each section, and shall appoint some good competent man living in said section as overseer, whose term of office shall be two years from the date of appointment. Roads laid off in sections.
Appointment and term of overseers.

SEC. 4. That the said overseer shall have the authority to order out and work, not to exceed six days in any one calendar year, all able-bodied male citizens between the ages of twenty-one and forty-five years living on said road, except members of the board of road commissioners, but he shall be required to give each road hand at least two days notice, which notice shall contain place of meeting on the road, the hour of such meeting, and the character of tool to furnish; and each road hand so notified shall be required to appear at the time and place, with the tool specified, and work Road duty.
Warning.
Hands to appear and work.

Proviso: emergency work.

Proviso: commutation.

Use of commutation money.

Proviso: substitutes.

Special tax.

Exclusive use of fund.

Rules and regulations.

Observance mandatory.

Forfeit for violation.

Fine to use of roads.

Collector.

Commission of collector.

Proviso: collector to give bond and qualify.

Treasurer.

Proviso: treasurer to give bond and qualify.

as directed by the said overseer not less than eight hours nor more than ten hours each day by said overseer: *Provided*, that extra days work may be required of persons liable to work under this section when extreme weather conditions make it necessary to repair the roads: *Provided further*, that any person summoned as aforesaid who shall by twelve o'clock of the day preceding the one appointed for work on the road pay to the overseer the sum of one dollar and fifty cents shall be relieved from work on the road for one day. The money thus collected by the overseer shall be deposited with the treasurer as provided in section eight. Such sums shall be used to pay for repair of the road to which the person making the payment was summoned: *Provided further*, that any person who shall furnish one able-bodied hand as a substitute, with implement directed, shall be held to have complied with this chapter.

SEC. 5. That the board of road commissioners of said district, in order to provide for the improvement of the public roads of said district, shall on the last Saturday in April, one thousand nine hundred and fifteen, and annually thereafter, levy a special tax of ten (10) cents on the one hundred dollars valuation of all subjects of taxation contained within said district, and the money arising from said levy shall be used exclusively by the road commissioners for the purpose of improving the public roads and bridges of said district and in such manner and at such points as may appear to said commissioners to be for the best interest of the entire district.

SEC. 6. That the said board of road commissioners hereinbefore provided for shall have full power and authority to adopt such rules and regulations for the government of the road overseers as they shall deem for the best interest of the public roads, and that such rules and regulations when adopted shall be mandatory upon said overseers, and upon conviction of any violation thereof the overseer so violating shall forfeit and pay a fine of ten dollars (\$10) for each and every offense, which fine shall be expended upon the public roads of said district by the board of road commissioners.

SEC. 7. That G. I. Bonner is hereby appointed collector of the aforesaid road-tax district and shall receive as compensation for the collection of said tax five per cent of all moneys collected and paid over to the treasurer: *Provided*, that the said G. I. Bonner shall execute and deliver to the said board a good and sufficient bond of two thousand dollars and shall take and subscribe before the said board the oath as is now required of tax collectors.

SEC. 8. That the treasurer of the town of Aurora shall be the treasurer of the said road district and shall have the same powers and duties as is now provided: *Provided*, that the said treasurer shall execute and deliver to the said board of commissioners a good and sufficient bond in the sum of two thousand dollars and

shall take and subscribe the oath prescribed by law for treasurers, and shall receive for his services two and one-half per cent of all disbursements.

SEC. 9. That the said board of road commissioners and tax collector shall hold office until the general election, at which time their successors shall be elected in the same manner as is now provided by the law for the election of all township officers.

Terms of office.
Election of successors.

SEC. 10. That any person subject to road duty who, after being notified as is herein provided, shall neglect or refuse to perform the duties required of him in the manner prescribed by the board of road commissioners under direction of the overseer in charge of said road, shall upon conviction forfeit and pay a fine of five dollars for such offense, which shall be paid over to the road commissioners and used by them for the repair and construction of roads in said district.

Forfeit for failure to discharge road duty.

Fine to use of road funds.

SEC. 11. That it shall be unlawful for any person to construct a ditch or waterway across any public road in said district, except with the consent of the said board of road commissioners, and when said consent is obtained, it shall be the duty of such person to cover said ditch or drainway with a good plank bridge of not less than two inches in thickness, or by tiling the same in a good workmanlike manner, and persons violating this section shall upon conviction be fined not less than twenty-five dollars, which fine when collected shall be spent upon the public roads of said district as is hereinbefore provided.

Ditches across roads.

Bridge or tiling.

Fine to use of roads.

SEC. 12. That the said board of road commissioners shall at their first meeting order all overseers and owners of ditches and drainways which cross any public road in said district to cover said ditch or drainway within a limited time with good substantial plank bridges or underground waterway, and any such overseer or owner who refuses to comply with this section shall be guilty of a misdemeanor.

Order for covering ditches.

Refusal a misdemeanor.

SEC. 13. That it shall be unlawful for any person to leave upon any public road in said district any log or other obstruction on more than one side of any public road, and shall leave at least eight feet of clear space from center of road and such log obstruction for traffic, and any person or persons, firms or corporations violating this section shall be guilty of a misdemeanor.

Obstructing roads a misdemeanor.

SEC. 14. That it shall be unlawful for any person to plow into or along the surface of any public road in said district within fifteen feet of the center of said road at any point, or in any wise cut up or damage said road, and any person violating this section shall be guilty of a misdemeanor.

Plowing into roads a misdemeanor.

SEC. 15. That the overseers provided for in this act shall file a semiannual report on the first Saturday in July and the first Saturday in January to the board of road commissioners, showing the present condition of his road and the number of days

Semiannual reports.

Details of report.

worked on his section since the last meeting, the number of hands and names of each who attended and worked each day, the number and names of hands who paid one dollar and a half per day in lieu of work and the amount each paid, the number and names of hands who furnished an able-bodied hand to take his place and the name of the hand so substituted, number and names of hands who attended and refused to obey the directions of the overseer and spent their time in idleness, whether or not they were legally summoned, and whether or not they paid the one dollar and a half as before provided. That said overseer shall before some person authorized to administer an oath make written affidavit that the report is true and correct. Upon this report sworn to as aforesaid, if it shall appear that any of the hands after being legally summoned have failed to attend and work on said road, or that they did not pay the one dollar and a half, then it shall be the duty of the said board of road commissioners to report the same to the solicitor of his district at the next succeeding term of court, who shall put him upon trial for the offense.

Report to be verified.

Report to and action by solicitor.

Vouchers.

SEC. 16. Any work that an overseer is authorized by the board of road commissioners to do shall be paid for upon voucher signed by the overseer, giving an itemized statement of the purpose for which the expenditure was made. If the amount is approved by the board, warrant shall be issued by the chairman on the treasurer of the town of Aurora. All other work authorized by the board of road commissioners shall be paid and vouchers approved by the chairman and two other members of the board by issuing warrant upon the treasurer of the town of Aurora for the amount of the expenditure.

Repealing clause.

SEC. 17. That all laws and clauses of laws in conflict with this act are herewith repealed.

When act effective.

SEC. 18. That this act shall be in force and effect from and after April the first, one thousand nine hundred and fifteen.

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 445.

AN ACT TO PROVIDE FOR WORKING THE PUBLIC ROADS OF GASTON TOWNSHIP IN NORTHAMPTON COUNTY.

The General Assembly of North Carolina do enact:

Special board.

SECTION 1. That for the purpose of constructing, repairing, improving, and maintaining the public roads in Gaston Township, Northampton County, there shall be a special board of three members who shall be known as the "Board of Road Commissioners for Gaston Township," which said board shall have entire super-

Official title.

Supervision and jurisdiction of roads.

vision and jurisdiction of all the public roads of said township, and succeed to and exercise all the powers and duties heretofore exercised by and imposed upon the board of road commissioners and justices of the peace in reference to the establishment, keeping, alteration, or discontinuance of all public and private roads, cartways, and other thoroughfares. The members of said board shall hold their offices for the term of six years and until their successors are elected and qualified, except as provided in section two hereafter.

Powers and duties.

Term of office.

SEC. 2. That J. F. Vincent, R. S. Moody, and E. M. Clements are hereby appointed and constituted the board of road commissioners for said township. The first named of said board, towit, J. F. Vincent, shall hold the said position of commissioner until the first Monday in December, one thousand nine hundred and sixteen; the next named of said board, towit, R. S. Moody, until the first Monday in December, one thousand nine hundred and eighteen, and the last named of said board, towit, E. M. Clements, until the first Monday in December, one thousand nine hundred and twenty. At the regular election in the year one thousand nine hundred and sixteen and regularly every two years thereafter there shall be one commissioner elected by the voters in said township at the same time and in the same manner as county and township officers are elected. All vacancies caused by death, resignation, or otherwise shall be filled by the remaining members of said board: *Provided*, that should more than one vacancy occur or be at the same time, the same shall be filled by appointment by the clerk of the Superior Court of Northampton County.

Board named.

Terms of office.

Election of successors.

Vacancies.

SEC. 3. That the members of said township board of road commissioners shall each qualify before any officer authorized to administer oaths on or before the second Monday in December following their election, except those mentioned in section two of this act.

Time for qualification.

SEC. 4. That the members of said board named in section two of this act shall qualify on or before the second Monday in March, one thousand nine hundred and fifteen, before any officer authorized to administer oaths, and they shall meet in the town of Stan-cell, or in some place appointed by said board, in said township, on or before the second Monday in March, one thousand nine hundred and fifteen, and shall organize by electing one of their number as chairman and by electing a secretary, who may be one of the board and the treasurer. The secretary of said board thus elected shall in a book for the purpose keep a full and perfect record of all the proceedings and actions of the board, which records shall be open to inspection of the citizens of the township at reasonable times. Compensation of the secretary shall not exceed two and a half dollars per day for every day the board shall meet, and the board shall meet one day in each month, and no mileage for

Time for qualification of members appointed.

Organization.

Record of proceedings.

Record open for inspection.

Pay of secretary.

Monthly meetings.

No mileage.

Pay of commis-
sioners.
Called meetings.

its members or officers shall be charged. The compensation of the members of said board shall be one and a half dollars per day. If necessary and important, the said board may meet upon the call of the chairman or of any member if requested by a majority of the members. At all of their said meetings they shall be authorized to transact any business and duties with reference to the roads of the said township or within their jurisdiction.

Incorporation.

Corporate name.

SEC. 5. That said board of road commissioners and its successors shall be and is hereby constituted a body corporate by the name and style of "The Board of Road Commissioners of Gaston Township"; shall adopt a common seal and by that name may sue and be sued, make contracts, acquire real and personal property by gift, purchase, or devise; hold, exchange, and sell the same, and exercise such other rights and privileges as are incident to other municipal corporations.

Corporate powers.

Control and man-
agement of roads.

Rights and powers
vested.

SEC. 6. That it shall be the duty of said board of road commissioners to take control and management of the public roads in said township, and said commissioners are hereby vested with all the rights and powers for such control and management as are now vested in and exercised by the board of road or county commissioners of Northampton County as pertaining to said township.

Commissioners to
fix tax rate.

SEC. 7. At or before their meeting in May of each year said board of road commissioners shall consult together as to the amount of money reasonably necessary to purchase suitable tools, machinery, teams, and supplies or for other things for the proper working and improving and establishing the public roads of said township and to pay all expenses thereof, and the expenses pertaining to the performance of their duties for one year, and shall fix and determine the rate of taxation on the property and polls of said township for the purpose of raising said amount, which rate of taxation shall not exceed forty cents on the one hundred dollars valuation on the real and personal property in said township and one dollar and twenty cents on each poll in said township of one year, and said board shall report the rate of taxation thus ascertained and determined by them to the board of county commissioners of said county on or before their June meeting in each and every year, and it shall be the duty of the said board of county commissioners at their meeting in June, or at such other time as may be fixed by law, to levy a special tax as determined by said board of road commissioners, but the rate shall be in the discretion of the said board of county commissioners. Said taxes shall be collected as other taxes are collected, and shall be kept separate by the tax collector and paid over to the treasurer of said township board of road commissioners. Such taxes shall be levied and collected out of the property and polls in said township, whether in incorporated towns or not.

Limit of tax rate.

Report to county
commissioners.

County commis-
sioners to levy tax.

Rate discretionary
with county com-
missioners.
Collection of tax.
To be kept sepa-
rate.

Subjects of tax.

SEC. 8. That said board of township road commissioners at its first meeting shall appoint some person or corporation as treasurer of said township road fund; the person or corporation so designated shall be required to give a sufficient bond payable to the said board, which said board shall fix the amount of the bond for the faithful performance of his or its duties as treasurer and for the faithful holding and disbursing of said funds in accordance with orders and directions of said board. Compensation for said services shall not exceed two per cent of disbursement of said road fund.

Appointment and bond of treasurer.

Compensation.

SEC. 9. That after January first, one thousand nine hundred and fifteen, every able-bodied male person between the ages of twenty-one and forty-five years residing in said township shall be liable annually to perform three days labor upon the roads of said township under the supervision and direction of the road supervisor, overseer, or other officer appointed by the board of road commissioners of said township, who shall assign each person to any portion of the roads in such township in which said person resides as said officer may think best: *Provided, however,* that any such person shall be discharged from such labor for one year upon the payment to the proper officer of the sum of one dollar per annum in lieu thereof: *Provided further,* that such sum shall be paid on or before the first day of March of said year.

Road duty.

Proviso: commutation.

Proviso: time for payment.

SEC. 10. All persons who shall be liable to pay poll tax and who fail to pay the same shall be liable and compellable to work four days on the said roads under the direction and control of the road supervisor or officer in said township.

Road work for nonpayment of poll tax.

SEC. 11. That the judges of the Superior and criminal courts of this State are hereby authorized and empowered to sentence convicts in said county or in other counties to work upon the public roads of said township, and all the justices of the peace and mayors of towns of said county are hereby authorized and empowered to sentence persons tried before them and found guilty of violating the criminal law within their jurisdiction, or vagrancy, to sentence said person so convicted to work upon the said public roads: *Provided,* that no person shall be required to work for a longer time than that for which he could have been imprisoned for the offense: *Provided further,* that said board of road commissioners and its authorized officers may shorten the time of labor in any individual case as much as one-fifth for good behavior and faithful performance of duty.

Convicts subject to road work.

Proviso: time limit.

Proviso: allowance for good behavior.

SEC. 12. That said board of road commissioners shall be authorized to provide proper quarters for convicts and to employ suitable guards and overseers, and to provide means for their safe keeping and control out of the road funds.

Safe-keeping and maintenance.

SEC. 13. That the taxes and other revenue raised under this act or under any law applicable to the public roads of said township

General road funds.

Use of fund. shall constitute a general road fund for the construction and improvement of the roads and bridges of said township and for the purchase, maintenance of tools, machinery, teams, and other supplies or equipment for the better prosecution of the work, and shall be expended according to the judgment and discretion of the said board of road commissioners; and the said board as often as it shall deem necessary shall issue warrants or orders upon the township treasurer, directing him or it to pay to the supervisor or other officer of roads the amount therein specified for the purpose of carrying out the provisions of this act.

Election, salary, and bond of supervisor.

SEC. 14. That the said board of road commissioners on the second Monday in December or at any regular meeting of the said board may elect a township supervisor of roads at a salary to be fixed by said board, and who may be required to give bond payable to the said road commissioners in a sum to be fixed and approved by said board for the faithful and honest performance of his duties,

Duty of supervisor.

which bond shall be filed and recorded. It shall be the duty of the said township supervisor, subject to the said board, to supervise, direct, and have charge of the building, constructing, and maintenance of the roads of the township, and of the teams, tools,

Work done by contract.

, machinery, etc., for their working. Any part of said work, or all of it, may be done by contract if deemed best by said board of road commissioners. Said supervisor shall see that all work on

Quarterly reports.

said roads is properly, promptly, and economically done. He shall make quarterly reports in writing to said board, giving the condition of all the roads in the township, suggesting and recommending means and methods of improvement and the probable cost thereof, besides embracing matters required in section fourteen of this chapter, which written reports and regulations shall be filed with the clerk of the board, and the board may provide money for

Term of supervisor.

work which they may regard necessary. Said supervisor shall hold his office until his successor is elected and qualified or until he is discharged by said board.

Charge of plans, labor, and equipment.

SEC. 15. The township supervisor shall have charge and management of the plans, labor, teams, tools, apparatus and machinery used on the roads under his charge, and shall render an itemized statement of the number of hands or persons, including convicts, worked on the roads; the number of hours or days worked, the amount paid each hand, and the amount of money received, and how the same was disbursed, and a list of the tools, machinery, implements, dump-carts, teams, and other apparatus in his hands and the condition thereof, and any other information in reference

Itemized statements.

Inventory.

to his management that may be reasonably required. Said reports shall be made quarterly or oftener to said board. He shall have the teams and all other apparatus properly cared for. In all matters he shall be subject to the control and direction of the said board.

Reports made quarterly.
Care of teams and apparatus.
Control of board.

- SEC. 16. That said board of road commissioners shall have full power and discretion to adopt such methods, means, and agencies in the management, improvement, and working of said roads as they may determine to be wise and best, regardless of any seeming limitations or restrictions in this act, and they may also make such purchases of gravel pits, lands, timber, machinery, and teams as they may deem wise and important for the building, improvement, and maintenance of the roads, and they may have any or all of the roads or any part of any road widened so as to make them or such parts thereof fifteen feet on either side of the center of the road, thus making the road thirty feet wide between the ditches.
- SEC. 17. That the said board of road commissioners shall make an annual statement of all their doings and proceedings in the same manner and at the same time as is required by the board of county commissioners, which statement shall be recorded and preserved by the register of deeds in a suitable book which shall be subject to inspection of the public; and the register of deeds shall receive the same fee for such services as he receives in other like cases.
- SEC. 18. All orders or warrants of said board on the township treasurer, authenticated as is required for such orders of the board of county commissioners, shall be paid by said treasurer out of the road funds in his hands.
- SEC. 19. That for the purpose of building, constructing, repairing, improving, and maintaining the public roads in said township, the supervisor or other officer employed by said board of road commissioners shall have the authority to enter upon any land in said township to cut and carry away any timber except trees or groves left for ornament or shade, to dig or cause to be dug or carried away any gravel, clay, earth, sand, or stone which may be necessary to build, construct, improve, or repair any of the roads in said township, to make such drains or ditches through the same as may be necessary for the benefit of the road, doing as little damage to the land as possible; and any person willfully obstructing or resisting the performance of these duties or willfully obstructing such ditches or drains when made shall be guilty of a misdemeanor.
- SEC. 20. That any person willfully violating any of the provisions and requirements of this act shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine not to exceed fifty dollars or imprisoned or sentenced to work upon the roads not more than thirty days.
- SEC. 21. That the said board of road commissioners may contract the building, improving, constructing, or maintaining any part of or all of the roads in the said township to some person, firm, or corporation. That they may award contracts upon bids received by them, either publicly or privately, as they may think is for the best in their discretion.

Methods of work.

Purchase of material.

Width of roads.

Annual statements.

Report recorded.

Fee of register of deeds.

Warrants paid by treasurer.

Entry on land for material.

Drains or ditches.

Obstructing officers or ditches a misdemeanor.

Violation of act misdemeanor. Punishment.

Work let to contract.

Award of contract.

Moneys to be paid
over to treasurer.

SEC. 22. That hereafter all road taxes collected by the sheriff of Northampton County or by township tax collectors, or otherwise, in and for said township, and all moneys collected by said sheriff or any other person on account of said roads in said township, shall be paid over to the treasurer or treasury designated by said board, as it is collected. The said sheriff or other tax collector is hereby required to settle with the said treasurer of said township not later than second of April in each year.

Settlements.

Fund from tax of
1914.

SEC. 23. That at their meeting the first Monday in March, one thousand nine hundred and fifteen, or as soon thereafter as practicable, the board of road or county commissioners of Northampton County shall give an order for and authorize the payment to the treasurer of said township an amount equal to all of the road taxes levied and collected in said township of the levy of the year one thousand nine hundred and fourteen, including the share of the public-service corporation tax of said township, and shall also deliver to the road commissioners of said township such proportion of the present road equipment of Northampton County, including tools, implements, road machines, and teams, as the said county board may deem just and equitable.

Proportion of road
equipment.

SEC. 24. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 25. That this act shall be in force from and after its ratification.

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 446.

AN ACT TO PROVIDE FOR THE CONSTRUCTION AND MAINTENANCE OF THE PUBLIC ROADS IN PAMLICO COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Pamlico County shall have the control of the construction and maintenance of the public roads and bridges in said county, and shall construct and maintain said roads by taxation, as hereinafter provided.

SEC. 2. That said board of commissioners shall at the same time for levying other taxes in said county levy one dollar on each male person subject to poll tax and a tax not to exceed forty cents on each one hundred dollars worth of property in said county, said taxes to be collected by the sheriff, along with the other taxes, but shall be set apart as a separate fund by said commissioners and known as the "Road Fund."

County commis-
sioners to control
road work.

Work done by tax-
ation.

Tax rate.

Collection of tax.
Tax set apart as
road fund.

SEC. 3. That said board of commissioners of said county shall have the power and it shall be their duty to use said fund for the purpose of constructing and maintaining the public roads of Pamlico County. The said commissioners shall lay off all the public roads in Pamlico County in sections, and shall contract out the maintenance of said sections to the lowest bidder, who shall be a *bona fide* resident of Pamlico County, upon such terms as to them may seem best, and shall require bond of said party that he will perform his contract of maintenance of said section: *Provided*, that the section allotted to each contractor shall be inspected once every two weeks.

Use of fund.
Roads laid off in sections. Work let to contract.
Bond of contractor. Proviso: biweekly inspections.

SEC. 4. That the board of commissioners of said county shall appoint a general supervisor of the public roads of Pamlico County, who shall hold his office for a period of twelve months from the date of his appointment, whose duty it shall be to inspect the maintenance and construction of said different sections of said roads and report to the commissioners whether said maintenance and construction contracts have been complied with; and said supervisor shall receive for his services a sum to be fixed by the county commissioners. That said general road supervisor shall be a *bona fide* citizen of Pamlico County, and may be discharged by said commissioners in the default of the performance of his duties.

Election and term of road supervisor.
Term of office. Inspection and report.
Pay of supervisor. Removal for cause.

SEC. 5. That said commissioners shall appoint said general road supervisor at the meeting on the first Monday in April, one thousand nine hundred and fifteen, and every year thereafter, when this act shall have gone into effect.

Time of appointment.

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

Repealing clause.

SEC. 7. That this act shall be in force from and after the first Monday in April, one thousand nine hundred and fifteen.

When act effective.

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 447.

AN ACT TO AUTHORIZE THE BOARD OF DRAINAGE COMMISSIONERS OF BACK SWAMP AND JACOB SWAMP DRAINAGE DISTRICT OF ROBESON COUNTY TO ISSUE BONDS.

Whereas, under the general drainage law of North Carolina as embodied in chapter four hundred and forty-two (442) of the Public Laws of one thousand nine hundred and nine and chapter sixty-seven (67) of the Public Laws of one thousand nine hundred and eleven, there was established in Robeson County a drainage district known as Back Swamp and Jacob Swamp Drainage District; and whereas, in the year one thousand nine hundred and

Preamble.
Preamble.

twelve the said drainage district issued, in strict conformity to and accordance with said general drainage law, bonds to the amount of one hundred and fifty thousand dollars (\$150,000), there being three hundred (300) bonds in the sum of five hundred dollars (\$500) each, bearing date August first, one thousand nine hundred and twelve, with interest from date at six (6) per centum per annum, payable semiannually, one-tenth of the entire principal of said issue, to wit, fifteen thousand dollars (\$15,000), becoming due and payable on the first day of August, one thousand nine hundred and fifteen, and a similar installment of one-tenth of the principal each year thereafter until the entire issue shall have been paid in full, and the said bonds constitute a valid and binding obligation and debt of said drainage district; and whereas there is now in the treasury of said district a sum sufficient to meet the interest upon said bond issue falling due on August first, one thousand nine hundred and fifteen, but the first installment of one-tenth of the principal of said bonds, to wit, fifteen thousand dollars (\$15,000), will fall due before the assessment for one thousand nine hundred and fifteen which has been levied to pay said installment can be collected, the said assessment not being due or payable until the first Monday in September, one thousand nine hundred and fifteen, and the respective landowners having until December thirty-first, one thousand nine hundred and fifteen, to pay said assessment; and whereas it is therefore necessary to provide funds wherewith to pay the first installment of said bonds falling due on August first, one thousand nine hundred and fifteen, at maturity: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the board of drainage commissioners of Back Swamp and Jacob Swamp Drainage District of Robeson County, in the State of North Carolina, be and they are hereby authorized and empowered to issue bonds of said drainage district in the principal sum of fifteen thousand dollars (\$15,000), to wit, thirty (30) bonds in the sum of five hundred dollars (\$500) each, bearing interest from their date at the rate of six per centum per annum, payable semiannually, the principal of said bonds to be due and payable on the first day of August, one thousand nine hundred and twenty-five; the said bonds and interest thereon being payable at such place or places as said board of drainage commissioners may determine. The said bonds shall be numbered from one (1) to thirty (30), inclusive, and shall be denominated "Bonds of Back Swamp and Jacob Swamp Drainage District, series of 1915." The said bonds shall be issued under the signature of the chairman of said board of drainage commissioners, attested by the secretary of said board, and the corporate seal of the district shall be affixed thereto. The lithographed signatures of the chairman and secre-

Preamble.

Preamble.

Bond issue authorized.

Amount.

Denomination.

Interest.

Maturity.

Denomination.

Authentication.

tary of said district shall be deemed a sufficient signing of the interest coupons to be attached to the said bonds.

SEC. 2. The said board of drainage commissioners of said district are authorized and empowered to sell said bonds at public or private sale, with or without advertisement of sale, but none of said bonds shall be sold or disposed of at a price less than par, and the proceeds arising from the sale of said bonds shall be used in the payment of the installment of the bonds heretofore issued by said drainage district which falls due on the first day of August, one thousand nine hundred and fifteen, the said installment amounting to the principal sum of fifteen thousand dollars (\$15,000).

Sale of bonds.

Sale below par forbidden. Appropriation of proceeds.

SEC. 3. That the proceeds of the assessment heretofore levied upon the lands and real property within said drainage district and payable on the first Monday in September, one thousand nine hundred and fifteen, shall when collected be applied to the payment of interest on the outstanding bonded debt of said drainage district and to the payment of the installment of said bonds which will fall due on August first, one thousand nine hundred and sixteen, and the proceeds of the assessments for each succeeding year shall be applied in like manner to the payment of interest on the outstanding bonded debt and to the payment of the installment of bonds that falls due in the year following that in which the assessment is payable; so that the proceeds of the tenth assessment, which will fall due in one thousand nine hundred and twenty-four, can and shall be applied to the payment and discharge of the principal of the bonds to be issued under the provisions of this act.

Application of payments on assessments.

SEC. 4. That the interest accruing upon the bonds to be issued under the provisions of this act shall be paid out of the proceeds of the assessments heretofore levied to provide for the payment of the bonds heretofore issued by said drainage district, the said assessments being sufficient in amount to pay off and discharge the bonds heretofore issued by said district (the first installment of said bonds to be paid with the proceeds of the bonds to be sold under the provisions of this act as herein provided) and the bonds to be issued under the provisions of this act, together with interest upon both issues; and the proceeds of the tenth assessment, which falls due in one thousand nine hundred and twenty-four, shall be used and applied in the payment and discharge of the principal of the bonds to be issued under the provisions of this act, with interest accruing during the last year prior to the maturity of said bonds.

Payment of interest.

SEC. 5. In case the assessments heretofore levied upon the lands and real property within said drainage district shall prove insufficient to pay off and discharge and satisfy the principal and interest of the bonds heretofore issued by said district, together with the principal and interest of the bonds to be issued under the provisions

Reassessment of lands.

of this act, or if from any cause the proceeds from said assessments shall be insufficient to pay off and fully satisfy all the bonded indebtedness of said district, including the bonds to be issued under the provisions of this act, together with interest accruing upon all of said bonds, then and in that event a relevy and reassessment shall be made upon all lands and real property within said drainage district for the additional sum required, the same to be made in the same ratio on the lands benefited as the original assessment was made; and the assessment under said relevy or reassessment shall be due and payable on the first Monday in September, one thousand nine hundred and twenty-four; and said relevy or reassessment shall be made in the way and manner provided in chapter four hundred and forty-two (442), Public Laws of one thousand nine hundred and nine, and chapter sixty-seven (67), Public Laws of one thousand nine hundred and eleven; and all the provisions of said acts relating to the method and manner of providing funds to cover such deficiency or deficit are hereby made a part of the provisions of this act as though fully set forth herein; and any deficit in the amount necessary to pay off and fully discharge the bonds to be issued under the provisions of this act, or interest thereon, shall be raised and provided in the way and after the manner and method provided in said acts or in this act.

SEC. 6. That as the proceeds of the bonds to be issued under the provisions of this act are to be applied solely to the payment and discharge of an installment of the bonds heretofore issued by said drainage district, and as the bonds to be issued under the provisions of this act do not increase the indebtedness of said drainage district, or impose any additional liability or burden upon the lands and real property or property owners within said district, it shall not be necessary to hold any election as a prerequisite to the issuance of the bonds provided for by this act, or to obtain the assent or consent of the landowners within said drainage district, or to do anything whatever other than herein provided; but the said bonds, when issued in accordance with and conformity to the provisions of this act, shall constitute a valid and binding obligation and debt of said drainage district to the same extent as the bonds heretofore issued and now outstanding, the first installment whereof is to be paid and discharged with the proceeds of the bonds to be issued under the provisions of this act.

SEC. 7. That as the assessments heretofore levied to provide for the payment of the bonded indebtedness of said drainage district are due and payable on the first Monday in September in each year, beginning with the year one thousand nine hundred and fifteen, and as under the provisions of this act the proceeds from each assessment will not be needed to pay the next installment of the principal of said bonds until August first of the year following the year in which the respective assessments are due and payable,

Ratio of assessment.

Time for payment.

Procedure for reassessment.

Election not necessary.

Bonds valid and binding.

Power to loan assessments.

and therefore the proceeds of each assessment would otherwise remain in the treasury of said district until the first day of August of the year following the year in which the respective assessments are to be collected, and it is advisable that the said funds should be on interest, therefore the board of drainage commissioners of said district be and they are hereby authorized and empowered to loan all amounts derived from the respective assessments until such time as said funds are needed to pay interest upon the bonded debt of said district or interest thereon, the said loans to be made to such bank or banks, or otherwise, and at such rate or rates of interest, and with such security for the prompt repayment thereof, as the said board of drainage commissioners may, in their discretion, determine: *Provided, however,* that no funds shall be so loaned out for a period longer than the date of the maturity of the next installment of the bonded debt of said district.

Proviso: term of loan.

SEC. 8. That all laws and clauses of laws in conflict with the provisions of this act be and the same are hereby repealed.

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

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 448.

AN ACT TO PREVENT LIVE STOCK FROM RUNNING AT LARGE IN GASTON, PLEASANT HILL, SEABOARD, OCONNEECHEE, JACKSON, ROANOKE, AND RICH SQUARE TOWNSHIPS IN NORTHAMPTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any live stock to run at large in Gaston, Pleasant Hill, Seaboard, Oconneechee, Jackson, Roanoke, and Rich Square townships in Northampton County.

Townships brought within stock law.

SEC. 2. Any person may take up any live stock running at large in said townships and impound the same; and such impounder may demand fifty cents for each animal so taken up, and fifty cents for each animal for every day such stock is kept impounded, and may retain the same, with the right to use it under proper care until all legal charges for impounding such stock and for damages caused by the same are paid, such damages to be ascertained by two disinterested freeholders to be selected by the owner and said impounder, said freeholders to select an umpire if they cannot agree, and their decision to be final.

Stock impounded.
Pound charges.

Use of impounded stock.

Arbitration of damages.

SEC. 3. If the owner of said stock be known to such impounder, he shall immediately inform such owner when his stock is impounded, and if said owner shall for two days after such notice

Notice to owner.

Advertisement and sale of stock.

willfully refuse or neglect to redeem his stock, then the impounder, after ten days written notice posted at three or more public places within the township where said stock is impounded, and describing the said stock, and stating the place, day and hour of sale, or if the owner be unknown, after twenty days notice in the same manner and also at the courthouse door, shall sell the stock at public auction and apply the proceeds in accordance with the preceding and succeeding sections, and the balance he shall turn over to the owner, if known, and if the owner be not known, to the county commissioners for the use of the school fund of the district wherein said stock was taken up and impounded, subject in their hands for six months to the call of the legally entitled owner.

Disposition of surplus.

Misappropriation of money or violation of law misdemeanor.
Punishment.

Unlawful release a misdemeanor.

Punishment.

"Stock" construed.

Willfully allowing stock at large misdemeanor.

Punishment.

County commissioners to erect fences.

Gates across highways.

Proviso: fences and gates by individuals.

Condemnation of land for fencing.

Procedure for condemnation.

SEC. 4. Any impounder willfully misappropriating any money he may receive under this act, or in any manner willfully violating any of its provisions shall be guilty of a misdemeanor and fined not exceeding fifty dollars or imprisoned not exceeding thirty days.

SEC. 5. Any person unlawfully rescuing or releasing any impounded stock, or attempting to do so, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days.

SEC. 6. The word "stock" in this act shall be construed to mean horses, mules, jacks, jennies, colts, cows, sheep, calves, goats, and all neat cattle and swine.

SEC. 7. That any person who shall willfully permit his or her live stock to run at large within said townships shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days.

SEC. 8. The board of county commissioners of Northampton County is hereby authorized and empowered, whenever the said board shall deem it necessary to do so, to erect such fences as the said board may deem sufficient and necessary between the said townships herein named and the adjacent townships or counties, and to erect such gates across the public highways leading from one to the other as the said board shall deem necessary; and to defray the expense of the same the said board shall levy and collect an assessment not to exceed ten cents on the one hundred dollars taxable valuation of the property returned for taxes in said county of Northampton: *Provided*, any citizen or citizens of said townships herein named, or those adjacent to the same, are hereby authorized and empowered at their own expense to construct said fence or any part of it, or to erect gates on any of the said highways on said line of fence, and if any owner of land along the line of territory mentioned in this act shall object to the building of any fence herein allowed, his land, not exceeding twenty feet in width, for the fencing herein provided for shall be condemned, upon the application of any person or persons to any justice of the peace of the township in which said land is situated, and said justice of

the peace shall at once proceed to summon two disinterested freeholders, who shall, together with him, lay off and condemn such land for fencing, after giving to the owner or owners of such land or lands, or his or their agents, two days notice, and they shall assess such damages as they think just. That section eight herein shall be renumbered and become section nine, and section nine herein shall be renumbered and become section ten.

Section renumbered.

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

SEC. 10. That this act shall be in force from and after the first day of January, one thousand nine hundred and sixteen.

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 449.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF PERSON COUNTY TO SUBMIT TO THE VOTERS OF ROXBORO TOWNSHIP AND OTHER TOWNSHIPS OF SAID COUNTY THE QUESTION OF ISSUING BONDS TO BUILD AND IMPROVE THE PUBLIC ROADS THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of building, grading, and constructing of macadam, gravel, soil, sand-clay, or other material, and otherwise improving and maintaining the public roads of Roxboro Township in Person County, the board of commissioners of said county is hereby authorized, empowered, and directed, and it shall be its duty, to submit to the voters of Roxboro Township as soon after the ratification of this act as practicable, upon petition being made to it signed by fifty qualified voters of said township, the question of issuing bonds to an amount not exceeding seventy-five thousand dollars.

Purpose of issue.

County commissioners to order election.

Petition for election.

Question submitted.

SEC. 2. That the board of county commissioners shall fix the date for the holding of the election for said township for the purpose of voting on said bond issue, and shall name the registrars and judges of election for the voting precincts of said township, and give notice of said election for at least thirty days prior to the date thereof in some newspaper published in Person County, and that said election shall be conducted in all respects as is now or may hereafter be prescribed by law for holding elections for the General Assembly and county officers, and said county commissioners may or may not order a new registration for said election. The votes shall be counted at the close of the polls and returned to said board of county commissioners on the Thursday next following said election, all of which shall be recorded in the minutes

Date for election.

Election officers.

Notice for election.

Law governing election.

Count and return of votes.

Record of return.

of said board of county commissioners, and no other reading and declaring of the result shall be necessary.

Ballots. SEC. 3. That at said election or elections as herein provided for the ballots tendered and cast by the voters shall have written or printed thereon "For Road Improvement Bonds" or "Against Road Improvement Bonds." That if a majority of the votes cast in said election shall be against said bond issue, said board of county commissioners may submit said question to the voters of said township at any other time or times as set out in section two of this act, and it shall be its duty to do so upon petition being made to it signed by fifty qualified voters of said township.

Subsequent elections. Election of supervisors. Official entitlement. Supervisors to meet and organize. SEC. 4. That at any election provided for herein, when the question of issuing bonds shall be submitted to the voters of said township, the qualified voters of said township shall elect by ballot nine qualified voters of said township who shall constitute and be known as "Roxboro Township Supervisors," and the nine names receiving the highest number of votes shall be returned to the board of county commissioners and recorded in its minutes and declared elected "Roxboro Township Supervisors"; and in the event that the majority of the votes cast in said election shall be in favor of said bond issue, then said Roxboro Township supervisors shall meet at some point in Roxboro Township as soon after said election as practicable and organize by electing one of their number as chairman and one as secretary; and it shall be the duty of said Roxboro Township supervisors to elect three voters of said township who shall be constituted and known as the "Roxboro Township Highway Commission," only two of whom shall belong to the same political party. That one member of said highway commission shall be elected for six years, one for four years, and one for two years. Upon the expiration of the term of office of any member of said highway commission his successor shall be elected by the qualified voters of said township at the next general election after said expiration. In the event of a vacancy in said highway commission the other members of same shall elect a member to fill said vacancy until the next ensuing election. That the Roxboro Township supervisors shall file with the board of county commissioners a report signed by its chairman and secretary, showing the names of the members of said highway commission elected by them, and said report shall be recorded in the minutes of the said board of county commissioners. That the position of township supervisor shall not constitute an office within the meaning of article seven, section fourteen of the Constitution of North Carolina.

Election of highway commission. Official entitlement. Political affiliation. Terms of office. Election of successors. Vacancies. Report and record of election. Supervisors not officers. SEC. 5. That each member of said highway commission, before entering upon the discharge of his duties, shall take an oath that he will faithfully and honestly discharge the duties of his office, and after which they shall proceed to organize by electing a chair-

Commissioners to qualify and organize. Officers and terms.

man, secretary, and treasurer, each of said officers to hold said position for a term of two years: *Provided*, the treasurer may be other than a member of said highway commission. That said highway commission and its successors shall be and is hereby constituted a body corporate and may sue and be sued, make contracts, acquire real and personal property by gift, purchase, or devise; hold, exchange, and sell the same, and exercise such other rights and privileges as are incident to the powers herein conferred. That said highway commission shall meet at least once a month in Roxboro, and oftener if in its discretion necessary in order to fully and faithfully perform the duties required of it, and said members shall receive the sum of two dollars per day and mileage when in the actual performance of their official duties.

Proviso: treasurer.
Incorporation.

Corporate powers.

Meetings.

Pay of commissioners.

SEC. 6. That it shall be the duty of said highway commission to take control and management of the roads of Roxboro Township and it is hereby vested with all the rights and powers for such control and management as are now vested in and exercised by the board of county commissioners of Person County, and it is hereby vested with authority and power to construct and improve the public roads in said township and shall purchase and hold or contract for the use of such teams, machinery, implements, and stock, and elect a superintendent and employ overseers, foremen, and laborers as they may deem necessary for said purpose, and fix the compensation of all such employees.

Control and management of roads.

Rights and powers vested.

Equipment.

Superintendent and employees.
Compensation.

SEC. 7. That the bonds authorized to be issued by this act, not to exceed in the aggregate seventy-five thousand dollars, shall be of the denomination of five hundred or one thousand dollars, as the highway commission may deem best, and bearing interest at the rate of not exceeding five per cent per annum, with interest coupons attached, payable semiannually during the time said bonds shall run, with the principal payable forty years from the date of issue. That said bonds and the interest thereon shall be payable at such place or places as said highway commission may deem best. The said bonds shall be numbered consecutively, beginning with number one, and the coupons to each bond shall bear the number of the bond to which it is attached as well as the number of the coupon, and both bonds and coupons shall be signed by the chairman of the highway commission and countersigned by its secretary and attested by its common seal, and they shall be entitled "Roxboro Township Road Improvement Bonds."

Amount of bond issue.
Denomination.

Interest.

Maturity.

Authentication.

Entitlement of bonds.

SEC. 8. That none of said bonds shall be sold, exchanged, hypothecated, or otherwise disposed of for a less price than their face value, nor shall the proceeds from the sale of same be used for any other purpose than that declared by this act: *Provided*, that the purchaser or purchasers of said bonds shall not be required to see to the application of the fund. That all necessary cost and expenses incurred in having said bonds prepared and the

Sale below par forbidden.

Specific appropriation of proceeds.
Proviso: no duty imposed on purchasers.
Expense of issuing and selling bonds.

- sale of same shall be paid out of the fund arising from the sale thereof. The liability for the payment of said bonds, together with the interest that may be due thereon, shall be attached to and imposed upon the political division of Person County known as Roxboro Township as constituted at the time of the ratification of this act.
- Obligation of bonds.
- Special tax. SEC. 9. That in order to pay the interest on said bonds, create a sinking fund for taking up said bonds at maturity, establish, alter, repair, and maintain the public roads of Roxboro Township in good condition, the said board of commissioners for the county of Person shall annually compute and levy, at the time of levying other taxes, a sufficient special tax on all polls, all real estate and personal property, and other subjects of taxation which the said commissioners may now or hereafter be allowed to levy taxes upon for any purpose whatever, always observing the constitutional equation between the taxes on property and the taxes on polls: *Provided*, said levy shall not be less than twenty cents nor more than forty cents on one hundred dollars worth of property, and not less than sixty cents nor more than one dollar and twenty cents on the poll, and said taxes so levied shall be collected as other taxes and paid over to the treasurer of the highway commission and held by him to be paid out for the purposes mentioned in this section.
- Constitutional equation.
- Proviso: limit of tax rate.
- Collection and settlement.
- Sinking fund as special trust. SEC. 10. The sinking fund shall be held by said highway commission on special trust for the payment of the bonds issued under the provisions of this act, and neither the principal thereof nor the interest thereon shall be used for any other purpose. The highway commission shall manage and invest the sinking fund at its discretion until paid out for the redemption of bonds in the manner set out in this act: *Provided, however*, the said highway commission may in its discretion, from time to time, use any of said sinking fund for the purchase in open market of any bonds issued under the provisions of this act; and *Provided further*, it shall be the duty of said highway commission to set apart annually to the sinking fund at least one per cent of the total bond issue of seventy-five thousand dollars.
- Diversion forbidden. Management and investment of fund.
- Proviso: purchase of bonds.
- Proviso: apportionment to sinking fund.
- Bond of treasurer. SEC. 11. The treasurer of said highway commission shall be required to execute such bond as may be required of him by said highway commission for the faithful performance of his duties. That said treasurer shall receive the moneys derived from the sale of said bonds and from the collection of taxes levied under the provisions of this act, which taxes shall be turned over to said treasurer by the sheriff of Person County, and said treasurer shall pay out said funds only upon vouchers drawn on him by the highway commission; that said treasurer shall on the first Monday of each and every month post at the courthouse door of Person County an itemized statement showing in full an account of his
- Moneys to be received by treasurer.
- Vouchers.
- Monthly reports posted.

receipts and disbursements for the previous month, and balance on hand at the time of making said statement, and the highway commission shall require him to account to it quarterly in each year for said road funds. That the compensation of said treasurer shall be fixed and determined by said highway commission.

Quarterly accounts.

Compensation of treasurer.

SEC. 12. That the said road superintendent herein provided for shall take and subscribe an oath for the faithful performance of his duties as such highway superintendent, and shall execute an official bond in the sum of two thousand dollars for the faithful

Superintendent to qualify and give bond.

performance of his duties and for accounting for all money and property which may come into his hands as such officer. Said superintendent shall hold his office for two years and until his successor qualifies, except that the highway commission may for good

Term of office.

cause remove him from said office and elect his successor for the unexpired term. He shall enter upon his duties and work when and where directed by said highway commission, and shall have such authority and perform such duties as may be from time to time determined by said highway commission.

Removal for cause.

Direction of commission.

SEC. 13. The highways to be made, opened, built, or improved by the highway commission under the provisions of this act shall

Highways designated.

from time to time be designated by said highway commission, but their location shall be made only after the submission of plans, specifications, profiles, and estimates by a competent and expert road engineer. In designating said highways, said highway commission shall take into consideration the needs of the entire township and every part thereof, opening or improving those highways which in their opinion will be of benefit to the greatest possible number of the people of the township.

Location.

Considerations governing designation.

SEC. 14. The highways in said township constructed or improved under this act shall have a right of way of not less than thirty feet, which shall be free from logs, stumps, and all other obstructions, and said roads shall be worked and improved in such manner as said highway commission shall deem best.

Right of way.

SEC. 15. That in the opening of the highways, widening and straightening old roads, building and repairing the same, the highway commission, through its servants, agents, and employees, is hereby authorized to enter upon any lands and locate and build such highways, and to enter upon any lands near to or adjoining such roads; cut and carry away timber except trees or groves on improved lands planted or left for ornament or shade, and dig or cause to be dug and carried away any gravel, sand, clay, soil, or stone which may be necessary to construct, improve, or repair said road, and to enter on any land adjoining or lying near the roads to make such drains or ditches through the same as it may deem necessary for the betterment of the road, doing as little injury to said land and the timber and improvements thereon as the nature of the case and the public good will permit; and it is

Right of entrance on lands.

Drains or ditches.

Removal of timber shading roads.

further authorized to enter upon any lands adjoining said road and cut and remove any growth and trees on either side of same which shade said road to such an extent as to impair and prevent the drying of the same, except trees or groves on improved lands planted or left for ornament or shade: *Provided, however,* that before entering upon lands as authorized by this section it shall be the duty of the highway commission to serve written notice upon the owner of said land, by mail or otherwise, notifying said parties that the highway is to be located on said land, or that necessary gravel, sand, clay, soil, or stone is to be dug and removed therefrom, or that the shade obstructions are to be removed as above provided.

Proviso: land-owners to be notified.

Obstructing drains or ditches a misdemeanor.

Punishment.

SEC. 16. That said drains and ditches shall not be obstructed by the owner or occupant of such land, or any other person or persons, and any person so offending shall be guilty of a misdemeanor and fined not less than five dollars nor more than ten dollars, or imprisoned for not less than five nor more than ten days, to be worked upon the roads of said township.

Itemized claims for damages within sixty days.

SEC. 17. That all persons claiming damages or compensation for the taking of any land for the construction of a highway thereon, or for digging or carrying away any gravel, sand, clay, soil, stone, or timber or for cutting and removing the shade obstructions as authorized herein, shall within sixty days after said highway is completed or the cause complained of shall have been committed, file with the highway commission an itemized statement of said claim for any and all such compensation or damages. That said highway commission is authorized and empowered to allow such sum or amounts as to it seems just, fair, and reasonable, taking into consideration any benefits and enhancement of the value of the property of such claimant by such road improvements; and should any claimant be dissatisfied with the amount allowed by said highway commission, such claimant may appeal from its decision to the next term of the Superior Court of Person County, where said claim shall be heard *de novo*, but he shall give a good and sufficient bond to cover the cost as in like cases of appeal.

Allowance of damages.

Right of appeal.

Bond on appeal.

Approval of accounts and order for payment.

SEC. 18. That all accounts, claims, and expenses arising by operation of this act shall be presented to said highway commission for approval and payment, and upon same being approved by said highway commission an order shall be drawn for payment of same on the treasurer of said road fund. That said highway commission shall keep a special order book for the payment of said accounts, said orders to be numbered and the stub of each order to bear a corresponding number, and state for what purpose said order is given. That said highway commission shall keep a record of all bonds sold by it, the number of same, and the name of the purchaser and the amount received from same, and likewise a record of all bonds paid and taken up, together with number of same.

Order book.

Record of bonds.

- SEC. 19. That the board of commissioners of Person County in levying the taxes provided for in this act shall be governed in the amount of the levy made by the recommendation of the highway commission; that the board of county commissioners of Person County shall furnish quarterly to the highway commission a statement of the amount collected by the sheriff under the provisions of this act, and said highway commission shall keep a record of all funds reported to it by said board of county commissioners as having been collected and paid over by the sheriff to the treasurer of said highway commission.
- SEC. 20. That the highway commission may institute and prosecute any necessary action for the recovery of any such road taxes in case any officer fails to account for the same.
- SEC. 21. That upon an election being held under this act, and the result being declared for said bond issue, all laws and clauses of laws authorizing the levy and collection of any tax for public roads in Roxboro Township, except such as provided in this act, shall cease and determine as to said township, and no other tax or assessment for public roads shall be collected in said township except as herein provided.
- SEC. 22. That any other township in Person County is empowered to adopt by vote the provisions of this act and to provide for the construction and maintenance of good roads therein by issuing bonds in an amount not exceeding fifty thousand dollars; and upon petition of fifty of the qualified voters of any such township asking that an election be held in such township and stating in such petition to the board of county commissioners the amount of bonds proposed to be issued, not to exceed the sum of fifty thousand dollars, and stating the amount of taxes to be levied for said purpose, not to exceed forty cents on property and one dollar and twenty cents on the poll, it shall be the duty of the board of commissioners of Person County to order an election as requested, which shall be held and conducted and the result declared as provided by this act; and if said petition and the election approving the same shall authorize the issuing of bonds for such township, this act shall be applicable to such township as if its name was written therein instead of the name of Roxboro Township, including the provisions as to levy, collection, payments, and disbursements of taxes. Any township availing itself of the provisions of this act shall be relieved from the payment of any other road tax except that herein provided.
- SEC. 23. That in the event any township in Person County avails itself of the provisions of this act to the extent of issuing bonds, then all laws or clauses of laws in conflict with this act are hereby repealed as to any such township.
- SEC. 24. That this act shall be in force from and after its ratification.

Recommendation of tax rate.

Quarterly statements of collections.

Record of funds.

Action for recovery of taxes.

Road taxes rescinded.

Other townships may adopt act.

Limit of bond issue. Petition for election.

Order for election.

Effect of election.

Relief from further road tax.

Repeal of laws as to townships issuing bonds.

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 450.

AN ACT TO ALLOW NORTH WHITAKERS, SOUTH WHITAKERS, DRY WELLS, AND COOPERS TOWNSHIPS, IN NASH COUNTY, TO ISSUE BONDS FOR ROAD IMPROVEMENTS.

The General Assembly of North Carolina do enact:

Bond issues authorized.

Amounts and entitlements.
North Whitakers.
South Whitakers.

Dry Wells.

Coopers.

Purpose of bond issues.
Majority of qualified voters.

Interest.

Denomination.

Payable yearly.
Sale below par forbidden.
Coupons.

Authentication.

Recitals of bonds.

SECTION 1. That the board of commissioners of Nash County are hereby authorized and directed to issue bonds for North Whitakers, South Whitakers, Dry Wells, and Coopers townships in the county of Nash in amounts as follows: North Whitakers Township, Nash County, to be styled "North Whitakers Township Road Bonds," to an amount not to exceed fifteen thousand dollars (\$15,000); South Whitakers Township, Nash County, to be styled "South Whitakers Township Road Bonds," to an amount not to exceed ten thousand dollars (\$10,000); Dry Wells Township, Nash County, to be styled "Dry Wells Township Road Bonds," to an amount not to exceed fifteen thousand dollars (\$15,000); and Coopers Township, Nash County, as bounded and defined on January the first, one thousand nine hundred and eleven, to be styled "Coopers Township Road Bonds," to an amount not to exceed ten thousand dollars (\$10,000), for the purpose of grading, repairing, building, and improving the public roads of said township: *Provided*, a majority of the qualified voters of each of the above townships shall authorize the same in an election to be held as hereinafter provided. Said bonds shall not bear a greater rate of interest than six per cent per annum, interest payable annually. The bonds are to be of the denomination of five hundred dollars (\$500) each and are to be payable one each year in each township, for and after a date to be fixed by the commissioners of Nash County. Said bonds shall not be sold or negotiated at less than par. To each and every of said bonds there shall be attached as many coupons representing the interest that shall be annually due as the bond itself shall have years to run before its maturity; that is to say, to the bond to be due in one year in each township there shall be attached one coupon representing the annual interest for one year; to the bond to be due in two years in each township there shall be attached two coupons representing the annual interest for two years; and so on for each and all bonds issued under this act. Said bonds shall be signed by the chairman of the board of commissioners of Nash County and countersigned by the register of deeds of said county, and shall have the official seal of the register of deeds attached thereto. Said bonds and coupons shall express on their face that they are payable out of the taxes to be levied on the taxable property and polls of the respective townships for which issued. For the purpose of providing for the payment of

<p>said bonds and the annually accruing interest thereon, the board of commissioners of Nash County shall annually, at the time of levying other taxes, levy and lay a special tax sufficient to pay the interest annually accruing and to pay off one bond of five hundred dollars (\$500) in each and all of said townships, the constitutional equation as to property and polls at all times to be observed. The taxes herein provided for shall be collected by the sheriff of Nash County and by him paid over to the treasurer of Nash County, who is the <i>ex officio</i> treasurer of each and all of said road districts, and the taxes so collected shall be applied exclusively to the purposes to which they are herein dedicated. The treasurer of Nash County, who is the <i>ex officio</i> treasurer of said road districts, shall reserve the moneys belonging to said road districts, whether raised by taxation or from the sale of bonds: <i>Provided, however</i>, that the levying and collecting of taxes hereunder shall in no wise affect the other taxes now being levied in said townships or road districts.</p>	<p>Special tax. Constitutional equation. Collection and settlement. Exclusive application. Treasurer of road districts. Proviso: other taxes not affected.</p>
<p>SEC. 2. The proceeds of sale of said bonds so held by the treasurer of Nash County to the credit of the respective townships or road districts to which the same may belong shall be used and applied to the objects and purposes of building, repairing, improving, and constructing the public roads of the respective townships or road districts voting said bonds, and no part of said fund shall be paid out by the treasurer except upon orders signed by the chairman and countersigned by the clerk of said road commission. The treasurer, upon said order, will pay the amount thereof and charge the same to the road fund or district drawing said order: <i>Provided, however</i>, that no warrant or order on the treasurer for an amount greater than one hundred dollars (\$100) shall be paid by him until the same shall have been first presented to the board of commissioners of Nash County for its approval and shall have been approved by it.</p>	<p>Use of proceeds. Orders on fund. Payment of orders. Proviso: orders to be approved by county commissioners.</p>
<p>SEC. 3. That the bonds herein provided for shall be issued only in such sums and at such times as may be directed by the road commissioners of the road district or township issuing the same.</p>	<p>Issuance of bonds.</p>
<p>SEC. 4. That for the purpose of carrying this act into effect the board of commissioners of Nash County are hereby authorized and directed to call an election in each township of Nash County herein mentioned and submit to the qualified voters of each township the question of issuing said bonds and levying and collecting the taxes herein provided for, after first giving thirty days notice of said election by publication in some newspaper published in Nash County and by posting notices at four or more public places in each of said townships or road districts; the said notices so posted and published shall set forth fully the objects of said election and the authority by which the same is called, and the board of commissioners of Nash County shall appoint for each of said town-</p>	<p>County commissioners to call elections. Notice of elections. Election officers.</p>

- ships or road districts a registrar and two judges of election, as officers of said election, all of whom shall be residents of and freeholders in said township or road district, and shall order an entirely new registration of the voters of each township or road district, and said election shall be held under the same rules and regulations as are now provided for the election of members of the General Assembly, according to the general election laws of the State, except as to the time of holding and ordering said election, which shall be left to the discretion of the board of commissioners of Nash County, and except as to the canvassing of the returns of the same, which shall be as hereinafter provided. At the close of said elections so ordered, the registrar and judges of election shall count the votes cast and make their return of the result to the board of commissioners of Nash County on the first Monday in the month following said election. Said commissioners of Nash County, at such time and at their usual meeting place, are hereby required to canvass the returns to them made of said election and duly declare the result thereof, and the result of said election shall be spread upon the minutes of the board of county commissioners.
- New registration.**
- Law governing elections.**
- Count and return of vote.**
- Canvass and record of returns.**
- Ballots.** Sec. 5. That at said elections those voting for issuing bonds and levying and collecting the taxes herein provided for shall vote a written or printed ballot containing the words "For Good Roads," and those voting against issuing said bonds and levying and collecting said taxes shall vote a written or printed ballot containing the words "Against Good Roads." All expenses of holding said election shall be paid out of the road fund of said townships or road districts.
- Expense of elections.**
- Issue and sale of bonds.** Sec. 6. If at any election held under and by authority of this act a majority of the qualified voters in any of said townships or road districts shall vote "For Good Roads," then the board of commissioners of Nash County are hereby authorized and empowered and directed to issue bonds for such township and sell the same in an amount to be fixed by the road commissioners of said township or road district, not to exceed the total amount herein authorized.
- Expense of issuing and selling bonds.** Sec. 7. That before turning over to the treasurer of Nash County, as hereinbefore provided, the proceeds derived from the sale of said bonds, the board of commissioners of Nash County are authorized and empowered to deduct from said proceeds the actual expenses of preparing, printing, and lithographing said bonds and negotiating the sale of the same, which last item may include reasonable attorneys' fees to be fixed by the board of commissioners of Nash County: *Provided, however,* that before delivering the net proceeds of said bonds to the treasurer of Nash County, the board of commissioners of Nash County may require of him such additional official bond as they may deem necessary, not to exceed in amount the net sum paid over to him.
- Attorney's fees.**
- Proviso: bond of treasurer.**

SEC. 8. The county commissioners of Nash County shall call elections provided for at any time when called upon to do so by the board of road commissioners of the different townships, and the board of commissioners of Nash County are hereby authorized, empowered, and directed, in their discretion, to resubmit the question of issuing bonds in any township provided for in this act to the qualified voters of said township or townships at other elections to be called by them under the same provisions of this act, if called upon to do so by the road commissioners of the different townships.

Election at request of road commissioners.

Subsequent elections.

SEC. 9. That wherever Coopers Township or Coopers Road District is mentioned or referred to in this act, the same shall be construed to mean Coopers Township as bounded and defined on January the first, one thousand nine hundred and eleven.

Coopers township or road district defined.

SEC. 10. The board of commissioners of North Whitakers Township Road District are hereby authorized and empowered to work, repair, and improve such main roads or streets in the town of Whitakers as lead from the county of Nash through said town to the county of Edgecombe.

Work on streets.

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

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 451.

AN ACT TO PROVIDE RURAL POLICEMEN FOR CERTAIN TOWNSHIPS IN THE COUNTY OF ANSON.

The General Assembly of North Carolina do enact:

SECTION 1. That the office of the rural policeman for the townships of Lilesville, Morven, Gulledge, and White Store, Anson County, with such duties and regulations as are provided in this act, is hereby created.

Office created.
Townships.

SEC. 2. That at the first regular meeting of the board of county commissioners of Anson County, held in December, one thousand nine hundred and fifteen, the said board of commissioners shall appoint one or more able-bodied men of good habits and known as men who are not addicted to the use of alcoholic liquors, and are men of good moral character, and shall commission them as rural police for the townships of Lilesville, Morven, Gulledge, and White Store, in the county of Anson, whose term of office shall continue until the first Monday in December, one thousand nine hundred and sixteen, and until their successors shall be appointed and qualified. That on the first Monday in December, one thousand nine hundred and sixteen, and annually thereafter, the said board

Time of appointment.

Term of office.

Election of successors.

of commissioners shall appoint one or more men, possessing the qualifications stated in this section, to said office for a term of one year. That any policeman appointed under and by virtue of this act shall be subject always to removal by the said board of commissioners for cause; and any degree of intoxication on the part of any policeman appointed under this act caused by use of alcoholic liquors is hereby declared to be a sufficient cause for removal.

Policemen subject to removal.

Intoxication cause for removal.

Salaries.

SEC. 3. That the salaries of each of said policemen shall not exceed seventy-five dollars per month, payable monthly by the county treasurer upon the warrant of the said board of county commissioners out of the funds hereinafter designated.

Equipments.

SEC. 4. That it shall be the duty of said policemen to provide themselves with policemen's billets and such firearms as may be prescribed by the said county commissioners, and with horses for regular use in riding over the townships of Lilesville, Morven, Gulledge, and White Store, in the county of Anson, and performing duty as a mounted policeman, and with uniforms, if required, in the discretion of the said commissioners, and shall bear all expenses incident to their service except the expense of a badge hereinafter provided for. It shall be the duty of said policemen, under the general control and direction of the sheriff of the county, especially in the rural districts, to patrol and police the townships of Lilesville, Morven, Gulledge, and White Store, in the county of Anson, to detect and prevent the violation of the criminal laws of every kind; to search out, apprehend, and arrest any and all persons charged with a violation of the criminal laws of any and every kind: to make arrests upon their own initiative, as well as upon information or complaint; to report their acts, and all known or suspected violations of the criminal laws, to the sheriff of the county once a week; to obtain warrants of arrest for and prosecute all persons who have violated any of the criminal laws; and they shall at all times obey and carry out the orders and instructions of the sheriff of the county when not inconsistent with the law and with this act.

Uniforms.

Badge.

General control of sheriff.

Patrol duty.

Enumeration of duties.

Weekly reports.

Semiweekly patrols.

Night duty.

Places for special surveillance.

SEC. 5. That the said policemen shall patrol the townships of Lilesville, Morven, Gulledge, and White Store at least twice a week, remaining on duty at night when occasion or circumstances suggest that it would be proper so to do in order to prevent or detect crimes or to make arrests; and they shall always be on duty not less than ten hours each day, except when granted occasional indulgences or leaves of absence by the sheriff of the county. They shall frequent railroad depots, stores, public gatherings of any and every kind where violations of law are likely to occur, places where vagrants may be loafing or alcoholic liquors sold, bartered, or given away contrary to law, and shall use every means to prevent and to detect breaches of the peace, public drunkenness, the use

of obscene language, boisterous conduct, discharging firearms on the public highway or at any public place or gathering, carrying concealed weapons, gambling, violations of the game laws, cruelty to animals, violation of the fire laws, and for the violation of any and every law which is detrimental to the peace, good order, and morals of the said townships of Lilesville, Morven, Gulledge, and White Store in Anson County.

SEC. 6. That said policemen shall have authority for any freshly committed crime, whether a witness to the commission thereof or has knowledge thereof upon prompt information or complaint, to arrest without warrant; and when an arrest is made without a warrant, the person so arrested shall be forthwith carried before a trial officer of the county and a warrant of arrest procured, to the end that the person charged may be dealt with according to law.

Arrests without warrant.

Procurement of warrant.

SEC. 7. That each of said policemen, before being appointed and entering upon the discharge of his duties, shall enter into a bond in an amount to be fixed by the county commissioners, with sufficient surety to be approved by the said county commissioners, conditioned upon the faithful performance of all duties imposed or prescribed by this act, and for the payment to the county or to any person or corporation all such damages as they or any of them may sustain by reason of his malfeasance in office or by abusing the authority and discretion given him in the preceding section five of this act.

Bond of policemen.

SEC. 8. That before entering upon the discharge of their duties the said policemen shall take and subscribe to the following oath: "I solemnly swear (or affirm) that during my term of office as policeman I will study the act creating the office and prescribing my duties, and will be alert and vigilant to enforce the criminal laws of the State, and to apprehend and bring to punishment every violator of the same, and will conduct myself at all times with due consideration to all persons, and will not be influenced in any matter on account of personal bias or prejudice: so help me, God." The oath of office, after being taken and subscribed by said policemen, shall be filed with the clerk of the Superior Court of Anson County, together with the bond provided for in this act.

Policemen to be sworn.

Form of oath.

Oath and bond filed.

SEC. 9. That it shall be the duty of the commissioners of said county of Anson to furnish to each of the said rural policemen a metal badge bearing the following inscription, "Rural Policeman," and it shall be the duty of each of said policemen to wear one of said badges on the front of his person and on the outside of his clothing in plain view of the public, and the failure of any policeman appointed under this act to so wear one of the said badges while discharging any of the duties and services prescribed and provided by this act shall constitute a sufficient cause for removal from office.

County commissioners to furnish badges.

Directions for wearing badge.

Failure cause for removal.

- Townships divided into sections. SEC. 10. That the said county commissioners may, in their discretion, divide the townships of Lilesville, Morven, Gullede, and White Store, in Anson County, into two or more sections, and may assign any one of the said policemen to duty in any one of the said sections: *Provided*, that it shall be lawful for any of said policemen to discharge the duties prescribed by this act anywhere within said townships at any time during their term of office: *Provided*, that the county commissioners shall have the authority to rotate the said policemen from one section to another every six months, or oftener.
- Assignment of police.
- Proviso: powers in entire townships.
- Proviso: rotation of policemen.
- Execution of civil process.
- Criminal process.
- Fees.
- Policemen to collect and account for fees.
- Verified monthly returns.
- Failure cause for removal.
- Fees to salary fund.
- Fees collected and paid over by clerk of court.
- Fees to salary fund.
- Cases disposed of in open court.
- SEC. 11. That the said rural policemen shall have the power and authority, such as deputy sheriffs now have, to execute anywhere within said townships of Lilesville, Morven, Gullede, and White Store, in Anson County, civil processes, delivered to them by the sheriff, and directed to the sheriff or other lawful officer of Anson County, and the said rural policemen shall be required to serve all criminal processes and indictments in said townships issued by any lawful authority and placed in their hands for service.
- SEC. 12. That in all cases and matters in which the said rural policemen shall perform any service by authority of this act the same fees shall be charged as are now charged by the sheriff of the county for a similar service, except that for each arrest made for the violation of any law a fee of one dollar and fifty cents shall be charged. In all matters which are determined before a justice of the peace in which any fee or fees are charged for service performed by any of the said rural policemen it shall be the duty of the said rural policeman who performed the service to collect such fee and on the first day of each month to pay the same to the treasurer of Anson County, and to furnish a verified written statement with the said treasurer showing all amounts collected by him during the preceding month. Failure on the part of said policemen to furnish any one statement as herein provided for shall be sufficient cause for removal from office by the commissioners of Anson County. The said fees paid to the treasurer of said county under this section shall go into the fund out of which the salaries of the said policemen are paid.
- SEC. 13. In all matters which are determined before any court in the county of Anson other than the court of justices of the peace, and in which fees are charged for service performed by the said rural policemen or any of them, it shall be the duty of the clerk of said court to collect the said fees and pay the same to the treasurer of Anson County, which said fees shall go into the fund from which the salaries of the said rural policemen shall be paid.
- SEC. 14. That all indictments and cases of arrest by the said rural policemen, or by the sheriff or deputy sheriff of Anson County, returnable before any criminal court of Anson County, shall be disposed of or quashed only in open session of said court

before which the same is returnable. Any officer violating this section shall be guilty of a misdemeanor. Misdemeanor.

SEC. 15. That there shall be assessed and levied in the year one thousand nine hundred and fifteen, when all property is regularly listed for taxation, and annually thereafter, a special tax on all property situated in the townships of Lilesville, Morven, Gullede, and White Store, in Anson County, not to exceed ten cents on the one hundred dollars valuation thereof, said taxes to be used solely as a fund from which shall be paid the salaries of the rural policemen in said townships. Said taxes shall constitute and be known and designated as the "Rural Police Fund" of the townships of Lilesville, Morven, Gullede, and White Store, in Anson County. Special tax.
Limit of rate.
Sole use of tax.
Official entitlement.

SEC. 16. That the sheriff of Anson County shall collect the taxes which may be assessed and levied under the provisions of this act, and shall account for same as he is required so to do in the collection of all other taxes. Collection and settlement of tax.

SEC. 17. That the commissioners of Anson County are hereby given full power and authority to suspend, annul, and abrogate the provisions of this act, provided they shall deem such action wise and practicable, and provided they shall adopt a resolution setting forth their action, which resolution shall be spread upon their minutes; and upon the adoption of said resolution, and at the time fixed therein, this act shall become inoperative, null, and void. Power to suspend or amend act.
Resolution setting forth action.

SEC. 18. In the event that this act shall become inoperative and void by reason of the provisions of section seventeen hereof, or for any other reason, and in the event that any of the funds raised hereunder has not been expended, the same shall be turned into the treasury of the public school fund and distributed to the townships of Lilesville, Morven, Gullede, and White Store, in Anson County, per capita therein, according to the school census. Unexpended funds to public schools.

SEC. 19. That this act shall be in force from and after its ratification.

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 452.

AN ACT TO PREVENT CITIES AND TOWNS FROM PLACING TAX ON DAIRY CATTLE OR DAIRY PRODUCTS IN BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That any city or town in Buncombe County, North Carolina, requiring by ordinance or resolution, or that shall require by ordinance or resolution, the owner or owners of dairy cattle or Payment by municipality.

dairy cattle products to have said cattle or products tested or examined in any way or manner shall pay the cost of said test or examination, and the owner or owners of said dairy cattle or dairy cattle products shall not be required by said city or town to pay for said inspection or examination.

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

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 453.

AN ACT TO INCREASE THE PAY OF MEMBERS OF THE BOARD OF EDUCATION OF CHATHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the members of the board of education of Chatham County shall receive the sum of three dollars per day instead of two dollars per day, as is now provided by law, and shall receive five cents per mile to and from their homes for each session of the board attended.

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

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

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 454.

AN ACT TO PROTECT GAME IN POLK COUNTY, AND TO AMEND CHAPTER 590 OF THE PUBLIC LAWS OF 1909.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful to hunt or in any manner destroy, in the county of Polk, squirrels between the first day of February and fifteenth day of August, and opossums between the first day of February and first day of October of any year during the time that this act shall be in force and effect.

SEC. 2. That any person or persons violating this act shall be guilty of a misdemeanor and fined not more than fifty dollars or imprisoned not more than thirty days.

SEC. 3. That section one of chapter five hundred and ninety of the Public Laws of one thousand nine hundred and nine be and is hereby amended by striking out the words "thirty-first day of January" and inserting the words "fifteenth day of February."

Per diem.

Mileage.

Close season.

For squirrels.

For opossums.

Misdemeanor.

Punishment.

Open season for birds.

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.

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 455.

AN ACT TO PROHIBIT TRAVELING SHOWS AND CARNIVALS MAKING PUBLIC EXHIBITION IN OR NEAR MOREHEAD CITY.

Whereas the State Guard of North Carolina holds its annual encampment at Camp Glenn, Morehead City, Carteret County; and whereas it is desirous of promoting morality both to the visiting soldiers and the citizens of said community; and whereas it is well known that during the past shows, carnivals, and exhibitions of a questionable character have gone to Morehead City for the purpose of taking advantage of the encampment period, during which time drunkenness and other forms of misconduct have prevailed: Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any traveling show or carnival, showing under canvas, to give public exhibitions during the months of June, July, and August in the town of Morehead City or within three miles of said town.

Preamble.
Preamble.
Preamble.
Exhibitions unlawful.
Time.

SEC. 2. This act shall not apply to any traveling carnival giving exhibition under the auspices and authority of the organized fire department of Morehead City.

Exception.

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

Misdemeanor.

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 456.

AN ACT TO AMEND CHAPTER 233 OF THE PUBLIC LAWS OF 1909, RELATING TO THE TAX RATE IN McDOWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter two hundred and thirty-three of the Public Laws of nineteen hundred and nine be and the same is hereby amended as follows: By inserting in line five, after the word "county," the words, "and for other purposes."

Use of taxes.

- Time of levy. SEC. 2. That section one of said chapter be further amended by striking out the word "June" in line six and inserting in lieu thereof the word "August."
- Term of increase. SEC. 3. That section one of chapter two hundred and thirty-three be further amended by striking out in line six the word "five" and inserting in lieu thereof the word "ten."
- SEC. 4. That this act shall be in force from and after its ratification.
- Ratified this the 5th day of March, A. D. 1915.

CHAPTER 457.

AN ACT FOR THE BETTER SYSTEM OF BUILDING, WORKING, AND KEEPING IN REPAIR THE ROADS OF BRUNSWICK COUNTY.

The General Assembly of North Carolina do enact:

- Petition for road tax. SECTION 1. That for the purpose of building, working, and maintaining in good order the public roads of Brunswick County the board of county commissioners of said county shall have power, and it shall be their duty, upon the presentation to them of a petition signed by a majority of the qualified voters in any township in said county, to levy and assess each year, at the time county taxes are levied, upon all the taxable property, both real and personal, upon all polls in the township from which the petition above referred to may come, a tax not to exceed forty cents on each one hundred dollars worth of property and one dollar and twenty cents on the poll, at all times observing the constitutional equation, which tax shall be collected by the sheriff and accounted for as other taxes; but he shall receive one per cent on said special tax. The rate of tax may be different in different townships, if the commissioners so elect.
- Commissioners to levy tax. SEC. 2. The bank or banks in which the county funds are deposited shall keep the taxes for each township as a distinct fund, to be known as the road tax fund of the township, and it shall be expended only upon the order of the commissioners in the township from which collected.
- Limit of rate. SEC. 3. That the county commissioners shall appoint in each township in which a special road tax has been ordered under the provisions of this act a competent and suitable person who shall be known as road superintendent of his township, who shall hold his office for a term of two years from the time of his appointment. He shall, before entering upon the duties of his office, be required to give a good and sufficient bond, payable to the State of North Carolina, in the sum of five hundred dollars, for the faith-
- Constitutional equation.
- Collection and settlement.
- Commissions.
- Rate may differ as to townships.
- Taxes kept as distinct funds.
- Orders for expenditure.
- Township road superintendents.
- Term.
- To give bond and qualify.

ful performance of his duties, and, after giving bond as above stated, take an oath before the chairman of the board of county commissioners to faithfully perform the duties as such road trustee. The said board of county commissioners shall fix and regulate, from time to time, the compensation he shall receive. He shall have the supervision of all the public roads of his township, subject to the orders and control of the county commissioners, and may at any time be removed by them for inefficiency, misconduct, or other good and valid reasons, and a successor shall be appointed by the said board of county commissioners, and said board of commissioners shall fill all vacancies that might occur at any time as such road trustees.

Compensation.
Supervision of roads.
Removal for cause.
Vacancies.

SEC. 4. That the said road trustee shall make or cause to be made a complete map of all the public roads of his township, and shall lay them off in sections, two miles each, or as nearly as possible, and let to contract for twelve months to the lowest responsible bidder. Specifications as to how the roads are to be worked and kept up, time and manner in which the contracts are to be let, shall be fixed by the board of county commissioners: *Provided*, no bid shall be accepted until the bidder shall have filed with the commissioners a good and sufficient bond, the amount to be fixed by said board of commissioners, conditioned for the faithful performance of his duties.

Road map.
Sections.
Work let to contract.
Specifications.
Proviso: bond of contractors.

SEC. 5. That said road trustee shall, every quarter from the time of letting the contracts, go over and examine carefully and closely every section of his road, and if found in good condition and in accordance with the specifications as prescribed by the board of county commissioners, then the said road trustee shall furnish the contractor with a certificate certifying that his section or sections is in good condition and in accordance with specifications, and upon presentation of the certificate to the board of county commissioners they shall draw an order on the bank or banks in which the county funds are deposited for one-fourth of the contract price, to be paid out of the special road tax due such township. But in no case shall the said road trustee deliver certificate to any contractor until he shall have put his section or sections in good condition and in accordance with the terms set out in said specifications.

Quarterly inspection.
Certificate of condition.
Payment on contract.

Road to be in accordance with contract.

SEC. 6. That all road hands from any township that adopts this act shall be exempt from working the public roads after contracts are let, so long as this act remains in force.

Road duty abolished.

SEC. 7. That this act does not repeal any general or special road law that applies to Brunswick County, except where it is in conflict with this act.

Repeal.

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

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 458.

AN ACT TO AMEND CHAPTER 142, PRIVATE LAWS OF 1913, BY ADDING THE COUNTY OF EDGECOMBE TO THE LIST OF COUNTIES NAMED IN SAID ACT, GIVING THE COMMISSIONERS OF EDGECOMBE COUNTY AUTHORITY TO ABOLISH THE OFFICE OF COUNTY TREASURER AND TO APPOINT A FINANCIAL AGENT FOR SAID COUNTY.

The General Assembly of North Carolina do enact:

Edgecombe added to list.

SECTION 1. That section four (4) of chapter one hundred and forty-two, Public Laws of one thousand nine hundred and thirteen, be and the same is hereby amended by adding the word "Edgecombe" after the word "Carteret" and before the word "and" in line three (3) of said section.

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

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 459.

AN ACT TO REGULATE THE HUNTING AND TRAPPING OF GAME IN THE COUNTY OF HOKE.

The General Assembly of North Carolina do enact:

Open season.

For deer.

For foxes.

For squirrels and wild turkeys.

For quail.

SECTION 1. That it shall be unlawful to hunt, kill, or trap deer in the county of Hoke except from November first to November tenth, inclusive, and foxes except from September fifteenth to March first, inclusive, and squirrels and wild turkeys except from November first to November fifteenth, inclusive, and quail except from November fifteenth to January fifteenth, inclusive, of each and every year.

Hunting and trapping without permission of landowner.

SEC. 2. That it shall be unlawful to hunt, kill, or trap game of any sort upon the lands of any person or corporation in the county of Hoke without first having obtained written permission so to do from the owner or owners of the land or from the person or persons having the same in charge: *Provided*, that this section shall not apply to the hunting, killing, or trapping of rabbits.

Proviso: rabbits not protected.

Nonresidents to have license.

SEC. 3. That it shall be unlawful for any person or persons not residing in the county of Hoke to hunt, kill, or trap any game in said county without first having obtained from the clerk of the Superior Court of said county a written or printed license so to do, the license fee for the privilege of hunting, killing, or trapping deer, wild turkeys, or foxes to be twenty-five dollars, payable

License for deer, wild turkeys, and foxes.

upon the issuance, and the license fee for the privilege of hunting, killing, or trapping other game to be fifteen dollars, payable upon the issuance of the license, the license fees thus collected, less the cost of issuance, to be paid by the said clerk to the county treasurer and by the county treasurer to be placed to the credit of the general county fund: *Provided*, that this section shall not prohibit nonresidents who own land in the county of Hoke from hunting upon their own lands without first having obtained a license from said clerk as aforesaid.

License for other game.

License to county fund.

Proviso: nonresident landowners.

SEC. 4. That the board of county commissioners of the county of Hoke may appoint one or more game wardens for the county to hold office for a period of two years from the date of their appointment and until their successors shall have been appointed, whose duty it shall be to look after the enforcement of this act, their only compensation to be as hereinafter set forth: *Provided*, that the said board of county commissioners may at any time, for reasons that may appear to it satisfactory, revoke the appointment of a game warden and appoint another in his place.

Game wardens.

Term of office.

Duty.

Compensation.

Proviso: revocation of appointment.

SEC. 5. That it shall be unlawful for any person, firm, or corporation to ship or carry away quail out of the county of Hoke.

Shipping game forbidden.

SEC. 6. That any violation of this act shall be a misdemeanor and shall subject the offender to the payment of a penalty in the sum of twenty-five dollars or to imprisonment not exceeding twenty days, one-half of said penalty to go to the game warden who informs upon the offender and the other half to go into the county school fund.

Misdemeanor.

Punishment.

Division of penalty.

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 from and after its ratification.

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 460.

AN ACT TO REPEAL CHAPTER 318 OF THE PUBLIC LAWS OF 1887, ESTABLISHING THE OFFICE OF COTTON WEIGHER FOR THE TOWN OF WHITAKER IN THE COUNTIES OF NASH AND EDGEcombe.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and eighteen of the Public Laws of one thousand eight hundred and eighty-seven and all laws amendatory thereof be and the same are hereby repealed.

Law repealed.

SEC. 2. That this act shall be in force and effect from and after the first day of August, one thousand nine hundred and fifteen.

When act effective.

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 461.

AN ACT TO VALIDATE AND LEGALIZE THE ACTS PERFORMED BY J. N. ANDERSON, OF FORSYTH COUNTY, AS A JUSTICE OF THE PEACE.

The General Assembly of North Carolina do enact:

Acts validated.

SECTION 1. That all acts done or purporting to be done by J. N. Anderson of Bethania Township, Forsyth County, as a justice of the peace in said county since March, A. D. one thousand nine hundred and thirteen, including the solemnizing of marriages, be and they are hereby ratified and validated and rendered as valid, binding, and legal as if the said J. N. Anderson's term of office as said justice of the peace had not expired and as if he had still remained a *de jure* as well as a *de facto* justice of the peace.

SEC. 2. That this act shall take effect from its ratification.

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 462.

AN ACT TO PREVENT DOMESTIC FOWLS RUNNING AT LARGE IN STOCK-LAW TERRITORY IN PITT COUNTY.

The General Assembly of North Carolina do enact:

Fowls prohibited running at large.

Fowls classed as stock.

SECTION 1. That in all stock-law or no-fence territory chickens, duck, geese, turkeys, and other domestic fowls are hereby prohibited running at large, and in the enforcement of this act shall be known and classed as stock, the same as horses, cattle, and other animals, and violations of this act shall be subject to the fines, penalties, and forfeitures hereinafter mentioned.

Fowls impounded.

Pound fees.

SEC. 2. That any chicken, duck, goose, turkey, or other domestic fowls found running at large in prohibited territory may be taken up and impounded as any other stock or animal, and the person or persons so taking up and impounding such fowl shall be entitled to fifteen cents for one fowl and three cents for each additional one, and for feeding and taking care of such impounded fowl or fowls, five cents for the first one and two and one-half cents for each additional one per day.

Notice to owners.

SEC. 3. That any person or persons taking up and impounding any fowl or fowls under this act shall at once give notice to the owner or owners, if known, of each taking up and impounding, and then may proceed to advertise the said fowl or fowls, posting notice at three public places, and, if the said fowl or fowls are not redeemed, sell the same after seven days of such advertise-

Sale of unredeemed fowls.

ment, the proceeds of such sale being applied to the payment of all costs and damages due and sustained by the aggrieved person or persons, and the surplus, if any, shall be paid to the owner if known, and if unknown, paid into the school fund of Pitt County.

SEC. 4. That any person or persons willfully violating this act shall be guilty of a misdemeanor and fined not more than five dollars or imprisoned not more than ten days, or both, at the discretion of the court. Misdemeanor.
Punishment.

SEC. 5. That this act shall apply only to incorporated towns in the stock-law territory of Pitt County. Application of law.

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

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 463.

AN ACT TO AMEND THE LAW TAXING DOGS IN HALIFAX COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter seven hundred and twenty-four of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is amended by adding at the end thereof the following: "Provided, that if any person shall own and keep four or more hounds for the purpose of catching foxes, the said hounds shall not be subject to tax." Proviso: hounds
not subject.

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

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 464.

AN ACT TO REGULATE FISHING IN SAMPSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and twenty-four of the Public-Local Laws of North Carolina, regular session of one thousand nine hundred and thirteen, and chapter ninety-one of the Public-Local Laws of North Carolina, extra session of one thousand nine hundred and thirteen, and all other laws and clauses of laws prohibiting or regulating fishing in Sampson County, enacted prior hereto, be and the same are hereby repealed. Former laws
repealed.

SEC. 2. That it shall be unlawful for any person to fish in any of the rivers, creeks, or other streams of Sampson County by Methods of fishing
declared unlawful.

means of lime, dynamite, pod nets, bag nets, traps, or by any means or contrivance whereby the free passage of fish is obstructed.

Misdemeanor.
Punishment.

SEC. 3. Any person violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days.

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

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 465.

AN ACT TO AMEND CHAPTER 239, PUBLIC-LOCAL LAWS, EXTRA SESSION 1913, ENTITLED "AN ACT TO ESTABLISH A COUNTY COURT FOR WILSON COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and thirty-nine of the Public-Local Laws, extra session one thousand nine hundred and thirteen, be amended by adding at the end thereof the following: "Provided, the board of commissioners of Wilson County may, if in their judgment they deem best, abolish said court at their regular monthly meeting in November, one thousand nine hundred and fifteen."

Proviso: county
commissioners may
abolish court.

SEC. 2. This act shall be in force from and after its ratification.
Ratified this the 5th day of March, A. D. 1915.

CHAPTER 466.

AN ACT TO CREATE STOCK LAW FOR THE WHOLE OF JOHNSTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That on and after the first day of September, one thousand nine hundred and fifteen, it shall be unlawful for any live stock to run at large in the county of Johnston: *Provided*, that if a majority of the *bona fide* freeholders residing in any township now wholly in the free range shall on or before the first day of April, one thousand nine hundred and fifteen, petition the board of county commissioners to exempt such township from the operations of this act, said board of county commissioners shall have authority to exempt said township, provided the expense of surrounding such township with a fence and maintaining the same, together with all necessary gates across public roads and cattle-

Stock law.

Proviso: petition
for exemption.

Time for filing
petition.

Power of exemp-
tion.

Proviso: fence and
gates at expense of
exempted town-
ship.

guards across streams, shall be borne exclusively by an annual assessment against the lands situate within such township, and to that end the board of commissioners is fully authorized to levy a sufficient stock-law tax or assessment against the land within such township for the purpose of building and maintaining the fence surrounding the same. Tax levy.

SEC. 2. That on and after the first day of September, one thousand nine hundred and fifteen, any person who shall willfully permit his live stock to run at large within any part of said county of Johnston which may not be expressly exempted under the proviso set forth in section one of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days. Time after which offense becomes punishable.
Misdemeanor.
Punishment.

SEC. 3. That the words "live stock" in this act shall be construed to mean horses, mules, colts, cows, calves, sheep, goats, jennets, and all neat cattle, swine, and geese. "Live stock" defined.

SEC. 4. That the board of commissioners of Johnston County is hereby authorized to sell for cash at public or private sale all stock-law fences in the county, and the proceeds derived from the sale of the same, together with any stock-law funds now on hand, shall be returned to the general fund of said county. Sale of fences.
Proceeds and funds on hand to general county fund.

SEC. 5. That as to Beulah Township, this act shall go into effect and be in full force on and after the first day of April, one thousand nine hundred and fifteen. Act effective as to Beulah township.

SEC. 6. That all laws and parts of laws in conflict with the provisions of this act are hereby repealed. Repealing clause.

SEC. 7. Except as otherwise provided in section five of this act, this act shall be in force from and after the first day of September, one thousand nine hundred and fifteen. When act effective.

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 467.

AN ACT TO AMEND CHAPTER 344 OF THE PUBLIC-LOCAL LAWS OF 1911 OF NORTH CAROLINA, FIXING THE SALARIES OF THE OFFICERS OF NASH COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section four of chapter three hundred and forty-four of the Public-Local Laws of North Carolina of one thousand nine hundred and eleven be amended as follows: "That on the first Monday of each and every calendar month a true and accurate transcript shall be transmitted by each of the officers of Nash County to the board of commissioners of said county, said transcript to show the aggregate amount of entries made upon the

Verified transcript of accounts to be filed monthly.

said books during the preceding calendar month, which shall be sworn to and duly verified by the officers whose duty it is to make said entries in the book of accounts pertaining to his respective office; the auditor shall verify that he has audited the books of said office and that the books are correct."

Verification by auditor.

Salary of sheriff.

Assistants, deputies, and clerks.

Jailer.

Appointment of deputies.

Fees, commissions, and allowances to be paid over.

Tax books and unfinished business.

Officer for Middlesex court.

Salary of clerk.

Computation of taxes.

Appointment of auditor.

Supervision of tax listing.

Proviso: assistance in making tax books.

SEC. 2. That section six shall be amended so as to read as follows: "That the sheriff of Nash County shall receive a salary of five thousand dollars as full compensation for his services and the services of such assistants, deputies, and clerks as he may appoint, except jailer, whose compensation shall be fixed and paid by the county commissioners, all of whom shall truly, faithfully, and diligently perform the duties of said office as required by law. The said sheriff may appoint such deputies for any townships in said county as may be necessary for the public good. Said sheriff and said deputies shall account for and pay over to the treasurer of said county all fees, commissions, profits, and emoluments which may come into their hands by virtue of their office, as required by section one of this act; said sheriff shall also pay over to said treasurer all fees, mileage, and other allowances paid to him by the State of North Carolina or by State institutions for taking prisoners to the State's Prison, or insane persons to the State's hospital, deducting from the amount paid to him the actual necessary expenses thereof. The newly elected sheriff, when he qualifies, shall take charge of the tax books and collect the uncollected taxes and shall take charge of all unfinished business of the outgoing sheriff and perform all duties required of sheriffs by law. The sheriff shall not be required to hold recorder's court at Middlesex, North Carolina; the county commissioners shall appoint and pay an officer to hold this court in the same manner as they are now doing."

SEC. 3. That section seven of said act be amended by inserting "two hundred and fifty" between the words "thousand" and "dollars" in line two of said section.

SEC. 4. That section eight of said chapter be amended by adding to the end of the section the following: "The register of deeds shall not be required to compute the taxes or to furnish the report as heretofore required of the register."

SEC. 5. That section eleven of said act shall be amended by substituting "shall" for "may," first word of line two, and by adding to the end of said section the following: "It shall also be the duty of the auditor to supervise and instruct the list takers in listing property; to see that all property subject to taxation in the county is listed, and with such help as the county commissioners shall furnish him to make out the tax books and reports to the State authorities as has heretofore been required of the register of deeds, and perform any other duties pertaining to his office that may be required of him by the commissioners: *Provided*, that this section

shall not prevent the county commissioners at their discretion from requiring the auditor to furnish his own help in making out tax books, unless otherwise agreed upon with the auditor."

SEC. 6. That all necessary office expenses of the officers of Nash County, exclusive of the salaries of deputies and clerks, shall be borne by the board of county commissioners out of the general county fund: *Provided*, that this section shall not apply to premiums on officers' bonds not already being paid by the county commissioners. Office expenses.
Proviso: premiums on bonds.

SEC. 7. That the provisions of this act shall apply to the present term of office of the sheriff, clerk of the Superior Court, and register of deeds having been elected for said county of Nash at the election held in November, one thousand nine hundred and fourteen, as well as to their successors in office. Application of act.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 468.

AN ACT TO REPEAL STOCK LAW IN CERTAIN TERRITORY IN MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all the territory embraced in the following lines in Herrell Township, Mitchell County, be and the same is hereby declared not to be under the provisions of the stock law as set forth in chapter thirty-five of the Revisal of one thousand nine hundred and five, towit: Beginning at a point in the Tennessee line where Bradshaw and Herrell townships join, and runs southeast with Big Ridge a distance of four miles; thence parallel with said State line to the top of Fork Mountain; thence to the top of Fork Mountain to the Roan Mountain at the Tennessee line; thence with said Tennessee line to the beginning. Territory in Herrell township.
Boundary.

SEC. 2. That all territory included in the following lines in Bradshaw Township shall be and the same is hereby declared not to be under the provisions of the stock law as set forth in chapter thirty-five of the Revisal of one thousand nine hundred and five, towit: Beginning in the Tennessee line at a point where Herrell and Bradshaw townships join; thence with Big Ridge to and including Nathan Honeycutt and Mack Ray lands, and thence crossing Pigeon Roost Creek and running with the Solomon Barnett branch to the Poplar Township line and with said line to the Tennessee line and with said Tennessee line to the beginning. Territory in Bradshaw township.
Boundaries.

Crops to be under fence.

SEC. 3. That it shall be unlawful for any person to plant crops of any kind in the boundaries hereinbefore described unless the fields wherein said crops are planted are under fence.

Misdemeanor.

SEC. 4. That any person violating the provisions of this act shall be guilty of a misdemeanor and shall be punished at the discretion of the court.

Punishment.

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

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 469.

AN ACT TO CREATE THE OFFICE OF TAX COLLECTOR FOR MADISON COUNTY.

The General Assembly of North Carolina do enact:

Office created.

SECTION 1. That the office of tax collector be and the same is hereby created and established for Madison County.

SEC. 2. That it shall be the duty of said tax collector to collect, account for, pay over, and settle all State, county, local, and license taxes of the said county of Madison under and by virtue of the law prescribed for the collection and settlement of taxes by the sheriff of said county.

Bonds to be filed and oath taken.

SEC. 3. Before entering upon the discharge of his duties said tax collector shall execute and file with the board of county commissioners of said county the tax bonds as prescribed by section two hundred and ninety-eight of the Revisal of one thousand nine hundred and five, and shall take and subscribe the oath of office provided by law for tax collectors.

Commission.

SEC. 4. That said tax collector shall receive as full compensation for his services in the collection and settlement of taxes three per centum of the amount actually collected and paid over by him; and the remaining two per centum of the amount now allowed by law for the collection of taxes shall be paid by him into the salary fund of said county.

Per cent to county treasury.

Term of office.

SEC. 5. That said tax collector shall hold his office for a term of four years and until his successor is elected and qualified by the board of county commissioners of said county.

Collector named.

SEC. 6. That W. M. Buckner be and he is hereby appointed tax collector of said county of Madison to fill the vacancy caused by the creation of said office, and it shall be his duty, upon filing the bonds and taking the oath of office prescribed by this act, to collect, account for, pay over and settle the taxes for the years nine-

Taxes to be collected.

teen hundred and fifteen, nineteen hundred and sixteen, nineteen hundred and seventeen, and nineteen hundred and eighteen.

SEC. 7. That the board of county commissioners of said county shall on the first Monday in November, nineteen hundred and eighteen, and every four years thereafter, elect a tax collector for said county, and may at any time fill any vacancy caused by death, resignation, or otherwise.

Election of successor.

Vacancy.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 470.

AN ACT TO AMEND THE GRANVILLE COUNTY SALARY ACT.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and forty-nine of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby amended by adding to the end thereof the following: "*Provided further*, that twenty dollars additional per month shall be allowed said jailer for his services in waiting on the Superior Court, carrying prisoners to and from the jail, and for such other services as he may be required to perform in connection with the holding of the Superior Court and in serving process."

Proviso: allowance for service to superior court.

SEC. 2. That section five of said act be amended by adding at the end thereof the words, "*Provided*, that the board of county commissioners of said county may, in their discretion, allow said sheriff the fees now or hereafter allowed by law for capturing blockade distilleries, to cover the expense of said sheriff in capturing such stills as he may capture, and said board of county commissioners may, in their discretion, upon proper bills and accounts presented by said sheriff, properly itemized and verified, pay the other expenses of said sheriff incurred in the capture of persons charged with crime and such other expenses as such sheriff may incur for and on behalf of said county in the proper conduct and administration of his office."

Proviso: fees for capturing distilleries.

Payment of expenses of sheriff.

SEC. 3. That section eight of said act be and the same is hereby amended by adding at the end thereof the following: "*Provided further*, that the county commissioners of said county may in their discretion pay to said register of deeds such additional sum as may be proper as compensation for his services as clerk to said board of county commissioners."

Proviso: pay of register of deeds as clerk to commissioners.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 471.

AN ACT TO REMOVE OBSTRUCTIONS FROM CERTAIN WATER-COURSES IN POLK COUNTY AND TO PREVENT THE FILLING UP OF THE SAME.

The General Assembly of North Carolina do enact:

Felling timbers in streams.

SECTION 1. That it shall be unlawful to fell timbers in White Oak, Pacolat, or Green rivers in Polk County, and any person violating this section shall be guilty of a misdemeanor and upon conviction shall be fined not more than fifty dollars or imprisoned not more than thirty days.

Misdemeanor.

Punishment.

Failure to remove obstructions a misdemeanor.

SEC. 2. That if the owner or owners of lands through which said streams flow in Polk County shall fail and refuse to remove the obstructions from said streams after being notified so to do, they shall be guilty of a misdemeanor and also liable in damages to any landowner who may suffer thereby.

Liability in damages.

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.

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 472.

AN ACT TO REFUND TO THE PEOPLE OF CEDAR CREEK AND FLEA HILL STOCK-LAW DISTRICT CERTAIN MONEYS NOW IN THE HANDS OF THE TREASURER OF THE COUNTY OF CUMBERLAND AND THE TREASURER OF THE DISTRICT.

The General Assembly of North Carolina do enact:

County under stock law.
Fences not needed.
Former stock-law district funds.

SECTION 1. That whereas the county of Cumberland is now under the stock law, and fences for the protection of crops are no longer required; and whereas, prior to the said county being put under the stock law as a whole, there existed a stock-law district in said county known as Cedar Creek and Flea Hill Stock-law District, and certain amount of taxes were collected prior to that time, and certain funds have been acquired since that time, arising from the sale of the fence surrounding said district, and about the sum of one hundred and sixty dollars or more of said funds is in the hands of David Gaster, treasurer of the county of Cumberland, and about one hundred and forty dollars or more is in the hands of H. C. Carter, treasurer of the said stock-law district, and there

being no further use for the same in the keeping up of the fences, or for other lawful purposes as contemplated, that H. C. Carter, Henry Clark, and J. T. Olfhin, commissioners of Cedar Creek and Flea Hill Stock-law District in the county of Cumberland, are hereby authorized and directed to close up the business affairs of the said district, paying such legitimate charges as may be outstanding against it, and after ascertaining the net balance on hand, return the balance on hand to the taxpayers who paid the same into the treasury of the district, and if the same is insufficient to pay in full, then they shall prorate the same among the said taxpayers according to the amounts paid, and after paying such funds out they shall make report to the board of commissioners for the county of Cumberland.

Liquidation of business.

Distribution of surplus.

Payment pro rata.

Report.

Sec. 2. All laws in conflict with the provisions of this act are hereby repealed.

Sec. 3. This act shall take effect from and after its ratification. Ratified this the 6th day of March, A. D. 1915.

CHAPTER 473.

AN ACT REGULATING DRAINS ACROSS HIGHWAYS IN PITT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That no person shall open, enlarge, or change any ditch, canal, branch, or other drainway on, along, or across any public road in Pitt County without first filing a petition in writing with the road supervisors of the township in which such road or ditch or drainway is located, setting forth the size ditch, change or alteration otherwise to be made in any such drainway across, along, or near any public highway, and getting the written consent or permission of said board of supervisors, who shall prescribe the kind of crossing, bridge, or opening to be made; the manner of doing the work, including breakwaters, length of crossing and proper construction of the same, and that any person failing to get said written permission, and failing to comply with the instructions of the road supervisors, who shall make a permanent record of the same on their minutes, shall be fined, in addition to the cost of properly constructing said bridge or crossing over said drainway, not to exceed fifty dollars, or confined in jail not to exceed thirty days, and the cost of properly constructing and placing said drainway and crossing over the same.

Petition for opening drain.

Written consent.

Punishment.

SEC. 2. That no drainway opened or changed along or across any public highway in Pitt County, or any bridging or crossing of any kind that shall hereafter be covered or bridged, rebuilt or re-

Wooden bridges abolished.

bridged with any wooden material within the boundaries of any such road as established by law, and no part of any drainway shall be left open within any said highways, except by permission of the board of county commissioners.

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

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 474.

AN ACT TO ALLOW MILEAGE TO OFFICERS IN STANLY COUNTY FOR CONVEYING PRISONERS TO ALBEMARLE, STANLY COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Mileage allowed.

SECTION 1. That whenever any officer in Stanly County shall convey any prisoner from any place in said county to Albemarle, North Carolina, he shall be allowed, in addition to his fees now allowed by law, mileage at the rate of two and one-half cents per mile one way: *Provided*, that such mileage shall only be taxed in the bill of costs whenever said prisoner is convicted.

Rate.

Proviso: taxed only on conviction.

SEC. 2. That this act shall apply to Stanly County only.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 475.

AN ACT TO REGULATE THE SELLING OF WINE AND CIDER IN TYRRELL COUNTY.

The General Assembly of North Carolina do enact:

Prohibition.

SECTION 1. That it shall be unlawful for any person, firm, or corporation to manufacture, give away, sell, or barter any wine, cider, beer, or any other intoxicating liquors within a distance of one-quarter of a mile of any church in the county of Tyrrell.

SEC. 2. That any person violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction fined or imprisoned within the discretion of the court.

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

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 476.

AN ACT TO INCORPORATE PALMYRA BAPTIST CHURCH
AND OLD DOCK METHODIST CHURCH IN COLUMBUS
COUNTY.*The General Assembly of North Carolina do enact:*

SECTION 1. That it shall be unlawful for any person to manufacture or sell any intoxicating drinks or liquors within three miles of Palmyra Baptist Church and Old Dock Chapel Methodist Church in Columbus County, and the same are hereby incorporated and created bodies politic and corporate.

Sale of liquors prohibited.

Incorporated:

SEC. 2. That any person violating this act shall be guilty of a misdemeanor and on conviction shall be fined not less than five dollars or more than fifty dollars or imprisoned not over thirty days.

Misdemeanor.
Punishment.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 477.

AN ACT TO INCORPORATE LAUREL HILL BAPTIST
CHURCH IN MONTGOMERY COUNTY.*The General Assembly of North Carolina do enact:*

SECTION 1. That Laurel Hill Baptist Church in the county of Montgomery and State of North Carolina be and the same is hereby incorporated and created a body politic and corporate under the name and style of "Laurel Hill Baptist Church"; that the present trustees of above named Laurel Hill Baptist Church and their successors in office be and they are hereby elected and declared to be trustees of said church.

Incorporation.

Corporate name.

Trustees.

SEC. 2. That no spirituous, vinous, or malt liquors, wine, cider, beer, near-beer, and other liquors which produce or may produce intoxication shall be sold or manufactured for sale within four miles of the church house incorporated in this act.

Prohibition.

SEC. 3. That any person or persons violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be fined or imprisoned, in the discretion of the court.

Misdemeanor.

Punishment.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 478.

AN ACT TO AMEND CHAPTER 635, PUBLIC-LOCAL LAWS OF 1909, CHAPTER 50, PUBLIC-LOCAL LAWS OF 1911, AND CHAPTER 398, PUBLIC-LOCAL LAWS 1911, RELATING TO THE DRAINAGE OF CLARK'S CREEK AND ITS TRIBUTARIES IN CATAWBA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter six hundred and thirty-five, Public-Local Laws of one thousand nine hundred and nine, be amended by striking out in line fourteen, after the word "distance," the words "of one and one-half miles" and by inserting in lieu thereof the words "as hereinafter specified in this act."

SEC. 2. That section two of chapter fifty, Public-Local Laws of one thousand nine hundred and eleven, be amended by striking out all of said section after the colon in line four, and by inserting in lieu thereof the following:

"SEC. 19 (a). That said drainage commission are authorized and empowered to ditch, dredge, and drain the tributaries of Clark's Creek from said creek to points on said tributaries as follows: Maiden Creek to Providence Cotton Mills; Betts' branch to the Rocky Ford road bridge; Bill's branch to the Carolina and Northwestern Railroad bridge; Smyre Mill Creek to the old public road bridge at W. A. Morrison's; Setzer Creek (or Town Creek) to the Carolina and Northwestern Railroad; Hildebrand (or Anthony Creek) to the ford at the old Hildebrand Mill place; Cline's Creek to Robert Punch's lands; Lloyd's branch from new channel of Maiden's Creek to the old channel of Maiden Creek; and the said drainage district is hereby extended to include the lands within one-fourth mile on either side of said tributaries up to the points above mentioned: provided that such extension is approved by a majority of the votes cast at a meeting of the landowners within the district as above extended, said landowners being entitled to the number of votes as provided in section two of chapter three hundred and ninety-eight, Public-Local Laws of one thousand nine hundred and eleven."

SEC. 3. That section three of chapter fifty, Public-Local Laws of one thousand nine hundred and eleven, be amended by striking out all of said section after the colon in line four and by inserting in lieu thereof the following:

"SEC. 19 (b). That whenever the drainage work and improvement is completed so far as may be deemed advisable by the commission or the landowners, the water-courses and drains improved and constructed shall be under the supervision and control of the drainage commission, and it shall be the duty of said commission

Lands subject to estimate.

Tributaries brought within act.

Drainage district extended.

Proviso: approval of extension by landowners.

Supervision of completed work.

Maintenance.

to keep said water-courses and drains open and in good repair, and when so authorized by a vote of the landowners at a meeting regularly called, the said commission is authorized and empowered to redregde, ditch, and deepen the channel of Clark's Creek in order to keep the same open and of sufficient depth to best drain the lands, carry the flow of the water in ordinary rainfalls, and draw the accumulation of sand from the several tributaries; and it shall be their duty, when deemed advisable, to remove all timber, brush, shrubbery and undergrowth growing or being upon lands along said streams and within fifty feet of the center of any such stream; and for the purpose of paying the cost of the work contemplated and authorized by this section, as well as the preceding section, the said drainage commission may levy assessments on the lands within said district in the same manner and in the same proportion as the several original assessments were made, and such assessments shall be collected in the same manner and by the same officials, and the additional lands estimated and assessed as if all of said work was contemplated and the said additional lands were included in said district at the time the original assessments were made: *Provided*, that if any repairs or improvements are made necessary by the acts or negligence of the owner of any land through which such streams or drains are improved and constructed, or by the act or negligence of his agent or employee, or if the necessity for repairs be caused by the cattle or stock of said owner, his agent or employee, then the cost thereof shall be assessed and levied against the owner and his land only, to be collected by proper suit to be instituted by the drainage commission."

Clearance of banks.

Assessments.

Proviso: costs made necessary by negligence assessed on delinquent.

SEC. 4. That section one of chapter three hundred and ninety-eight, Public-Local Laws of one thousand nine hundred and eleven, be and the same is hereby repealed.

Provision as to Setzers creek.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 479.

AN ACT TO VALIDATE THE ACTS OF A CERTAIN JUSTICE OF THE PEACE OF FORSYTH COUNTY.

Whereas the term of office of J. G. Clayton as justice of the peace of Bethania Township, Forsyth County, expired on the first Monday in April, one thousand nine hundred and fourteen; and whereas, since the expiration of said term the said J. G. Clayton has been performing all the duties of a justice of the peace: Now, therefore,

Preamble.

Preamble.

The General Assembly of North Carolina do enact:

Acts validated.

SECTION 1. That all acts performed by said J. G. Clayton in his official capacity as justice of the peace are hereby declared valid in every respect, and all official acts performed by said J. G. Clayton while acting as a justice of the peace are hereby legalized and made effective.

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.

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 480.

AN ACT TO PROVIDE FOR THE DISTRIBUTION OF CERTAIN ROAD FUNDS IN WARREN COUNTY.

The General Assembly of North Carolina do enact:

Funds credited to townships.

SECTION 1. That it shall be lawful for the treasurer of Warren County, upon order of the board of county commissioners, to place to the credit of any township in said county which has a special road law all its part of the road funds collected under the provisions of chapter one hundred and seven, Public Laws of one thousand nine hundred and thirteen.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 481.

AN ACT TO AMEND SECTION 4 OF CHAPTER 142, PUBLIC LAWS OF 1913, RELATING TO THE OFFICE OF COUNTY TREASURER IN MARTIN COUNTY.

The General Assembly of North Carolina do enact:

Martin county subject to act.

SECTION 1. That section four of chapter one hundred and forty-two, Public Laws of nineteen hundred and thirteen, be and the same is hereby amended by inserting in the first line of said section of said chapter, after the word "to" and before the word "Moore," the word "Martin."

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 482.

AN ACT TO AMEND AN ACT PASSED BY THE PRESENT SESSION OF THE GENERAL ASSEMBLY, ENTITLED "AN ACT TO AMEND CHAPTER 391 OF PUBLIC-LOCAL LAWS OF 1913, RELATIVE TO THE OFFICE OF COUNTY TREASURER OF AVERY COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. Add at the end of section one of the act heretofore passed and ratified February the twenty-third, at this session, amendatory of chapter three hundred and ninety-one, Public-Local Laws of one thousand nine hundred and thirteen, the words "under the provisions of chapter three hundred and ninety-one, Public-Local Laws of one thousand nine hundred and thirteen, and all other duties pertaining to the office of county treasurer, which office is hereby abolished." Duties of treasurer.
Office abolished.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 483.

AN ACT TO AMEND CHAPTER 664, PUBLIC-LOCAL LAWS OF 1913, RELATING TO CATAWBA COUNTY COURT.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter six hundred and sixty-four, Public-Local Laws of one thousand nine hundred and thirteen, be amended by inserting between the words "that" and "either," in the first line of section eleven, the following words: "either the complainant or the accused in a criminal action, or"; and that said chapter be further amended by striking out, at the end of line nine and at the beginning of line ten, in section seventeen, the words "action, civil or criminal," and inserting in lieu thereof the words, "civil action and against each defendant in criminal actions." Jury trial.
Trial fees.

SEC. 2. That the action of the board of commissioners of Catawba County at their meeting on the first Monday of December, one thousand nine hundred and fourteen, appointing C. H. Mebane judge of the Catawba County Court to fill a vacancy then existing, be and the same is hereby ratified, approved, and confirmed. Appointment ratified.

SEC. 3. That chapter six hundred and sixty-four, Public-Local Laws of one thousand nine hundred and thirteen, be amended by adding at the end of section fifteen the following: "Whenever

Vacancies filled.

any vacancy shall occur in the office of judge of Catawba County Court, by failure to elect or qualify or from any other cause whatsoever, such vacancy shall be filled by the county commissioners of Catawba County, and hereafter the substitute judge shall be elected or appointed in like manner."

Substitute.

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 force from and after its ratification.

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 484.

AN ACT FOR THE RELIEF OF GEORGE E. RICKS, SHERIFF OF BEAUFORT COUNTY.

The General Assembly of North Carolina do enact:

Collection of arrears authorized.

SECTION 1. That George E. Ricks, ex-sheriff of Beaufort County, be and he is hereby authorized and empowered to collect all taxes which he may have failed to collect and which were due for the years one thousand nine hundred and thirteen, one thousand nine hundred and twelve, one thousand nine hundred and eleven, one thousand nine hundred and ten, and one thousand nine hundred and nine, under the same rules and regulations now provided by law or that may hereafter be provided by law for the collection of taxes.

Years.

Appointment of agents.

SEC. 2. That for the purpose of collecting said taxes and carrying out the provisions of this act the said George E. Ricks, ex-sheriff of Beaufort County, is hereby authorized to appoint as his agents for said purpose such person or persons as he may desire, and the said persons so appointed are hereby authorized to collect such taxes as may be due the said George E. Ricks, ex-sheriff of Beaufort County, in like manner as sheriffs are authorized by law to collect taxes, and the said George E. Ricks, ex-sheriff, is hereby vested with all rights, remedies, power and authority for collection of such taxes as may be due him as is conferred upon and vested in sheriffs by law.

Authority of agents.

Term of authority.

SEC. 3. That the authority herein given shall cease and determine on the first Monday in June, one thousand nine hundred and sixteen.

SEC. 4. That 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 passage.

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 485.

AN ACT FOR THE RELIEF OF W. C. AMMONS, TAX COLLECTOR OF MADISON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Madison County be and they are hereby authorized, empowered, and directed to pay W. C. Ammons, tax collector of said county, the sum of five hundred dollars in excess of the salary now provided by law, for his services as tax collector of said county for the years of one thousand nine hundred and thirteen and one thousand nine hundred and fourteen. Payment authorized.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 486.

AN ACT TO AMEND CHAPTER 336 OF PUBLIC-LOCAL LAWS OF SESSION 1913, RELATIVE TO GOOD ROADS IN PENDER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter three hundred and thirty-six of the Public-Local Laws of one thousand nine hundred and thirteen be amended by striking out the words "all persons and" in lines four and five of said section, and striking out the words "and not less than thirty nor more than ninety cents on the poll" in lines seven and eight of said section. Tax rate.

SEC. 2. That section five of said chapter be amended by striking out said section and substituting the following in lieu thereof:

"SEC. 5. That the moneys raised under the provisions of this act shall be expended under the supervision and control and upon the orders of the board of township road commissioners, for the making and maintenance of the public roads in said township, which said board of township road commissioners, to consist of three members, shall be elected at the same time of the election provided for in this act, and at each general election thereafter." Control of expenditures.
Road commissioners.
Election.

SEC. 3. That section six of said act be amended by striking out in line one of said section the words "the board of county commissioners" and inserting in lieu thereof the words "the board of township road commissioners." Transfer of powers.

- Transfer of powers. SEC. 4. That section seven of said chapter be amended by striking out the words "the commissioners of said county" and inserting in lieu thereof the words "the board of township road commissioners" in line one of said section.
- Transfer of powers. SEC. 5. That section eight of said chapter be amended by striking out the words "commissioners of the county" in line two of said section and inserting in lieu thereof the words "the board of road commissioners of such township."
- Transfer of powers. SEC. 6. That section ten of said chapter be amended by striking out in lines one and two thereof the words "board of county commissioners," and inserting in lieu thereof the words "township board of road commissioners."
- Width of roads. SEC. 7. That it shall be the duty of the board of road commissioners of the several townships in Pender County to see that all roads that they have constructed in their respective townships shall have an average width of not less than twenty-five nor more than thirty feet.
- Application of act. SEC. 8. That this act shall only apply to Rocky Point Township in Pender County.
- SEC. 9. That all laws and clauses of laws in conflict with this act are hereby repealed.
- SEC. 10. That this act shall be in force from and after its ratification.
- Ratified this the 6th day of March, A. D. 1915.

CHAPTER 487.

AN ACT TO AMEND THE ACTS OF 1915 RELATIVE TO WORKING THE PUBLIC ROADS IN GATESVILLE, MENTONSVILLE, AND REYNOLDSON TOWNSHIPS IN GATES COUNTY.

The General Assembly of North Carolina do enact:

Obstructing drains and ditches.

SECTION 1. That section seven in an act of the regular session, one thousand nine hundred and fifteen, relative to working the roads in Gatesville Township in Gates County, be and the same is hereby amended by striking out all of section seven after the word "land," beginning with the word "that" down to and including the word "days."

Obstructing drains and ditches.

SEC. 2. That section seven in an act of the regular session, one thousand nine hundred and fifteen, relative to working the roads in Mentonsville Township in Gates County, be and the same is hereby amended by striking out all of section seven after the word "land," beginning with the word "that" down to and including the word "days."

SEC. 3. That section seven of an act of the regular session, one thousand nine hundred and fifteen, relative to working the roads in Reynoldson Township in Gates County, be and the same is hereby amended by striking out all of section seven after the word "land," beginning with the word "that" down to and including the word "days," and in lieu thereof, for each of the above mentioned townships in sections one, two, and three, insert the following: "That any person or persons obstructing, interfering with, or hindering the said highway commission, its officers, agents, employees, servants, or any persons acting for or under the said highway commission's authority, or any person or persons who shall willfully, needlessly, or maliciously obstruct, interfere with, or hinder in any wise any of the officers, agents, employees, servants, or persons acting for or under the authority of the commission in carrying out any provision of this act; or any person or persons who shall willfully, needlessly, or maliciously do injury or cause injury to be done to any work of the said commission or under its authority, shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days.

Obstructing drains and ditches.

Acts declared misdemeanors.

Punishment.

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.

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 488.

AN ACT TO AMEND CHAPTER 714 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATIVE TO THE SALARIES OF THE COUNTY OFFICERS OF JONES COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all the sections of chapter seven hundred and fourteen of the Public-Local Laws of one thousand nine hundred and thirteen, with the exception of sections one and two thereof, be and the same are hereby repealed and the following substituted in lieu thereof:

Provisions as to treasurer.

"SEC. 3. That the board of county commissioners of Jones County shall allow the bank designated and acting as financial agent for said county in lieu of treasurer to collect the same commissions and fees as have heretofore been allowed the treasurer of the county, and that the fees or commissions so collected by the bank acting as financial agent for the county shall be kept and held by said bank as a separate fund and known and designated as the

Financial agent to collect fees and commissions.

Fees and commissions to sinking fund.

Interest on sinking fund.

Specific appropriation.

Compensation of financial agent.

Premium on bond.

Payment from sinking fund.

Payment of bridge bonds.

Sheriff to report monthly collections.

Accounts kept separately.

Diversion forbidden.

Financial agent to report monthly.

'Jones County Sinking Fund,' which amount shall draw interest at the rate of six per cent per annum, due and payable annually, and shall not be used for any other purpose except as hereinafter provided.

"SEC. 4. That the said bank designated and acting as financial agent of Jones County shall charge or receive as compensation for its service more than ten dollars per month, in addition to such benefits as it may derive from the deposit of the county funds, and that whatever compensation is allowed the bank for services and the premium on the bond required of the bank shall be paid out of the Jones County sinking fund, and upon warrant or voucher drawn by the chairman of the board of county commissioners and countersigned by the register of deeds.

"SEC. 5. That after paying the salary of the bank designated and acting as financial agent for the county for services and the premium on such bond as is required from year to year, the balance remaining on hand to the credit of the Jones County sinking fund shall be used to help pay off the Jones County bridge bonds when they become due, the same to be paid out upon warrant or voucher drawn by the chairman of the board of county commissioners of Jones County and countersigned by the register of deeds of the county.

"SEC. 6. That the sheriff of Jones County shall, on the first Monday of each and every calendar month after he receives his tax books for the collection of taxes, and until he makes his final settlement with the board of county commissioners and the bank acting as financial agent in lieu of treasurer, make a written report, showing the total amount of taxes collected for the preceding month, also the total amount collected up to date. Said report to be filed with the register of deeds for the information of the board of commissioners.

"SEC. 7. The bank designated and acting as financial agent for Jones County in lieu of treasurer shall, as near as possible, keep a record of the amount of money due the general county fund, the school fund, and the road fund of the different townships of the county, and shall not use the moneys to the credit of any one of these funds to pay a voucher that should properly be paid by moneys belonging to any of the other funds.

"SEC. 8. The bank designated and acting as financial agent for Jones County in lieu of treasurer shall, on the first Monday of every calendar month, make a written report to the board of county commissioners of said county, showing the amount of moneys received from the sheriff as taxes for the previous month and the total amount received since last settlement; also the amount on hand to the credit of the general county fund, the school fund, and the road fund of the different townships of the county.

"SEC. 9. That it shall be the duty of the board of county commissioners of Jones County to require the sheriff and bank acting as financial agent for Jones County to make the reports required of them in sections six and eight of this act, and upon failure or refusal of the sheriff or bank acting in lieu of treasurer to make said reports, the sheriff and the bank acting as financial agent in lieu of treasurer shall be guilty of misdemeanors, also subject to a fine of two hundred dollars, to be collected by any one who may sue for the same.

County commissioners to enforce reporting.

Failure to report a misdemeanor.

Penalty.

"SEC. 10. That the board of county commissioners of Jones County may, in their discretion, reduce the amount of the bond required of the treasurer or bank acting as financial agent for Jones County from ten thousand to not less than five thousand dollars.

Reduction of bond.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 489.

AN ACT TO DEFINE A LAWFUL FENCE IN HERTFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That a wire fence four feet high and a rail fence four and one-half feet high shall constitute a lawful fence in Hertford County.

Wire fence.
Rail fence.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 490.

AN ACT TO AMEND SECTION 3, CHAPTER 69, OF THE PUBLIC LAWS OF THE STATE OF NORTH CAROLINA, EXTRA SESSION 1913, RELATIVE TO COURT STENOGRAPHERS IN THE COUNTIES OF CLEVELAND, LINCOLN, RUTHERFORD, AND MITCHELL.

The General Assembly of North Carolina do enact:

SECTION 1. That section three, chapter sixty-nine of the Public Laws of the State of North Carolina, extra session of nineteen hundred and thirteen, be amended by adding at the end of said

Transcript for
appellant.
Copy for clerk of
superior court.

Rate of payment.

Proviso: applica-
tion of act.

section the following: "That every stenographer so employed shall upon the demand of the appellant and at his expense make a copy of the proceedings in said case on appeal to the Supreme Court, and shall without additional cost file one copy of same with the clerk of the Superior Court of the county in which such case shall be tried. The rate to be charged for such transcript shall be not exceeding six cents per one hundred words when transcribed verbatim, or twelve cents per one hundred words when written up in narrative form: *Provided further*, that this amendment shall apply only to the following counties: Cleveland, Lincoln, Rutherford, and Mitchell.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 491.

AN ACT TO AMEND CHAPTER 92, PUBLIC-LOCAL LAWS OF 1913, RELATING TO RURAL POLICEMEN IN RICHMOND COUNTY.

The General Assembly of North Carolina do enact:

Action optional.

SECTION 1. That section two, chapter ninety-two, Public-Local Laws of one thousand nine hundred and thirteen, be amended by striking out the word "shall" in line four and adding in lieu thereof the word "may," and by striking out the word "shall" in line twelve of section two and adding in lieu thereof the word "may."

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 492.

AN ACT TO PROHIBIT THE SALE OF INTOXICATING LIQUORS WITHIN 4 MILES OF CERTAIN CHURCHES IN MONTGOMERY COUNTY.

The General Assembly of North Carolina do enact:

Manufacture, sale,
or gift forbidden.
Prohibited articles.
Extent of territory.

SECTION 1. That it shall be unlawful to manufacture, sell, or give away any spirituous, vinous, or malt liquors, wine, cider, beer, near-beer, and other liquors within four miles of the following named church houses or buildings in Montgomery County, viz.: The Sardis Methodist Episcopal Church, South; the Candor Meth-

Localities affected.

odist Episcopal Church, South; Mount Carmel Baptist Church, Center Baptist Church, and Beulah Methodist Episcopal Church, South, and Whitlock Schoolhouse.

SEC. 2. That any person violating the provisions of this act shall be guilty of a misdemeanor.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 493.

AN ACT TO AMEND CHAPTER 120, PUBLIC LAWS OF THE EXTRA SESSION OF 1908, RELATING TO THE LOUISBURG MEDICAL DEPOSITORY.

The General Assembly of North Carolina do enact:

SECTION 1. That sections three, four, five, six, seven, eight, nine, ten, thirteen, fourteen, fifteen, and sixteen of chapter one hundred and twenty of the Public Laws of the extra session of one thousand nine hundred and eight be and the same are hereby repealed.

SEC. 2. That it shall be lawful for the county commissioners of Franklin County to dispose of any intoxicating liquors on hand at the time when this act goes into effect, and to ship same into any other State where the sale of intoxicating liquors is not forbidden by law.

Repeal of dispensary and provisions for prohibition retained. Provisions establishing depository repealed. Sale of liquors on hand.

SEC. 3. That this act shall be in force from and after the first day of May, one thousand nine hundred and fifteen.

When act effective.

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 494.

AN ACT TO PROTECT THE FISH AND TO KEEP THE PEOPLE FROM DESTROYING THE LITTLE FISH.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons to fish with or set any nets with less meshes than one and one-fourth inches square.

Minimum of mesh.

SEC. 2. That no person or persons shall fish with nets of any kind on another person's land without first getting permission from the owner of the land to do so, except in navigable streams as rivers or large creeks.

Fishing on lands of others.

- Misdemeanor. SEC. 3. Any person or persons violating this act shall be guilty
Punishment. of a misdemeanor and upon conviction thereof shall pay a fine of
not less than five dollars nor more than twenty dollars for each
offense.
- Application of act. SEC. 4. That this act shall apply to Greene County only.
- SEC. 5. That this act shall be in full force and effect from and
after its ratification.
- Ratified this the 6th day of March, A. D. 1915.

CHAPTER 495.

AN ACT TO INCORPORATE BLACKWOOD'S CHAPEL BAPTIST CHURCH AND PLEASANT GROVE BAPTIST CHURCH, IN MONTGOMERY COUNTY, AND DOVER BAPTIST CHURCH IN MOORE COUNTY.

The General Assembly of North Carolina do enact:

- Incorporation. SECTION 1. That Blackwood's Chapel Baptist Church, in the
county of Montgomery and in ----- Township, State of North
Carolina, be and the same is hereby incorporated and created a
body politic and corporate under the name and style of "Black-
Corporate name. wood's Chapel Baptist Church"; that the trustees named for the
Trustees. said Blackwood's Chapel Baptist Church, and their successors in
office, be and they are hereby elected and declared trustees of the
said church.
- Incorporation. SEC. 2. That Pleasant Grove Baptist Church, in the county of
Montgomery and in ----- Township, North Carolina, be and
the same is hereby incorporated and created a body politic and
Corporate name. corporate under the name and style of "Pleasant Grove Baptist
Trustees. Church"; that the trustees named for the said Pleasant Grove
Baptist Church, and their successors in office, be and they are
hereby elected and declared trustees of said church.
- Incorporation. SEC. 3. That Dover Baptist Church, in Moore County, -----
Township, North Carolina, be and the same is hereby incorporated
Corporate name. and created a body politic and corporate under the name and style
Trustees. of "Dover Baptist Church"; and the trustees named for the said
Dover Baptist Church, and their successors in office, are hereby
elected and declared trustees of said church.
- Prohibition. SEC. 4. That no spirituous, vinous, or malt liquors, wine, cider,
Territory. beer, near-beer, and other liquors which produce intoxication shall
be manufactured, sold, or given away within four miles of the
church house or building of any of the churches incorporated by
this act, viz., Blackwood's Chapel Baptist Church, Pleasant Grove
Baptist Church, and Dover Baptist Church.

SEC. 5. That any person or persons violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be fined or imprisoned, in the discretion of the court. Misdemeanor.
Punishment.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 496.

AN ACT TO AMEND CHAPTER 314 OF THE PUBLIC-LOCAL LAWS OF 1913, ENTITLED "AN ACT TO AMEND THE PUBLIC ROAD LAWS OF THE COUNTY OF NASH AS CONTAINED IN CHAPTER 441 OF THE PUBLIC-LOCAL LAWS OF 1911."

The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter three hundred and fourteen of the Public-Local Laws of one thousand nine hundred and thirteen be amended by striking out the word "ten" in line four and inserting in lieu thereof the word "five," and striking out the word "ten" in line six and inserting in lieu thereof the word "five." That section three be further amended by adding to the end thereof the following: "*Provided, however,* that the courts in their discretion may sentence convicts whose terms exceed five years and do not exceed ten years to any of the road districts in Nash County or to the Rocky Mount Road District." Convicts subject to
road sentence.

Proviso: discretion
of court.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 497.

AN ACT TO VALIDATE THE OFFICIAL ACTS OF CERTAIN MAGISTRATES IN UNION COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That the official acts of B. F. Parker, Lee M. Howie, and R. B. Cuthbertson, justices of the peace of Union County, North Carolina, be and the same are hereby in all respects confirmed and validated. Acts validated.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 498.

AN ACT TO AMEND SECTION 9 OF CHAPTER 231, PUBLIC LAWS OF 1897, RELATING TO USE OF ROAD DRAGS IN CERTAIN TOWNSHIPS OF UNION COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That section nine of chapter two hundred and thirty-one of the Public Laws of one thousand eight hundred and ninety-seven be and the same is hereby amended by adding at the end of said section the following: "And in addition to the duties and powers conferred in this act, the various overseers allotted and appointed by the board of township supervisors are hereby directed to drag the roads in their respective sections after each rain, whenever in their judgment such dragging is necessary to put or keep said roads in proper condition; it shall also be their duty, upon order of board of township supervisors, to make or have made a suitable road drag or drags to be used by them, and each and every overseer furnishing such drag or drags as may be ordered by the board of township supervisors shall be paid by said supervisors the cost of said drag or drags, and shall be paid a sum not exceeding the rate of one dollar per day for time spent in dragging the roads, and a sum not exceeding seventy-five cents per day per head for such live stock as may be necessarily and properly used in operating drags."

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 499.

AN ACT TO ESTABLISH A TOWNSHIP FROM QUAKER GAP TOWNSHIP, STOKES COUNTY, TO BE KNOWN AS BIG CREEK TOWNSHIP.

The General Assembly of North Carolina do enact:

SECTION 1. That Big Creek Township from the Quaker Gap Township in Stokes County be and the same is hereby created, with all the rights, powers, and privileges enjoyed by the various townships in the county of Stokes, subject to laws now existing or may be hereafter enacted governing the townships in this State, as follows: Beginning at a point in the intersection of Surry, Stokes, and Patrick County line, run east with Virginia line to

Overseers to drag roads.

Road drags.

Payment for work and team.

Township established.

Boundary.

Peter's Creek Township; thence south with Peter's Creek Township and Dan River to a bridge known as the Old Clement's Ford; thence with road known as the Mill Road to R. W. George's mill; thence northwest with Big Creek as it meanders to R. H. L. Smith's corner; thence with R. H. L. Smith's south line (outside) to corner of Sally Smith's line; thence with Sally Smith's south outside line to Big Creek; thence up Big Creek as it meanders to Pinch Gutt Creek; thence with said creek to Danberry road; thence west with Danberry road to Surry County line; thence north with Surry County line to the beginning.

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.

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 500.

AN ACT TO AMEND SECTION 1 OF CHAPTER 396, PRIVATE LAWS OF 1911, RELATING TO THE PAY OF PROSECUTING ATTORNEY IN THE RECORDER'S COURT OF THE CITY OF MONROE, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter three hundred and ninety-six of the Private Laws of one thousand nine hundred and eleven be and the same is hereby amended by adding at the end of said section the following: "*Provided*, that the board of county commissioners of Union County and the board of aldermen of the city of Monroe may in their discretion increase the pay of said officer to an amount not to exceed sixty dollars a month."

Proviso: power to increase.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 501.

AN ACT TO APPOINT A BOARD OF TOWNSHIP ROAD COMMISSIONERS FOR ROCKY POINT TOWNSHIP, PENDER COUNTY.

Whereas, under the provisions of chapter three hundred and thirty-six of the Public-Local Laws of one thousand nine hundred and thirteen, providing for good roads in Pender County, Rocky

Preamble.

Point Township by a vote of the people adopted the provisions of said act; and whereas the said chapter has been so amended as to take the supervision and control of the roads of the townships from the board of county commissioners, and placed the same under the control and management of a board of township commissioners, to be elected by the voters of the township; and whereas no board of township road commissioners has been elected: Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That T. J. Armstrong, A. T. Blake, and E. McLendon be and they are hereby elected and appointed a board of road commissioners for Rocky Point Township, Pender County, and that said board of commissioners hold said office until the next general election to be held in said township.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 502.

AN ACT TO PLACE THE OFFICERS OF CASWELL COUNTY ON SALARIES AND TO CREATE AND ESTABLISH AN AUDITOR'S OFFICE IN AND FOR SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff of Caswell County may appoint one deputy in each township of the county, except Yanceyville Township, and may allow such deputies the fees made and collected by them in serving summons, subpœnas, notices of process of all kinds, and all fees and commissions made and collected by them from executions in their respective townships; and the deputies so appointed shall not receive any compensation for serving summons, subpœnas, notices, and process of all kinds in Yanceyville Township, and such fees shall be turned over to the treasurer of Caswell County by the sheriff and deputies as hereinafter provided.

SEC. 2. That each deputy appointed by the sheriff of Caswell County, before performing any of the duties of his office, shall execute a bond to be approved by the county commissioners, payable to the State of North Carolina, in the sum of five hundred dollars; the form of bond and oath to be subscribed shall be the same as now required of sheriffs under the general law.

SEC. 3. That the sheriff shall appoint one deputy for Yanceyville Township, whose duties shall be to assist the sheriff in all his duties and whose salary shall be fixed and paid by the sheriff.

Preamble.

Commissioners named.

Term.

Township deputies.

Fees.

Fees in Yanceyville township.

Deputies to give bond.

Deputy for Yanceyville township.

- SEC. 4. All other fees, commissions, profits, and emoluments of all kinds now belonging or appertaining to or hereafter by any law belonging or appertaining to the sheriff by virtue of his office shall be faithfully collected by him and turned over to the treasurer of said county, to be disposed of as hereinafter provided except as to provisions made in section one of this act. Sheriff to collect and account for fees.
- SEC. 5. That the sheriff shall receive a salary of twenty-two hundred dollars per annum, payable monthly on an order of the county commissioners, in lieu of all other compensation whatsoever: *Provided*, the sheriff shall receive the fees and expense allowed in seizing and destroying illicit distilleries, and the commissioners shall allow him a reasonable sum for board of prisoners in jail. Salary of sheriff.
Fees for illicit stills.
Board of prisoners.
- SEC. 6. That the clerk of the Superior Court and the register of deeds of said county shall faithfully collect, account for, and turn over to the treasurer of said county, monthly, and they, the said clerk and register of deeds, shall be responsible on their respective official bonds for all fees, commissions, etc., collected or which ought to be collected. Clerk and register to collect and account for fees.
- SEC. 7. That the clerk of the Superior Court of said county shall receive a salary of nine hundred and sixty dollars per annum, payable monthly on an order of the county board of commissioners of Caswell County, in lieu of all other compensation whatever, except commissions and recording of accounts and orders relating to matters wherein the said clerk is receiver of trust funds in his hands; and further, he, the said clerk, shall be allowed three dollars per day to employ a deputy to assist him during each day of the Superior Court in his county. Salary of clerk.
Commissions and fees on trust funds.
- SEC. 8. That the register of deeds of said county shall receive a salary of one thousand and twenty dollars per annum, payable monthly on an order of the county board of commissioners of Caswell County, in lieu of all other compensation whatever. Allowance for deputy.
Salary of register.
- SEC. 9. That the treasurer of said county shall receive a salary of four hundred and eighty dollars per annum, payable monthly on an order of the board of county commissioners of said county, in lieu of all other compensation whatever. Salary of treasurer.
- SEC. 10. That the treasurer of said county shall keep a separate account of all moneys coming into his hands by virtue of this act, and shall pay out the same on warrants drawn by the county commissioners as though the same belonged to the general county fund. Separate account.
- SEC. 11. That the office of auditor for Caswell County is hereby established, instituted, and created. Office of auditor created.
- SEC. 12. That the said auditor shall be appointed by the board of county commissioners of Caswell County on the day this act shall take effect and become of force, and shall hold his office for the term of two years and until his successor shall be duly ap- Appointment.
Term.

- Per diem. pointed by said commissioners and qualified, and shall receive the sum of three dollars per day while actually engaged in the duties pertaining to his office.
- Semiannual audits and reports. SEC. 13. That it shall be the duty of said auditor to well and truly audit all books of public officers of said county at least twice each year and shall report the same to the county commissioners of said county at their first meeting in the months of May and December, and shall also audit and publish a full statement of the
- Audit of township road funds. township road funds in the hands of the county treasurer.
- Bond of auditor. SEC. 14. That the said auditor shall enter into a bond to be approved by the county commissioners in the sum of one thousand dollars, payable to the State of North Carolina, conditioned that he shall diligently, truly, and faithfully perform the duties of said office.
- Monthly settlements. SEC. 15. The officers hereinbefore named are required to turn over to the treasurer of Caswell County all moneys coming into their hands by virtue of this act, and make a settlement with said
- Exhibit of books and accounts. treasurer on the last day of each month, and the county commissioners may at any time require said officers or any one of them to exhibit to them all books and accounts showing all moneys received and turned over to the treasurer under the provisions of this act.
- Failure to collect or account for fees a misdemeanor. SEC. 16. That any officer who shall willfully fail or refuse to collect and account for the full fees, commissions, or emoluments of any kind belonging to his office, and pay same over to the county treasurer, shall be guilty of a misdemeanor.
- Application of act. SEC. 17. That this act shall apply only to Caswell County.
- Repealing clause. SEC. 18. That all laws and clauses of laws in conflict with this act are hereby repealed.
- When act effective. SEC. 19. That this act shall be in force and effect on and after the first Monday in December, nineteen hundred and sixteen.
- Ratified this the 6th day of March, A. D. 1915.

CHAPTER 503.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF RICHMOND COUNTY TO DESIGNATE THE BANK OR BANKS IN WHICH THE COUNTY DEPOSITS SHALL BE KEPT.

The General Assembly of North Carolina do enact:

- County commissioners to designate bank. SECTION 1. That the county commissioners of Richmond County shall designate the bank or banks in the said county in which the
- Treasurer to deposit funds. county funds of the said county shall be deposited, and the county treasurer shall deposit the funds of the county in the bank or banks as designated by the county commissioners.

SEC. 2. That before any county funds are deposited in any bank or banks in the said county the said bank or banks shall file with the commissioners of the said county a bond, either personal or in a surety company, the amount of the said bond and the solvency of the same to be satisfactory to the county commissioners, to protect the funds of the county so deposited. Bond to be given.

SEC. 3. That the funds in the bank or banks so deposited shall be drawn by warrant as is now provided by law. Funds drawn by warrant.

SEC. 4. This act shall be in force from and after its ratification. Ratified this the 6th day of March, A. D. 1915.

CHAPTER 504.

AN ACT TO AMEND CHAPTER 569 OF THE PUBLIC-LOCAL LAWS OF 1913, REGULAR SESSION, RELATIVE TO THE COSTS IN THE RECORDER'S COURT IN THE CITY OF HIGH POINT.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and sixty-nine of the Public-Local Laws of nineteen hundred and thirteen, regular session, be and the same is hereby amended by striking out in line five of section twenty of said chapter the word "two" and insert in lieu thereof the word "one," and by striking out the word "such" at the end of line five of said section and insert in lieu thereof the words "one-half of the." Fees of judge and clerk.

SEC. 2. That said chapter and section twenty thereof be further amended by striking out in line seven thereof the word "two" and insert in lieu thereof the word "one." Fees of attorney.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 505.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF PENDER COUNTY TO LEVY A SPECIAL TAX FOR THE PURPOSE OF BUILDING STOCK-LAW FENCE.

The General Assembly of North Carolina do enact:

SECTION 1. That in the event a majority of the votes cast at the election to be held in November, nineteen hundred and fifteen, on the question of "Stock Law" or "No Stock Law" be against stock Special tax if stock law repealed.

law, then the commissioners of Pender County are authorized and directed to levy a special tax on all taxable property not exceeding twenty-five cents on the one hundred dollars valuation of property and a tax of not more than seventy-five cents on each poll, for the purpose of erecting a sufficient fence between Pender and all stock-law counties: *Provided*, that the provisions of this act shall not apply to the real or personal property of any natural person within the boundary of the stock-law district of Rocky Point Township.

Limit of rate.

Proviso: not applicable to stock law territory.

Use of surplus for fence.

SEC. 2. That the county commissioners of Pender County be further empowered and directed to use any surplus funds now or which may hereafter be in the treasury for the purpose of building said fence, the same to be replaced out of the funds raised from the special tax provided for in this act.

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

Ratified this the 4th day of March, A. D. 1915.

CHAPTER 506.

AN ACT TO PROHIBIT THE SALE OF CIDER AND WINES IN THE WAKELON GRADED AND HIGH SCHOOL DISTRICT, WAKE COUNTY.

The General Assembly of North Carolina do enact:

Prohibition.

SECTION 1. That it shall be unlawful for any person, firm, or corporation to sell any cider or wine, in any quantity, in the Wakelon Graded and High School District in Wake County.

Misdemeanor.

SEC. 2. Any person, firm, or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined or imprisoned, in the discretion of the court.

Punishment.

SEC. 3. This act shall be enforced from and after its ratification. Ratified this the 8th day of March, A. D. 1915.

CHAPTER 507.

AN ACT TO ABOLISH THE OFFICE OF COUNTY TREASURER IN HARNETT COUNTY.

The General Assembly of North Carolina do enact:

County commissioners may abolish office.

Bank as financial agent.

SECTION 1. That the board of county commissioners of the county of Harnett is hereby authorized, empowered, and directed to abolish the office of county treasurer in Harnett County, and in lieu thereof to appoint one or more solvent banks or trust companies

located in Harnett County as financial agent for said county, which said bank or trust company shall perform the duties now performed by the treasurer of said county: *Provided*, that such bank or such trust company shall not charge nor receive any compensation for its or their services other than such advantage and benefits as may accrue from the deposit of the county funds in the regular course of banking.

Proviso: compensation of bank.

SEC. 2. That said bank or trust company appointed and acting as the financial agent of Harnett County shall be appointed for a term of two years, and shall be required at its or their own expense to execute the same bonds for the safe keeping and proper accounting of such funds as may come into its or their possession and belonging to said county, and for the faithful discharge of its or their duties as are now required by law of the county treasurer.

Term of appointment.

Bond to be given.

SEC. 3. That this act shall not apply to the present incumbent, who has already been inducted into office, but it shall be in full force and effect from and after the first Monday in December, nineteen hundred and sixteen.

When act effective.

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

SEC. 5. Except as herein provided in section three of this act, this act shall be in force from and after its ratification.

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 508.

AN ACT TO FIX THE SALARIES OF COUNTY OFFICERS IN LINCOLN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the annual salaries of the clerk of the Superior Court, register of deeds, and sheriff of Lincoln County are hereby fixed, in full compensation for all services rendered by virtue of and in the discharge of the duties of said officer, as follows: The salary of the clerk of the Superior Court shall be twelve hundred dollars per annum; the salary of the register of deeds shall be twelve hundred dollars per annum; the salary of the sheriff for collecting taxes for all purposes in said county and for the performance of any and all duties incident to the said office of sheriff of Lincoln County shall be eighteen hundred dollars per annum: *Provided*, that the sheriff shall be allowed an additional two hundred dollars per annum for the employment of a deputy sheriff for Lincolnton Township.

Salaries full compensation.

Clerk of superior court.

Register of deeds.

Salary of sheriff.

Proviso: deputy.

SEC. 2. That the clerk of the Superior Court, register of deeds, and sheriff shall be liable to the board of county commissioners,

Officers to collect and pay over fees.

upon their respective official bonds, for the proper and faithful accounting and the payment to the county commissioners of all fees, commissions, costs, and emoluments and all other moneys which accrue to said offices under the existing laws governing fees for said officers. At each monthly meeting of the board of county commissioners the clerk, register, and sheriff shall each file with the commissioners an itemized sworn statement of all fees coming into his hands or that should have come into his hands by virtue of his office during the preceding month, and shall pay over to said board the sum shown to be due from said statement; each of said officers shall keep an account of all fees coming into his hands in a book to be provided by the county commissioners, which shall be audited annually by the commissioners.

Monthly account and settlement.

Officers to keep accounts.

Fees collected in advance.

Fees secured by bond.

Proviso: officer accepting bond.

SEC. 3. The same fees, commissions, costs, and other emoluments as now allowed by law shall be collected in advance by said officers and turned over as provided in section two to the county commissioners, except that the clerk and the sheriff need not collect in advance fees and costs that are secured by solvent bonds and proceedings brought *in forma pauperis*, which items shall be included in the statements for the months in which they are actually collected: *Provided*, any officer accepting bond under this section shall be liable for all fees and costs belonging to the county, secured by said bond.

Allowances to sheriff.

SEC. 4. The sheriff shall be allowed, in addition to his salary, such compensation as is now allowed by law for conveying prisoners to or from another county to the State Prison and for conveying lunatics to the asylums, and for all other services requiring him to leave his county, and for capturing illicit distilleries, also for keeping the county jail and for making final tax settlements with the county and State.

Deputies for townships.
Fees and allowance to deputies.

SEC. 5. The sheriff may appoint one or more deputy sheriffs for each township in the county, and the deputies in the townships other than Lincolnton Township shall retain for their services all fees allowed by law for the service of all subpoenas, summonses, warrants, notices, and all other legal processes served by them, and in addition one dollar per day and mileage for conveying prisoners to Lincolnton, to be collected in advance where so provided by law, and in other cases to be taxed in the bill of costs.

Fees to constitute salary fund.

SEC. 6. That the fees received by the county commissioners under this act and the commissions heretofore allowed to the county treasurer shall be turned over to the county depository, and shall be kept separate from all other funds, and shall be known as the "Salary Fund." The salaries of the officers, as herein provided, shall be paid out of said fund monthly upon warrant issued by the county commissioners upon the county depository, if said funds be sufficient, and if insufficient, then the deficiency to be made up from the general fund, which deficiency shall be charged

Payment of salaries.

Deficiency from general fund.

- against the "Salary Fund." The residue of the "Salary Fund," if any, after paying the salaries herein provided for, shall become a part of the road fund of the county, and shall be used for no other purpose. The commissioners at the end of each fiscal year shall publish a statement of receipts and disbursements of said fund.
- Sec. 7. That if the county commissioners shall determine at any time that any salary herein fixed is too small consistent with efficiency of service, they shall have the power at any regular meeting, after thirty days notice, published in a newspaper of the county, to increase any salary herein provided, not more than two hundred dollars per annum, above the salary herein named.
- Sec. 8. That every sheriff going out of office shall collect all taxes in his hands for collection and uncollected at the time his term expires, and shall receive no compensation after his successor has qualified, and his official bond shall be liable for the faithful accounting for same.
- Sec. 9. That the official bonds of the clerk and register shall be ten thousand dollars each, the bonds of the sheriff shall not exceed in the aggregate forty thousand dollars, and the bonds required of the county depository shall not exceed in the aggregate thirty thousand dollars.
- Sec. 10. That any person violating any provision of this act shall be guilty of a misdemeanor and shall be fined not less than one hundred dollars or imprisoned not less than six months, or both, in the discretion of the court.
- Sec. 11. That all settlements heretofore required to be made by the sheriff with the county treasurer shall be made by him with the county commissioners, and all moneys heretofore paid by the sheriff to the county treasurer shall be paid over to the county commissioners in regular session. The board of county commissioners shall publish or cause to be published semiannually a financial statement showing receipts and disbursements and the condition of the treasury.
- Sec. 12. That this act shall be in force from and after December first, one thousand nine hundred and sixteen: *Provided*, the sheriff whose term shall expire on said date shall receive the commissions now allowed by law for the collection of all taxes for the year one thousand nine hundred and sixteen, and all other taxes in his hands for collection, and for settlement of same with the county and State. Nothing in this act shall prevent the sheriff from serving processes anywhere in the county.
- Sec. 13. That all laws and parts of laws in conflict with the provisions of this act are hereby repealed.
- Ratified this the 6th day of March, A. D. 1915.

Surplus to road fund.

Statement published annually.

Power to increase salaries.

Limit of increase.

Sheriff to complete collections.

Liability on bond.

Bonds of officers.

Misdemeanor.
Punishment.

Settlements and payments.

Semiannual statement published.

When act effective.
Proviso: commission on taxes.

Service of process.

CHAPTER 509.

AN ACT TO EXCUSE CITIZENS FROM JURY SERVICE WHO ARE 70 YEARS OLD OR MORE.

The General Assembly of North Carolina do enact:

Service not re-
quired.
Proviso: service
not prohibited.

SECTION 1. That no citizen who is seventy (70) years old or more shall be required to serve as juror: *Provided*, this act shall not be construed to prohibit any citizen from serving in the capacity of juror whose willingness and physical condition would justify his serving as juror.

Application of act.

SEC. 2. That this act shall apply to Mecklenburg and Hoke counties only.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 510.

AN ACT TO VALIDATE THE ACTS OF N. J. MINTON, A JUSTICE OF THE PEACE FOR HERTFORD COUNTY.

Preamble.

Whereas N. J. Minton was appointed a justice of the peace for St. Johns Township, Hertford County, for a term of six years by chapter one hundred and forty-four (144) of the Public-Local Laws of one thousand nine hundred and thirteen; and whereas said justice, through an oversight, failed to qualify as such until on or about April, one thousand nine hundred and fourteen, supposing since said time that his qualification was legal in all respects:

The General Assembly of North Carolina do enact:

Acts validated.

SECTION 1. That all of the official acts of said N. J. Minton, executed by him since his qualification as aforesaid, are hereby declared in all respects valid and legal, and his acts in performing marriage ceremonies and the execution of all deeds, deeds of trust, warrants, and all other documents is hereby ratified and confirmed as if the justice of the peace had been legally qualified.

Appointment.

SEC. 2. That N. J. Minton be and he is hereby appointed a justice of the peace in St. Johns Township, Hertford County, for a term of six years, said term to begin after the ratification of this act.

Term.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 511.

AN ACT TO VALIDATE CERTAIN PROBATES AND OTHER OFFICIAL ACTS OF A. S. ALLEN AND J. W. PIERCE, JUSTICES OF THE PEACE IN AND FOR WELDON TOWNSHIP, HALIFAX COUNTY, NORTH CAROLINA.

Whereas A. S. Allen and J. W. Pierce were both elected justices of the peace for Weldon Township, Halifax County, at the general election in November, one thousand nine hundred and fourteen, but failed to qualify within the thirty days provided by law, and then attempted to qualify after thirty days had elapsed, and in the meantime had probated certain deeds of trust and deeds, and rendered and signed certain judgments since their term of office expired on the first Monday in December, one thousand nine hundred and fourteen: Now, therefore,

Preamble.

The General Assembly of North Carolina do enact:

SECTION 1. That all the official acts of the said justices of the peace done between the first day of December, one thousand nine hundred and fourteen, and the first day of February, one thousand nine hundred and fifteen, are hereby validated, confirmed, and made legal, binding, and regular in all respects, just as if the said justices of the peace had regularly qualified for their offices within thirty days succeeding the election in November, one thousand nine hundred and fourteen, as provided by law: *Provided*, that this act shall not affect vested rights or apply to any pending litigation.

Acts validated.

Proviso: vested rights and pending litigation.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 512.

AN ACT TO SUBMIT TO THE QUALIFIED VOTERS OF DUPLIN COUNTY THE QUESTION OF STOCK LAW.

The General Assembly of North Carolina do enact:

SECTION 1. That the question of "stock law" or "no stock law" shall be submitted to the qualified voters of Duplin County at a special election to be held at all the voting precincts in said county on Tuesday after the first Monday in October, nineteen hundred and fifteen, and at said election those in favor of a general stock law for Duplin County shall vote a ballot on which shall be the words "For Stock Law" and those opposed to a general stock law

Question to be submitted.

Date for election.

Ballot.

Law governing
election.

Return, canvass,
and record of votes.

Effect of majority
for stock law.

for said county shall vote a ballot on which shall be the words "Against Stock Law," which said election shall be conducted under the laws provided for the election of members of the General Assembly, as near as may be, and the votes cast in said election shall be returned and canvassed in like manner as is provided for members of the General Assembly, and the result shall be made out and certified to the register of deeds of Duplin County.

SEC. 2. If upon the canvass of the returns of the said election it shall be found that a majority of the votes cast in said election be for stock law, the stock law shall be and remain in full force and effect in Duplin County, and it shall be unlawful for any stock as defined under section sixteen hundred and eighty-one, Revisal of nineteen hundred and five, to run at large in Duplin County, under the pains and penalties applicable to stock-law territory in North Carolina, as set forth in chapter thirty-five of the Revisal of nineteen hundred and five; and sections three thousand three hundred and nineteen, three thousand three hundred and twenty, three thousand three hundred and twenty-one of the Revisal of nineteen hundred and five shall apply to said county of Duplin. And in the event that a majority of the votes cast be in favor of stock law, it shall not be necessary to erect a fence around the county or district or territory that had stock law prior to March first, one thousand nine hundred and fourteen.

Effect of majority
against stock law.

SEC. 3. If a majority of the votes cast be against stock law, then the stock law shall not prevail in Duplin County, except as hereinafter provided, and it shall be lawful for any stock as defined under section sixteen hundred and eighty-one, Revisal of nineteen hundred and five, to run at large in Duplin County, under the pains and penalties applicable to stock-law territory as set forth in chapter thirty-five of the Revisal of nineteen hundred and five: and sections three thousand three hundred and nineteen, three thousand three hundred and twenty, and three thousand three hundred and twenty-one of the Revisal of nineteen hundred and five shall not apply to the county of Duplin, except that in all territory in Duplin County which territory was prior and up to the first day of March, one thousand nine hundred and fourteen, under stock law, under the laws of North Carolina, shall be and remain stock-law territory under the same laws, rules and regulations and under the same penalties as were in force in the said stock-law territories prior to the first day of March, one thousand nine hundred and fourteen; the fence commissioners in each of said territories to be named by the board of county commissioners of Duplin County, and it shall be unlawful for any stock, as defined under section sixteen hundred and eighty-one, Revisal of nineteen hundred and five, to run at large in either or any of said territories, and all laws applicable in this State to the adding to or restricting the limits of stock-law territory shall be applicable to each of the said territories.

Territory under
stock law.

Fence commis-
sioners.

- SEC. 4. If section three of this act be put in force by the qualified voters of Duplin County, the board of county commissioners for the county of Duplin are hereby directed and invested with full power and authority to put the same in force by erecting such fence around the county or any part thereof, or around such parts of said county as will protect the citizens of the county, and by erecting such fences as are necessary around the stock-law territories mentioned in section three of this act as will protect the inhabitants of said territories from stock on the outside of the same, and to that end they are hereby authorized, empowered, and directed to borrow such amount of money as they may deem necessary to erect said county fences and said fences around the stock-law territories in Duplin County, and they are hereby authorized, directed, and empowered to levy a tax annually of not more than fifteen cents on the one hundred dollars valuation of property in the county and not more than forty-five cents on the poll, until all said indebtedness for the erection of the said fence is fully paid off and discharged, and such part of the said fence as does not constitute a boundary of stock-law territory in Duplin County shall be and remain a county charge, to be kept up and maintained by the county of Duplin, and the board of commissioners of Duplin County may annually levy a special tax, not exceeding fifteen cents on the one hundred dollars valuation on property in said county and not exceeding forty-five cents on the poll, to keep up and repair said county fence; but the expense of keeping up and repairing the fence in the special stock-law territories in said county shall be borne by the levy of a tax annually of not more than fifteen cents on the one hundred dollars valuation on the real and personal property and forty-five cents on the poll in each of said respective districts, the amount to be levied to be as requested by the fence commissioners in the respective territories.
- SEC. 5. In case the vote of the citizens of Duplin County cast at said election shall be a majority vote against the stock law, none of the provisions of this act shall be effective until the fence or fences shall be erected as provided by section three of this act.
- SEC. 6. The board of commissioners of Duplin County are hereby authorized and empowered and directed to provide registration and poll book and all papers necessary and to pay out of the general county fund the necessary expenses for this election.
- 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 from and after its ratification.

Fences erected.

Power to borrow money.

Special tax to pay debt.

Fences a county charge.

Special tax for maintenance.

Special tax for district fences.

Act not effective until erection of fences.

Expense of election.

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 513.

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF ALEXANDER COUNTY TO PAY THE REGISTER OF DEEDS FOR REGISTERING THE BIRTHS AND DEATHS OF ALEXANDER COUNTY.

The General Assembly of North Carolina do enact:

One cent per name.

SECTION 1. That the board of county commissioners of Alexander County are hereby authorized and empowered to pay the register of deeds of Alexander County the sum of one cent each per name for indexing births and deaths in said county.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 514.

AN ACT TO REQUIRE CERTAIN REPORTS OF COUNTY OFFICERS IN DAVIE COUNTY.

The General Assembly of North Carolina do enact:

Verified reports of receipts and disbursements.

SECTION 1. It shall be the duty of the clerk of the Superior Court, register of deeds, sheriff, treasurer, coroner, surveyor, and other county officers of Davie County whose compensation for services performed shall be derived from fees, to render to the board of county commissioners of Davie County, on the first Monday in December of each year, a statement, verified under oath, showing the total gross amount of all fees collected during the preceding fiscal year, also the total amount paid out during the preceding calendar year for clerical or office assistance.

Penalty for failure.

SEC. 2. Any county officer subject to this act who shall refuse or fail to file such report as above provided on or before the first Monday in December of each and every year shall be subject to a fine of fifty dollars, and ten dollars additional for each day or fraction of a day for such failure. The board of county commissioners shall assess and collect the penalty above provided for, and apply same to the general school fund of the county.

Penalty to school fund.

When act effective.

SEC. 3. This act shall go into effect the first day of December, nineteen hundred and fifteen.

Application of act.

SEC. 4. This act shall apply to Davie County only.

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 515.

AN ACT TO PROVIDE FOR APPORTIONING THE SCHOOL FUND OF MECKLENBURG COUNTY.

Whereas a doubt has arisen as to whether section two hundred and seven of chapter three hundred and forty-two of the Private Laws of one thousand nine hundred and seven is still in force, or whether the same has been repealed by chapter one hundred and forty-nine of the Public Laws of one thousand nine hundred and thirteen: Now, therefore, Preamble.

The General Assembly of North Carolina do enact:

SECTION 1. That in apportioning the school fund of the county of Mecklenburg, the county board of education shall be governed in all respects by the provisions of section two hundred and seven of chapter three hundred and forty-two of the Private Laws of one thousand nine hundred and seven. Law governing apportionment.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 516.

AN ACT TO INCORPORATE THE NORMAN PRESBYTERIAN CHURCH AND PUBLIC SCHOOL AT NORMAN, IN RICHMOND COUNTY, SO AS TO PROHIBIT THE SALE OF WINE, CIDER, OR OTHER INTOXICATING DRINKS WITHIN A RADIUS OF FIVE MILES.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons to sell or offer for sale any wine, cider, or other intoxicating liquor within five miles of the Presbyterian Church and public school at Norman, in Richmond County, North Carolina. Prohibition.

SEC. 2. That any person or persons violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days. 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.

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 517.

AN ACT FOR THE RELIEF OF W. T. FLETCHER, EX-SHERIFF OF YADKIN COUNTY.

The General Assembly of North Carolina do enact:

Collection of
arrears authorized.

SECTION 1. That W. T. Fletcher, ex-sheriff of Yadkin County, and his deputies, who by virtue of his office have had the tax lists for the purpose of collecting the taxes of said county for the years one thousand nine hundred and nine, one thousand nine hundred and ten, one thousand nine hundred and eleven, and one thousand nine hundred and twelve, are hereby authorized and empowered to collect arrears of taxes for each of said years under such rules and regulations as are now provided for collection of taxes.

Years to be col-
lected for.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 518.

AN ACT TO AMEND CHAPTER 708 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA OF 1913, RELATIVE TO ROAD LAW FOR ROSE HILL TOWNSHIP, DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

Road duty.

SECTION 1. That all residents of Rose Hill Township who would be liable to road duty under chapter sixty-five of the Revisal of one thousand nine hundred and five shall be liable to road duty under this act and in accordance with all the provisions of chapter sixty-five of said Revisal and all other laws of North Carolina and Duplin County relating to general road duty that does not conflict with section six of chapter seven hundred and eight of the Public-Local Laws of one thousand nine hundred and thirteen.

Act supplemental.

SEC. 2. That all parts of chapter three hundred and twenty-four of the Public-Local Laws of one thousand nine hundred and eleven and of chapter seven hundred and eight of the Public-Local Laws of one thousand nine hundred and thirteen that are not in conflict with this act shall stand, and this act shall be a supplement to said chapter, but all parts of said chapter that are in conflict with this act are hereby superseded and repealed.

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.

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 519.

AN ACT TO PROHIBIT THE KILLING OF FISH IN UPPER
LITTLE RIVER OR ANY OF ITS TRIBUTARIES IN HAR-
NETT COUNTY.*The General Assembly of North Carolina do enact:*

SECTION 1. That it shall be unlawful for any person or persons in any manner to destroy or take any fish by the use of dynamite in the waters of Upper Little River or any of its tributaries in Harnett County. Use of dynamite
unlawful.

SEC. 2. That any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined not less than ten dollars and imprisoned not more than twenty days, in the discretion of the court. Misdemeanor.
Punishment.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 520.

AN ACT TO ESTABLISH A SPECIAL COURT FOR FORSYTH
COUNTY, WITH CIVIL JURISDICTION, TO BE KNOWN AS
"FORSYTH COUNTY COURT."*The General Assembly of North Carolina do enact:*

SECTION 1. That an inferior court, with civil jurisdiction only as hereinafter prescribed, to be known as the Forsyth County Court, is hereby established. Court established.
Official entitlement.

JURISDICTION.

SEC. 2. That said court shall have jurisdiction in civil actions and proceedings as follows: Jurisdiction.

(a) Concurrent jurisdiction with justices of the peace in all civil actions, matters, and proceedings, including all proceedings whatever ancillary, provisional, and remedial to civil actions which are now or may hereafter be within the jurisdiction of the justices of the peace of Forsyth County. As of justices of
the peace.

(b) Exclusive original jurisdiction in all civil actions, matters, and proceedings, including all proceedings whatever ancillary, provisional, and remedial to civil actions founded on contract or tort, wherein the Superior Court of Forsyth County now has exclusive original jurisdiction: *Provided*, that the sum demanded or the value of the property in controversy shall not exceed one thousand dollars and the title to real estate shall not be in controversy. Jurisdiction as of
superior court.
Proviso: limitation.

JURY TRIALS.

Jury trials.

SEC. 3. (a) That in the trial of civil cases in said court either the plaintiff at the time of filing the complaint or the defendant at the time of filing the answer may in his pleadings demand and have a jury trial as provided in the trial of causes in the Superior Court; that failure to demand a jury trial at the time herein provided shall be deemed a waiver of the right to a trial by jury; that the judge of said court, when in his opinion the ends of justice would be best served by submitting the issues to the jury, may have a jury called of his own motion and submit to it such issues as he may deem material.

Waiver.

Jury ordered by judge.

PAY OF JURORS.

Pay of jurors.

(b) That jurors shall receive the same compensation as is now provided by law for jurors serving in the Superior Court, to be paid out of the treasury of Forsyth County on presentation of a ticket duly issued by the clerk of the Forsyth County Court.

JURY TAX.

Jury fee.

(c) That the clerk of said court shall tax the sum of three dollars as cost of jury in all jury cases, and the same shall be collected by the said clerk and paid into the county treasury of Forsyth County.

JURY LIST.

Jury list.

(d) That the commissioners of Forsyth County at their regular meeting on the first Monday in April in the year one thousand nine hundred and fifteen, and every two years thereafter, shall cause the names of their jury list to be copied on small scrolls of paper of equal size and put into a box procured for that purpose, which must have two divisions, marked "Number One" and "Number Two," respectively, and two locks, the keys of one to be kept by the sheriff of Forsyth County, the other by the chairman of the board of county commissioners of said county, and the box kept by the clerk of the said board, which box shall be marked "Forsyth County Court," and the names in this box shall be drawn for juries acting as jurors in the Forsyth County Court, and when a jury is demanded in said court the sheriff shall cause to be drawn from the said box out of partition number one, by a child not more than ten years of age, fifteen scrolls, and the scrolls so drawn to make the jury shall be put into the partition marked number two, and in all other respects the jury shall be drawn as juries are drawn in the Superior Court; that the jurors of this court shall have the same qualifications as prescribed for jurors in the trial of causes in the Superior Court; that said jurors shall be summoned to attend under the mandate from the clerk of the Forsyth County Court directed to the sheriff of Forsyth County: *Provided*, that

Custody of keys and box.

Label.

Drawing of jury.

Qualifications and summons.

Proviso: jury for term.

for sufficient cause the judge of this court may issue an order to the board of county commissioners that no jury be drawn for such term or terms of this court, as may seem best to him.

CHALLENGES.

(c) That the challenges allowed in the trial of causes in Forsyth County Court shall be the same in number and for the same causes as are allowed in the trial of causes in the Superior Court; that all jurors drawn from the box shall be regular jurors; that the said court shall have the same power to summon tales jurors as the Superior Court now has; and that when a jury trial is had, the jury shall be twelve in number.

Challenges.

Régular jurors.
Tales jurors.

TERMS OF COURT.

SEC. 4. That the terms of the said Forsyth County Court shall be of one week each, beginning on Monday, as follows:

Terms of court.

1. Fifth Monday before the first Monday in March;
2. First Monday before the first Monday in March;
3. Fourth Monday after the first Monday in March;
4. Sixth Monday after the first Monday in March;
5. Eighth Monday after the first Monday in March;
6. Tenth Monday after the first Monday in March;
7. Twelfth Monday before the first Monday in September;
8. First Monday in September;
9. Sixth Monday after the first Monday in September;
10. Seventh Monday after the first Monday in September;
11. Eleventh Monday after the first Monday in September;
12. Thirteenth Monday after the first Monday in September.

WITNESSES.

SEC. 5. That witnesses shall be summoned by a subpoena issued by the clerk of this court in the same manner as now provided for the summoning of witnesses for the trial of causes in the Superior Court, and shall be allowed the same compensation, to be taxed as costs by the clerk of this court.

Subpœnas.

Pay of witnesses.

APPEALS AND STAY BONDS.

SEC. 6. (a) That appeals may be taken by either the plaintiff or the defendant from the Forsyth County Court to the Superior Court of Forsyth County in term-time for errors assigned in matters of law in the same manner and under the same requirements as are now provided by law for appeals from the Superior Court to the Supreme Court, with the exception that the record may be typewritten instead of printed and only one copy thereof shall be required; that the time for taking and perfecting appeals shall be counted from the end of the term; that upon appeals from the

Appeals.

Time for appeals.

Judgment on appeal.	Forsyth County Court, the Superior Court may either affirm, modify and affirm the judgment of Forsyth County Court, or remand the cause to the county court for a new trial.
Supersedeas bonds.	(b) That bonds to stay execution shall be the same as are now required for appeals from the Superior Court to the Supreme Court; that the judgment of the Superior Court shall be certified to the Forsyth County Court, that final judgment may be rendered, unless there is an appeal to the Supreme Court; and that in case of appeal to the Supreme Court, upon filing of the certificate from the Supreme Court to the Superior Court, said certificate shall be transmitted by the clerk thereof to the clerk of this court.
Transcripts.	

SUMMONS.

Issue and return of summons.	SEC. 7. That all actions shall be commenced in said court by summons, running in the name of the State and issued by the clerk of the Forsyth County Court, and shall be returnable on Monday of the term after service: <i>Provided</i> , that service shall be had in ten days before such term, otherwise the summons shall be returnable to Monday of the next succeeding term after service; that the plaintiff shall file a written complaint on or before the return day of such summons; that the defendant shall file a written answer or demurrer or shall make his motion in writing, during the term to which the summons is returnable, and that the case shall stand for trial at the next succeeding term.
Proviso: ten days service.	
Complaint.	
Answer, demurrer, or motion.	
Trial term.	

JUDGMENTS DOCKETED.

Executions.	SEC. 8. That judgments of said court may be enforced by execution issued by the clerk thereof, returnable within twenty days; that transcripts of said judgments may be docketed in the Superior Court of Forsyth County and become judgments of the Superior Court, as now provided for executions and transcripts of judgments from the courts of justices of the peace, with the same limitations as are now provided for judgments of justices of the peace.
Transcripts docketed.	

PROCESSES.

Process.	SEC. 9. That the process of said court while exercising the jurisdiction of a justice of the peace shall not run outside of Forsyth County. In all other cases its process shall run as process issuing out of the Superior Court.
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REMOVALS.

Removal from justices' courts.	SEC. 10. That when, upon affidavit made before entering upon the trial of any cause before any justice of the peace in Forsyth County, it shall appear proper for said cause to be removed for trial to some other justice of the peace, as is now provided by law, said cause may be removed for trial to the said Forsyth County Court.
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RULES OF COURT.

SEC. 11. That the rules of practice as prescribed by law for the Superior Court for the trial of all causes shall apply in this court, supplemented, however, by such rules and regulations as may be prescribed by the judge of this court relative to causes pending therein.

Rules of practice.

COST BOND.

SEC. 12. That the statutes about bonds for costs and about suits without bonds for costs that now apply to the Superior Court shall also apply to this court; and that wherever the statute provides for a thing to be done by the clerk of the Superior Court or by the judge of the Superior Court or by either, the same thing shall be performed by the clerk of the Forsyth County Court or the judge of the Forsyth County Court in causes in the said Forsyth County Court; that this provision shall apply especially to all provisional remedies as now provided by statute, except special proceedings.

Bonds for costs.

Procedure as in superior court.

Provisional remedies.

COSTS.

SEC. 13. That in all causes removed to or brought in the said Forsyth County Court the costs shall be the same as in the Superior Court; that all costs shall be paid to or be collected by the clerk of the Forsyth County Court in the same manner as in the Superior Court, and be paid by the said clerk of the Forsyth County Court into the treasury of Forsyth County: *Provided*, that for the service of process the fees shall be paid to the officer serving the process. The officers shall perform all duties in said county court as provided in the Superior Court and receive therefor the same fees as allowed for same service performed in the Superior Court.

Costs.

Collection.

Payment to county treasurer.
Proviso: fees for service of process.

Duties and fees of officers.

JUDGE.

SEC. 14. That said Forsyth County Court shall be presided over by a judge who shall be learned in the law, of good moral character, and who shall be at the time of his appointment and qualification an elector in and for Forsyth County; that the said judge shall be appointed by the Governor of North Carolina on or before the first Monday in December, one thousand nine hundred and sixteen, and every two years thereafter; that the said judge shall hold office for two years and until his successor is appointed and qualified; and that his first full term shall begin on the first Monday in December, one thousand nine hundred and sixteen, and that his appointment for the term between the date when this act goes into effect and the said first Monday in December, one thousand nine hundred and sixteen, shall be as hereinafter provided; that before entering upon the duties of his office the said judge shall take and subscribe an oath of office, as is now provided by law for judges of the Superior Court, and shall file the same with

Qualifications of judge.

Appointment.

Term.

First full term.

Appointment ad interim.

Oath of office.

- the clerk of the Superior Court of Forsyth County, and the said clerk shall record the same; and that said judge shall receive a salary of twelve hundred dollars per year, payable in equal monthly installments out of the treasury of Forsyth County.
- Salary.
- Power to practice law. (b) That the said judge shall not by reason of his office be prohibited from practicing the profession of an attorney at law in the other courts of this State, except as to matters pending, in connection with, or growing out of said Forsyth County Court.
- Appointment of substitute by judge. (c) That when the said judge is unable to preside over said court, on account of sickness, absence, or other cause, he shall appoint some other person learned in the law, who shall take the same oath and possess the same qualifications as provided for the judge, to act as substitute judge, with all the power and duties of the judge; and the compensation of the said substitute judge shall be paid by the said judge.
- Compensation paid by judge.
- Appointment. (d) That Henry R. Starbuck of Winston-Salem, North Carolina, shall be and he is hereby named judge of Forsyth County Court for the term beginning April twenty-sixth, one thousand nine hundred and fifteen, and ending the first Monday in December, one thousand nine hundred and sixteen.
- Vacancy. (e) That any vacancy occurring in the office of judge shall be filled by the Governor of North Carolina.

CLERK.

- Clerk of court. SEC. 15. That the clerk of the Superior Court of Forsyth County, by himself or his deputies, shall, *ex officio*, perform the duties of clerk of the Forsyth County Court, and he shall be paid a sum not exceeding fifteen hundred dollars annually, the amount to be determined by the board of commissioners of Forsyth County, out of the treasury of Forsyth County, as full compensation for his duties as clerk of the Forsyth County Court; that upon the failure of the clerk of the Superior Court of Forsyth County to qualify under this act or in case of any vacancy in the office of the clerk of the Forsyth County Court, such vacancy shall be filled by the board of commissioners of Forsyth County; that the necessary files, books, stationery, and other material of that nature shall be furnished to the clerk of the Forsyth County Court by Forsyth County.
- Salary.
- Election by county commissioners.
- Office supplies.

STENOGRAPHER.

- Stenographer. SEC. 16. That there shall be an official stenographer of this court, whose duties shall be the same as those of the official stenographer of the Superior Court of Forsyth County, and that said stenographer's fees shall be the same in amount as the fees of the official stenographer of the Superior Court of Forsyth County, and shall be taxed as costs; and that said stenographer shall receive a salary not exceeding seventy-five dollars per month, to be paid out of the county treasury.
- Fees.
- Salary.

PROCEDURE.

SEC. 17. That the procedure of Forsyth County Court, except that hereinbefore provided, shall follow the rules and principles laid down in the chapter on civil procedure in the Revisal of one thousand nine hundred and five and the amendments thereto in so far as the same may be adapted to the needs and requirements of the said Forsyth County Court. Procedure.

DOCKETS, FILES, AND RECORDS.

SEC. 18. That there shall be dockets, files, and records of all proceedings in the Forsyth County Court conforming as nearly as possible to the records of the proceedings in the Superior Court. Dockets, files, and records.

COURT OF RECORD.

SEC. 19. That the Forsyth County Court shall be a court of record, and the clerk thereof shall be provided with a seal of said court. Court of record. Seal.

CASES PENDING.

SEC. 20. That all cases pending in the Superior Court of Forsyth County and in the courts of justices of the peace of Forsyth County on April twenty-sixth, one thousand nine hundred and fifteen, shall be tried in the courts wherein they are pending. Cases tried where pending.

RIGHT TO ABOLISH COURT.

SEC. 21. That the board of commissioners of Forsyth County shall have the right to abolish the said Forsyth County Court after the expiration of twelve months from the time the same was established; and that in the event the said court is abolished all cases then pending therein shall be transferred to the civil-issue docket of the Superior Court of Forsyth County and the offices herein created shall *ipso facto* terminate. Right to abolish court. Cases transferred.

FIRST SESSION.

SEC. 22. That the first session of the Forsyth County Court shall be held on the twenty-sixth day of April, one thousand nine hundred and fifteen, and other sessions shall be held as provided in this act. First session.

REPEALING SECTION.

SEC. 23. That all laws and clauses of laws in conflict with this act shall be and the same are hereby repealed.

SEC. 24. That this act shall be in force from and after its ratification.

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 521.

AN ACT TO REPEAL CHAPTER 221 OF THE PUBLIC-LOCAL LAWS OF 1911 AND TO REINSTATE THE POSITION OF HIGHWAY INSPECTOR FOR SAMPSON COUNTY.

The General Assembly of North Carolina do enact:

Law repealed.

SECTION 1. That chapter two hundred and twenty-one of the Public-Local Laws of one thousand nine hundred and eleven be and the same is hereby repealed, and section four of chapter one hundred and sixty-six of the Public Laws of one thousand nine hundred and nine is hereby reënacted.

Law reënacted.

SEC. 2. This act shall be in force from and after its ratification. Ratified this the 6th day of March, A. D. 1915.

CHAPTER 522.

AN ACT RELATING TO THE COMPENSATION OF THE COUNTY COMMISSIONERS OF WAYNE COUNTY.

The General Assembly of North Carolina do enact:

Per diem.

SECTION 1. That the board of county commissioners of Wayne County shall receive as compensation for their services three dollars (\$3) per day and mileage not to exceed five cents per mile to and from the county-seat for each regular and special meeting attended by them.

Mileage.

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

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 523.

AN ACT TO AMEND CHAPTER 94 OF THE PUBLIC-LOCAL LAWS, SPECIAL SESSION 1913, RELATING TO THE RECORDER'S COURT OF TRANSYLVANIA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter ninety-four, Public-Local Laws, special session one thousand nine hundred and thirteen, be and the same is hereby amended by adding after the word "liable," in line nine-

teen (19) of section three (3) thereof, the following: "and in all cases where the county shall be liable for the costs the recorder shall receive half, or whole cost, as provided by law for the costs of other officers." Costs when county liable.

SEC. 2. That all 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.

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 524.

AN ACT TO PREVENT THE SALE OR GIVING AWAY OF CIDER, WINE, OR INTOXICATING LIQUOR OF ANY KIND WITHIN ONE MILE OF ROCK SPRINGS PRIMITIVE BAPTIST CHURCH.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person to sell or give away any cider, wine, or intoxicating liquors of any kind, except for sacramental purposes, within one mile of Rock Springs Primitive Baptist Church in Wilkes County. Prohibition.

SEC. 2. That any person violating the provisions of this act shall be guilty of a misdemeanor and shall, upon conviction, be punished by a fine of not more than fifty dollars or imprisoned not more than thirty days. Misdemeanor.
Punishment.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 525.

AN ACT TO AMEND CHAPTER 343 OF THE PUBLIC-LOCAL LAWS OF 1911.

The General Assembly of North Carolina do enact:

SECTION 1. Amend chapter three hundred and forty-three of the Public-Local Laws of nineteen hundred and eleven by adding after section sixteen of said chapter the following: "In the absence of the recorder, the prosecuting attorney of said court shall act as recorder." Prosecuting attorney as recorder.

SEC. 2. 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.

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 526.

AN ACT TO PROHIBIT FISHING IN CERTAIN STREAMS IN AVERY COUNTY.

The General Assembly of North Carolina do enact:

Protection for two
years.

SECTION 1. That it shall be unlawful for any person to catch or take from the waters of Elk River and its tributaries and Toe River and its tributaries, to the mouth of Horse Creek in Avery County, any fish of any kind for the period of two years from the ratification of this act.

Misdemeanor.
Punishment.

SEC. 2. That any person violating the provisions of this act shall be guilty of a misdemeanor and upon conviction shall pay a fine of not less than fifteen or more than fifty dollars, or be imprisoned not more than thirty days.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 527.

AN ACT TO PROHIBIT THE SALE OF WINE, CIDER, OR ANY INTOXICATING LIQUORS WITHIN THREE MILES OF CERTAIN CHURCHES IN HOKE COUNTY.

The General Assembly of North Carolina do enact:

Prohibition.

SECTION 1. That it shall be unlawful for any person, firm, or corporation to sell or offer for sale any wines, cider, or intoxicating liquors within three miles of Shiloh Presbyterian Church and Bowmore Methodist Church in Hoke County.

Misdemeanor.
Punishment.

SEC. 2. That any person violating the provisions of this act shall be fined not less than ten dollars nor more than twenty dollars for each and every offense or imprisoned not more than thirty days.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 528.

AN ACT TO PREVENT THE SALE OF INTOXICATING LIQUORS IN WRENCH AND ORANGE SCHOOL DISTRICTS, SAMPSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person to sell or offer for sale any wine, cider, or other intoxicating drink within Wrench Special School District, Number One, or within Orange Special School District, Number Seven, in Dismal Township, Sampson County. Prohibition.

SEC. 2. Any person violating the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined or imprisoned, in the discretion of the court. Misdemeanor.
Punishment.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 529.

AN ACT TO AMEND THE PRIMARY LAW FOR COLUMBUS COUNTY, CHAPTER 657, PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION OF 1913.

The General Assembly of North Carolina do enact:

SECTION 1. That the word "May" in line three of section three, chapter six hundred and fifty-seven, be stricken out and the word "August" be inserted in lieu thereof. Date.

SEC. 2. That subsections "a" and "b" of section twenty-four be and the same are hereby repealed. Preferential features.

SEC. 3. That the words "first choice" in line two of subsection "a" of section twenty-seven be stricken out. Preferential features.

SEC. 4. That subsections "b," "c," "d," "e," "f," of section twenty-seven, and section twenty-eight, of chapter six hundred and fifty-seven be and the same are hereby repealed. Preferential features.

SEC. 5. That if at the primary held as herein provided no candidate shall receive a majority of the votes cast, there shall be a second primary held on the second Tuesday after the first primary and only the two candidates for the same office who received the highest number of votes in the first primary shall run in the second primary. Second primary.

SEC. 6. That the word "May" in line five of section one of chapter one hundred and ninety-two of the Public, Public-Local, and Pri- Date.

vate Laws, extra session nineteen hundred and thirteen, be stricken out and the word "August" inserted in lieu thereof.

Prescribed ballot.

SEC. 7. That all of said chapter six hundred and fifty-seven after the words "official primary ballot" on page one thousand three hundred and seventy-three, one thousand three hundred and seventy-four, one thousand three hundred and seventy-five, and one thousand three hundred and seventy-six, Public-Local Laws of North Carolina, session one thousand nine hundred and thirteen, be and the same is hereby repealed.

Ballots to be used.

SEC. 8. That the ballots used in the primaries herein provided for shall be prepared according to the election law in North Carolina.

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

SEC. 10. That this act shall be in force from and after its ratification.

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 530.

AN ACT FOR THE RELIEF OF G. W. COLE, EX-SHERIFF OF MADISON COUNTY.

The General Assembly of North Carolina do enact:

Collection of arrears.

SECTION 1. That G. W. Cole, former sheriff of Madison County, be and he is hereby authorized and empowered to collect all taxes which he may have failed to collect and which were due for the years one thousand nine hundred and six, one thousand nine hundred and seven, one thousand nine hundred and eight, one thousand nine hundred and nine, and one thousand nine hundred and ten, under the same rules and regulations now provided by law for the collection of taxes in Madison County.

Years.

Term of authority.

SEC. 2. That the power and authority herein conferred shall cease and determine on the first day of September, one thousand nine hundred and sixteen.

Persons not compelled to pay.

SEC. 3. That no person shall be compelled to pay any tax under this act who holds the sheriff's tax receipt for said tax, or who shall make affidavit that said tax has been paid, nor shall any purchaser for value, *cestui que trust*, or mortgagee without notice of such arrears of taxes due on the lands be compelled to pay any arrears of taxes under this act.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 531.

AN ACT FOR THE RELIEF OF W. A. PALMER, TAX COLLECTOR OF HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That W. A. Palmer, tax collector for Haywood County, be and is hereby authorized and empowered to collect all the remaining taxes due and unpaid for the years one thousand nine hundred and eleven, one thousand nine hundred and twelve, and one thousand nine hundred and thirteen. Collection of arrears.
Years.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 532.

AN ACT TO REGULATE THE PAY OF THE COUNTY COMMISSIONERS OF DAVIDSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the county commissioners of Davidson County shall receive for their services as such commissioners the sum of four dollars per day, instead of three dollars per day as is now provided by law, and shall receive five cents per mile to and from their homes for each session they may attend of such board: *Provided*, that mileage shall be allowed for only one day for one and the same meeting of the board. Per diem.
Mileage.
Proviso: mileage for one day.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 533.

AN ACT TO APPOINT A JUSTICE OF THE PEACE AND A CONSTABLE AT WHITNEL COTTON MILLS IN CALDWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That E. B. Crisp is hereby appointed and constituted a justice of the peace for the period of six years in the village of Whitnel, in Lenoir Township, Caldwell County; and T. A. Wright Justice.
Constable.

be and is hereby appointed and constituted a constable in said village for Lenoir Township, Caldwell County, for a period of six years.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 534.

AN ACT TO AMEND CHAPTER 306 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATIVE TO SALARIES FOR THE COUNTY OFFICERS OF WAKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of said chapter three hundred and six of the Public-Local Laws, session one thousand nine hundred and thirteen, be amended by striking out the words "eighty-three and one-third" in lines four and five of said section, and inserting in lieu thereof the words "one hundred."

SEC. 2. This act shall be in force from and after March first, one thousand nine hundred and fourteen.

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 535.

AN ACT TO PROVIDE A ROAD LAW FOR BLUE RIDGE TOWNSHIP IN WATAUGA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. All roads that have been laid out or appointed by the board of county commissioners of Watauga County are hereby declared to be public roads, and the justices of the peace in Blue Ridge Township shall have the supervision and control of all public roads in their townships; they are hereby designated the board of trustees for said township.

SEC. 2. The board of township trustees shall meet in some place in their township, to be agreed upon by themselves, on the first Monday of May and November, and at such other times as they may deem advisable. They shall keep a record of their proceedings, and shall annually at their May meeting elect one of their number chairman. The board of trustees shall be exempt from labor on the public roads. It shall be the further duty of the trustees to examine into the condition of the public roads and high-

Salary of deputy clerk.

Public roads.

Justices of the peace trustees.

Semiannual meetings.

Record of proceedings.
Chairman.

Trustees exempt from labor.

ways of their township at least twice in each year and make a report to the chairman of the board of county commissioners, who shall transmit the same to the solicitor with such instructions as he may deem proper. That each and every chairman of the board of county commissioners, justice of the peace, board of township trustees, or supervisor, who shall refuse or neglect to perform the several duties enjoined by this act shall be guilty of a misdemeanor, and on conviction thereof shall be fined or imprisoned, or both, in the discretion of the court; and it is hereby made the duty of the solicitor to prosecute said offense.

Semiannual inspections and reports.

Refusal or neglect to perform duty a misdemeanor.

Punishment.

Solicitor to prosecute.

SEC. 3. That the township trustees of said township shall on the first Monday in May next divide their township into suitable road districts, and annually thereafter make such alterations therein as they may deem proper, and cause a brief description thereof to be made on the township records, and also furnish each supervisor with a plat of his road district. The township trustees, at their May meeting, and annually thereafter, shall elect one supervisor for each road district; and each supervisor who refuses or neglects to qualify and serve shall forfeit and pay the sum of twenty dollars and costs, to be collected by the township trustees in an action of debt. Money so collected shall go into the township road fund and be credited to the proper road district. That when any vacancy occurs in the office of supervisor for any cause the trustees shall appoint some suitable person to fill the vacancy.

Road districts.

Description and plats.

Election of supervisors.

Forfeit for neglect to qualify and serve.

Penalty to road fund.

Vacancies.

SEC. 4. The roadbed shall not be more than sixteen feet wide, unless so ordered by the board of county commissioners, and in opening new roads not more than five jurors shall be summoned or required; and it shall be the duty of each and every supervisor to open, or cause to be opened, all public roads and highways which shall have been or may hereafter be laid out and established in his road district, the same to keep in repair and remove or cause to be removed all obstructions that may from time to time be found thereon, for which purpose the supervisors are hereby authorized to enter upon any uncultivated lands, or improved lands unencumbered by crops, near to or adjoining such roads, to cut and carry away timber, except trees or groves on improved land planted or left for ornament or shade; to dig or cause to be dug and carried away any gravel, sand, or stone which may be necessary to make, improve, or repair said road; and to enter on any land adjoining or lying near the road to make such drains or ditches through the same as he may deem necessary for the benefit of the roads, doing as little injury to said lands and the improvements thereon and timber as the nature of the case and the public good will permit; and the drains and ditches so made shall be conducted to the nearest water-course, and shall be kept open by such supervisors, and shall not be obstructed by the owner or occupier of such lands or any other person or persons having the

Width of road.

Jury of view.

Duties of supervisors.

Entry on lands for material.

Drains or ditches.

Forfeit for obstruct-
ing drains.
Forfeit to road
fund.

same in charge, under the penalty of forfeiting a sum not exceed-
ing ten dollars for each and every offense, to be collected by the
supervisor and paid over by him to the township trustees and
applied to the road fund of the township.

Road duty.

SEC. 5. That all able-bodied male persons, and all male persons
able to perform or cause to be performed the labor herein re-
quired, between the ages of eighteen and forty-five years, except
persons permanently disabled in the military service of this State,
shall be liable annually to do and perform four days labor on the
highways, under the direction of the supervisor of the road dis-
trict in which he shall reside: *Provided further*, that if any per-
son, being named as hereinafter provided, shall pay to the super-
visor in whose district he may reside the sum of three dollars, the
same shall be received in lieu of the four days labor, and shall be
applied by the supervisor receiving the same to the improvement
of the roads of his district, and accounted for as hereinafter pro-
vided.

Proviso: commu-
tation.

Supervisor to warn
out hands.

SEC. 6. That it shall be the duty of every supervisor to order
out every such person, resident as aforesaid, between the first day
of February and the first day of December, annually, to do and
perform the work aforesaid on public roads within the district;
and if any such resident, being personally warned by such super-
visor or by leaving a written notice at his usual abode, shall refuse
or neglect, having had at least two days notice, to attend by him-
self or substitute to the acceptance of the supervisor, or, having
attended, shall refuse to obey the directions of the supervisor, or
shall spend the time in idleness or any inattention to the duties
assigned him, every such delinquent shall forfeit and pay the sum
of one dollar for every such offense, and shall further be liable in
all cases of nonattendance to the amount of four days work, to be
recovered by action before any justice of peace of the proper town-
ship at the suit of the supervisor within whose district he may
reside; and shall also be guilty of a misdemeanor and fined not
exceeding five dollars or imprisoned not exceeding five days; and
the money so collected shall be applied by said supervisor to the
improvement of the roads in his district, and accounted for by him
at the annual settlement with the township trustees: *Provided*,
that no person shall be released from the performance of labor on
the public highways by reason of the neglect of any supervisor to
order out such person on or before the first day of December, as
herein provided.

Forfeit for failure
to appear and work.

Misdemeanor.
Punishment.

Proviso: hands not
released by failure
of supervisor.

Removal from
district.

SEC. 7. That in case any person shall remove from one district
to another, who has prior to such removal performed the whole or
any part of the labor aforesaid, or in any other way has paid the
whole or any part of the amount aforesaid in lieu of such labor,
and shall produce a certificate of the same from the supervisor of
the proper district, such certificate shall be a complete discharge
for the amount therein specified.

SEC. 8. That any person called upon to perform any labor upon the public roads and highways under any provision of this act shall by himself or substitute appear at the place appointed by the supervisor at the hour of seven o'clock in the forenoon with such necessary tools and implements as the supervisor may direct.

Time to appear for work.

SEC. 9. That for the purpose provided for in the preceding sections of this act the residence of any person who has a family shall be held to be where his family resides, and the residence of any other person shall be held to be where he boards in any road district in this State.

Residence defined.

SEC. 10. That the several supervisors, within their respective districts, shall collect by suit or otherwise all fines, forfeitures, and penalties arising and accruing under the provisions of this act, unless the collection thereof is otherwise herein provided for; and they are hereby authorized and required, before their settlement with the township trustees, to prosecute to final judgment all persons neglecting or refusing to comply with the provisions of this act from whom such fines, forfeiture, or penalty, in the opinion of the supervisor, can be collected by execution; and the said judgments, if not paid, together with the cost thereon, shall remain and be in force against the judgment debtor as other judgments at law.

Collections by supervisors.

Prosecution.

SEC. 11. That the several supervisors shall expend all moneys by them collected for the benefit of the roads and highways in their respective districts; and every supervisor is hereby required to account to the township trustees at the annual settlement for all moneys expended under this act; and they shall also return a full and true list and statement of the names of all persons within their respective districts who have been ordered out to perform the four days labor as required by this act and of those who have refused or neglected to perform the same, and all fines and forfeitures sued for and recovered under the provisions of this act shall be paid over on demand by the justice of peace or constable collecting the same to the supervisor of such road district wherein such fines or forfeitures accrued; and the several supervisors shall also render an account to the township trustees at the annual settlement of all moneys that remain in their hands at the time of the settlement; also all judgments that remain unpaid, and the name of the judgment debtor and the justice of the peace before whom such judgments were obtained, with the amount thereof; and the township trustees shall make such order as to the prosecution of the suits by the supervisor of the proper district against such delinquents as in the judgment of the trustees the interest of the township may require.

Expenditures by supervisors.

Accounts.

Reports.

SEC. 12. That all the moneys that may remain in the hands of the supervisor at the time of the annual settlement with the trustees shall be paid over to his successor in office as soon as such

Settlements by supervisors.

- Executions on judgments. successor shall be elected and qualified, taking a receipt therefor, and deposit said receipt with the township trustees. It shall be lawful for any supervisor to sue out executions on any judgment that remains unpaid within his proper district, at any time when in his opinion the same can be collected; and the money so received and collected shall be expended as provided in the foregoing section.
- Footbridges. SEC. 13. That the supervisors of roads and highways within said township be and are hereby authorized to construct footbridges over streams of water on said highways.
- Guideboards. SEC. 14. That each supervisor within his district shall erect and keep up, at the expense of the township, at the forks or crossroads of every State and county road, a post and guideboard or finger-board, containing an inscription, in legible letters, directing the way and distance to the town or towns or public place or places situated on each road respectively.
- Fine for injury to guideboards. SEC. 15. That if any person shall willfully demolish, throw down, alter or deface any guideboard, every person so offending shall, upon conviction thereof before any justice of the peace of the proper county, be fined in any sum not exceeding ten dollars and cost of suit, and the money when collected shall be by the justice of the peace collecting the same paid over to the supervisor in whose district the offense was committed, and be by him applied to the repair of the roads and highways within his district.
- Fines to road fund. SEC. 16. That the township trustees of said township be and they are hereby authorized to furnish plows, scrapers, or other tools for the use of the several districts within their township, to be paid for out of any moneys in the township treasury not otherwise appropriated. The township trustees shall take a receipt from each supervisor for such implements as they may deliver to him, showing the number, kind, and condition thereof, and such supervisor shall be liable for any injury or damage that may result to such implements, or to any of them, by improper use thereof, or by unnecessary exposure to the weather during the time the same may be in his possession; and he shall on the first Monday of May, annually, return the same to said trustees. The amount for which such supervisor may be liable for such improper use or neglect may be recovered by action in the name of the township trustees.
- Implements. SEC. 17. That the board of county commissioners of Watauga County are hereby authorized and empowered, upon the written application of the trustees of Blue Ridge Township, to levy at the June session of their board annually for road purposes not less than one-tenth of one mill nor more than two mills on the one dollar of taxable property in said township; and the chairman of the board of county commissioners shall place the same on the tax
- Receipts for implements. Tax for roads.
- Supervisor liable for damages.

list for said township of the current year, to be included in and collected in the annual taxes; that if the trustees of said township shall deem an additional road tax necessary, they shall determine the per centum to be levied upon the property of their township and shall certify the same in writing to the board of county commissioners at their June session, who may levy a special tax not exceeding one mill on the dollar, and the county commissioners may levy the same as above prescribed.

SEC. 18. That the chairman of county commissioners, immediately after the commissioners at their annual session for that purpose have determined the amounts to be assessed for road purposes in said township, shall give notice in some newspaper in general circulation in the county of the per centum on each hundred dollars of the valuation so determined to be assessed in said township, and that the said tax may be discharged by labor on the roads under the direction of the supervisor of the several districts, and shall make out a list of the names of each taxpayer, of the amount of the road tax with which each stands charged, and transmit the same to the supervisor of the proper district.

SEC. 19. Any person charged with a road tax may discharge the same by labor on the public highways within the district where the same is charged, within the time designated in this act, at the rate of one dollar per day and a ratable allowance per day for any team, implements, and material furnished by any person under the direction of the supervisor of such district, who shall give to such person a certificate specifying the amount of tax so paid and the district and township wherein such labor was performed, which certificate shall in no case be given for any greater sum than was charged against such person, and the county sheriff shall receive all such certificates as money in the discharge of said road tax. The township trustees in determining the division of this fund shall be governed, not by the miles of road in each district, but by necessities of the roads, the convenience of getting material, the quantity of material necessary to make substantial repairs, etc., and thus make a just and equitable division of said fund between the several districts.

SEC. 20. That each and every supervisor who shall neglect or refuse to perform the several duties enjoined on him by this act, or who shall under any pretense whatever give or sign any receipt or certificate purporting to be a receipt or certificate for labor in work performed or money paid, unless the labor shall have been performed or money paid prior to the giving or signing of such receipt or certificate, shall forfeit for every such offense not less than ten dollars nor more than fifty dollars, to be recovered by an action before any justice of the peace of the proper county; and it is hereby made the duty of the township trustees to prosecute all offenses against the provisions of this section: *Provided*, that if any super-

Additional tax.

Notice of tax.

Tax lists to supervisors.

Labor in discharge of tax.

Rate.

Certificates receivable for tax.

Apportionment of fund.

Forfeits on supervisor.

Trustees to prosecute.

Proviso: right of appeal.

visor conceives himself aggrieved by the judgment of such justice of the peace he may, on giving a sufficient security to said justice of the peace for the payment of the cost, appeal to the Superior Court, who shall make such order therein as to them may appear just and reasonable.

Work forbidden.

SEC. 21. That it shall be unlawful for any supervisor to perform or cause labor to be performed on any road not regularly laid out and established by law.

Certificates for material taken.

SEC. 22. That each and every supervisor who shall cut and take any timber, stone, or gravel for the purpose of making, improving, or repairing any road or building or repairing any bridge or crossway within his district shall, on demand of the owner of the lands, his agent or agents, or the guardian of any ward, or the executor or administrator having lands in charge, from which timber, stone, or gravel were taken as aforesaid, shall give a certificate showing the quantity of such timber, stone, or gravel, with the value thereof, respectively, and the time and purpose for which the same were taken.

Presentation and payment of certificates.

SEC. 23. That any person or persons who shall receive a certificate as provided for in the foregoing section shall present the same to the county commissioners of the proper county at any regular session of said commissioners within six months after the taking and carrying away of such timber, stone, or gravel, and the commissioners, being satisfied that the amount as aforesaid is just and equitable, shall cause the same to be paid out of the county treasury; but if not so satisfied, they shall determine what sum in their opinion would be just.

Pay of supervisors.

SEC. 24. That each supervisor shall receive for his services one dollar and fifty cents per day for the time actually employed on the roads, deducting the commutation for his four days labor. Supervisors having charge of not more than twenty-five hands shall not receive more than ten dollars in any one year, and no supervisor having a greater number shall receive more than twenty dollars in any one year, and be paid out of the treasury for said township.

Limit of pay.

Removal of obstructions.

SEC. 25. That at any time during the year when any public highway shall be obstructed it shall be the duty of the supervisor of the district in which the same may be, forthwith to cause such obstruction to be removed, for which purpose he shall immediately order out such number of persons liable to do work or pay tax upon the public highways of his district as he may deem necessary to remove said obstructions. If the person or persons thus called out shall have performed their four days labor upon the public highways, or paid their road tax, the supervisor shall give to such person or persons a certificate for the amount of labor performed, and said certificate shall apply on the labor or tax that may be due from such person or persons the ensuing year.

Certificate of work.

SEC. 26. Whenever any persons shall meet each other on any bridge or road traveling with carriages, wagons, or other vehicles, each person shall reasonably drive his carriage or vehicle to the right of the middle of the traveled part of such bridge or road, so that the respective carriages or other vehicles aforesaid may pass each other without interference; every person willfully offending against the provisions of this section shall for each offense forfeit a sum not exceeding five dollars, to be recovered on complaint before any justice of the peace in the county where the offense shall have been committed; and he shall further be liable to any party for all damages sustained by reason of such offense: *Provided*, that every such complaint shall be made within one month after the offense shall have been committed, and that every such action for damages shall be commenced within two months after the cause of action shall have accrued.

Rule of the road.

Forfeit for breach.

Damages.

Proviso: limitation.

SEC. 27. That this act shall only apply to Blue Ridge Township in Watauga County.

Application of act.

SEC. 28. That all laws or parts of laws in conflict with this act are hereby repealed.

SEC. 29. That this act shall be in force from and after its ratification.

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 536.

AN ACT TO PROVIDE FOR WORKING THE PUBLIC ROADS OF KIRBY TOWNSHIP IN NORTHAMPTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of constructing, repairing, improving, and maintaining the public roads in Kirby Township, Northampton County, there shall be a special board of three members who shall be known as the "Board of Road Commissioners for Kirby Township," which said board shall have entire supervision and jurisdiction of all the public roads of said township, and succeed to and exercise all the powers and duties heretofore exercised by and imposed upon the board of road commissioners and justices of the peace in reference to the establishment, keeping, alteration, or discontinuance of all public and private roads, cartways, and other thoroughfares. The members of said board shall hold their offices for the term of six years and until their successors are elected and qualified, except as provided in section two hereafter.

Board of road commissioners.

Jurisdiction.

Term of office.

SEC. 2. That J. B. Stephenson, B. F. Martin, and J. H. Sumner are hereby appointed and constituted the board of road commis-

Commissioners named.

- Terms. sioners for said township. The first named of said board, towit, J. B. Stephenson, shall hold the said position of commissioner until the first Monday in December, one thousand nine hundred and sixteen; the next named of said board, towit, B. F. Martin, until the first Monday in December, one thousand nine hundred and eighteen; and the last named of said board, towit, J. H. Sumner, until the first Monday in December, one thousand nine hundred and twenty. At the regular election in the year 'one thousand nine hundred and sixteen and regularly every two years thereafter there shall be one commissioner elected by the voters in said township at the same time and in the same manner as county and township officers are elected. All vacancies caused by death, resignation, or otherwise shall be filled by the remaining members of said board: *Provided*, that should more than one vacancy occur or be at the same time, the same shall be filled by appointment by the clerk of the Superior Court of Northampton County.
- Election of successors. SEC. 3. That the members of said township board of road commissioners shall each qualify before any officer authorized to administer oaths on or before the second Monday in December following their election, except those mentioned in section two of this act.
- Vacancies. SEC. 4. That the members of said board named in section two of this act shall qualify on or before the second Monday in March, one thousand nine hundred and fifteen, before any officer authorized to administer oaths, and they shall meet in the town of Milwaukee, or in some place appointed, by said board, in said township on or before the second Monday in March, one thousand nine hundred and fifteen, and shall organize by electing one of their number as chairman, and by electing a secretary, who may be one of the board and the treasurer. The secretary of said board thus elected shall in a book for the purpose keep a full and perfect record of all the proceedings and actions of the board, which records shall be open to inspection of the citizens of the township at reasonable times. Compensation of the secretary shall not exceed two and a half dollars per day for every day the board shall meet, and the board shall meet one day in each month, and no mileage for its members or officers shall be charged. The compensation of the members of said board shall be one and a half dollars per day. If necessary and important, the said board may meet upon the call of the chairman, or of any member if requested by a majority of the members. At all of their said meetings they shall be authorized to transact any business and duties with reference to the roads of the said township or within their jurisdiction.
- Commissioners to qualify. SEC. 5. That said board of road commissioners and its successors shall be and is hereby constituted a body corporate by the name and style of "The Board of Road Commissioners of Kirby Township," shall adopt a common seal, and by that name may sue and
- Commissioners named to qualify.
- To meet and organize.
- Organization.
- Record of proceedings.
- Pay of secretary.
- Meetings.
- Pay of commissioners.
- Special meetings.
- Business at meetings.
- Incorporation.
- Corporate name.
- Corporate powers.

be sued, make contracts, acquire real and personal property by gift, purchase, or devise; hold, exchange, and sell the same, and exercise such other rights and privileges as are incident to other municipal corporations.

SEC. 6. That it shall be the duty of said board of road commissioners to take control and management of the public roads in said township, and said commissioners are hereby vested with all the rights and powers for such control and management as are now vested in and exercised by the board of road or county commissioners of Northampton County as pertaining to said township.

Control and management of roads.

Rights and powers vested.

SEC. 7. At or before their meeting in May of each year said board of road commissioners shall consult together as to the amount of money reasonably necessary to purchase suitable tools, machinery, teams, and supplies or for other things for the proper working and improving and establishing the public roads of said township and to pay all expenses thereof, and the expenses pertaining to the performance of their duties for one year, and shall fix and determine the rate of taxation on the property and polls of said township for the purpose of raising said amount, which rate of taxation shall not exceed forty cents on the one hundred dollars valuation on the real and personal property in said township and one dollar and twenty cents on each poll in said township of one year, and said board shall report the rate of taxation thus ascertained and determined by them from the board of county commissioners of said county on or before their June meeting in each and every year; and it shall be the duty of the said board of the county commissioners at their meeting in June, or at such other time as may be fixed by law, to levy a special tax as determined by said board of road commissioners, but the rate shall be in the discretion of the said board of county commissioners. Said taxes shall be collected as other taxes are collected, and shall be kept separate by the tax collector and paid over to the treasurer of said township board of road commissioners. Such taxes shall be levied and collected out of the property and polls in said township, whether in incorporated towns or not.

Determination of tax rate.

Limit of rate.

Report of rate.

County commissioners to levy tax.

Rate.

Collection of tax.

SEC. 8. That said board of township road commissioners at its first meeting shall appoint some person or corporation as treasurer of said township road fund; the person or corporation so designated shall be required to give a sufficient bond payable to the said board, which said board shall fix the amount of the bond for the faithful performance of his or its duties as treasurer and for the faithful holding and disbursing of said funds in accordance with orders and directions of said board. Compensation for said services shall not exceed two per cent of disbursement of said road fund.

Treasurer of road fund.

Bond of treasurer.

Pay of treasurer.

SEC. 9. That after January first, one thousand nine hundred and fifteen, every able-bodied male person between the ages of twenty-

Road duty.

one and forty-five years residing in said township shall be liable annually to perform three days labor upon the roads of said township under the supervision and direction of the road supervisor, overseer, or other officer appointed by the board of road commissioners of said township, who shall assign each person to any portion of the roads in such township in which said person resides as said officer may think best: *Provided, however*, that any such person shall be discharged from such labor for one year upon the payment to the proper officer of the sum of one dollar per annum in lieu thereof: *Provided further*, that such sum shall be paid on or before the first day of March of said year.

Proviso: commutation.

Work in payment of poll tax.

SEC. 10. All persons who shall be liable to pay poll tax and who fail to pay the same shall be liable and compellable to work four days on the said roads under the direction and control of the road supervisor or officer in said township.

Convicts sentenced to road work.

SEC. 11. That the judges of the Superior and criminal courts of this State are hereby authorized and empowered to sentence convicts in said county or in other counties to work upon the public roads of said township, and all the justices of the peace and mayors of towns of said county are hereby authorized and empowered to sentence persons tried before them and found guilty of violating the criminal law within their jurisdiction, or vagrancy, to sentence said person so convicted to work upon the said public roads: *Provided*, that no person shall be required to work for a longer time than that for which he could have been imprisoned for the offense: *Provided further*, that said board of road commissioners and its authorized officers may shorten the time of labor in any individual case as much as one-fifth for good behavior and faithful performance of duty.

Proviso: term of sentence.

Proviso: allowance for good behavior.

Maintenance and control.

SEC. 12. That said board of road commissioners shall be authorized to provide proper quarters for convicts and to employ suitable guards and overseers, and to provide means for their safe keeping and control out of road funds.

Uses of road fund.

SEC. 13. That the taxes and other revenue raised under this act or under any law applicable to the public roads of said township shall constitute a general road fund for the construction and improvement of the roads and bridges of said township and for the purchase, maintenance of tools, machinery, teams, and other supplies or equipment for the better prosecution of the work, and shall be expended according to the judgment and discretion of the said board of road commissioners; and the said board, as often as it shall deem necessary, shall issue warrants or orders upon the township treasurer, directing him or it to pay to the supervisor or other officer of roads the amount therein specified for the purpose of carrying out the provisions of this act.

Expenditure.

Warrants.

Election of supervisors.

SEC. 14. That the said board of road commissioners on the second Monday in December or at any regular meeting of the said

board may elect a township supervisor of roads at a salary to be fixed by said board, and who may be required to give bond payable to the said road commissioners in a sum to be fixed and approved by said board for the faithful and honest performance of his duties, which bond shall be filed and recorded. It shall be the duty of the said township supervisor, subject to the said board, to supervise, direct, and have charge of the building, constructing, and maintenance of the roads of the township, and of the teams, tools, machinery, etc., for their working. Any part of said work, or all of it, may be done by contract if deemed best by said board of road commissioners. Said supervisor shall see that all work on said roads is properly, promptly, and economically done. He shall make quarterly reports in writing to said board, giving the condition of all the roads in the township, suggesting and recommending means and methods of improvement and the probable cost thereof, besides embracing matters required in section fourteen of this chapter, which written reports and regulations shall be filed with the clerk of the board, and the board may provide money for work which they may regard necessary. Said supervisor shall hold his office until his successor is elected and qualified or until he is discharged by said board.

SEC. 15. The township supervisor shall have charge and management of the plans, labor, teams, tools, apparatus and machinery used on the roads under his charge, and shall render an itemized statement of the number of hands or persons, including convicts, worked on the roads, the number of hours or days worked, the amount paid each hand, and the amount of money received, and how the same is disbursed, and a list of the tools, machinery, implements, dump-carts, teams, and other apparatus in his hands and the condition thereof, and any other information in reference to his management that may be reasonably required. Said reports shall be made quarterly or oftener to said board. He shall have the teams and all other apparatus properly cared for. In all matters he shall be subject to the control and direction of the said board.

SEC. 16. That said board of road commissioners shall have full power and discretion to adopt such methods, means, and agencies in the management, improvement, and working of said roads as they may determine to be wise and best, regardless of any seeming limitations or restrictions in this act, and they may also make such purchases of gravel pits, lands, timber, machinery, and teams as they may deem wise and important for the building, improvement, and maintenance of the roads, and they may have any or all of the roads, or any part of any road, widened so as to make them or such parts thereof fifteen feet on either side of the center of the road, thus making the road thirty feet wide between the ditches.

Bond.
Duty of supervisor.
Work let to contract.
Supervision.
Quarterly reports.
Term of supervisor.
Management of equipment.
Itemized statements.
Inventory.
Quarterly.
Care of teams.
Control and direction.
System of work.
Purchase of material and equipment.
Width of roads.

- Annual statements of commissioners. SEC. 17. That the said board of road commissioners shall make an annual statement of all their doings and proceedings in the same manner and at the same time as is required by the board of county commissioners, which statement shall be recorded and preserved by the register of deeds in a suitable book, which shall be subject to inspection of the public, and the register of deeds shall receive the same fee for such services as he receives in other like cases.
- Fee for registration.
- Payment of warrants. SEC. 18. All orders or warrants of said board on the township treasurer, authenticated as is required for such orders of the board of county commissioners, shall be paid by said treasurer out of the road funds in his hands.
- Entry on land for material. SEC. 19. That for the purpose of building, constructing, repairing, improving, and maintaining the public roads in said township the supervisor or other officer employed by said board of road commissioners shall have the authority to enter upon any land in said township, to cut and carry away any timber except trees or groves left for ornament or shade, to dig or cause to be dug or carried away any gravel, clay, earth, sand, or stone which may be necessary to build, construct, improve, or repair any of the roads in said township; to make such drains or ditches through the same as may be necessary for the benefit of the roads, doing as little damage to the land as possible; and any person willfully obstructing or resisting the performance of these duties or willfully obstructing such ditches or drains when made shall be guilty of a misdemeanor.
- Drains or ditches.
- Obstructing drains a misdemeanor.
- Misdemeanor. SEC. 20. That any person willfully violating any of the provisions and requirements of this act shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine not to exceed fifty dollars or imprisoned or sentenced to work upon the roads not more than thirty days.
- Punishment.
- Roads let to contract. SEC. 21. That the said board of road commissioners may contract the building, improving, constructing, or maintaining any part of or all of the roads in the said township to some person, firm, or corporation. That they may award contracts upon bids received by them, either publicly or privately, as they may think is for the best, in their discretion.
- Award of contracts.
- Moneys paid to road treasurer. SEC. 22. That hereafter all road taxes collected by the sheriff of Northampton County or by township tax collectors or otherwise in and for said township, and all money collected by said sheriff or any other person on account of said roads in said township, shall be paid over to the treasurer or treasury designated by said board, as it is collected. The said sheriff or other tax collector is hereby required to settle with the said treasurer of said township not later than the second of April in each year.
- Accrued funds. SEC. 23. That at their meeting the first Monday in March, one thousand nine hundred and fifteen, or as soon thereafter as prac-

licable, the board of road or county commissioners of Northampton County shall give an order for, and authorize the payment to the treasurer of said township, an amount equal to all of the road taxes levied and collected in said township of the levy of the year one thousand nine hundred and fourteen, including the share of the public-service corporation tax of said township, and shall also deliver to the road commissioners of said township such proportion of the present road equipment of Northampton County, including tools, implements, road machines, and teams, as the said county board may deem just and equitable.

Apportionment of equipment.

SEC. 24. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 25. That this act shall be in force from and after its ratification.

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 537.

AN ACT TO AMEND CHAPTER 477 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATING TO WAYNE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter four hundred and seventy-seven of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby repealed, and the following substituted therefor: "That the sheriff of Wayne County shall have a deputy present and in attendance at all times during the sessions of the Superior and county courts in said Wayne County."

Attendance upon courts.

SEC. 2. That section three of said chapter be and the same is hereby repealed, and the following substituted therefor: "That on and after October the first, one thousand nine hundred and fifteen, the sheriff of Wayne County shall receive as compensation for the collection of said taxes enumerated in section one of said chapter four hundred and seventy-seven of the Public-Local Laws of one thousand nine hundred and thirteen, other than schedules B and C, a commission of two and one-half per cent, and shall also be entitled to all other fees and emoluments attaching to the office of sheriff by virtue of law: *Provided*, said sheriff shall execute the necessary bonds required by law: *Provided further*, that said sheriff of Wayne County shall receive as compensation from the date of the ratification of this act until October the first, one thousand nine hundred and fifteen, all fees and commissions attaching to the office of sheriff by virtue of law, and in addition thereto the said sheriff shall receive a salary of one hundred dollars (\$100) per month, payable monthly."

Commission on taxes.

Fees and emoluments.

Proviso: execution of bonds.
Proviso: compensation until October 1, 1915.

Salary.

Salary of clerk of court and register of deeds.

SEC. 3. That section five of said chapter four hundred and seventy-seven be and the same is hereby repealed, and the following substituted therefor: "The clerk of the Superior Court of Wayne County shall receive a salary of three thousand dollars (\$3,000) per annum as compensation for clerk of the Superior Court and the additional sum of five hundred dollars (\$500) as compensation for services as clerk of the county court; and the register of deeds of Wayne County shall receive a salary of three thousand five hundred dollars (\$3,500) per annum, said amount to cover all clerk hire."

Office of treasurer abolished.

SEC. 4. That section six of said chapter be and the same is hereby amended by adding thereto, after the word "created," the following: "*Provided further*, that upon the expiration of the present term of the county treasurer of Wayne County, that the office of county treasurer be and the same is hereby abolished, and in lieu thereof the board of county commissioners shall, and they are hereby authorized and empowered, to appoint one or more solvent banks in Wayne County as financial agent or agents for said county, which said banks or trust companies shall perform the duties now performed by the treasurer of said county: *Provided*, that such banks or trust companies shall not charge or receive any compensation for its services other than such advantages as may accrue from the deposits of county funds in the regular course of banking: *Provided further*, that such banks or trust companies appointed and acting as financial agent of said county shall be appointed for a term of two years, and shall be required to execute the same bonds for the safe keeping and proper accounting of such funds as may come into their possession and belonging to said county, and for the faithful discharge of its or their duties as are now required by law of county treasurers."

Bank as financial agent.

Proviso: bank to serve without pay.

Term of appointment.

Bonds.

Provision for sheriff's bond.

SEC. 5. That section eight of said act be and the same is hereby amended by striking out the word "sheriff's" at the end of line four and the beginning of line five, and also striking out the word "and" immediately after the word "sheriff's" and before the word "treasurer's" in said fifth line of said section.

Auditor to assist on tax lists.

SEC. 6. That section twelve of said chapter four hundred and seventy-seven be and the same is hereby amended by adding at the end of said section the following: "It shall likewise be the duty of said auditor to assist the register of deeds of said county in making up the tax lists and books of said Wayne County."

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

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 538.

AN ACT TO FACILITATE THE COLLECTION OF TAXES IN ROBESON AND OTHER COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That any and all persons, firms, or corporations in Robeson County who fail or neglect to pay their taxes on or before the first day of February of any year shall pay in addition to the regular tax a fee of fifty cents, the said additional fee to be paid to the officer collecting said tax and retained by such officer as compensation for his services in collecting delinquent taxes: *Provided*, that this act shall not apply to rural policemen in collecting delinquent taxes in Robeson County.

Fees on delayed payments.

Proviso: rural policemen in Robeson.

SEC. 2. That this act shall apply only to the counties of Robeson, Bladen, and Union.

Application of act.

SEC. 3. That this act shall be in full force and effect from and after the first day of March, one thousand nine hundred and fifteen.

When act effective.

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 539.

AN ACT TO FIX THE COMPENSATION OF THE MEMBERS OF THE BOARD OF COMMISSIONERS OF GREENE COUNTY AND TO AUTHORIZE SAID BOARD TO CONTRACT FOR AND RECEIVE PAY FOR SPECIAL SERVICE.

The General Assembly of North Carolina do enact:

SECTION 1. That the chairman and each of the members of the board of commissioners of Greene County shall be paid for his services the sum of three dollars and fifty cents per day, and mileage of five cents per mile each way, for each meeting of said board, whether it be a regular or special meeting called by said chairman.

Per diem.

Mileage.

SEC. 2. That the said board of commissioners of Greene County be and it is hereby authorized and empowered to delegate and appoint one or more of its members to examine bridges built under contract, or to inspect the public roads of Greene County constructed or being constructed under contract, or to inspect other work for said county, or to do and perform other special service for said county, and to pay therefor out of the general funds of the county such sum as may appear just and right to said board in its discretion, not to exceed three dollars and fifty cents per day.

Special services.

Payment.

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.

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 540.

AN ACT TO PROHIBIT THE MANUFACTURE AND SALE OF ALCOHOLIC DRINKS WITHIN 3 MILES OF CERTAIN CHURCHES IN CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

Prohibition.
Localities.

SECTION 1. That it shall be unlawful for any person or persons to manufacture or sell within three miles of the Hope Mills Missionary Baptist Church and Rockfish Presbyterian Church, which churches are one and one-half miles from the town of Hope Mills in Cumberland County, any whiskey, brandy, wine, cider, or any drink containing alcohol. Any one violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, in the discretion of the court.

Misdemeanor.
Punishment.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 541.

AN ACT TO AMEND CHAPTER 445 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATIVE TO THE PUBLIC ROADS OF PENDER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section six of chapter four hundred and forty-five of the Public-Local Laws of nineteen hundred and thirteen be and the same is hereby amended by inserting in line eighteen of said section, between the words "roads" and "in," the following: "which shall have an average width of not less than twenty-five nor more than thirty feet."

Width.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 542.

AN ACT TO PROHIBIT THE MANUFACTURE AND SALE OF WINE AND OTHER INTOXICATING LIQUORS IN CEDAR ISLAND TOWNSHIP, CARTERET COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm, or corporation to manufacture, sell, or dispose of for gain or remuneration, solicit or take orders for, act as agent for or in any way assist in making a sale of any spirituous, vinous, or malt liquors, beer, or alcoholic bitters or any liquid that produces or may produce intoxication, within Cedar Island Township, Carteret County, North Carolina. Any person or persons, firm or corporation violating the provisions of this act shall be guilty of a misdemeanor and be fined or imprisoned, or both, at the discretion of the court.

Prohibition.

Locality.

Misdemeanor.

Punishment.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 543.

AN ACT TO APPOINT A JUSTICE OF THE PEACE FOR BALSAM, SCOTTS CREEK TOWNSHIP, JACKSON COUNTY, AND GIVING HIM AUTHORITY TO CONFER POLICE POWERS ON THE CONSTABLE OR DEPUTY SHERIFF AT BALSAM, AND TO PROTECT PROPERTY AND PRESERVE THE PEACE OF SAID VILLAGE.

The General Assembly of North Carolina do enact:

SECTION 1. That W. B. Farrell of Balsam, Scotts Creek Township, be and he is hereby appointed a justice of the peace for Jackson County for a term of four years.

Appointment.

SEC. 2. That whenever it shall be necessary for the preservation of the public peace, good order and decency, protection of life, liberty, or property of individuals of the village of Balsam, situated in Jackson County, or in one mile of the Southern Railway station in Balsam, the constable appointed by the justice of the peace living and residing in Balsam, or the deputy sheriff appointed by the sheriff of Jackson County for Balsam, shall have power and authority, and it shall be the duty of said constable or deputy sheriff, to arrest the body of any person or persons violating the law in Jackson County within one mile of said station, except as provided in section three, and take such person or persons before the justice of the peace residing in Balsam, when and where formal com-

Power of constable and deputy sheriff.

- Speedy trial.
Confinement pending trial.
- Suppression of disturbances.
- Power to summon assistance.
- Refusal to aid officer misdemeanor.
- Punishment.
- Corporate boundary.
- Power as policemen.
- Drunkenness a misdemeanor.
- Punishment.
- Vulgar language or disorderly conduct misdemeanor.
- Punishment.
- Jumping trains misdemeanor.
- Punishment.
- Evidence as to gambling, liquor selling, and bawdy-houses.
- plaints shall be made against such offenders as is prescribed by law. But no such person or persons shall be denied the right to speedy trial. In the meantime, and until the case of such person or persons charged with having violated the law shall be tried and disposed of by the justice of the peace, such person or persons may be confined in a guardhouse or calaboose provided for that purpose by said officers, unless bail shall be given as provided by law. That it shall be the duty of said constable or deputy sheriff to suppress all disturbances of the quiet and good order in the village of Balsam and to prevent, as far as possible, all injuries to property in said village, and if the said officer shall be resisted in the execution of his duty, he shall have the power and it shall be his duty to call to his assistance any citizen or citizens, and if such citizen or citizens refuse to aid such officer when called, such citizen or citizens shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding twenty-five dollars or imprisoned not exceeding twenty days.
- SEC. 3. That the corporate boundary of Balsam shall be a circle every point of which shall be one mile from the station of the Southern Railway Company in Balsam, except where such circle would intersect the Haywood County line, and all jurisdiction conferred by this act shall be exercised within so much of said circle as lies in Jackson County.
- SEC. 4. That such constable or deputy sheriff shall have the same power and authority in the said village of Balsam as policemen in incorporated cities and towns of this State have and exercise in said cities and towns.
- SEC. 5. That any person found drunk on the streets or roads, or in any public place in the said village of Balsam, or on the premises of the hotels or boarding-houses located therein, or in one mile thereof, as provided in section three, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than five dollars or imprisoned not exceeding ten days.
- SEC. 6. That any person or persons who shall use vulgar or obscene language, or who shall disturb the public peace by loud, disorderly, or boisterous conduct, or by shooting guns or pistols after nightfall within the limits of the boundary described in section three shall be guilty of a misdemeanor, and upon conviction shall be fined not less than three dollars nor more than ten dollars, nor imprisoned more than ten days.
- SEC. 7. That any person found riding on a freight or passenger train, or swinging or jumping on same while in motion in the Balsam yards, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than two dollars nor more than ten dollars or imprisoned more than ten days.
- SEC. 8. That it shall be lawful for the justice of the peace residing in Balsam, if he has good reason to believe that any one

has knowledge of the playing within the limits described in section three any of the games prohibited by the laws of this State, or that any one has knowledge of the unlawful sale of spirituous or malt liquors within said limits, or that any one keeps a bawdy-house or house of ill-fame within said limits, to issue a summons in writing, commanding such person or persons to appear before him and give evidence of what he may know of such games, or unlawful sale of liquors, or bawdy-house or house of ill-fame, and the justice of the peace shall, as far as possible, protect the person or persons giving the evidence against said sellers of spirituous liquors or keepers of bawdy-houses or houses of ill-fame, or gambling, as the case may be.

SEC. 9. That the said constable or deputy sheriff shall wear a policeman's badge while on duty. Officer to wear badge.

SEC. 10. That this act shall be in force from and after its ratification.

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 544.

AN ACT REGULATING THE DUTY OF SCHOOL SUPERINTENDENT AND COUNTY COMMISSIONERS OF HOKE COUNTY, RELATIVE TO SPECIAL SCHOOL-TAX DISTRICTS.

The General Assembly of North Carolina do enact:

SECTION 1. That the superintendent of education of Hoke County, on or before the first day of September of each year, shall notify the school committee of each special-tax district the amount collected from each tax district and also appropriated from the public school fund in said district. Report of receipts.

SEC. 2. He shall make a statement of the money paid for salaries to teachers and other expenses of the district. Report of expenses.

SEC. 3. The county commissioners shall notify the school committee of each special-tax district, before the levying of taxes each year, to appear before them and give the amount of taxes they want levied in their said special-tax district. Notice for tax levy.

SEC. 4. That any officer failing to perform the provisions of this act shall be subject to a fine of ten dollars, which fine shall be collected by the county commissioners and turned over to the school fund. Fine for failure.

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

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 545.

AN ACT TO BUILD A BRIDGE ACROSS JONATHAN CREEK
IN HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

Construction
ordered.
Location.

SECTION 1. That the commissioners of Haywood County shall have constructed a steel bridge across Jonathan's Creek at or near the place where the new road that leads to Hemphill Creek passes the residence of B. P. Howell.

Fund for payment.

SEC. 2. That the board of commissioners of Haywood County are hereby authorized, empowered, and directed to pay for the construction of said bridge, as set forth in section one of this act, out of the special bridge fund now being levied for the purpose of building bridges in Haywood County.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 546.

AN ACT TO PROHIBIT THE ILLEGAL SALE OF LIQUOR IN
AULANDER, BERTIE COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Prohibition.

SECTION 1. That it shall be unlawful for any person, company, firm, or corporation to sell, exchange, trade for, barter or dispose of for gain, or keep on hand for sale, exchange, trade, barter for gain within the town of Aulander, Bertie County, North Carolina, any vinous, spirituous, malt, or other intoxicating liquors or any drink containing alcohol, by whatever name known or called.

Evidence of keep-
ing for sale.

SEC. 2. That if any person, corporation, or firm shall keep in his or its possession any such liquors of the kind mentioned above to the quantity of more than half a gallon within the limits of Aulander, Bertie County, North Carolina, it shall be *prima facie* evidence of his or its keeping the same for sale within the meaning of this act.

Right of search
and seizure.

SEC. 3. That all the laws of North Carolina conferring the right of search and seizure in liquor cases are hereby declared applicable to this act.

Transportation
forbidden.

SEC. 4. That any person, company, firm, corporation, or common carrier bringing into Aulander, Bertie County, North Carolina, for delivery to any such person, corporation, company, or firm any liquors the sale of which is prohibited by this act shall be guilty

of a misdemeanor, and the delivery to any common carrier and the possession thereof by it for delivery to any such person, corporation, or firm in Aulander, North Carolina, of more than a half gallon of such spirits in the aggregate of any one month shall be *prima facie* evidence that such liquor is to be delivered for unlawful purposes.

Delivery *prima facie* evidence.

SEC. 5. The violation of any of the provisions of this act is declared to be a misdemeanor, punishable by fine or imprisonment, in the discretion of the court, and on the second conviction the offender shall be guilty of a felony and punished accordingly.

Misdemeanor.

Felony.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 547.

AN ACT TO AMEND CHAPTER 220 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATIVE TO CUTTING DOWN SHADE TREES IN MANNINGS TOWNSHIP, NASH COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section ten of chapter two hundred and twenty of the Public-Local Laws of one thousand nine hundred and thirteen be amended by inserting between the words "roads" and "shade" in line nine of said section the following: "and have the right to cut down the brush, undergrowth, and trees on the sides of the roads, to a total width not exceeding one hundred and twenty-five feet, necessary to admit the sunshine upon the road-bed."

Power defined.

SEC. 2. That this act shall go into force and effect from and after its ratification.

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 548.

AN ACT TO ABOLISH THE OFFICE OF COUNTY TREASURER OF COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the office of county treasurer of Columbus County be and the same is hereby abolished.

Office abolished.

SEC. 2. That the duties and liabilities attached to the office of county treasurer of Columbus County shall devolve upon the sheriff of Columbus County, who shall be *ex officio* county treasurer.

Sheriff treasurer *ex officio*.

No compensation
allowed.

SEC. 3. That the sheriff of Columbus County shall not receive any compensation for the services rendered and performed by him that were performed by the treasurer of Columbus County.

Repealing clause.

SEC. 4. That all laws and clauses of laws in conflict herewith are hereby repealed.

When act effective.

SEC. 5. That this act shall be in force and take effect on the first Monday in December, nineteen hundred and sixteen.

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 549.

AN ACT TO REPEAL CHAPTER 540 OF THE PUBLIC-LOCAL LAWS, SESSION 1913, RELATIVE TO SHORT-TIME BONDS OF HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

Law repealed.

SECTION 1. That all of chapter five hundred and forty of the Public-Local Laws, session one thousand nine hundred and thirteen, relative to the commissioners of Haywood County refunding the short-time bonds and the improvement of the public roads of said county, is hereby repealed.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 550.

AN ACT TO AUTHORIZE THE EXPENDITURE OF ROAD FUNDS WITHIN INCORPORATED TOWNS IN YADKIN COUNTY.

The General Assembly of North Carolina do enact:

Expenditure
authorized.

SECTION 1. That it shall be lawful for the board of road commissioners, or the board of county commissioners of Yadkin County, to expend funds derived from any special tax or bond issue for road purposes in said county in building roads through any incorporated town in said county when it shall be necessary to do so to make a continuous highway: *Provided*, they shall spend nothing for sidewalks and shall spend no more per mile on roads within the corporate limits of said towns than is spent upon an average for roads in the county.

Proviso: limitation.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 551.

AN ACT TO REPEAL SECTION 9, CHAPTER 591, PUBLIC-LOCAL LAWS OF 1913.

The General Assembly of North Carolina do enact:

SECTION 1. That section nine of chapter five hundred and ninety-one of Public-Local Laws of session one thousand nine hundred and thirteen be and the same is hereby repealed. Protection for foxes in Stokes county.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 552.

AN ACT TO AMEND CHAPTER 277 OF PRIVATE LAWS OF 1909, MAKING CERTAIN PROVISIONS OF SAID ACT APPLICABLE TO ALL FIRE COMPANIES IN CARTERET COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the provisions of section three of chapter two hundred and seventy-seven of the Private Laws of one thousand nine hundred and nine be and the same are hereby applicable to all *bona fide* fire companies in Carteret County. Exemptions.

SEC. 2. That the provisions of this act shall apply to Carteret County only. Application of act

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.

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 553.

AN ACT TO AMEND CHAPTER 640 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATIVE TO CONCORD SCHOOL DISTRICT, SAMPSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter six hundred and forty of the Public-Local Laws of one thousand nine hundred and thirteen be amended by adding after said section the following: "*Pro-* Territory excepted from prohibition.

vided, that this act shall not apply to that portion of Concord Special School District lying between White Oak Swamp and the road crossing said swamp and running by the M. B. Fowler old home to the L. C. Fowler old home and thence the road by the homes of G. H. Fowler, A. C. Crumpler, and Rastus Butler."

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 554.

AN ACT TO COMPENSATE THE SHERIFF, DEPUTY SHERIFFS, CONSTABLES, POLICE OFFICERS OF INCORPORATED TOWNS, AND SPECIAL POLICE OFFICERS OF RUTHERFORD COUNTY, IN BRINGING PRISONERS TO THE COUNTY JAIL.

The General Assembly of North Carolina do enact:

Mileage allowed.

SECTION 1. The sheriff, deputy sheriffs, constables, police officers of incorporated towns, and special police officers of Rutherford County, shall be allowed ten cents per mile in bringing prisoners to the recorder's court for trial, or to the county jail: *Provided*, the arrest of said prisoners shall be made within Rutherford County; and the cost of bringing said prisoners to the recorder's court or to the county jail shall be taxed against the defendant as other cost in criminal actions.

Proviso: arrests within county.

Allowance taxed as costs.

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

Ratified this the 6th day of March, A. D. 1915.

CHAPTER 555.

AN ACT TO PROTECT GAME IN BERTIE COUNTY.

The General Assembly of North Carolina do enact:

Close season.

Wild turkey, quail, or partridge.

Deer.
Squirrel, opossum, coon, or hare.

Trapping and baiting forbidden.

SECTION 1. That it shall be unlawful for any person to hunt with dog or gun, trap, or in any wise kill any wild turkey, quail or partridge from the first day of February to the first day of November, or any wild deer from January first to October first, or squirrel, opossum, coon, or hare from February first to October first.

SEC. 2. That it shall be unlawful to set any steel or log traps at any season, or to bait any wild turkeys or other game.

SEC. 3. That the fact that any person is found upon the lands of another with dog or gun shall be *prima facie* evidence of his hunting contrary to the provisions of this act. Prima facie evidence.

SEC. 4. That nothing contained in this act shall apply to fox hunting. Fox hunting.

SEC. 5. That any person violating the provisions of this act shall be deemed guilty of a misdemeanor and fined five dollars for the first offense, ten dollars for the second offense, and twenty-five dollars for each and all other violations of this act, or imprisoned not exceeding thirty days. Misdemeanor.
Punishment.

SEC. 6. That all fines collected under the provisions of this act shall be paid into the public school fund of Bertie County.

SEC. 7. That this act shall be in force from and after the first day of March, one thousand nine hundred and fifteen.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 556.

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF GUILFORD COUNTY TO CONDEMN LANDS FOR PUBLIC BUILDINGS.

The General Assembly of North Carolina do enact:

SECTION 1. That whenever it shall be deemed necessary by the board of county commissioners of Guilford County to acquire for the county of Guilford for public purposes any lands, privileges or easements of another person or corporation, and said board shall fail on application therefor to secure by contract or agreement such lands, privileges, or easements, said board shall have the right to condemn said lands, privileges, or easements for said public purpose upon making just compensation therefor. Power to condemn land.

SEC. 2. Whenever said board of commissioners for the county of Guilford shall fail on application therefor to secure by contract or agreement such lands, privileges, or easements, it shall be lawful for said board, acting for said county, to file its petition before the Superior Court of said county, setting forth and describing the parcels of lands, privileges, or easements desired, the owners of the lands, privileges, or easements, place of residence, if known, and if not known, that fact shall be stated, and said petition shall set forth the use, easement, or privilege or other right claimed by said owners, and the purpose for which the same is sought to be condemned by the county: *Provided*, that only the interests of such parties as are brought before the court shall be condemned in such proceedings. Petition for condemnation of land.

Proviso: interests condemned.

Copy served.

SEC. 3. A copy of such petition, with a notice of the time and place the same will be presented to the Superior Court, must be served on the persons whose interests are to be affected by the proceeding at least ten days prior to the presentation of the same to the said court.

Procedure.

SEC. 4. The proceedings for the condemnation of lands, privileges, or easements or interest therein for the use of the county of Guilford, the appraisal of the same or interest therein, the duty of the commissioners of appraisal, the right of either party to file exceptions, the report of commissioners, the mode and manner of appeal, the power and authority of the court or judge, the final judgment and the manner of its entry and enforcement, and the rights of the county pending the appeal shall be as prescribed for condemning lands for the use of railroads.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 557.

AN ACT TO AMEND CHAPTER 562 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATING TO THE WORKING OF ROADS IN HERTFORD COUNTY.

The General Assembly of North Carolina do enact:

Meeting for organization.

SECTION 1. That section three, chapter five hundred and sixty-two of the Public-Local Laws of one thousand nine hundred and thirteen, be and the same is hereby amended by striking out in line five thereof "the third" and inserting in lieu thereof "Saturday before the first."

Time for payment of commutation.

SEC. 2. That section six of said chapter be and the same is hereby amended by striking out the words in line thirteen thereof, "regular meeting of the board in June," and inserting in lieu thereof, "on or before the fifteenth day of May."

Proviso: commutation in Manley's Neck township.

SEC. 3. That section six of said chapter be further amended by adding at the end of said section: "Provided, that in Manley's Neck Township every man subject to road duty under this act shall pay to the proper officer the said three dollars on or before the said fifteenth day of May of each year, and no person in said Manley's Neck Township shall be required to work on said roads without compensation."

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.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 558.

AN ACT TO AMEND SECTION 1328 OF THE REVISAL OF 1905,
RELATIVE TO THE CARE OF THE POOR BY BOARDS OF
COUNTY COMMISSIONERS.*The General Assembly of North Carolina do enact:*

SECTION 1. That section one thousand three hundred and twenty-eight of the Revisal of one thousand nine hundred and five be amended by adding at the end thereof the following: "It shall be lawful for the board of commissioners of any county to arrange with any hospital within the county for the care and treatment of such poor patients as may be entered therein by authority of such board; and may, in its discretion, and upon such terms as it may deem proper, provide permanent or annual rooms and wards in such hospital for the care and treatment of such poor patients, and make proper rules and regulations for admission thereto."

Care and treatment of patients.

Rooms and wards.

SEC. 2. That this act shall only apply to the counties of Vance, Lincoln, and Robeson.

Application of act.

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

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 559.

AN ACT TO REGULATE HUNTING IN MADISON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful to go or hunt with dog or gun upon the lands of another in Madison County without the express consent of the owner of said land or his agent.

Hunting regulated.

SEC. 2. That it shall be unlawful for any person or persons to sell or offer for sale any quail, partridge, squirrel, rabbit, or pheasant in the county of Madison.

Sales prohibited.

SEC. 3. That it shall be unlawful for any person, firm, or corporation to ship, send, or carry any quail, partridge, squirrel, rabbit, or pheasant out of the county of Madison.

Transportation forbidden.

SEC. 4. That any person, firm, or corporation violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding fifty dollars or imprisoned not more than thirty days.

Misdemeanor.

Punishment.

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

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 560.

AN ACT AUTHORIZING THE BOARD OF DRAINAGE COMMISSIONERS OF CABARRUS DRAINAGE DISTRICTS, Nos. 1, 2, 3, AND 4, TO REQUIRE LANDOWNERS TO REMOVE OBSTRUCTIONS.

The General Assembly of North Carolina do enact:

Requirements on landowners.

SECTION 1. That the board of drainage commissioners for Cabarrus County Drainage Districts, numbers one, two, three, and four, corporations created under the general drainage laws as contained in Public Laws one thousand nine hundred and nine, chapter four hundred and forty-two, and Public Laws one thousand nine hundred and eleven, chapter sixty-seven, in addition to the powers conferred upon said corporations by section twenty-nine of chapter four hundred and forty-two, Public Laws, North Carolina, one thousand nine hundred and nine, shall have the authority and power to require each of the landowners in said drainage districts to keep the banks of the principal ditch or channel on the lands of said landowners free at all times from any trees, undergrowth, logs, or other obstructions, and upon failure to do so after ten days notice, the said boards of drainage commissioners for their respective district shall have some one to remove said trees, undergrowth, logs, or other obstructions, and charge same to said landowner, and said amount so charged shall be a lien on the lands of said landowner lying in said drainage district, and said board of drainage commissioners of the said drainage district shall levy an assessment for said amount against said lands of the said landowner and deliver same to the sheriff of Cabarrus County, to be collected by said sheriff at the next ensuing levy and assessment as an additional amount to be paid by said landowner.

Work on failure of owner.

Lien on land for cost.

Assessment and collection.

Interference with work a misdemeanor.

SEC. 2. If any landowner, after being notified by the board of drainage commissioners of the drainage district in which his land is located and constitutes a part, shall interfere with any one engaged in the removal of said trees, undergrowth, logs, or other obstructions, he shall be guilty of a misdemeanor and shall be punished by a fine not exceeding fifty dollars or by imprisonment not exceeding thirty days.

Punishment.

Construction of act.

SEC. 3. The foregoing provisions shall not be construed to apply in any case where trees, undergrowth, logs, or other obstructions have floated down said ditch or channel and lodged upon the lands of said landowner, but the provisions of this act shall apply only in those cases where the landowner is responsible for the existence of said trees, logs, or other obstructions being in said channel or on said banks.

SEC. 4. The board of drainage commissioners of the several drainage districts of Cabarrus County shall also have the right and authority to direct and require any landowner of their respective district to ditch into the main channel or ditch any branch or drain whenever in their judgment said ditch shall become necessary to prevent damage to the lands of the other landowners in said district or shall become necessary to keep the main channel or ditch in good repair and efficiency, and upon failure for thirty days after notice to ditch as aforesaid, the said board of drainage commissioners may hire the digging of said ditch and charge such part of the cost of same as upon investigation is found to be just and right against the lands of said landowner, and same shall become a lien and said board of drainage commissioners shall have power and authority to levy an assessment for said amount and deliver same to the sheriff of Cabarrus County to be collected at next ensuing levy as an additional amount.

Ditches into main channel.

Work on failure of landowner.

Lien for cost.

Assessment and collection.

SEC. 5. This act shall not repeal the present drainage law nor any part thereof, but shall merely be supplemental and in aid of said general drainage law.

Present drainage law.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 561.

AN ACT GIVING THE HEALTH BOARD OF THE COUNTY AND CITY OF DURHAM CERTAIN POWERS.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of health of the county and city of Durham, or the superintendent of health of the county and city of Durham, are authorized and empowered to require any dry-closets or stables located within forty feet or less of any thoroughfare or street to be removed when in their judgment it may be deemed wise and expedient and for the best interest of the citizens living in that vicinity; and in case same is not removed within thirty days after written notice, the owner or responsible party shall be guilty of a misdemeanor, and upon conviction shall be fined five dollars (\$5), and each day shall constitute a separate offense.

Removal of dry closets and stables.

Failure a misdemeanor.

Punishment.

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 and effect from and after its ratification.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 562.

AN ACT TO REGULATE THE HUNTING OF GAME IN
MECKLENBURG COUNTY.

The General Assembly of North Carolina do enact:

Close season.

SECTION 1. That it shall be unlawful for any person or persons to hunt with gun or dog any game of any kind between the twentieth day of January and the first day of December in any year hereafter, and that if any person or persons are found traveling about with either gun or dog, or both, other than on some established road, it shall be *prima facie* evidence that said person or persons are hunting, within the sense of this act: *Provided*, this act shall not be construed to repeal the present law relative to hunting opossums.

Prima facie evidence.

Proviso: opossums.

Dogs running at large.

SEC. 2. That it shall be unlawful for any person or persons owning dogs to allow same to run at large, or from place to place, at will, in any year hereafter between the first day of April and the first day of October: *Provided*, that section two of this act shall not be construed to prohibit any person or persons owning dogs from using same for useful purposes of chasing or catching carnivorous animals or other legitimate purposes.

Proviso: use of dogs.

Fine for violation of law.

SEC. 3. That any person or persons who shall violate the provisions of sections one and two of this act, and be found guilty of same in any court, shall be fined not less than two dollars nor more than ten dollars for each offense, and costs, and one-half of said fine shall be paid to the person securing such conviction.

One-half to informant.

Repealing clause.

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

Application of act.

SEC. 5. That this act shall apply to Mecklenburg County only.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 563.

AN ACT RELATIVE TO HUNTING GAME IN THE COUNTY
OF ALAMANCE.

The General Assembly of North Carolina do enact:

Selling or transportation forbidden.

SECTION 1. That it shall be unlawful for any person to sell or offer for sale or to buy or offer to buy quail within the county of Alamance for a period of two years from the ratification of this act. That it shall be unlawful for any person to carry or ship or in any manner transport quail out of said county to any other

place for the purpose of selling same; and the fact of taking quail out of said county shall be *prima facie* evidence that such quail were taken out of said county for the purpose of sale. That any person violating any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction shall be fined not more than fifty dollars or imprisoned not more than thirty days.

Prima facie evidence.

Misdemeanor.

Punishment.

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.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 564.

AN ACT TO FIX THE OPEN SEASON FOR HUNTING BIRDS IN THE COUNTIES OF MONTGOMERY, SCOTLAND, AND RICHMOND.

The General Assembly of North Carolina do enact:

SECTION 1. That the open season for hunting birds in Montgomery, Scotland, and Richmond counties shall hereafter begin on the twenty-fifth day of November of each year and shall end on the twenty-fifth day of January following, and any person hunting birds in either of said counties, except during such open season, shall be guilty of a misdemeanor, and upon conviction shall be fined not more than fifty dollars or imprisoned more than thirty days: *Provided*, that this act shall not apply to the territory on the south side of Morganton road and on east side of Naked Creek, in Rocky Springs Township, Montgomery County.

Open season.

Misdemeanor.

Punishment.

Proviso: territory excepted.

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.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 565.

AN ACT TO PROTECT GAME AND GAME BIRDS IN MACON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful to trap or kill the following named fur-bearing animals from the first day of March to the first day of November in each year, viz.: raccoon, opossum, fox.

Close season.

Proviso: animals depredating.	skunk, mink, and muskrat: <i>Provided</i> , that any of the above named animals may be killed at any time when it is necessary to do so to protect personal property.
Close season for birds.	SEC. 2. That it shall be unlawful to kill any quail or partridge, grouse or pheasant, or any other game birds from the twentieth day of January to the twentieth day of December in each year.
Hunting.	SEC. 3. That it shall be unlawful to trap or hunt with gun or dog on the lands of any resident of Macon County without first having obtained written permission from the owner thereof.
Misdemeanor. Punishment.	SEC. 4. That any person violating any of the provisions of any section of this act shall be guilty of a misdemeanor and fined not exceeding ten dollars or imprisoned, or both, in the discretion of the court.
Application of act.	SEC. 5. That this act shall apply only to Macon County. SEC. 6. That this act shall be in force and effect from and after its ratification. Ratified this the 8th day of March, A. D. 1915.

CHAPTER 566.

AN ACT TO REGULATE HUNTING AND PROTECT GAME IN HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

Hunting regulated.	SECTION 1. That it shall be unlawful for any person or persons to hunt, kill, or in any way destroy any quail, grouse, pheasant, or wild turkey, squirrel, or deer in the county of Haywood, except as hereinafter provided. The open season for the hunting of squirrels shall be from the first day of September to the thirty-first day of December of each and every year. The open season for quail, grouse, pheasant, and wild turkey shall be from the first day of November to the thirty-first day of December of each and every year, and the open season for hunting and killing deer shall be from the fifteenth day of October to the thirty-first day of December of each and every year.
Open season. Squirrels. Feathered game.	
Deer.	
Sale forbidden.	SEC. 2. That it shall be unlawful for any person or persons, firm or corporation to sell or offer for sale within the county of Haywood any deer or the carcass of the same, or any hide or antlers of any deer.
Hunting without permission.	SEC. 3. That it shall be unlawful for any person or persons to hunt upon the premises of another, or premises controlled by another, without first having obtained the written consent of the owner of the property upon which he proposes to hunt, and in no case shall one hunter be allowed to bag more than fifteen birds, one pheasant, and one wild turkey in any one day, and in no in-
Limit of bag.	

stance shall any person or persons be allowed to kill more than two deer, of either sex, during the entire open season in any one year.

SEC. 4. That a license tax of twenty-five dollars per annum shall be paid by all persons hunting in said county who are not residents of said county, the said license tax to be paid to the sheriff of said county, and the amount so collected shall be paid into the school fund of said county.

License tax.

Tax to school fund.

SEC. 5. That all persons, firms, or corporations convicted of the violation of any of the provisions of this act, in any court having jurisdiction, shall be deemed guilty of a misdemeanor and shall be fined not less than five dollars nor more than fifty dollars, or imprisoned, in the discretion of the court, for each and every offense; one-half the fines so imposed shall be paid to the person or persons giving information which will lead to the conviction of any violator of the provisions of this act.

Misdemeanor.

Punishment.

One-half fines to informant.

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.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 567.

AN ACT TO AMEND SECTION 3 OF CHAPTER 860, PUBLIC-LOCAL LAWS OF 1907, RELATING TO RECORDER'S COURT OF THE CITY OF MONROE.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter eight hundred and sixty of the Public Laws of one thousand nine hundred and seven be and the same is hereby amended by adding at the end of said section the following: "Provided, that the county commissioners of Union County and the board of aldermen of the city of Monroe may in their discretion order sessions of said court at such times and such places in Union County as they shall see fit, and shall provide for the payment of traveling expenses of officers of said court when sessions are ordered outside of the city of Monroe, such expense to be borne equally by the said county and city; and it shall be the duty of the officers of said court to attend such sessions when so ordered."

Proviso: times and places for holding court.

Payment of expenses.

Attendance of officers.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 568.

AN ACT REGULATING HUNTING DEER IN BRUNSWICK COUNTY.

The General Assembly of North Carolina do enact:

Close season.

SECTION 1. The close season of each year during which deer shall not be hunted with gun, chased with dogs, killed, trapped, or destroyed, shall be from January first to October first.

Application of act.

SEC. 2. This act shall apply to Brunswick County only.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 569.

AN ACT TO REGULATE THE HUNTING OF DEER AND WILD TURKEYS IN THE COUNTIES OF RICHMOND AND SCOTLAND.

The General Assembly of North Carolina do enact:

Open season.

SECTION 1. That hereafter it shall be unlawful for any person or persons to hunt with gun or dog any deer or wild turkeys in the counties of Richmond and Scotland, except between the first day of November and the fifteenth day of November of each year.

Misdemeanor.

SEC. 2. That any person violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not more than fifty dollars nor imprisoned more than thirty days.

Punishment.

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.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 570.

AN ACT TO DECLARE A CERTAIN PORTION OF BLACK RIVER A LAWFUL FENCE.

The General Assembly of North Carolina do enact:

Lawful fence.

SECTION 1. That the run of Black River from Union bridge in Sampson County to Beatty's bridge between Bladen and Sampson counties be and the same is hereby declared to be a lawful fence.

SEC. 2. That any person or persons using said portion of said river as a fence boundary for the confinement of stock shall remain civilly liable in damages and penalties for depredations committed by their live stock which may cross said river, but such person or persons shall not be criminally liable therefor. Civil liabilities.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 571.

AN ACT TO AMEND CHAPTER 340, CHAPTER 346, AND CHAPTER 628 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION OF 1911, RELATIVE TO THE SALARIES OF THE OFFICERS OF ROBESON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and forty of the Public-Local Laws of North Carolina, session of one thousand nine hundred and eleven, be amended as follows, to wit:

Amend section nine by striking out the word "not" after the word "shall," and strike out the words "less than" after the word "be" in line three of said section nine. Salary of jailer.

Amend section ten of said chapter by striking out the words and figures "forty-one hundred dollars (\$4,100)" in line three of said section and insert in lieu thereof the following: "thirty-five hundred dollars (\$3,500)."
Salary of clerk of superior court.

Amend section eleven of said chapter by striking out the words and figures "forty-three hundred dollars (\$4,300)" in line three of said section and insert in lieu thereof the following: "thirty-seven hundred dollars (\$3,700)."
Salary of register of deeds.

Amend section twelve of said chapter by striking out the words "twenty-four hundred" in line two and the words and figures "dollars (\$2,400)" in line three, and insert in lieu thereof the following: "two thousand dollars (\$2,000)." That the board of county commissioners of Robeson County may in their discretion increase any of the salaries named in this act five per cent, and may increase the salary of the auditor herein ten per cent. Salary of treasurer.

SEC. 2. That chapter three hundred forty-six of the Public-Local Laws of North Carolina, session of one thousand nine hundred and eleven, be amended as follows, to wit: Amend section eight of said chapter by striking out all of line two after the word "assistance" and all of line three before the word "and," and insert in lieu thereof the following, viz.: "the sum of two thousand two hundred and fifty dollars (\$2,250) per annum."
Authorized increase.

Salary of auditor.

Salary of sheriff.

SEC. 3. That chapter six hundred and twenty-eight of the Public-Local Laws of North Carolina, session of one thousand nine hundred and eleven, be amended as follows, to-wit: Amend section one, subsection (a), of said chapter as follows: by striking out the words "forty-eight hundred dollars (\$4,800) per annum" and insert in lieu thereof the following: "thirty-seven hundred dollars (\$3,700) per annum."

When act effective.

SEC. 4. That this act shall be in full force and effect from and after the-----day of-----, one thousand nine hundred and fifteen.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 572.

AN ACT TO PROHIBIT THE SALE OF QUAIL IN DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

Transportation for
sale unlawful.

SECTION 1. That it shall be unlawful for any person to ship for sale any quail out of Duplin County which may hereafter be caught or killed in said county.

Misdemeanor.
Punishment.

SEC. 2. That any person violating this act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than five dollars nor more than ten dollars for each offense.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 573.

AN ACT TO PROHIBIT HUNTING, FISHING, AND THE PLAYING OF BASEBALL ON SUNDAY.

The General Assembly of North Carolina do enact:

Acts declared
unlawful.

SECTION 1. That it shall be unlawful to fish, hunt game or birds, or to play any game or games of baseball on Sunday in the county of Swain: *Provided*, that this act shall not apply to children under twelve years of age.

Proviso: children.

Misdemeanor.

SEC. 2. That any person violating this act shall be guilty of a misdemeanor, and upon conviction shall be fined, in the discretion

of the court, not less than one nor more than ten dollars, or im- Punishment.
prisoned not more than ten days for each and every offense.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 574.

AN ACT TO AMEND HOUSE BILL No. 289, SENATE BILL No. 471, ENTITLED "AN ACT TO AMEND SECTIONS 983 AND 1041 OF THE REVISAL OF 1905, PROVIDING A SHORT FORM OF CONDITIONAL SALE AGREEMENTS AND TO SIMPLIFY THE EXECUTION AND REGISTRATION OF SAME."

The General Assembly of North Carolina do enact:

SECTION 1. That House bill number two hundred and eighty-nine, Act extended.
Senate bill number four hundred and seventy-one, ratified at the present session of the General Assembly of North Carolina, be and the same is hereby amended by adding after the word "Surry" in section three, line two thereof, the word "Wake."

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 575.

AN ACT TO PROVIDE FOR THE PAYMENT OF SALARY AND EXPENSES OF COUNTY SUPERINTENDENT OF PUBLIC INSTRUCTION OF ROBESON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the salary of the county superintendent of public instruction of Robeson County is hereby fixed at eighteen hundred dollars per annum, and the salary of his assistant is hereby fixed at nine hundred dollars per annum. Said salaries to be paid from the general county school fund in equal monthly installments, upon such vouchers as are now required for the disbursement of the general county school fund. Salary of superintendent.
Salary of assistant.

SEC. 2. That the general county superintendent of public instruction of Robeson County shall be required to perform all the duties of his said office as now required by law, and required to have all the necessary clerical work of the office kept in good condition and Clerical work.

pay for same from his said salary provided for in section one of this act, and that the said superintendent of public instruction shall pay all of his traveling expenses out of his said salary as above provided, without any additional expenses to the school fund of said county.

Office, equipment, and supplies. SEC. 3. That the board of education of Robeson County shall furnish the superintendent an office in the courthouse of said county and all necessary office equipment and furniture, stationery, etc., in order to aid the said superintendent to properly carry on the work of his said office.

Laws repealed. SEC. 4. That chapter six hundred and eighty-seven of the Public-Local Laws of North Carolina, session of one thousand nine hundred and eleven, and all other 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.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 576.

AN ACT TO AMEND CHAPTER 298 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATIVE TO BRIDGE TAX IN PENDER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and ninety-eight, Public-Local Laws of one thousand nine hundred and thirteen, be amended as follows: "That the commissioners are hereby empowered and directed to apply the funds derived under the provisions of this act to the purpose of building a bridge across North East River at Lane's Ferry."

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 577.

AN ACT FOR THE MAINTENANCE OF THE PUBLIC ROADS OF LINCOLN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons, firm or corporation to obstruct side ditches, tear down fills, to erect or have erected any dam, dyke, or other obstruction along the pub-

Backing water on roads.

lic roads or highways of Lincoln County and within ten feet of the edge of said highways whereby water may be forced back against or upon said public highways, and any violation of this act shall be a misdemeanor and subject the offender to a fine not exceeding fifty dollars or imprisonment not to exceed thirty days, and upon conviction same may be abated by removal of all said obstructions by party adjudged by the court to remove same, and upon said failure of removal same may be removed within five days by the proper authorities of the county having the highways in charge, and the costs and expense of said removal shall be adjudged against the landowner upon action sued to recover same.

Misdemeanor.

Punishment.

Abatement by removal.

Removal at expense of landowner.

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

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 578.

AN ACT TO PROTECT LANDOWNERS AND LESSEES OF HUNTING PRIVILEGES IN GUILFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons to hunt or trap upon the lands of another without the written permission of the owner of said lands.

Hunting without permission of landowner.

SEC. 2. That if the hunting privilege on any lands is leased to another person it shall be unlawful for any person or persons to hunt upon said lands without the written permission of the lessee or the agent of the lessee.

Hunting on land under lease.

SEC. 3. That any person or persons violating the provisions of this act shall, upon conviction in a court having jurisdiction, be fined not less than five dollars nor more than fifty dollars, or, in the discretion of the court, be imprisoned for not more than thirty days.

Punishment.

SEC. 4. That in case of conviction for the violation of any provision of this act the sum of two dollars shall be taxed against the convicted person and said sum paid to the person or persons furnishing sufficient evidence to convict.

Fee to informer.

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

Repealing clause.

SEC. 6. That this act shall apply to Guilford County only.

Application of act.

SEC. 7. That no part of this act shall apply to any person or persons hunting opossums in the nighttime.

Opossums.

SEC. 8. That this act shall be in force from and after August first, one thousand nine hundred and fifteen.

When act effective.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 579.

AN ACT TO PROHIBIT THE KILLING AND SELLING OF
QUAIL IN PITT COUNTY.

The General Assembly of North Carolina do enact:

Open season.

SECTION 1. That it shall be unlawful to hunt quail in Pitt County, except from November the fifteenth to January the fifteenth of each succeeding year.

Sale or shipment
unlawful.

SEC. 2. That it shall be unlawful to sell or ship any quail killed in Pitt County.

SEC. 3. All laws and clauses of laws relating to the time of hunting quail in Pitt County are hereby repealed.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 580.

AN ACT TO INCREASE THE PAY OF THE MEMBERS OF THE
BOARD OF EDUCATION IN PERSON COUNTY.

The General Assembly of North Carolina do enact:

Per diem.

SECTION 1. That each member of the board of education of Person County shall be allowed the sum of two dollars and fifty cents (\$2.50) per day for the actual time employed in the discharge of their duties, and mileage.

Mileage.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 581.

AN ACT TO PROVIDE FOR THE DEPOSIT OF SCHOOL
FUNDS OF ROBESON COUNTY.

The General Assembly of North Carolina do enact:

Bank designated.

SECTION 1. That all moneys coming into the hands of the treasurer of Robeson County by virtue of his office belonging to general school funds or any special tax fund shall be deposited by the treasurer of said county in such bank as may be designated by the board of education of said county in accordance with the provisions of this act.

SEC. 2. It shall be the duty of the board of education of Robeson County to deposit all of the school funds, both general and special-tax funds, in such bank having its principal office in Robeson County as shall agree to pay the highest rate of interest on average daily balances, and shall, in addition, agree to loan to said board of education of Robeson County at the lowest rate of interest such sums of money as may be required by said board for the proper maintenance of the public schools of the county, and such sums as may be needed to pay teachers and other necessary expenses during the summer and early fall before the taxes are collected and paid in by the sheriff, the amount to be borrowed in any one year not to exceed ten thousand dollars.

Conditions governing selection.

SEC. 3. The board of education shall meet at the courthouse in Lumberton on the first Monday in May, one thousand nine hundred and fifteen, and on the first in May of each succeeding year, and at twelve o'clock m. shall receive the bids and award the deposits of the school funds in accordance with the provisions of this act.

Bids and awards.

SEC. 4. It shall be the duty of the chairman of the board of education, on April fifteenth, one thousand nine hundred and fifteen, and each succeeding year, to mail a notice to each and every bank having its principal office in Robeson County, giving in a brief way the provisions of this act and giving notice that the board of education will meet at the courthouse in the office of the superintendent of public instruction on the first Monday in May next thereafter to receive the bids for and award the deposits of the school funds as herein provided. All bids shall be sealed and indorsed "Bids for School Funds" and addressed to the county superintendent of public instruction, and said bids shall remain on file with said county superintendent of public instruction until the meeting of the board of education on the first Monday in May, when same shall be delivered to the said board of education, and the bids awarded as herein provided.

Notice to banks.

Bids.

SEC. 5. If the bids of any two banks shall be the same, but higher than the other bids received, then the deposit of said school funds shall be equally divided between the said banks.

Division of deposits.

SEC. 6. It shall be the duty of the board of education, under the hand of its secretary, immediately upon awarding the deposit of the school funds as herein provided, to notify the cashier or president of the successful bidder, and within ten days thereafter said bank shall enter into the undertaking required by this act.

Notice to successful bidder.

SEC. 7. Before receiving any deposit of the school funds as herein provided, the bank to which the deposit is awarded shall enter into an undertaking payable to the State of North Carolina, with some solvent surety company doing business in North Carolina or with solvent personal surety to be approved by the board of education of Robeson County, in the penal sum of fifteen thousand dollars, conditioned upon the safe keeping and proper ac-

Banks to give bond

counting of all moneys deposited in the bank under the provisions of this act, and also conditioned upon the faithful compliance with the terms of its bid for said school funds.

Award on failure to file bond.

SEC. 8. If the bank to which the deposit of said public funds shall be awarded shall fail within ten days after being notified, as herein provided, to give the undertaking required by this act, then in such event the board of education shall award said deposit to the next highest bidder, and bond shall be executed and filed by said bidder as hereinbefore required.

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

SEC. 10. This act shall be in force from and after its ratification. Ratified this the 8th day of March, A. D. 1915.

CHAPTER 582.

AN ACT TO REGULATE THE CONSTRUCTION, IMPROVEMENT, AND MAINTENANCE OF PUBLIC ROADS IN RANDOLPH COUNTY.

The General Assembly of North Carolina do enact:

Powers and duties vested in road trustees.

SECTION 1. That power, authority, and duty to lay out, construct, build, improve, alter, repair, and maintain public roads in Randolph County are hereby vested in a board of five members, which shall be designated as the board of road trustees of Randolph County. The members of said board shall be appointed by the board of county commissioners of Randolph County from among those who are citizens and residents of the said county. The board of county commissioners shall designate one member of their own board who shall *ex officio* be a member of the said board of road trustees of Randolph County, and shall also designate and appoint the other four members of the said board.

Appointment.

One member from county commissioners.

Selection and terms.

SEC. 2. The board of commissioners shall as soon as shall be practicable after the passage of this act select and appoint the five members of the said board of road trustees. That member who shall be appointed from among the members of the board of commissioners shall hold his office until the second Monday of January, one thousand nine hundred and seventeen. On the first Monday of January, A. D. one thousand nine hundred and seventeen, and of the odd years of the calendar thereafter, a successor shall be appointed for a term of two years, to enter upon the duties of the office on the Monday following his appointment. Of the other four members of said board of road trustees, two shall at the same time be appointed, who shall hold office until the second Monday of January, one thousand nine hundred and seventeen, and two

Successors.

who shall hold office until the second Monday of January, one thousand nine hundred and nineteen; and upon the first Monday of January immediately preceding the expiration of the said terms the board of commissioners shall appoint their successors, each to hold for a term of four years commencing the Monday next following his appointment; and the board of commissioners shall fill any vacancies that may occur by death, resignation, or otherwise.

SEC. 3. The board of road trustees shall meet at the courthouse in Ashboro, North Carolina, take the oath of office before any one authorized to administer oaths, and organize by appointing one of their members chairman and another secretary, on the first Monday following their appointment, and on the second Mondays of January, one thousand nine hundred and seventeen, and of the odd years of the calendar thereafter; and shall hold meetings for the performance of the duties to them intrusted, at the call of the chairman or of the secretary on five days notice to the other members of the board by letter addressed to them at their regular post-office addresses: *Provided*, no notice of a meeting shall be necessary whenever all of the members of the board can be and are actually present; and meetings may be held anywhere in the county for the more convenient dispatch of the business of the board. The secretary shall keep a record of their proceedings.

SEC. 4. That it shall be the duty of the board of road trustees to examine into the condition of the public roads of the county and keep themselves posted in regard thereto, and shall, on or before the first Monday in June of each year, make a report to the board of county commissioners on the condition of the public roads, as to the work that has been done thereon during the preceding twelve months, and as to that contemplated in the immediate future.

SEC. 5. That the said board of road trustees shall have the right, upon the petition of citizens of the county, or without petition if they shall deem it for the best interest of the public, to lay out, alter, or discontinue public roads anywhere within the county of Randolph: *Provided*, that any person who shall sustain damage by any such action on the part of the board of road trustees shall have the right to compensation therefor as hereafter provided.

SEC. 6. The said board of road trustees shall have general power and control over the public roads in the county, and may employ some competent person as road superintendent to devote his entire time or any agreed part of it to the public roads of the county under their directions. They shall fix his compensation and the said road superintendent shall be subject to removal without cause being assigned, at the will of the said board of road trustees. They may also employ road surveyors or highway engineers whenever they shall deem advisable.

Successors.

Meeting for qualification and organization.

Called meetings.

Proviso: notice not required.

Place of meetings.

Record.

Examination of roads and report.

Report as to work.

Power to establish, alter, or discontinue roads.

Proviso: payment of damages.

Control over roads.

Road superintendent.

Pay of superintendent. Subject to removal. Surveyors or engineers.

- Width of roads. SEC. 7. No public road in the county shall be laid out, built, or constructed less than twenty-four feet or more than thirty-six feet wide, except upon the approval of the board of county commissioners previously obtained.
- Work ordered by trustees. SEC. 8. Whenever it shall appear that there is anything necessary or proper to be done to accomplish the best interests of the necessary public road work, and the manner of securing or performing the same has not been provided for by law, it shall be lawful for the same to be done according to the order of the board of road trustees of Randolph County.
- Work let to contract. SEC. 9. The said board of road trustees shall maintain and improve the public roads of the county as best can be done with the resources available therefor, and to this end they shall have the right, power, and authority to make contracts with individuals from time to time for the performance of any part of such work.
- Surveys. SEC. 10. In relocating, straightening, or widening roads now in use or in opening new roads said board of road trustees may cause a survey of the proposed change of an old road or of the new road to be opened. If they shall adopt said survey, they may condemn the same for the use of the county for a public road and enter thereon and take possession. Any person who shall obstruct or hinder any person in making a survey for the changing of a road or for the opening of a new road at the request or on behalf of the said board of road trustees, or shall obstruct any one in the performance of their powers or duties in regard to the public roads as specified in this act, shall be guilty of a misdemeanor and fined or imprisoned, or both, in the discretion of the court.
- Power of condemnation. SEC. 11. Whenever possible, said board of road trustees shall agree with the owner for the purchase of any location, gravel pit, stone quarry or any gravel, stone, or other material needed in the building or the repairing of said roads or for crusher plants or convict camps or for the removal from adjacent property of any condition or thing which may in their judgment be injurious to a public road; but said board shall have the right at any and all times to enter upon and take possession of such lands, premises, or property in person or by its agents, employees, or contractors and do therewith or thereon anything that may be needful or proper in carrying out or performing the duties of their office and the maintenance, construction, or improvement of a public road, as in this act provided.
- Obstruction of work a misdemeanor. SEC. 12. Any person who shall sustain damage or injury to property by anything done in pursuance of this act may at any time within six months thereafter petition the board of county commissioners, who shall cause the sheriff of the county to summons a jury of three disinterested freeholders to view the premises or property in question at a time which shall be designated in the summons and assess the damages to the petitioner or peti-
- Punishment.
- Purchase of material.
- Right of condemnation.
- Petition for assessment of damage.
- Procedure for assessment.

- tioners. Said jury, in determining the damages, shall take into consideration all the benefits which will accrue to the claimant or his property from any new road being built or old road being improved, in connection with which the work was done which occasioned the alleged damages, and also the damages sustained by the owner of the property, if any; subtract the former from the latter, and the balance, if any, shall be their verdict. They shall file their report with the clerk of the board of county commissioners within ten days; and the said report, on motion of the petitioner or of the board of road trustees, upon ten days notice to the other party, may be modified or set aside, but will be affirmed as of course, provided no such motion is lodged with the clerk of the board of commissioners within the next twenty days following the filing of the report with the clerk of the board. An appeal from the decision of the board of county commissioners, in case of a motion to modify or set aside the same as hereinbefore provided, may be taken to the next succeeding term of the Superior Court which shall convene as much as twenty days thereafter, by the petitioner or by the board of road trustees, upon giving bond in the amount of two hundred dollars to secure all costs which may be adjudged against the appellant on the appeal: *Provided*, notice of such appeal be served on a member of the board of commissioners and on the adverse party within ten days after the decision is rendered. Any damages, whether determined by agreement or assessed as hereinbefore provided and determined, shall be paid out of the funds hereinafter provided. In case of an appeal to the Superior Court by the board of road trustees, no bond shall be required of it.
- SEC. 13. The board of county commissioners of Randolph County is hereby authorized and empowered to make such arrangements with the board of road trustees of the county relative to the working of convicts upon public roads as may be mutually satisfactory: *Provided, however*, that nothing be done by either board contrary to law; and in all cases where provision is made by law for the working of convicts upon the county roads it shall be held and deemed sufficient if the same be done by the board of road trustees, or under their direction.
- SEC. 14. In case the authorities of the town or city shall agree thereto, a highway or highways leading through or into said town or city may, at the option of the board of road trustees, be adopted as a part of the roads to be improved and maintained under this act, and shall thereupon be improved and maintained within the said town or city in a similar manner to the other parts of said road or highway, as long as such arrangement proves mutually satisfactory.
- SEC. 15. The board of road trustees are authorized and empowered to procure any and all tools, machinery, appliances, and sup-
- Benefits considered.
- Report.
- Right of appeal.
- Bond on appeal.
- Proviso: notice of appeal.
- Payment of damages.
- Bond not required of trustees.
- Convict work.
- Proviso: work in accordance with law.
- Work on streets.
- Purchase of equipment and supplies.

plies which may be necessary or proper for use upon the public roads of the county, and the cost thereof shall be paid out of the moneys hereinafter provided.

Road duty.

SEC. 16. All persons who shall be liable to road duty under the general laws of North Carolina as specified in chapter sixty-five of the Revisal of one thousand nine hundred and five of North Carolina and the general laws amendatory thereof may be from time to time warned and required to work on the public roads in their respective townships, and within reasonable distance of their homes or places of abode, not exceeding five miles, subject to the pains and penalties by said laws provided. They may be notified or warned by any one designated and appointed by the road superintendent or the road trustees for the purpose, in the manner specified by the general road laws of North Carolina above mentioned: *Provided*, that any one liable to road duty, as aforesaid, may at his option pay to the road superintendent or into the county treasury on or before the first day of February in any year the sum of three dollars, taking a receipt therefor, and the possession of such receipt by any one who has actually paid therefor, as aforesaid, shall exempt him from the liability to road work in the county for that calendar year. The road superintendent shall keep an itemized statement of all the moneys paid to him in accordance with this section and shall pay the same into the county treasury to the credit of the road fund on or before the tenth day of the month following its collection. To insure his compliance with this provision, and also to insure the faithful performance of all the duties imposed upon him by law, the board of road trustees, upon making a contract of employment with him, shall require the road superintendent to give a good and sufficient bond, payable to the State of North Carolina, in an amount not less than one thousand dollars nor more than five thousand dollars, as the board shall determine. Said road superintendent shall also keep an inventory of all county tools, machinery, and supplies, indicating the location thereof, and keep full records showing the disposition of any and all property intrusted to him.

Warning.

Proviso: commutation.

Monthly payments.

Bond of superintendent.

Inventories and records.

Special road tax.

Rate.

Proviso: payment of debts.

SEC. 17. The board of county commissioners of Randolph County at the time of levying other taxes shall levy a special county road tax of not less than fifteen cents nor more than twenty-five cents on each one hundred dollars of assessed value of property for taxation, which, after the payment of the costs of collection to be determined by the laws in force at the time of collection, shall be paid into the county treasury and set aside and used exclusively for public road purposes: *Provided*, that the payment of interest on indebtedness or obligations which have already been incurred or shall hereafter be incurred in necessary county public road work, together with adequate provisions for the payment of the principal of such indebtedness or obligations as the same shall be-

come due, shall be a first charge upon the proceeds of said special road tax, and the full balance of said tax shall be used to pay the expenses of carrying out the other provisions of this act.

SEC. 18. Accounts or bills for materials furnished or work done pursuant to this act shall be approved by three members of the board of road trustees on behalf of said board, and upon such approval shall be audited and paid out of the aforesaid funds by the board of county commissioners, who shall see to the disbursements of said funds for the purposes herein set forth: *Provided*, it shall not be necessary to have the approval of such members of the road trustees before the payment of the principal or interest of any moneys which have been or may hereafter be borrowed for the public road work, or before making payments of such damages as shall have been determined according to section twelve of this act.

Approval of bills.

Audit and payment.

Proviso: payment of debts and damages.

SEC. 19. The members of the board of road trustees, while actually engaged in the performance of their duties as herein provided, shall be entitled to the same compensation as that provided by law for county commissioners of Randolph County.

Pay of trustees.

SEC. 20. Cartways, tramways, and church roads shall be laid out and established by the board of road trustees instead of by the board of supervisors, but otherwise in the manner provided by chapter sixty-five of the Revisal of one thousand nine hundred and five of North Carolina and the laws amendatory thereof.

Cartways, tramways, and church roads.

SEC. 21. Chapter five hundred and sixty-seven of the Public Laws of North Carolina, session one thousand nine hundred and nine, is hereby repealed. Any funds now on hand, including taxes which have been levied but not yet collected, to the credit of the several townships of the county under said chapter, shall be expended in the townships entitled thereto, respectively, by the board of road trustees of Randolph County created by this act, in such a way as to carry out the purpose for which the same were levied or collected. Any tools and machinery belonging to any township shall be turned over to the board of road trustees of the county, who shall use same under the provisions of this act, wherever the same can be used to advantage in the county road work. The value thereof, as shall be determined by the person who is chairman of the township trustees when this act shall go into effect and the chairman of the board of road trustees of Randolph County, who, in case of disagreement, shall appoint a disinterested third person to act as umpire and cast the deciding vote, shall be paid to the credit of such township and expended in the same manner as any unexpended balance of funds.

Road law repealed.

Funds expended in townships.

Tools and machinery.

Value paid to township.

SEC. 22. It shall be the duty of the board of road trustees, as a part of the public roads, to build, construct, and install and repair any and all culverts, drains, and bridges not exceeding ten feet in

Culverts, drains, and bridges.

Bridges kept up by county.

length that may be needed on the public roads of the county, and the same shall be paid for out of the funds above mentioned and provided; bridges of greater length, wherever necessary, shall be built and kept in repair by the board of county commissioners out of the general county funds.

Repeal and construction of act.

SEC. 23. Chapter three hundred and seventy-four of the Public Laws of North Carolina, session one thousand nine hundred and eleven, and chapter seven hundred and fifty-eight of the Public Laws of North Carolina, session one thousand nine hundred and seven, are hereby repealed; and it is hereby expressly enacted that chapter four hundred and forty-eight of the Public-Local Laws of North Carolina, session one thousand nine hundred and thirteen, is an enabling act, and shall not limit or require the board of commissioners or the county of Randolph to proceed in the manner or according to the way or method therein set forth.

When act effective.

SEC. 24. This act shall go into effect immediately upon the appointing of the members of the board of road trustees of Randolph County by the board of county commissioners of said county, as hereinbefore provided, but shall apply to Randolph County only.

Application.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 583.

AN ACT TO AMEND SECTION 2 OF CHAPTER 877 OF THE PUBLIC LAWS OF 1907, AND SECTION 4 OF CHAPTER 570 OF THE PUBLIC LAWS OF 1909, RELATING TO GAME IN BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

Open season for birds.

SECTION 1. Amend section two of the Public Laws of one thousand nine hundred and seven by striking out the word "February" in line four and inserting in lieu thereof the word "January."

Close season for squirrels.

SEC. 2. Amend section four, chapter five hundred and seventy, of the Public Laws of one thousand nine hundred and nine, by striking out the word "March" in line two of said section and inserting in lieu thereof the word "January."

Close season for birds.

SEC. 3. That it shall be unlawful for any person or persons to kill, trap, or in any wise destroy any pheasants, grouse, or wild turkey from the first day of January until the fourteenth day of November in each year.

SEC. 4. That this act shall apply only to Buncombe County.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 584.

AN ACT TO PROVIDE FOR COTTON WEIGHERS AND GRADERS IN ROBESON COUNTY.

The General Assembly of North Carolina do enact:

- SECTION 1. That John R. Smith be and he is hereby appointed a public cotton weigher and cotton grader for the town of Lumberton in Robeson County, who shall hold his office for a term of two years, and his successor shall be elected biennially thereafter by the board of county commissioners of Robeson County. That M. A. McQueen be and he is hereby appointed a public cotton weigher for the town of Maxton in Robeson County, who shall hold his office for a term of two years, and his successor shall be elected biennially thereafter by the board of county commissioners of Robeson County; that the board of county commissioners of Robeson County is hereby authorized and empowered to appoint any cotton weigher for any or all the other towns in Robeson County upon a petition of the qualified voters of the township in which any of the towns are located, showing such applicants competing to serve as cotton weigher.
- SEC. 2. That the said cotton weigher and cotton grader and cotton weigher herein named and appointed and any and all cotton weighers for the other towns in Robeson County who may hereafter be appointed by the board of county commissioners of Robeson County, before entering upon their duties, shall give bonds in the sum of five hundred dollars, conditioned for the faithful performance of his duties, said bond to be approved by the board of county commissioners and filed with the register of deeds of Robeson County; and said cotton weigher and cotton grader and cotton weigher herein named, and those who may be appointed by the board of county commissioners of Robeson County, before entering upon the duties of their offices shall each make and subscribe an oath in writing before some person authorized to administer oaths to honestly and impartially weigh all cotton brought to him; and if said cotton weigher and grader or any of the cotton weighers who may serve under this act be found guilty of any fraud or unfairness in weighing or grading cotton, making unfair deductions from the weights, shall be guilty of a misdemeanor and fined or imprisoned at the discretion of the court, and shall be immediately expelled from office by the said board of commissioners.
- SEC. 3. Any person other than the aforesaid cotton weigher and cotton grader for the town of Lumberton and the cotton weigher for the town of Maxton herein named, or the cotton weighers for the other towns of Robeson who may hereafter be appointed by the board of commissioners of Robeson County, who shall weigh

Weigher and grader for Lumberton.

Term.

Successor.

Weigher for Maxton.

Term.

Successor.

Appointments for other towns.

Weighers to give bonds.

Approval and filing.

Weighers to qualify.

Fraud or unfairness a misdemeanor.

Punishment.

Expulsion from office.

Weighing by persons not qualified misdemeanor.

any cotton offered for sale in said towns herein named or the towns named in the appointment by said county commissioners shall be guilty of a misdemeanor and punished in discretion of the court: *Provided*, this act shall only apply to cotton in bales.

Punishment.

Cotton graded.

SEC. 4. That it shall be the duty of the cotton weigher and grader herein named to give to the seller the grade of the cotton so offered for sale, showing the grade; it shall further be the duty of all cotton weighers under this act to keep separate the cotton belonging to each purchaser or buyer, so that the cotton owned by different purchasers or buyers will not become mixed on the cotton yard or cotton platform or platforms in said towns; and it shall be the duty of the cotton grader and weigher to keep a record showing the grade of cotton; it shall further be the duty of all weighers to keep a record of all cotton weighed, showing the name of the seller, the marks thereon, if any, weight of bale or bales, by whom delivered on yards if not so delivered by the seller, and name of purchaser, grade of cotton, and the price for which sold if known to such weigher.

Cotton kept separate.

Record.

Compensation.

SEC. 5. That the cotton weigher for the town of Maxton herein named and the cotton weighers for the other towns in Robeson County for which a cotton weigher may be appointed for each town provided for in this act shall each receive for his compensation for his said services eight cents for each bale weighed, four cents to be paid by the buyer and five cents to be paid by the seller; and each buyer shall retain from the price of said cotton four cents, to be paid to the weigher as the seller's part, and the said buyer shall pay to the weigher eight cents, four cents being for himself and four cents for the seller; that the cotton weigher and cotton grader herein named for the town of Lumberton shall receive for his compensation for his said services as grader and seller ten cents for each bale weighed, five cents to be paid by the buyer and five cents to be paid by the seller; and each buyer shall retain from the price of said cotton five cents, to be paid to the weigher and grader as the seller's part, and the buyer shall pay to the weigher and grader ten cents, five cents being for himself and five cents for the seller.

Payment.

Compensation in Lumberton.

Records evidence.

Open to inspection.

SEC. 6. That the records of the said cotton weighers when properly authenticated shall be evidence in any court, and said records shall be open to inspection to any person upon requesting said cotton weigher to be allowed to do so.

Deductions for damage.

SEC. 7. That the cotton weighers and graders herein referred to shall in weighing and grading make proper deductions for damage by water or otherwise.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 585.

AN ACT TO REPEAL CHAPTER 442, PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1911, AND CHAPTER 674, PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1913, AMENDATORY THEREOF, AND ABOLISH THE BOARD OF AUDIT AND FINANCE FOR COLUMBUS COUNTY, AND APPOINT AN AUDITOR FOR COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and forty-two of the Public-Local Laws of North Carolina, session one thousand nine hundred and eleven, and chapter six hundred and seventy-four, Public-Local Laws of North Carolina, session one thousand nine hundred and thirteen, amendatory thereof, be and the same are hereby repealed. Laws repealed.

SEC. 2. That A. S. Richardson be and he is hereby appointed auditor for Columbus County for the term of two years, beginning the fifteenth day of March, one thousand nine hundred and fifteen, and ending the fifteenth day of March, one thousand nine hundred and seventeen: *Provided*, that if for any cause he shall be unable to accept the position of county auditor, then and in that event the position shall be filled by appointment made by the clerk of the Superior Court of Columbus County. Appointment and term.

Proviso: vacancy.

SEC. 3. That it shall be the duty of said auditor to inquire into and investigate and file an account of the condition of all county finances, the accounts of all public officers of Columbus County, including the board of education, and to make a true report thereof, and record the same in a book to be provided and kept by the said auditor; and the said auditor shall at least quarterly after his qualification publish a statement of the financial condition of the county showing by statement the permanent and floating debt of the county, when contracted, what for, and when due, and shall also publish a statement of the receipts and disbursements of all the public funds of the county of Columbus, showing the total amount received and the total amount disbursed for each particular purpose upon the warrant of the chairman of the board of commissioners of Columbus County. Investigation of accounts.

Report and record.

Statements published quarterly.

Details of statement.

SEC. 4. It shall be the duty of said auditor to inquire into and investigate the conditions in office of all public officers of the county of Columbus and to report to the board of commissioners of said county and to the solicitor of the district any misappropriation of public funds, violations of law, or malfeasance in office by any public officer. The said auditor shall also perform all the duties heretofore performed by the finance committee of the county under the general law. Investigation of offices.

Report to commissioners and to solicitor.

Duties as of finance committee.

Powers in investigations.
Acts declared misdemeanors.

SEC. 5. That said auditor shall have the power to send for persons and papers and to administer oaths; and any person failing to obey any summons or to produce promptly any papers or books relating to or supposed to relate to any matters appertaining to the duties of said auditor, or who shall refuse to appear and give evidence of all such matters and things as he shall know of and concerning any matters the investigation whereof is herein made the duty of said auditor, shall be guilty of a misdemeanor, and upon conviction in the Superior Court shall be fined or imprisoned, at the discretion of the court.

Punishment.

Officers notified to make settlements.

SEC. 6. If any clerk of the Superior Court, sheriff, county treasurer, register of deeds, road commissioner or trustee, or any other public officer who may hold any county money shall fail to account for the same as provided by law, the auditor shall give such person ten days previous notice in writing of the time and place at which said auditor will attend to make a settlement, and every officer receiving notice and failing to make settlement as required by this act shall forfeit the sum of five hundred dollars, to be sued for by said auditor for the use and at the expense of the public school fund of Columbus County, and shall also be guilty of a misdemeanor and fined or imprisoned in the discretion of the court: *Provided, however*, that the court may, in its discretion and for good cause, release any officer from said forfeiture.

Forfeit for failure.

Misdemeanor.

Punishment.

Proviso: release.

Method of account and form of books.

SEC. 7. The auditor shall have the right from time to time to prescribe the manner of keeping all of the public accounts of the county, and have the power to prescribe for each of the public officers of the county the form of books to be kept by them in the receipt and disbursement of all funds which may come into their hands under color of their office. It shall be the duty of the board of county commissioners of Columbus County, upon the request of said auditor, to furnish to the various public officers of Columbus County the necessary books prescribed by said auditor.

County to furnish books.

Supervision of tax books.

SEC. 8. It shall be the duty of said auditor to exercise a general supervision over the tax books of the county of Columbus, with a view to preventing the double listing of property and similar errors; and in connection with the board of commissioners of said county it shall be his duty to go over said tax list and correct any errors, omissions, or mistakes which may appear therein. It shall also be the duty of said auditor to make and prepare the tax list for Columbus County in the same manner and form as the same has heretofore been prepared and made by the register of deeds of Columbus County.

Corrections.

Preparation of tax list.

Accountant for county.

SEC. 9. It shall be the duty of said auditor to act as accountant for the county in making the settlements with the sheriff and treasurer of the county; to supervise, scrutinize, and examine, at least once every three months, all books, accounts, receipts, and vouchers and all other public records of the county, to the end

Quarterly examinations.

that it may be seen whether the various public offices are being kept in the condition provided by law.

SEC. 10. It shall be the duty of said auditor to approve for final settlement the accounts of all public officers of the county of Columbus and to cancel all vouchers included in said settlement by a proper cancellation stamp to be adopted by the said auditor.

Approval of settlements.

Cancellation of vouchers.

SEC. 11. That said auditor shall furnish the board of commissioners of Columbus County at their regular meetings, or at any other time desired by them, any information he may have or can obtain pertaining to the county government, and shall sit with said board at its regular meetings and act as clerk to said board.

Information to commissioners.

Clerk to board.

SEC. 12. That the compensation of said auditor shall be one thousand dollars (\$1,000) per annum, to be paid in monthly installments out of the public funds of the county of Columbus upon order of the chairman of the board of commissioners of said county, and the treasurer of said county is hereby authorized and directed to pay the same upon presentation to him, and charge the amount thereof against the public funds of Columbus County.

Salary.

SEC. 13. That the said auditor at the beginning of the term for which he is herein appointed, to wit, on the fifteenth day of March, one thousand nine hundred and fifteen, and before entering upon his duties as said auditor, shall take and subscribe the following oath before the clerk of the Superior Court of Columbus County: "I do swear that I will diligently and impartially inquire into all matters relating to receipts and disbursements of the public funds of Columbus County, and make a true report thereof, and that I will well and faithfully execute the duties imposed upon me by law as auditor for Columbus County, to the best of my knowledge and ability, without fear, reward, favor, or the hope of reward: so help me, God."

Auditor to be sworn.

Form of oath.

SEC. 14. That all laws and clauses of laws in conflict with this act be and the same are hereby repealed, in so far as they may apply to the county of Columbus.

SEC. 15. That this act shall be in force from and after its ratification.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 586.

AN ACT TO REGULATE HUNTING IN PERSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful to shoot or kill quail from February the first to November the fifteenth in each and every year in Person County.

Close season.

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

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 587.

AN ACT TO CREATE AND ESTABLISH A STOCK-LAW TERRITORY IN CHOWAN COUNTY.

The General Assembly of North Carolina do enact:

Question submitted to voters.

SECTION 1. That for the purpose of creating a stock-law territory composed of the county of Chowan there shall be submitted to the qualified voters of said Chowan County the question of "Stock Law" or "No Stock Law."

Date for election.

SEC. 2. That on the first Saturday in June, one thousand nine hundred and fifteen, it being the fifth (5th) day of June, one thousand nine hundred and fifteen, there shall be a general election held under the general laws governing elections. The registration books shall be open as now provided for registration for general elections for the registration of all those who are qualified to register, and on the above named day all qualified registered voters shall be entitled to vote in said election, subject to the usual challenges. The polls shall be kept open from seven a. m. until six p. m.

Law governing election and registration.

Hours of polling.

Tickets.

SEC. 3. That there shall be printed two sets of tickets: Those who are in favor of a stock law shall vote the ticket "For Stock Law" and those who are opposed shall vote a ticket "Against Stock Law." The poll-holders and registrar shall count the vote and certify the result to the board of canvassers, who shall canvass the return and certify the result to the county commissioners of Chowan County. If a majority of the qualified voters of said Chowan County shall vote "For Stock Law," then the said commissioners shall declare Chowan County a stock-law territory. If a majority of said qualified voters shall vote "Against Stock Law," then the said county shall be and remain, as at present, a "No Stock Law" territory.

Count and return of vote. Canvass and certificate of result.

Effect of election.

When act effective.

SEC. 4. In case a majority of said qualified voters shall vote "For Stock Law" the provisions of the bill shall not go into effect till January first, one thousand nine hundred and sixteen. At said election, if a majority of the qualified voters shall vote "For Stock Law," the county commissioners of Chowan County shall declare the aforesaid boundary a stock-law boundary.

Declaration.

SEC. 5. The expense of the above election shall be paid by the county commissioners of Chowan County out of any public funds belonging to said county. Expense of election.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 588.

AN ACT TO AMEND CHAPTER 643, PUBLIC-LOCAL LAWS OF 1913, RELATIVE TO COTTON WEIGHER FOR RAEFORD TOWNSHIP, HOKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter six hundred and forty-three of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby amended by striking out section two and inserting in lieu thereof the following:

“SEC. 2. That there shall be an election held for a cotton weigher for the county of Hoke at the next general election and biennially thereafter, under the same rules and regulations that govern the State and county elections: *Provided*, that the cotton weigher elected on the second Tuesday in July, one thousand nine hundred and fifteen, be and he is hereby authorized to hold said office until the first Monday in December, one thousand nine hundred and sixteen.”

Election of county weigher.

Proviso: first election.

SEC. 2. That this act shall be in force from and after the first day of August, one thousand nine hundred and fifteen.

When act effective.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 589.

AN ACT TO AMEND CHAPTER 102 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATIVE TO WORKING THE CONVICTS OF MADISON COUNTY ON THE PUBLIC ROADS.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter one hundred and two of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby amended by adding to the end of said section the following: “*Provided, however*, that in the event said board of commissioners shall establish said chain-gang,

Proviso: power to abolish chain-gang.

that said board shall have the power and is hereby authorized to abolish said chain-gang at any time it shall be made to appear to said board that it is to the best interest of said county so to do."

Power to hire out prisoners.

SEC. 2. That in the event said board of commissioners shall at any time abolish said chain-gang, said board is hereby authorized to hire such prisoners as may then be serving their sentence in said chain-gang to some other county in said State to work out their unexpired terms.

Power to abolish and reestablish.

SEC. 3. That said board of county commissioners of Madison County be and is hereby authorized and empowered to abolish and reestablish the chain-gang of said county at any and all times that it shall be made to appear to said board that it is to the best interest of said county so to do.

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

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 590.

AN ACT TO AUTHORIZE THE BOARD OF ROAD COMMISSIONERS OF RICH SQUARE TOWNSHIP IN NORTHAMPTON COUNTY TO TRANSFER AND REMOVE THE PRISONERS OR ANY PART OF THEM HERETOFORE ASSIGNED BY THE COURTS TO WORK ON THE PUBLIC ROADS OF SAID TOWNSHIP, WHEN NO LONGER NEEDED FOR SUCH SERVICE, TO SUCH OTHER TOWNSHIP OR COUNTY IN THE STATE AS MAY BE WILLING TO RECEIVE THEM FOR A SIMILAR SERVICE.

The General Assembly of North Carolina do enact:

Transfer of prisoners.

SECTION 1. That the board of road commissioners of Rich Square Township in Northampton County are hereby authorized and empowered to transfer and remove the prisoners or any one or part of them who have been sentenced and assigned by the court to work on the public roads of said township, whenever in the judgment of said board the services of said prisoner or prisoners are no longer needed for said purpose in said township, to any other township in said county or to any other county in this State which may be willing to receive them for a similar service.

Payment of pro rata of costs.

SEC. 2. That it shall be the duty of any township in said county of Northampton or any other county in this State which may thus receive said prisoners, as herein provided, to pay the pro rata part of the costs adjudged by the court against each prisoner thus received at the time of his conviction and sentence, to be determined by the length of his service in the township or county thus

receiving him as compared with the whole length of his sentence.

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

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

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 591.

AN ACT TO AMEND SECTION 2 OF CHAPTER 97, PUBLIC-LOCAL LAWS 1913, RELATING TO THE RETURN OF FEES BY CERTAIN COUNTY OFFICERS SO AS NOT TO APPLY TO HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter ninety-seven of the Public-Local Laws, regular session of one thousand nine hundred and thirteen, be and the same is hereby amended by striking out in line four of said section two the word "Haywood." County stricken out.

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

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 592.

AN ACT TO AMEND SECTION 6 OF CHAPTER 560 OF THE PUBLIC-LOCAL LAWS OF THE SESSION OF 1913, RELATING TO CLOSED SEASON FOR GAME IN CURRITUCK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section six of chapter five hundred and sixty of the Public-Local Laws of the session of one thousand nine hundred and thirteen be and the same is hereby amended as follows: Strike out the word "November" in line four of said section and insert in lieu thereof the word "December." Season extended.

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.

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 593.

AN ACT TO PROTECT GAME IN BEAUFORT COUNTY.

The General Assembly of North Carolina do enact:

Selling or offer of
sale.

SECTION 1. That it shall be unlawful for any person, firm, or corporation to barter, offer for sale, or sell any quail or partridge.

Application of act.

SEC. 2. That this act shall apply only to Beaufort County.

Misdemeanor.

SEC. 3. Any person violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not to exceed twenty-five dollars or imprisoned not to exceed twenty-five days.

Punishment.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 594.

AN ACT TO FIX THE SALARIES FOR CERTAIN OF THE COUNTY OFFICERS OF NORTHAMPTON COUNTY.

The General Assembly of North Carolina do enact:

Township deputies.

SECTION 1. That the sheriff of Northampton County may appoint one or more deputies in each township in said county and may allow such deputies one-half the fees made and collected by them in serving summons, subpoenas, notices, and processes of all kinds, and the fees and commissions made and collected by them from executions. They shall be allowed two and one-half per cent on such taxes as they may be allowed to collect and do collect in their respective townships by the board of county commissioners.

One-half fees.

Commission on
taxes.

Fees collected to
use of county.

SEC. 2. All other fees, commissions, profits, and emoluments of all kinds now belonging to or appertaining to the office of sheriff by virtue of his office shall be faithfully collected by him and turned over to the treasurer of Northampton County, or, if there be no treasurer, then to such bank or banks or financial agent in said county as the board of county commissioners shall name.

Jailer.

Salary.

Provide: sheriff's
liability.

SEC. 3. That the said sheriff shall appoint a jailer whose salary shall be fixed by the board of commissioners of said county: *Provided*, that said sheriff and his bond shall be liable for the faithful performance of the duties of his office on the part of the said jailer, and nothing herein shall be taken or construed to relieve said sheriff or his bond of any liability heretofore existing or imposed by law. That the said sheriff shall receive a salary of fifteen hundred dollars.

Salary of sheriff.

SEC. 4. That the clerk of the Superior Court and the register of deeds of said county shall faithfully collect, account for, and turn over to the treasurer of said county, or, if there be no treasurer, then to such bank or banks or to such financial agent in said county as the board of county commissioners shall name, all fees, commissions, profits, and emoluments of every kind that may now or hereafter accrue, belong, or appertain to them by virtue of their offices.

Officers to collect and account for fees.

SEC. 5. That the said clerk of the Superior Court shall receive a salary of two thousand dollars per annum as clerk as compensation of said officer. The said register of deeds shall receive a salary of two thousand dollars per annum as register of deeds as compensation of said officer. The said clerk of the Superior Court and the said register of deeds may each of them appoint a deputy clerk or register, or may employ an assistant, and such deputy or assistant shall receive a salary to be fixed by the board of commissioners of said county.

Salaries.

Deputies.

Salary of deputies.

SEC. 6. The officers hereinbefore mentioned shall perform all the duties of their several offices imposed on them by law, and shall receive no other compensation or allowance whatsoever than that which is hereinbefore provided for any extra or additional services rendered to the county, State, or other governmental agency, and they and their several bonds shall be liable to all the pains and penalties that may now or hereafter be provided by law for failure to perform the duties of their several offices: *Provided*, that the said sheriff shall not be required to collect the special school taxes without extra compensation.

Officers to perform duties.
Sole compensation.

Liability on bonds.

Proviso: commission on special school taxes.

SEC. 7. That the said sheriff, clerk of the Superior Court, and register of deeds shall open and keep a separate set of account books in which shall be promptly and accurately entered itemized accounts of all fees, commissions, emoluments, and moneys collected or received by said officers, or which by law are or may be payable into their respective offices, and all of which said books shall at all times be open to the inspection of the public on demand, and said books shall be safely and securely kept so as to prevent loss or destruction thereof.

Accounts.

Books open for inspection.

SEC. 8. The salaries and allowances herein provided for shall be paid by the treasurer, or if there be no treasurer, then by such bank or banks or financial agent in said county having in hand any funds belonging to said county, upon warrants issued by order of the board of commissioners of said county, in monthly installments.

Payment of salaries.

SEC. 9. The officers hereinbefore referred to shall turn over to the treasurer of said Northampton County, or if there be no treasurer, then to such bank or banks or financial agent in said county as the board of county commissioners of said county shall name, all fees, commissions, emoluments, and moneys coming into their

Monthly settlements.

Exhibit of books
and accounts.

hands, and shall make settlement with said treasurer, bank or banks, financial agent, within the first five days of each and every month, and the said board of county commissioners may at any time require said officers or any of them to exhibit to them all books and accounts showing all moneys received and turned over to said treasurer, bank or banks, or financial agent, under the provisions of this act.

Failure to collect
fees a misdemeanor.

SEC. 10. Any officer, clerk, deputy, or assistant herein mentioned who shall willfully fail or refuse to collect full fees, commissions, or emoluments of any kind belonging to his office shall be guilty of a misdemeanor.

Fees to general
fund.

SEC. 11. That all fees, commissions, profits, and emoluments coming to said county of Northampton from the offices mentioned herein under the provisions of this act shall be placed to the general fund of said county, and all salaries provided for in this act shall be paid out of the general fund.

Salaries from
general fund.

Present incumbents.

SEC. 12. That nothing in this act shall be construed to affect in any manner any of the present officers of said Northampton County during their present term of office to which they have been elected by the people.

When act effective.

SEC. 13. That this act and all the provisions thereof shall be in full force and effect on and after the first Monday in December, one thousand nine hundred and sixteen, except so much thereof as relates to the office of the clerk of the Superior Court of Northampton County, and this act and all the provisions of this act relating to the office of clerk of the Superior Court of said Northampton County shall be in full force and effect on and after the first Monday in December, one thousand nine hundred and eighteen.

SEC. 14. That all laws and clauses of laws in conflict with this act are hereby repealed.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 595.

AN ACT TO AMEND CHAPTER 63, PUBLIC-LOCAL LAWS, SESSION 1913, RELATING TO THE APPOINTMENT OF AN AUDITOR FOR CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter sixty-three, Public-Local Laws, session of one thousand nine hundred and thirteen, be and the same is hereby amended by striking out section ten of said chapter and inserting in lieu thereof the following:

Appointment.

SEC. 10. That the board of commissioners of Cherokee County may at such times and for such terms as they may designate (not

- exceeding the term of office of such board of commissioners) appoint some suitable person, who may be one of their own number, to audit and approve at least once in each month the accounts, books, statements, reports and records required to be kept by the county officers as provided for in this chapter; it shall be his duty to act as accountant for the county in settling with the county officers as aforesaid; to supervise and examine, as often as said board of commissioners may direct, all books, accounts, receipts and vouchers, and other records of all public officers of Cherokee County which show fees, fines, penalties, and commissions collected by them; to examine, whenever directed, the dockets of justices of the peace and mayors of incorporated towns in Cherokee County; to examine the books and records of any highway commission in any township of Cherokee County, and to make and report to the board of commissioners of Cherokee County, when so directed, a statement showing the receipts and disbursements of such highway commission during such times as the said commissioners may designate; to examine each and every claim presented to the board of commissioners of Cherokee County for payment, and no such claim shall be paid by said commissioners until approved by such person acting as auditor, unless no person shall have been designated under the provisions of this section; to examine and make report to the board of commissioners as to persons liable to pay county privilege or license taxes under the general law providing for the raising of revenue, showing the names, nature, and amount of such taxes so due from such persons, upon the filing of which report the sheriff of Cherokee County shall become charged with the collection of such taxes in the same manner and with the same effect as he is charged with the collection of taxes upon property in said county.
- (a) The said auditor shall open a set of account books with each county officer designated in this chapter, in which shall be shown the total monthly receipts of fees and commissions of all officers of said county placed upon a salary under the provisions of this chapter, together with the payments made to such officers as compensation for their services as such, which said books shall be competent as evidence, and *prima facie* true, in any controversy or suit which may arise between the board of commissioners of such county and such county officers.
- (b) The person so designated as auditor shall exercise all the powers, functions, and duties of a financial committee as provided for in sections one thousand three hundred and eighty-nine to one thousand three hundred and ninety-three, inclusive, of the Revisal of one thousand nine hundred and five.
- (c) That the person acting as auditor shall have the right, from time to time, to prescribe the manner of keeping all the public accounts of such county and the power to prescribe the manner

Monthly audit.

Accountant in settlements.

Examination of books, accounts, and dockets.

Books and records of highway commission.

Reports.

Examination of claims.

Approval of claims.

Examinations and reports as to license taxes.

Sheriff charged with collection.

Accounts with salaried officers.

Books prima facie evidence.

Duties as of financial committee.

Manner of keeping accounts.

- of keeping the public accounts of each public officer of said county, and the board of commissioners of such county shall furnish all necessary books, blanks, and papers so prescribed by said auditor.
- Books, blanks, and papers furnished.** (d) It shall be the duty of the auditor of Cherokee County to do and perform all duties required by law of the register of deeds of Cherokee County relating to making out tax lists, computing taxes, copying tax lists, making abstracts and returns, and he shall supervise and direct the listing of taxes levied in said county; and he shall do and perform all duties that are or may be required by law of a county assessor of taxes for and in said county of Cherokee; to make out one copy of the tax list for each township as a permanent copy, and to deliver the original copy to the tax collector or sheriff of said county; to investigate and see that all property subject to taxation is listed for such taxation, and to collect so far as possible all certificates of tax sales when the county of Cherokee becomes the purchaser, and prosecute actions for the collection of such tax certificates in the name of the board of commissioners of Cherokee County.
- Duties as to tax lists.**
- Listing taxes.**
- County assessor.**
- Copies of tax lists.**
- Delinquents.**
- Collection of delinquent taxes.**
- Refusal of access to accounts.** (e) Any public officer of Cherokee County who shall refuse to allow the auditor of Cherokee County access to the books, papers, and records of said office for the purpose of making any examination prescribed by this act, or who shall, after thirty days written notice from such auditor, refuse to account to said auditor for all public funds in his possession as such officer, shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, in the discretion of the court.
- Refusal to account.**
- Misdemeanor.**
- Punishment.**
- When act effective.** (f) The provisions of this section shall go into effect upon the adoption of a resolution by the board of commissioners declaring such provisions effective and appointing some person to act as auditor hereunder. If such person is a member of the board of commissioners of Cherokee County the duties herein prescribed shall be deemed a portion of his official duties as such commissioner. The board of county commissioners may at any time in their discretion, after the appointment of any person as auditor, declare the provisions of this section inoperative, and thereupon the duties and powers of such auditor shall cease, and such duties shall devolve upon the public officers theretofore charged with the same.
- Commissioner as auditor.**
- Right to abrogate act.**
- Salary of auditor.** (g) The person acting as auditor shall receive such compensation as the board of county commissioners shall allow, and he shall be subject to discharge for cause sufficient, in the discretion of such commissioners, to justify the same. Such auditor shall give bond as other county officers in the sum of two thousand dollars, conditioned upon the faithful performance of the duties as prescribed by law.
- Removal for cause.**
- Bond of auditor.**

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 596.

AN ACT TO FIX THE SALARIES FOR THE SHERIFF, CLERK OF THE SUPERIOR COURT, AND REGISTER OF DEEDS OF DAVIDSON COUNTY, AND TO ABOLISH THE TREASURER'S OFFICE OF DAVIDSON COUNTY.

The General Assembly of North Carolina do enact:

- SECTION 1. That the sheriff, clerk of the Superior Court, and register of deeds of Davidson County, and their respective deputies, shall collect and receive and account for all the fees to which they are entitled by virtue of their respective offices, and pay the same on the first of every calendar month into the treasury of Davidson County, and they shall be responsible for and chargeable with all moneys of every kind which are to be or by law should be paid into their respective offices, and shall be held to strict account therefor.
- SECTION 2. That the said officers shall faithfully collect all fees, commissions, profits, and emoluments of all kinds now belonging or appertaining to or which may hereafter by any law belong or appertain to their respective offices; and they shall receive as compensation for their services only such salaries, compensation, and allowances as is hereinafter provided, and for any detention, concealment, or misapplication of any of the moneys payable into their respective offices, or which any of them have collected, any one for so detaining, concealing, or misapplying the same shall be guilty of felony, and upon conviction shall forfeit their said office or offices and be punished as now provided by law in cases of embezzlement by public officers.
- SECTION 3. That each and all of said officers shall open and keep a set of account books in which shall promptly, correctly, truly, and accurately be entered itemized accounts of all moneys collected or received by said officers, or which by law shall be payable into their respective offices, and all of said books shall at all times be open to the inspection of the public upon demand, and said books shall be safely and securely kept so as to prevent loss or destruction by theft, fire, or any accident.
- SECTION 4. That on the first Monday of each and every calendar month a true and accurate transcript shall be transmitted by each of the officers of Davidson County to the board of commissioners of said county, said transcript to contain and show in detail all the entries made upon said books referred to in the next preceding section during the preceding calendar month, and this transcript shall be sworn to and duly verified by the officers filing the same.
- SECTION 5. That the sheriff of Davidson County shall receive a salary of two thousand and five hundred dollars per annum, and
- Officers to collect and account for fees.
- Monthly settlements.
- Collection of fees.
- Sole compensation.
- Detention, concealment, or misapplication felony.
- Forfeit of office.
- Punishment.
- Officers to keep account books.
- Books open for inspection.
- Transcripts submitted monthly.
- Transcript verified.
- Salary of sheriff.
- Allowance for deputies.

shall be allowed the sum of one thousand dollars annually to pay such clerks, assistants, and deputies as he may see fit to employ or appoint, whatsoever.

Salary of register of deeds.
Allowance for deputies.

SEC. 6. That the register of deeds shall receive a salary of eighteen hundred dollars annually, and shall be allowed the sum of nine hundred dollars to pay for such clerks, assistants, and deputies as he may see fit to employ and appoint. Said register of deeds shall receive no other compensation or allowance whatsoever. Said register of deeds shall, as a part of the duties of his office, have made out the tax books for said county in the same manner as they have heretofore been made out by him, and shall receive no extra compensation or allowance for so doing.

Sole compensation.

Tax books.

Salary of clerk of court.
Allowance for deputies.

SEC. 7. The clerk of the Superior Court shall receive a salary of two thousand dollars annually, and shall be allowed the sum of six hundred dollars annually to pay such clerks, assistants, and deputies as he may see fit to employ or appoint, and no other compensation whatsoever.

Sole compensation.

Office abolished.

SEC. 8. That the office of county treasurer is hereby abolished, and in lieu thereof the board of county commissioners is hereby authorized and empowered to appoint a solvent bank located at the county-seat as financial agent for said county, which said bank shall perform the duties now performed by the treasurer of said county: *Provided*, that on the first Monday in December, one thousand nine hundred and sixteen, and on the first Monday in December every two years thereafter, all solvent banks located in the county-seat may submit bids to the board of county commissioners, stating the compensation for which they will perform the services required, and the said board of county commissioners shall appoint as financial agent the bank offering to perform the services at the lowest amount, in no event to exceed one thousand dollars per year: *Provided further*, that should the board of county commissioners fail to make arrangements with a bank as above provided, then they shall immediately proceed to let the duties of office of county treasurer out to the lowest responsible bidder, and they shall appoint and designate the lowest bidder as financial agent of Davidson County, who shall perform the duties of county treasurer as now provided by law. Such person so selected shall be some reliable and qualified elector of Davidson County, who shall file the usual bond for the faithful discharge of the duties of his office: *Provided further*, that the said bank or person appointed and acting as the financial agent of Davidson County shall be appointed for a term of two years, and shall be required to execute the same bonds for the safe keeping and proper accounting of such funds as may come into its or his possession and belonging to such county and for the faithful discharge of its or his duties as are now required by law of county treasurers.

Bank as financial agent.

Proviso: bids by banks.

Limitation.

Proviso: office let to lowest bidder.

Bond.

Proviso: term of appointment.

Official bonds.

Official bonds.

SEC. 9. That all of said officers and financial agents shall give bonds as now provided by law, and should any of the aforesaid

Premiums on bond.

officers prefer to execute said bond in some bonding company or security company authorized by the laws of this State to execute such bond, they may do so and the cost thereof shall be paid one-half by the county of Davidson, the other half by the officer or financial agent executing said bond.

SEC. 10. That the county commissioners of Davidson County shall in the month of June, one thousand nine hundred and fifteen, and in the month of June of each year thereafter, employ a competent auditor or expert accountant to audit all the books kept by all the officers of Davidson County, including the books showing the general county accounts and the accounts of the board of education, and the said commissioners shall fix the compensation to be paid said auditor or expert accountant, and the compensation of such auditor or expert accountant shall be paid by the county of Davidson.

Employment of auditor.

Audit of books.

Pay of auditor.

SEC. 11. That the salaries herein provided for the officers and financial agent shall be paid by the financial agent upon warrants issued by the board of county commissioners in favor of said officers in monthly installments; that the allowances made for clerks, assistants, and deputies shall be paid by the financial agent upon warrants issued by the board of county commissioners, and said board of county commissioners shall issue warrants for the payments to these clerks, assistants, and deputies upon orders signed by the officers employing or appointing such clerks, assistants, and deputies: *Provided*, said commissioners shall not issue warrants for clerks, assistants, and deputies in excess of the allowance hereinbefore provided for.

Payment of salaries and allowances.

Warrants to clerks.

Proviso: limit of amount.

SEC. 12. Any officer herein mentioned who shall willfully fail or refuse to collect any fee, commission, or emolument of any kind belonging to his office shall be guilty of a misdemeanor.

Failure to collect fee a misdemeanor.

SEC. 13. After this act shall be effective as to the office of sheriff of Davidson County, at the expiration of the term of office of any person holding said office of sheriff, he shall be required to turn over to the incoming officer all books, papers, and accounts, showing uncollected taxes, licenses, and all unfinished business of his said office, and on and after the date when the newly elected officers shall give bond and be inducted into office, he shall perform all the duties of said office of sheriff: *Provided further*, that nothing in this act shall prevent the person holding the office of sheriff of Davidson County, when the tax books for the year one thousand nine hundred and sixteen are placed in the hands of said officer, from collecting said taxes for said year and receiving the compensation now fixed by law for so collecting taxes.

Tax books to successor.

Proviso: taxes of 1916.

SEC. 14. That this act shall be in full force and effect from and after the first Monday in December, one thousand nine hundred and sixteen, save and except the provisions thereof affecting the

When act effective.

clerk of the Superior Court, and as to those provisions it shall not be effective until the first Monday in December, one thousand nine hundred and eighteen, but on and after that date as to those provisions it shall be in full force and effect.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 597.

AN ACT TO AUTHORIZE AND EMPOWER DRY WELLS
TOWNSHIP ROAD DISTRICT OF NASH COUNTY TO BOR-
ROW MONEY FOR ROAD PURPOSES.

Preamble. Whereas, by the provisions of chapter four hundred and fifty-one of the Public-Local Laws of the session of one thousand nine hundred and eleven of the General Assembly of North Carolina there was created and organized as a body corporate a road commission for Dry Wells Township Road District in Nash County;

Preamble. and whereas the said road commission desires to provide an additional fund for the purpose of further constructing, improving, and maintaining the public roads of the said district: Now, therefore,

The General Assembly of North Carolina do enact:

Power to borrow money. SECTION 1. That in order to provide a fund for the further proper construction, improvement, and maintenance of the said public roads of the said road district, the road commission for the said district and its successors in office are hereby authorized and empowered to borrow a sum of money not to exceed ten thousand dollars, under the direction of the county commissioners of Nash County, as provided for in section four of this act.

Amount.

Issue of bonds. SEC. 2. As evidence of and to secure said loan said road commission is further authorized, empowered, and directed, under limitation provided for in section four of this act, to execute, issue, and sell twenty (20) bonds, each in the principal sum of five hundred dollars (\$500), to bear a rate of interest not to exceed six per cent per annum, and to be payable one each year for twenty successive years from and after a date to be fixed by said commission. Said bonds shall not be sold or negotiated at less than par and shall bear interest payable annually from the date of their issuance. To each and every of said bonds there shall be attached as many coupons to represent the interest that shall be annually due as the bond itself shall have years to run before its maturity; that is to say, to the bond to be due in one year there shall be attached one coupon, representing the annual inter-

Amount.

Interest.

Payable annually.

Sale below par forbidden.

Coupons.

est for that year; to the bond to be due in two years there shall be attached two coupons, representing the annual interest for said two years; to the bond to be due in three years there shall be attached three coupons, representing the annual interest for said three years; to the bond to be due in four years there shall be attached four coupons, representing the annual interest for said four years; to the bond to be due in five years there shall be attached five coupons, representing the annual interest for said five years; to the bond to be due in six years there shall be attached six coupons, representing the annual interest for said six years; to the bond to be due in seven years there shall be attached seven coupons, representing the annual interest for said seven years; to the bond to be due in eight years there shall be attached eight coupons, representing the annual interest for said eight years; to the bond to be due in nine years there shall be attached nine coupons, representing the annual interest for said nine years; to the bond to be due in ten years there shall be attached ten coupons, representing the annual interest for said ten years; to the bond to be due in eleven years there shall be attached eleven coupons, representing the annual interest for said eleven years; to the bond to be due in twelve years there shall be attached twelve coupons, representing the annual interest for said twelve years; to the bond to be due in thirteen years there shall be attached thirteen coupons, representing the annual interest for said thirteen years; to the bond to be due in fourteen years there shall be attached fourteen coupons, representing the annual interest for said fourteen years; to the bond to be due in fifteen years there shall be attached fifteen coupons, representing the annual interest for said fifteen years; to the bond to be due in sixteen years there shall be attached sixteen coupons, representing the annual interest for said sixteen years; to the bond to be due in seventeen years there shall be attached seventeen coupons, representing the annual interest for said seventeen years; to the bond to be due in eighteen years there shall be attached eighteen coupons, representing the annual interest for said eighteen years; to the bond to be due in nineteen years there shall be attached nineteen coupons, representing the annual interest for said nineteen years; and to the bond to be due in twenty years there shall be attached twenty coupons, representing the annual interest for said twenty years. Said bonds and each of them shall be signed by the chairman of the said road commission in his official capacity, and shall be countersigned by the secretary or clerk of said commission; but the coupons thereto attached may be signed by a facsimile lithographed signature of the said chairman and of the secretary or clerk. The said bonds and coupons shall upon their face express that they are payable out of the taxes levied and to be levied upon the taxable property

Authentication.

Recitals.

- and polls of said road district, to the end that said bonds and each of them, with the coupons representing their annually accruing interest, shall be payable at maturity, according to their several intents and purposes. The county commissioners of Nash County are directed at the regular time and meetings for levying other taxes on all the taxable property and the polls of the said road district, beginning with nineteen hundred and fifteen, to levy a sufficient tax on all the taxable property and polls of the said road district, at the same rate that is now being levied in the said road district, for road purposes, in pursuance of the provisions of chapter four hundred and fifty-one of the Public-Local Laws of the session of nineteen hundred and eleven, with which to pay each or one of the said bonds, and the interest coupons falling due on all the said bonds at that time. The said tax so levied is to be collected by the sheriff or the tax collector of Nash County as the other taxes are collected, and when collected shall be kept separate and used, first, for the payment of the annually maturing bonds and the coupons representing the annually accruing interest on the entire issue, and the surplus for constructing, maintaining, and improving the public roads of the said road district as provided in chapter four hundred and fifty-one of the Public-Local Laws of nineteen hundred and eleven.
- SEC. 3. That the proceeds of the sale or negotiation of the said bonds shall be paid over and held by the treasurer of Nash County to the credit of the said road commission for Dry Wells Township Road District, and shall be used and applied for and to the building, repairing, improving, and constructing the public roads of the said road district. No part of the said fund shall be paid out by the said treasurer except upon orders signed by the chairman and countersigned by the secretary or clerk of the said road commission. The said treasurer, upon said order or orders, will pay the amount thereof and charge the same to the said road district fund: *Provided, however,* that there shall be deducted from the proceeds of the sale or negotiation of said bonds the actual expenses of preparing, printing, or lithographing the same and of negotiating the sale thereof, which shall include reasonable attorneys' fees to be fixed by the said road commission.
- SEC. 4. That no part of the bond issue provided for in section two of this act shall be issued by the said road commissioners of Dry Wells Township without the special order of the county commissioners of Nash County.
- SEC. 5. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.
- SEC. 6. That this act shall be in force from and after its ratification.
- Ratified this the 8th day of March, A. D. 1915.
- Tax for interest and bonds.
- Collection.
- Tax kept separate. Use.
- Proceeds of bonds to credit of road commission.
- Use and application.
- Orders on fund.
- Payment.
- Proviso: deductions for expenses.
- Order for bond issue.

CHAPTER 598.

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF WAYNE COUNTY TO IMPROVE THE COURTHOUSE SQUARE, AND FOR THE PURCHASE AND SALE OF PROPERTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Wayne County be and they are hereby authorized and empowered to keep together, separate and apart from other county funds, such proceeds arising from the sale or disposition of buildings, or building material removed from the courthouse square or grounds in the city of Goldsboro, said Wayne County, and any residue remaining in the hands of the chairman of the "Courthouse Building Committee" after settling and final payment for the building, construction, and equipment of the new county courthouse, together with any proceeds arising from a sale or disposition of that lot of land in the city of Goldsboro referred to in section two of this act, all of which shall be known as the "Courthouse Fund," and expended, in whole or in part, within the discretion of said board of commissioners, in the purchase or acquisition of any real estate, leases, property or property rights mentioned and referred to in sections two and three of this act, and in the further improvement of the courthouse square and grounds and the county jail located thereon: *Provided further*, that any funds remaining thereafter shall be paid into the general county funds.

Moneys to be kept as courthouse fund.

Expenditure.

Proviso: surplus to general fund.

SEC. 2. That the board of county commissioners of said Wayne County be and they are hereby authorized and empowered, within their discretion, to purchase or acquire the lease of, and improve or sell or exchange for other property, that certain lot of land situate at the northwest corner of the courthouse square, on the south side of east Walnut Street in the city of Goldsboro, said Wayne County, described in a lease from the board of county commissioners to John Slaughter, dated March sixth, one thousand eight hundred and ninety-seven, and recorded in book sixty-nine, page two hundred and thirty-seven, in the office of register of deeds of said county.

Purchase authorized.

SEC. 3. That for the purpose of further improvement of the courthouse square in said Wayne County the board of county commissioners be and they are hereby authorized and empowered, within their discretion, to purchase or acquire these two lots of land situate within the boundaries of said courthouse square sold and conveyed by the board of county commissioners to I. F. Dortch and W. S. O'B. Robinson by two separate deeds dated on October first, one thousand eight hundred and eighty-three, and

Further purchases authorized.

recorded in book fifty-one, pages two hundred and fifty-six and two hundred and fifty-seven, in the office of register of deeds of said county respectively, and proceed to remove the buildings therefrom.

Sale and reinvestment or exchange authorized.

SEC. 4. That the board of commissioners of Wayne County be and they are hereby authorized and empowered, within their judgment and discretion, to sell that tract of land situate in Stony Creek Township, said Wayne County, known as the "County Farm," containing about three hundred and fifty acres, more or less, and reinvest the proceeds therefrom, or exchange said land for other property within said county: *Provided*, a fair and reasonable price, commensurate with the value thereof, be so obtained; and *Provided, also*, that in the judgment and opinion of said board of commissioners such sale and reinvestment of the proceeds, or exchange thereof, shall appear advisable and expedient, and materially and essentially promote the welfare and interests of said Wayne County and the taxpayers thereof.

Proviso: price.

Proviso: act optional.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 599.

AN ACT FOR AN ALLOWANCE TO THE CLERK OF THE SUPERIOR COURT OF MADISON COUNTY FOR NECESSARY CLERK HIRE.

Preamble.

Whereas there has been established for the county of Madison a recorder's court, which said court sits for one or more days each week, except when the Superior Court for said county is in session; and whereas the clerk of the Superior Court for said county is made *ex officio* clerk of the recorder's court, and is thereby compelled to be out of his office much of the time, thereby making it inconvenient for those of the public who have business to transact in the office of the clerk of the Superior Court; and whereas it is now proposed to increase the terms of the Superior Court in said county from four to eight terms each year; and whereas the present salary now allowed said clerk of the Superior Court is insufficient to enable him to employ necessary help in his office for the convenience and accommodation of the public and the proper dispatch of the business of said office: Now, therefore,

Preamble.

Preamble.

Preamble.

The General Assembly of North Carolina do enact:

Allowance.

SECTION 1. That the clerk of the Superior Court of Madison County be paid, in addition to his present salary, the sum of three

hundred dollars per annum, to be expended by him in the employment of necessary help for the dispatch of the business of this office. The said amount shall be paid to the clerk by the commissioners of said county in the same way and manner as the regular salary of said clerk is now paid. Payment.

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

SEC. 3. That this act shall be in full force and effect from and after the first day of March, nineteen hundred and fifteen. When act effective.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 600.

AN ACT FOR THE RELIEF OF W. L. WIGGS, GENERAL SUPERVISOR OF ROADS OF WAKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Wake County are hereby authorized and empowered to pay to W. L. Wiggs, general supervisor of roads of Wake County, the sum of seventy-five dollars (\$75) and interest on same since February second, one thousand nine hundred and fourteen, to cover the following: To the hire of two mules at fifteen dollars per month, from June first to November first, one thousand nine hundred and thirteen. Hired and used by H. G. Gulley, superintendent county home, on the county farm. Payment authorized.
Amount.
Basis of claim.

SEC. 2. That when said amount is approved and ordered paid to said W. L. Wiggs by the board of county commissioners it shall be the duty of the county auditor to audit same and of the treasurer of said county to pay same out of the proper funds of said county. Audit and payment.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 601.

AN ACT FOR THE RELIEF OF THE SHERIFF OF DAVIE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff of Davie County, who by virtue of his office has held the tax lists of said county in his hands for collection for the years one thousand nine hundred and eleven, one Collection of arrears.

thousand nine hundred and twelve, and one thousand nine hundred and thirteen, and in case of death or default, his personal representative, bondsmen, or agent or deputies are hereby authorized and empowered to collect all arrears of taxes, both general and special taxes levied for any and all purposes in said county for each of the years one thousand nine hundred and eleven, one thousand nine hundred and twelve, and one thousand nine hundred and thirteen, under the same rules and regulations as are now or which may hereafter be provided for the collection of taxes.

Years.

Persons not compelled to pay.

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

Proviso: land not subject to sale.

Liability not released.

SEC. 3. That nothing herein contained shall be construed to relieve the sheriff of Davie County, his 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.

Term of authority.

SEC. 4. That the authority herein given shall cease and determine on the thirty-first day of July, one thousand nine hundred and fifteen.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 602.

AN ACT TO AMEND CHAPTER 617 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA OF 1911, IN REGARD TO PROVIDING SALARIES FOR CERTAIN OFFICERS AND CLERKS IN CERTAIN OFFICES IN ALAMANCE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That there be inserted between sections four and five of chapter six hundred and seventeen of the Public-Local Laws of one thousand nine hundred and eleven a section reading as follows:

Fees allowed deputies.

"SEC 4½. That the sheriff shall not be called upon to collect or account for fees for serving papers issued by justices of the peace or mayors within the county of Alamance or issued by any offi-

cer from without the county of Alamance which shall be actually served by deputy sheriffs (but he shall collect and account for such fees if he shall serve said papers personally), and these fees shall not belong to the sheriff, but shall go and belong to the deputy sheriff actually serving said papers, and as to these fees the provisions of sections one, two, three, and four of said chapter six hundred and seventeen shall not apply."

SEC. 2. That section five of said chapter six hundred and seventeen be stricken out and the following inserted in lieu thereof: "That the sheriff of Alamance County shall receive a salary of two thousand dollars (\$2,000) per annum, and he shall be allowed the sum of one thousand dollars (\$1,000) annually to pay such clerks, assistants, and deputies as he may see fit to employ or appoint, and in addition to this sum of one thousand dollars (\$1,000) he shall be allowed the further sum of five hundred dollars (\$500) with which to hire an office deputy and bookkeeper to stay in his office at the courthouse in Graham and keep the accounts made necessary by said chapter six hundred and seventeen and these amendments thereto, and to perform such other duties as said sheriff may require of him. Said sheriff shall not receive any other compensation or allowance whatsoever."

Salary of sheriff.
Allowance for
deputies.

Allowance for
bookkeeper.

SEC. 3. That section six of said chapter six hundred and seventeen be amended by striking out all of said section after the word "appoint" in line four of said section and inserting in lieu thereof the following: "In addition to said six hundred dollars (\$600), said register of deeds shall be allowed the sum of eight hundred dollars (\$800) annually with which to employ a bookkeeper and audit clerk to keep the books made necessary by said chapter six hundred and seventeen and by these amendments thereto, and to render such other services as may be required by said register of deeds. Said register of deeds shall, as a part of the duties of his office, together with the assistance of the clerks and bookkeepers herein provided and with such other assistants as he shall employ, to be paid from the salary fixed for him, have made out the tax books for said county in the same manner as they have heretofore been made out by him, and shall receive no extra compensation or allowance for so doing. Said register of deeds shall receive no other compensation or allowance whatsoever."

Allowance to
register for book-
keeper.

Tax books.

Sole compensation.

SEC. 4. That section seven of said chapter six hundred and seventeen be stricken out and that the following be inserted in lieu thereof: "The clerk of the Superior Court shall receive a salary of fifteen hundred dollars (\$1,500) annually and shall be allowed the sum of six hundred dollars (\$600) annually to pay for such clerks, assistants, and deputies as he may see fit to employ or appoint. Said clerk shall not receive any other compensation or allowance whatsoever."

Salary of clerk of
court.
Allowance for
deputies.

Sole compensation.

SEC. 5. That between sections eight and nine of said chapter six hundred and seventeen there be inserted a section as follows:

“SEC. 8½. That the amount paid by way of salaries to any officer or allowed as hire for the clerks in any office shall never exceed the amount of fees collected through said office, and in the event the amount of fees collected through any office in any one year should not equal the amount of salary and clerk hire allowed said office during that year, then the amount of salary allowed the officer shall be decreased so that the amount of salaries and clerk hire shall not exceed the fees collected through said office. That the year referred to herein shall be deemed to begin at twelve o'clock noon on the first Monday of December in each and every year, and that the provisions of this act shall be effective from and after its ratification, and amounts provided for additional clerk hire for the year ending the first Monday in December, one thousand nine hundred and fifteen, shall be adjusted by the board of county commissioners, so that the allowance may be paid for that part of the year from the ratification of this act to the first Monday in December, one thousand nine hundred and fifteen.”

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 603.

AN ACT TO ABOLISH THE OFFICE OF COUNTY TREASURER AND TO FIX SALARIES OF PUBLIC OFFICERS IN RICHMOND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the office of county treasurer of Richmond County is hereby abolished as hereinafter provided.

SEC. 2. That the sheriff of Richmond County may appoint one or more deputies in each township in the county, except in Rockingham Township, which is hereinafter provided for, and may allow such deputies the fees made and collected by them in serving summons, subpoenas, notices, and process of all kinds, and all fees and commissions made and collected by them for execution: *Provided, however,* that said deputies shall not serve papers in Rockingham Township except in cases of emergency.

SEC. 3. That all other fees, commissions, profits, and emoluments of all kinds now belonging or appertaining to or hereafter by any law belonging or appertaining to the sheriff by virtue of his office shall be faithfully collected by him and turned over to

Salaries not to exceed fees.

Decrease of salaries.

Year.

Adjustment of allowances.

Office abolished.

Township deputies of sheriff.

Fees allowed deputies.

Proviso: service in Rockingham township.

Fees to be collected and accounted for.

the county commissioners of said county, together with an itemized statement of all such moneys so collected on the first Monday in each month, to be disposed of by them as hereinafter provided.

Itemized statements.

SEC. 4. The sheriff shall appoint a jailer, whose salary shall be fixed by the county commissioners of Richmond County. Said jailer, in addition to jail duties, is to serve process and papers and shall keep a correct record of fees collected and make returns of same to the county commissioners at the same time and in the same manner as provided for the sheriff in such cases.

Appointment and salary of jailer. Service of process.

Record and return of fees.

SEC. 5. The said sheriff shall appoint one deputy for Rockingham Township at a salary of nine hundred dollars per annum, said deputy to serve papers and processes in Rockingham Township: *Provided, however,* that he may do so in any section of the county. The said deputy shall collect and keep a correct record of all the fees for serving summons, subpoenas, notices, and process of all kinds, and shall keep a record thereof and turn the amount over to the county commissioners in the same manner and at the same time as provided for by the sheriff, to be disposed of as hereinafter provided.

Deputy for Rockingham township. Salary.

Duty.

Proviso: duty in all townships. Fees collected and accounted for.

SEC. 6. The said sheriff of Richmond County shall receive a salary of two thousand and four hundred dollars per annum in lieu of all other compensation whatsoever: *Provided,* the county commissioners may reimburse the sheriff for any expenses incurred by him for conveying prisoners outside the county.

Salary of sheriff.

Proviso: expenses.

SEC. 7. The clerk of the Superior Court and the register of deeds of said county of Richmond shall faithfully collect and turn over to the county commissioner of said county on the first Monday in each month, together with an itemized statement of the same, all fees, commissions, profits, and emoluments of every kind now or hereafter by any law accruing, belonging, or appertaining to them by virtue of their said offices, the said money to be disposed of by the county commissioners as hereinafter provided.

Other officers to collect and account for fees.

SEC. 8. The clerk of the Superior Court shall receive a salary of eighteen hundred dollars per annum in lieu of all other compensation whatsoever: *Provided,* this act shall not apply to the present clerk of the Superior Court, J. A. McAuley, until his term of office to which he was elected expires, to wit, the first Monday in December, one thousand nine hundred and eighteen: *Provided further,* that if the said J. A. McAuley shall for any reason cease to be the clerk of the Superior Court, then the party succeeding him shall come within the terms of this act as first provided.

Salary of clerk.

Proviso: present incumbent.

Proviso: act effective as to successor.

SEC. 9. The register of deeds of said county shall receive a salary of eighteen hundred dollars per annum in lieu of all other compensation whatsoever.

Salary of register.

- Auditor. SEC. 10. That the board of commissioners of said county shall create the office of auditor for Richmond County and shall appoint some qualified person to hold said office under the control and direction of said board of county commissioners, and said board of commissioners is hereby authorized to fix the compensation of said auditor.
- Appointment and compensation.
- Tax list. SEC. 11. It shall be the duty of the auditor to assist the register of deeds of said county in making out the tax list now required by law, and to make out and prepare for publication all annual statements required by law; to investigate and to inquire for all delinquent taxpayers, and to require all delinquent property, including polls, to be placed on the tax list; examine the records of real estate transfers, and to assist tax listers and assessors; to act for the county and assist in settling with the county officers; to supervise, scrutinize, and examine at least once in every calendar month all books, accounts, receipts and vouchers, and other records of all the officers of Richmond County which show fees and commissions collected and received by them; to examine at least once each year the dockets of all justices of the peace of said county; and he is hereby authorized to administer oaths on verification of claims which may be filed against the county, and to open a set of account books in which shall be shown the total monthly receipts of fees and commissions of all the officers of said county in an expert and intelligent manner, assigning distinct and separate accounts for each and every said officer, which book shall be permanently kept as a record of his office and always open to public inspection. He shall examine the records kept by the different recorders in said county at least once in every calendar month, and see that the same are kept in a correct and proper manner. He shall likewise visit the county jail and other county institutions and examine the same. He shall also examine the books kept and accounts kept by the jailer and others. It shall likewise be his duty to audit all bills and claims presented to the board of county commissioners of said county for payment, and to perform such other duties as the board of county commissioners may direct. That in addition to the other duties provided herein, the auditor shall act as assistant to the register of deeds and shall assist in performing the duties of this office when not otherwise engaged.
- Annual statements.
- Delinquent taxes.
- Settlements with officers. Supervision of accounts.
- Examination of dockets. Administer oaths.
- Accounts with officers.
- Records.
- Jail and county institutions.
- Examination of books. Audit of claims.
- Assistant to register.
- Officers to perform duties. Sole compensation. Liability.
- Salaries paid monthly.
- SEC. 12. The officers hereinbefore mentioned shall faithfully perform all the duties of their several offices imposed upon them by law and shall receive no other compensation or allowance whatsoever for any extra or additional service rendered to the county or State or other governmental agencies, and shall be liable to all the pains and penalties now or hereafter provided for failure to perform the duties of their several offices.
- SEC. 13. The officers hereinbefore mentioned shall receive their salaries in monthly installments on the first Monday in each

month, paid to them by voucher allowed by the county commissioners, and approved by the auditor of said county.

SEC. 14. All moneys collected as fees, commissions, and profits, fines and forfeitures, taxes and moneys in any and every way belonging to the county of Richmond, or in any way shall come into the hands of the county officers belonging to the said county, and which would have come into the hands of the county treasurer before the passage of this act and paid in to the board of county commissioners by the officers hereinbefore mentioned, shall be deposited in one or more solvent banks of the county of Richmond, to be known as the "Funds of Richmond County," and shall be paid out by said bank only upon warrant drawn by said board of county commissioners and also by warrants drawn by the county board of education for school purposes and approved by the auditor of said county. Said bank or banks in which said money is deposited shall be required to enter into a bond in such amount as the county commissioners of Richmond County may deem proper, for the faithful and safe handling of said money, and they shall be allowed no compensation whatever, except what profits that may accrue to them by virtue of such deposits.

SEC. 15. Any officer, clerk, or assistant herein mentioned who shall willfully fail or refuse to collect the full fees, commissions, or emoluments of any kind belonging to his office shall be guilty of a misdemeanor.

SEC. 16. That an election shall be called by the county commissioners of Richmond County, said election to be held at the same time of the election for county officers in the year nineteen hundred and sixteen. That the county commissioners shall provide separate ballot boxes for the reception of ballots, and that the said judges of election and poll-holders as serve in the said general election for county officers shall serve, and in every way the same laws shall apply to said election as now apply to the election of county officers. That the ballots to be provided shall have written or printed thereon the words "For Salary Bill," which shall be used by those favoring the passage of the bill, and ballots with the words written or printed thereon "Against Salary Bill," which shall be used by those opposed to said bill. If a majority of the ballots cast in said election shall be "For Salary Bill," this act shall be in force from and after the first Monday in December, nineteen hundred and sixteen; but if a majority of the votes so cast shall be "Against Salary Bill," then the provisions of this act, providing for placing officers of Richmond County on salaries, shall be of no effect.

SEC. 16a. That at the election provided in the foregoing section there shall also be an election in the same manner on the question of abolishing the treasurer's office of said county, in which those favoring the abolishing of said office shall vote a ticket on which

Deposit of funds.

Payment on warrants.

Banks to give bond.

Compensation.

Failure to collect fee a misdemeanor.

Order for election.

Time of election.

Ballot boxes.

Election officers.

Ballots.

Effect of election.

Question as to office of treasurer.

Tickets. shall be printed or written the words "For Abolishing Treasurer's Office," and those opposed a ticket on which shall be printed or

Effect of election. written the words "Against Abolishing Treasurer's Office." If a majority of the votes so cast shall be "For Abolishing Treasurer's Office," then sections one and fourteen shall be in full force and effect from and after the first Monday in December, nineteen hundred and sixteen; but if a majority of the votes so cast shall be "Against Abolishing Treasurer's Office," then said sections one and fourteen shall be of no effect.

SEC. 17. That all laws and clauses of laws in conflict herewith are hereby repealed.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 604.

AN ACT TO AMEND THE ROAD LAW OF SMITHFIELD TOWNSHIP, JOHNSTON COUNTY.

The General Assembly of North Carolina do enact:

Tax rate. SECTION 1. That section one of chapter fifty-nine of the Private Laws of one thousand nine hundred and three, relative to the road laws of Smithfield Township, in the county of Johnston, be and the same is hereby amended by striking out all of said section one after the word "county" in line seven, and insert in lieu thereof the following: "of not exceeding thirty-three and one-third cents on the one hundred dollars worth of property and one dollar on the poll."

Election of road trustees. Term. Election ad interim. SECTION 2. Amend further by striking out section five of said chapter fifty-nine, Private Laws of one thousand nine hundred and three, and insert the following in lieu thereof: "That at the regular election of State and county officers in November, one thousand nine hundred and sixteen, and biennially thereafter, there shall be elected by the qualified voters of Smithfield Township five freeholders residing in said township, to be known as road trustees of Smithfield Township, to hold office for a term of two years or until their successors are elected and qualified, and to exercise the same duties and control over the public roads of said township as have heretofore been exercised by the road supervisors of said township. That until said election in November, one thousand nine hundred and sixteen, the board of county commissioners of Johnston County shall elect five freeholders residing in said township to perform all the duties of road trustees as provided by this act and all other laws relating to the public roads

of said township. That all vacancies occurring in said board of road trustees, except by expiration of term, shall be filled by the remaining members of said board for the unexpired term only, and the members of said board shall each receive for their services when actually engaged therein such compensation as they may fix, not exceeding twenty-four dollars each in any one year.”

SEC. 3. That said board of road trustees may abolish the office of treasurer of the road fund of said township and arrange for some bank or banks located in said township to act as financial agent of the road funds of said township, said bank or banks to give such bond as may be fixed by the board of road trustees, and receive such compensation as may be agreed upon by said board and said financial agent, not exceeding the commissions now allowed to the treasurer of said road fund.

SEC. 4. That the board of trustees is hereby required to cause to be published annually a sworn, itemized statement of all receipts and disbursements on account of the public roads of said township, and on failure to do so shall forfeit and pay the sum of one hundred dollars to any person who may sue for the same.

SEC. 5. That all laws or parts of laws, in so far as they are inconsistent or in conflict with the provisions of this act, and no further, are hereby repealed.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 605.

AN ACT TO CREATE THE OFFICE OF AUDITOR OF ROWAN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the office of auditor of Rowan County is hereby established and created, and the auditor shall furnish bond in the sum of five thousand dollars, to be approved by the board of commissioners for the county of Rowan, payable to the State of North Carolina, conditioned that he will diligently, truly, and faithfully perform all the duties of his office and be responsible for any negligence, default, malfeasance or misconduct in office. The premium on his bond shall be paid by Rowan County.

SEC. 2. That it shall be the duty of the auditor of Rowan County to perform all the duties heretofore required by law of the register of deeds of said county in respect to the taxes and tax lists of said county, and the register of deeds is directed to deliver to the auditor any and all papers or records that may come into his

Assignment of clerks.	hands pertaining to the same, and the board of commissioners may assign clerks in the office of register of deeds to assist the auditor, or compute taxes and make out tax lists under auditor's supervision; to instruct, direct, and supervise tax listers and assessors, and direct and supervise the listing and assessment of
Inquiry for delinquents.	all property liable for taxation in said county; to investigate and inquire for all delinquent taxpayers, and require all delinquent
Examination of dockets.	property, including polls, to be placed on the tax list; to examine at least once each year the dockets of the Superior Court, county
Records and accounts of officers.	courts, recorders' courts, justices of the peace, mayors, and other courts of said county, and report his finding to the board of commissioners; to supervise, examine and scrutinize, at least once
Accountant for county. Account books.	each month, the books, accounts, receipts, and vouchers and all other records of all the officers of Rowan County, in respect to fees and commissions collected, and act as accountant for the
Form of accounts.	county settling with the county officers; to open a set of account books in which shall be shown the total monthly receipts of fees
Audit of claims.	and commissions of all the officers of said county in an intelligent manner, assigning separate accounts to each of said officers,
Warrants counter-signed.	which record of accounts shall be kept permanently as the records of his office, and always open to public inspection; to prescribe, subject to the approval of the board of commissioners, the form
County institutions. Audit of accounts of institutions.	of accounts to be kept by each of the officers of Rowan County, so as to show in an intelligent manner the transactions of that office, and the same shall be open to public inspection; to audit
Real estate transfers. Other duties.	all bills and claims presented to the board of commissioners and board of education for the county of Rowan, and no bill or claim shall be allowed by either of said boards until it has been audited,
Administration of oaths.	and all warrants drawn upon claims or bills, allowed by the board of commissioners or board of education, shall be countersigned by the auditor before they shall be honored or paid by the county
Compensation.	treasurer; to visit and examine the county institutions, also audit and examine the books and accounts kept by those in charge of the respective county institutions when so directed by the board of commissioners; to keep a memorandum of all real estate transfers, together with the prices paid for same; to do and perform such
Proviso: salary.	other duties as may be assigned to the auditor by the board of commissioners of the county of Rowan; and said auditor is authorized to administer oaths in verification of claims, tax lists, or other matters subject to his examination.

SEC. 3. That the compensation of the auditor of Rowan County shall be fixed and determined by the board of commissioners for the county of Rowan at same time and in same manner as the salaries of other county officers are fixed, and shall be payable in equal monthly installments: *Provided*, that his salary until the time for the next annual consideration of salaries by said board shall be at the rate of one thousand dollars per annum.

SEC. 4. That the board of commissioners for the county of Rowan is hereby authorized to furnish the auditor of Rowan County an office in the county courthouse and provide for any necessary clerical assistance for said auditor, and fix the compensation of the same to be paid by the county: *Provided*, that the county board of education shall pay a reasonable share of the expenses of the auditor and his office, the proportion to be determined by the county commissioners and the board of education.

Office room.

Clerical assistance.

Proviso: payment by board of education.

SEC. 5. That E. B. Neave, Jr., is hereby appointed and commissioned as auditor of Rowan County for the term beginning the first Monday in April, one thousand nine hundred and fifteen, and ending the first Monday in December, one thousand nine hundred and sixteen, or as soon thereafter as his successor is duly qualified.

Appointment.

Term.

SEC. 6. That at the next general election for county officers in Rowan County, and biennially thereafter, an auditor of Rowan County shall be voted for and elected, as near as may be under same rules and regulations governing the election of other county officers, for a term of two years, the first election term beginning the first Monday in December, one thousand nine hundred and sixteen; any vacancy in office of auditor to be filled by board of commissioners for county of Rowan.

Election of auditor.

Vacancy.

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

Repealing clause.

SEC. 8. That this act shall be in force on and after the first Monday in April, one thousand nine hundred and fifteen.

When act effective.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 606.

AN ACT TO REGULATE HUNTING IN HIGH SHOALS TOWNSHIP, RUTHERFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons to hunt with gun or dog on lands of another in High Shoals Township, Rutherford County, without written permission from said landowners.

Unlawful hunting.

SEC. 2. Any person violating this act shall pay a fine not exceeding ten dollars or serve a term not exceeding thirty days in the county jail.

Punishment.

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

Ratified this 8th day of March, A. D. 1915.

CHAPTER 607.

AN ACT TO AMEND SECTION 2802 OF THE REVISAL OF 1905, TO INCREASE THE COMPENSATION OF THE COUNTY SURVEYOR FOR McDOWELL COUNTY.

The General Assembly of North Carolina do enact:

Per diem.

SECTION 1. That section two thousand eight hundred and two of the Revisal of one thousand nine hundred and five be and the same is hereby amended by inserting in line twenty-six thereof, between the word "Rowan" and the word "and," the word "McDowell."

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 608.

AN ACT FOR THE PROTECTION OF FISH AND GAME IN CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

Proviso: use of license tax.

SECTION 1. That chapter eight hundred and forty, Public Laws, session of one thousand nine hundred and nine, be and the same is hereby amended by adding to section four of said chapter the following: "*Provided*, that the entire amount received from the sale of hunting licenses in Cherokee County shall be held and expended by the board of commissioners of said county in such manner as they may direct for the enforcement of the laws for the protection of fish and game in said county."

Relief from audubon act.

SEC. 2. That said chapter eight hundred and forty, Public Laws, session one thousand nine hundred and nine, be and the same is hereby amended by adding after the word "Graham," in section twelve, the word "Cherokee."

Close season for feathered game.

SEC. 3. That the close season, or time in each year during which no quail, partridges, wild turkey, pheasant, or dove shall be shot, killed, wounded, or in any manner hunted, taken, or captured in Cherokee County, shall be from the fifteenth day of February to the first day of December.

Shooting fish.

SEC. 4. That it shall be unlawful to shoot with rifle or gun any fish in the waters of Cherokee County.

Misdemeanor.
Punishment.

SEC. 5. That any person violating sections three or four of this act shall be guilty of a misdemeanor, and upon conviction fined not exceeding fifty dollars or imprisoned not exceeding thirty days.

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 and effect from and after its ratification.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 609.

AN ACT TO AMEND CHAPTER 275 OF THE PUBLIC LAWS OF 1905, RELATIVE TO THE SALARIES OF THE OFFICERS OF GUILFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the act known as the Guilford County Salary Act, chapter two hundred and seventy-five, Public Laws of one thousand nine hundred and five, and acts amendatory thereof, be and the same are hereby amended so that the amount to be paid by the county of Guilford for clerk hire as well as the number of clerks to be employed in each office shall be left entirely to the discretion of the board of commissioners of said county. Allowances for clerk hire.

SEC. 2. That the board of county commissioners of Guilford County shall appropriate annually, dating from the first day of December, nineteen hundred and fourteen, a sum not to exceed eight hundred dollars, to be used by the sheriff of Guilford County for incidental expenses of his office, such incidental expenses not to include clerk hire. Allowance to sheriff.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 610.

AN ACT TO REPEAL SECTION 4, CHAPTER 752 OF THE PUBLIC-LOCAL LAWS OF THE REGULAR SESSION OF 1913, AND TO REPEAL CHAPTER 211 OF THE PUBLIC-LOCAL LAWS PASSED AT THE EXTRA SESSION OF 1913, RELATING TO FISHING IN DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section four of chapter seven hundred and fifty-two of the Public-Local Laws of the regular session of nineteen hundred and thirteen, being an act entitled "An act to regulate fishing in the counties of Duplin, Pamlico, and others," be and the same is hereby repealed. Close season.

Amendment
repealed.

SEC. 2. That chapter two hundred and eleven of the Public-Local Laws of the extra session of nineteen hundred and thirteen, being "An act to amend chapter seven hundred and fifty-two, section four thereof, of the Public-Local Laws of one thousand nine hundred and thirteen," be and the same is hereby repealed.

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.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 611.

AN ACT TO AMEND CHAPTER 114 OF THE PUBLIC-LOCAL LAWS PASSED BY THE GENERAL ASSEMBLY AT ITS SESSION 1911, RELATING TO DRAINAGE DISTRICTS IN IREDELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter one hundred and fourteen of the Public-Local Laws passed in the year one thousand nine hundred and eleven be and the same is hereby amended by adding at the end of said section the following: "*Provided, however, when said work is done one-half of the cost of said work shall be paid by the board of drainage commissioners of said drainage district.*"

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 612.

AN ACT RELATING TO THE COMMISSIONERS AND JURORS OF ROWAN COUNTY AND THEIR COMPENSATION.

The General Assembly of North Carolina do enact:

Chairman of board.

SECTION 1. That any member of the board of commissioners for the county of Rowan shall be eligible to be chairman of said board, and it shall be the duty of the chairman of the board of commissioners for the county of Rowan to be at his office in the courthouse at Salisbury each and every Saturday for the performance of the duties incident to the chairmanship of said board

and for the transaction of other business assigned to him by the board; that in lieu of per diem, mileage, or other compensation the chairman of the board of commissioners for the county of Rowan shall be paid the sum of five hundred dollars per annum, payable in equal monthly installments, in full compensation for services as commissioner and chairman. Salary.

SEC. 2. That each commissioner of Rowan County, except the chairman, shall be paid four dollars per day for time actually engaged in attending meetings of the board or performing special duties assigned by the board, and in addition thereto shall be entitled to the mileage now allowed by law; that each member of the board of education for Rowan County shall be paid four dollars per day for time actually engaged in attending the meetings of said board or performing special duties assigned by the board, and in addition thereto shall be entitled to the mileage now allowed by law. Per diem of commissioners.
Mileage.
Pay on special duty.

SEC. 3. That the board of commissioners for the county of Rowan may, in its discretion, provide for jurors in Rowan County to be paid two and one-half cents per mile for travel going to and returning from court, or lodging in lieu thereof, for each day after the first day of attendance, in addition to the per diem and mileage now provided by law. Daily mileage or lodging to jurors.

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.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 613.

AN ACT TO AMEND CHAPTER 670 OF THE PUBLIC-LOCAL LAWS OF 1913, BY INCREASING THE COMPENSATION OF THE SHERIFF OF CUMBERLAND COUNTY WHEN APPROVED BY THE BOARD OF COMMISSIONERS OF SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter six hundred and seventy of the Public-Local Laws of one thousand nine hundred and thirteen be amended by adding immediately after the word "distilleries" in line twenty-seven of section five thereof the following words: "Said sheriff shall attend upon all sessions of the recorder's court of said county in person or by an authorized deputy, and for such services shall be allowed twenty-five dollars per month, and the board of commissioners of said county shall pay the annual premium on Attendance on courts.
Allowance for attendance.
Premium on bond.

said sheriff's bonds, including the premium on his bond for the nineteen hundred and fourteen tax books and his present process bond."

Adoption of act by county commissioners.

SEC. 2. That this act shall not be effective until the same is approved and adopted by the board of commissioners of Cumberland County at any regular or adjourned meeting thereof, and when so adopted shall be effective and binding.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 614.

AN ACT TO AMEND CHAPTER 180 OF THE PUBLIC LAWS OF 1907, RELATING TO THE CRIMINAL COURT FOR THE COUNTY OF PASQUOTANK.

The General Assembly of North Carolina do enact:

Trial on appeals.

SECTION 1. That section eight of chapter one hundred and eighty of the Public Laws of one thousand nine hundred and seven be and the same is hereby amended by striking out in line five of said section and after the words "*de novo*" all the remainder of said sentence down to and including the words "grand jury" just before the period in line eight.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 615.

AN ACT REGULATING THE FEES OF COURT STENOGRAPHERS IN BURKE COUNTY.

The General Assembly of North Carolina do enact:

Liability of county.

SECTION 1. That Burke County shall not be liable for any fees or allowances to stenographers employed at any criminal term of court in said county, except in the trial of capital cases, and said county shall not be liable for said fees or allowances in capital cases unless the board of commissioners of said county agree to the employment of a stenographer in the trial of such cases.

Fees taxed and collected as costs.

SEC. 2. That the fees and allowances to stenographers in civil cases in said county shall be taxed in the bill of cost against the losing party and collected as other cost.

SEC. 3. That Burke County shall not be liable for more than six dollars per day to any stenographer employed at any term of court unless the board of commissioners of said county shall agree to pay more than said amount. Limit of liability of 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 force from and after its ratification.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 616.

AN ACT TO PROVIDE FOR A FINANCE COMMITTEE FOR MITCHELL COUNTY AND FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. That R. H. Griffith, S. J. Turner, and M. T. Young be and they are hereby appointed a finance committee for Mitchell County, with full power and authority now vested in a finance committee by chapter eighteen of The Code. Finance committee.

SEC. 2. That this committee shall have full power and authority to send for persons and papers, administer oaths, examine witnesses and punish for contempt, and issue subpoenas. Powers as of court.

SEC. 3. That said finance committee is further empowered and directed, when necessary, and at least every twelve months, to inquire into, investigate, and ascertain whether or not any person now holding office or who has held office in Mitchell County in the last six (6) years has charged and received any sum of money not allowed by law, or has charged, collected, or received any fees for which the county was not liable, or to examine or inquire if any officer has collected any taxes in said county for which he has not properly accounted, or has failed to account for any fines or forfeitures to him paid, and to make a detailed statement of their findings and conclusions as soon as practicable, and cause said statement to be published at the courthouse door in Mitchell County. Annual investigations.
Investigations as to former officers and years.
Detailed statement.
Publication.

SEC. 4. That if it be found upon investigation that any such officer has received unlawfully any money of the county or fees for which the county was not liable, or has failed to account for all taxes collected, or to pay over and account for all fines and forfeitures received, then it shall be the imperative duty of said finance committee to forthwith bring suit against such officer on his official bond to recover whatever amount he may have so received, and for that purpose they are hereby authorized and empowered to sue in the name of the finance committee for Mitchell County and for the use and benefit of Mitchell County. Suits for recovery.

- Quorum. SEC. 5. That the powers granted and duties required by this act may be exercised by a majority of said finance committee, and should a vacancy occur on said board the same shall be filled by the other members of the committee.
- Vacancies.
- Acts declared contempt. SEC. 6. That any person or persons who have been duly subpoenaed to appear and testify before said finance committee, who shall willfully fail and refuse to appear, or shall refuse to answer any question authorized to be asked by virtue of this act, shall be guilty of contempt, and said finance committee shall have power to punish as for contempt.
- Power to punish.
- Officers not excused. SEC. 7. That no officer shall be excused from answering any questions because that his answer might tend to criminate him, and his answer shall not be used in any criminal indictment against him.
- Oath of office. SEC. 8. That before entering upon their duties as a finance committee, the persons herein named shall take an oath before some one authorized to administer oaths to faithfully discharge the duties imposed on them by this act.
- Employment of counsel. SEC. 9. That said finance committee may employ counsel to advise them and to assist them in any investigation that may be made, and to conduct any suit that may be instituted by them, and shall allow such reasonable compensation as they may deem just and proper.
- Report of employment. SEC. 10. That said finance committee shall report under oath the number of days they have been engaged in the discharge of their official duties, to the board of commissioners of Mitchell County, and shall be allowed for their services reasonable compensation by said board of county commissioners, not less than two dollars (\$2) a day.
- Compensation. SEC. 11. That this act shall be in force from and after its ratification.
- Ratified this the 8th day of March, A. D. 1915.

CHAPTER 617.

AN ACT TO PROVIDE FOR THE PROPER MAKING AND KEEPING OF CROSS-INDEXES OF THE OWNERS AND THE PURCHASERS OF LAND SOLD FOR TAXES.

The General Assembly of North Carolina do enact:

- Cross-index to tax deeds. SECTION 1. The board of county commissioners, at the expense of the county, shall cause to be made full and complete alphabetical cross-index of deeds, showing the names of all persons whose lands have been sold for taxes and filed for registration within ten years prior to the ratification of this act. Such indexes shall be kept in well-bound books separate from the cross-indexes of
- Period covered.
- Separate index.

other deeds, and shall state in full the names of all persons whose lands have been sold for taxes and the names of all purchasers of said lands at tax sales.

Names of delinquent and purchaser.

SEC. 2. The register of deeds shall make and keep like cross-indexes for all tax-sale deeds which may hereafter be filed in his office for registration, and reference shall be made opposite each name to the page, title, or number of the book in which is registered said tax deed.

Index of future sales.

SEC. 3. The sheriff shall make and keep in his office an alphabetical indexed volume of tax delinquents whose lands have been sold for taxes, shall be redeemed by the owner, as provided by law, said indexed volume of tax delinquents shall show this fact and the date of said redemption: *Provided*, that this act shall apply only to Forsyth and Guilford counties.

Index of lands redeemed.

Date of redemption.
Proviso: application of act.

SEC. 4. This act shall be in force from and after its ratification. Ratified this the 8th day of March, A. D. 1915.

CHAPTER 618.

AN ACT TO PROHIBIT THE SALE OF SOFT DRINKS ON SUNDAY IN PAMLICO COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any merchant or person to sell any soft drinks on Sunday in Pamlico County, or for any merchant in Pamlico County to sell goods, wares, or merchandise on Sunday, except in case of sickness; and any person or persons violating the provisions of this act shall be guilty of a misdemeanor.

Dealing on Sunday unlawful.

Misdemeanor.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 619.

AN ACT TO AMEND CHAPTER 147, PUBLIC-LOCAL LAWS 1911, RELATING TO RECORDER'S COURT.

The General Assembly of North Carolina do enact:

SECTION 1. Amend by adding at the end of section three of chapter one hundred and forty-seven, Public-Local Laws one thousand nine hundred and eleven, the following: "It shall be the duty of the board of county commissioners, upon the ratification of this

Substitute recorder.

act, to appoint a substitute recorder for said district and on the first Monday in December biennially hereafter.”

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 620.

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF BEAUFORT COUNTY TO ESTABLISH A COUNTY WORKHOUSE, IF SAID BOARD DEEMS SAME NECESSARY.

The General Assembly of North Carolina do enact:

Establishment
authorized.

SECTION 1. That the board of county commissioners of Beaufort County be authorized and empowered, in the exercise of its sound discretion, to establish a workhouse in connection with the present county home, or any new county home, as provided for in a bill enacted into law by the General Assembly of one thousand nine hundred and fifteen.

Persons sentenced
to workhouse.

SEC. 2. That in the event said board of commissioners establish said workhouse, then it shall be lawful for and the duty of all recorders, justices of the peace, and mayors of all cities and towns in Beaufort County and the judge presiding over the Superior Court of said county to sentence all persons convicted in their court of a misdemeanor, under the age of eighteen years, to said workhouse, and all persons whose physical condition is such that they cannot do work on the county convict force shall likewise, upon conviction, be sentenced to said workhouse to serve their sentence imposed by court, in lieu of being sent to the county jail or county convict camp of Beaufort County: *Provided*, nothing in this act shall be construed to prevent any trial judge imposing a fine on any person convicted by them as provided by statute; and it shall also be lawful for and the duty of any trial judge above mentioned to sentence any woman convicted of a misdemeanor to said workhouse in lieu of the county jail.

Proviso: fine.

Women sentenced
to workhouse.

Superintendent.

SEC. 3. That the board of commissioners be authorized to appoint a superintendent of said workhouse, who may also be the superintendent of the county home, and employ the necessary number of guards for the proper safe keeping of those confined in said workhouse, and said board of commissioners shall have authority to fix reasonable salaries for said employees.

Guards.

Salaries.

Work of inmates.

SEC. 4. That it shall be the duty of the superintendent of said workhouse to work the persons committed to his care on the county home farm, or require them to do such other work as may be prescribed by the board of commissioners of Beaufort County.

SEC. 5. That the board of commissioners of Beaufort County be ^{Management.} authorized to make all necessary rules and regulations for the proper management of said workhouse not in conflict with the provisions of this act.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 621.

AN ACT TO AMEND CHAPTER 207, PUBLIC-LOCAL LAWS 1913, RELATING TO THE BOUNDARY LINE BETWEEN SYLVA AND WEBSTER TOWNSHIPS, JACKSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. Amend section one, chapter two hundred and seven, ^{Line stricken out.} Public-Local Laws of one thousand nine hundred and thirteen, by striking out the words "with said road to a point where the same turns up the Tuckaseegee River," in lines ten and eleven, and inserting in lieu thereof the following: "with said road to a point where the same intersects the new road at or near Love's Chapel; thence with said new road so as to leave all of said new road in ^{Line established.} Sylva Township to a point where the same turns up the Tuckaseegee River."

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 622.

AN ACT TO AMEND CHAPTER 285, PUBLIC LAWS OF 1899, RELATING TO THE PROTECTION OF TROUT IN WATAUGA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and eighty-five, Public Laws of one thousand eight hundred and ninety-nine, be and the same is hereby amended by adding to said chapter the following: "*Provided*, that this chapter shall not apply to Laurel Creek and its tributaries in Watauga County."

^{Proviso: Laurel creek and tributaries.}

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 623.

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS
OF THE COUNTY OF PITT TO PAY A SUM CERTAIN IN-
STEAD OF FEES TO THE SOLICITOR.

The General Assembly of North Carolina do enact:

Payment in lieu
of fees.

SECTION 1. That the board of commissioners of the county of Pitt are hereby directed, authorized, and empowered to cause the treasurer of Pitt County to pay to the solicitor of the Fifth Judicial District the sum of six hundred dollars annually, to be paid monthly in lieu of fees now provided by law, which the said solicitor would receive from time to time from the said county of Pitt on account of convictions in the criminal courts of said county by said solicitor.

Amount.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 624.

AN ACT TO AMEND CHAPTER 176, PUBLIC-LOCAL LAWS
OF 1911, CREATING A RECORDER'S COURT IN NASH
COUNTY.

The General Assembly of North Carolina do enact:

Jurisdiction as
committing magis-
trate.

SECTION 1. That section four of said act be amended by adding at the end of said section: "In criminal cases in which this court has not jurisdiction the recorder shall hear the evidence as a committing justice, and if he find probable cause he shall bind the defendant in his personal recognizance, with surety, to appear at the next criminal term of Superior Court for trial, and in default of surety such person or persons shall be committed to the common jail of such county to await trial."

Commitment in
default of bail.

Pay of witnesses
and jurors.

SEC. 2. That section ten shall be amended by adding at the end of said section: "The pay of witnesses and jurors in the recorder's court shall be the same as the pay of witnesses and jurors in the Superior Court."

Force of docketed
judgment.

SEC. 3. That section fourteen shall be amended by inserting between the words "court" and "and" in line three of said section the following: "and said judgment so docketed shall be a judgment of the Superior Court."

Jury trial.

SEC. 4. That section twenty-one be amended so as to read, after word "so," line three, as follows: "That either plaintiff or defend-

ant in the actions of this court may demand and have a jury and the jury shall be six in number, and that the jury drawn for any one trial or any one day shall be drawn from the same township in said county, to be designated by the recorder. That the recorder of said court in all cases in which, in his judgment, the ends of justice would be best served by submitting the issue to the jury, may have a jury called of his own motion, as above provided, and submit the issues of fact to the jury. The recorder, if he thinks the ends of justice demands, may have the pay of the jurors regularly summoned, as well as the tales jurors who may sit upon the case, taxed in the bill of cost against the party against whom judgment is rendered.”

Number of jury.
Township.
Jury called by recorder.

Pay taxed as costs.

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

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 625.

AN ACT TO AMEND SECTION 1 OF CHAPTER 90, PRIVATE LAWS, EXTRA SESSION, 1913, RELATING TO YORK SCHOOL DISTRICT, UNION COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter ninety, Private Laws, extra session of one thousand nine hundred and thirteen, be and the same is hereby amended by inserting in line four of said section, between the words “of” and “School District,” the words “any schoolhouse in.”

Prohibition extended.

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.

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 626.

AN ACT TO ENLARGE THE JURISDICTION OF THE RECORDER'S COURT OF DUNN.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and ninety-eight, Public-Local Laws of one thousand nine hundred and eleven, be and the same is hereby amended by striking out all of section two after the word “court,” in line five of said section.

Appointment of recorder.

Civil jurisdiction.
 Proviso: removal.

SEC. 2. That chapter six hundred and sixty-one, Public-Local Laws of one thousand nine hundred and thirteen, be and the same is hereby amended by striking out all of section twenty-five thereof after the word "actions" in line six of said section and inserting in lieu thereof the following words: "wherein the sum demanded, exclusive of interest or the value of the property in controversy, does not exceed the sum of five hundred dollars (\$500): *Provided*, that if neither of the *bona fide* parties to an action instituted in said court be a resident of either Averasboro or Duke townships in the county of Harnett, or if any such action be for the recovery of personal property and no part of said property be located in said townships, the defendant or defendants may, on motion filed before the expiration of the time for filing answer expires, cause the same to be removed to any such court as would properly have jurisdiction of such cause if this court had not been created; and in the event of such removal, it shall be the duty of the recorder to transmit the original papers, together with his order of removal, to the court to which said cause is removed.

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 effect from and after its ratification.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 627.

AN ACT TO AMEND CHAPTER 413 OF THE PUBLIC LAWS OF 1907, RELATIVE TO TOWNSHIP CONSTABLES AND JUSTICES OF THE PEACE.

The General Assembly of North Carolina do enact:

Constables elected.
 Tickets.

SECTION 1. That section one of chapter four hundred and thirteen of the Public Laws of one thousand nine hundred and seven be and the same is hereby amended as follows: Insert after the word "elected" and before the word "at" in line five of the said section one the following: "one constable for each township in said county, who shall reside in said township." Insert after the word "elected" and before the word "shall" in said section one in line seven, "and the names of the constables and the township for which they are elected"; and strike out of said section one in lines eight and nine the following: "as that containing the names of the county officers"; and amend further by adding at the end of said section one of chapter four hundred and thirteen, Public Laws of North Carolina, the following: "*Provided*, that at each election as stated above the names of the various justices of the

Proviso: ballots for justices and constables.

peace and constables shall appear as stated above upon one ballot, which said ballot shall be on white paper in size three inches by eight inches, and at said election a special box shall be provided Ballot box. by the poll-holders and judges of election, in which box the said ballots for the aforesaid justices of the peace and constables shall be voted at the various polling places as now or hereafter designated by law."

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 full force and effect from and after its ratification.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 628.

AN ACT TO AMEND CHAPTER 196 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATIVE TO BRIDGES IN HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter one hundred and ninety-six of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby amended by striking out the word "and" in line eleven, between the word "Rathbone's" and "one," and insert in lieu thereof the following: "and the said Verbal corrections. board of commissioners shall erect." Amend further by striking out the word "Pines" whenever it occurs in said chapter and insert the word "Fines."

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 629.

AN ACT TO PROVIDE GOOD ROADS IN MAGNOLIA TOWNSHIP, DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That S. W. Newkirk, M. B. Taylor, M. J. Carlton, Board of trustees. F. L. Byrd, J. H. Rouse, W. F. Pickett, J. H. Carlton, J. A. Groves, and J. L. Torrence are hereby constituted a board of trustees for the public roads of Magnolia Township in Duplin County. The Terms of office. first three shall hold the said position of trustee for six years, the

Election of successors.	next three for four years, and the last three for two years. At the expiration of the term of any, their successors shall be elected
Vacancies.	for six years by the qualified voters of Magnolia Township. All vacancies caused by death, resignation, or removal from said township shall be filled for the unexpired term by the remaining members of said board: <i>Provided</i> , that the position of trustee shall not constitute an office within the meaning of article seven, section fourteen, of the Constitution of North Carolina.
Proviso: trustees not officers.	
Incorporation.	SEC. 2. That the board of trustees and their successors shall be and are hereby constituted a body corporate by the name and style of "The Board of Road Trustees of Magnolia Township," and by that name may sue and be sued, make contracts, acquire real and personal property by gift, purchase, or devise; hold, exchange, and sell the same, and exercise such other rights and privileges as are incident to other municipal corporations.
Corporate name.	
Corporate powers.	
Control and management of roads.	SEC. 3. That it shall be the duty of the said board of trustees to take control and management of the roads of Magnolia Township, and said trustees are hereby vested with all the rights and powers for such control and management as are now vested in and exercised by the board of county commissioners of Duplin County.
Rights and powers vested.	
Organization.	SEC. 4. The board of trustees shall annually elect a chairman and secretary and a treasurer. The treasurer shall have control of all the road funds of the township, and may be required to give bond in a sufficient amount to cover funds coming into his hands. The board of trustees shall annually elect three of their number, who shall constitute and be known as the executive committee. This committee shall meet at stated intervals, as may be directed by the trustees, shall have a chairman and secretary, shall order and issue vouchers for the payment of general expenses connected with working roads and the purchase of machinery and implements, which said vouchers shall be signed by the chairman and secretary of the said committee, and a record thereof kept, and the board of trustees may delegate to the said executive committee any and all its powers.
Control of road funds.	
Bond of treasurer.	
Executive committee.	
Meetings and organization. Vouchers.	
Election, compensation, and term of superintendent.	SEC. 5. The said board of trustees shall annually elect a superintendent of roads for Magnolia Township, who shall be paid such compensation out of the road fund of said township as may be fixed by said trustees, and who shall hold office for one year or until his successor shall be elected and qualified: <i>Provided</i> , that said superintendent may at any time be removed by said board, after having been given ten days notice and hearing, when in the opinion of the board there exists good and sufficient cause for such removal. It shall be the duty of said superintendent, subject to the approval of the board, to supervise, direct, and have charge of the maintenance and construction of all public roads in Magnolia Township, and he shall submit to said executive committee
Proviso: removal for cause.	
Duty.	
Monthly reports.	

a monthly report concerning the work in progress and the moneys expended, and such other reports as may be required of him. As a guarantee of the faithful and honest discharge of the duties of his office the said board may require of said superintendent such bond as may be deemed advisable.

Official bond.

SEC. 6. That said board of trustees may purchase such machinery and implements as may be needed for the proper working and constructing of the roads, may employ a competent engineer or surveyor, and may exercise such other powers and privileges as may be needed for the carrying out of the purposes and provisions of this act: *Provided*, that no person shall be subject to road duty.

Purchase of equipment.

Employment of engineer.
Other powers.

Proviso: road duty abolished.

SEC. 7. That the superintendent of roads of Magnolia Township is hereby authorized to enter upon any uncultivated lands near to or adjoining any public road of said township, to cut and carry away timber, except trees or groves on improved land planted or left for shade or ornament; to dig or cause to be dug and carry away any gravel, sand, clay, or stone which may be necessary to construct, improve, or repair such roads, and enter upon any lands adjoining or lying near such roads, in order to make such drains or ditches through the same as he may deem necessary for the betterment of the road, and the drains and ditches so made shall not be obstructed by the occupants of such lands or any other person, and any person obstructing such drain or ditch shall be guilty of a misdemeanor and fined not exceeding fifty dollars or imprisoned not more than thirty days. If the owner of any land from which timber, stone, clay, gravel, or sand were taken, as aforesaid, shall present an account for the same through said superintendent to said board or executive committee within thirty days after the taking thereof, it shall be the duty of said board to pay for same at a fair price; and in case of any disagreement as to the value, the superintendent of roads shall appoint one freeholder, the person claiming the damages a second, and these two a third, which said three freeholders shall assess said damages and report the same in writing to the superintendent of roads.

Entry on land for material.

Drains or ditches.

Obstructing drains a misdemeanor.
Punishment.

Presentation and payment of accounts.

Assessment by arbitration.

SEC. 8. That the said superintendent of roads, with the approval of the trustees or executive committee, is hereby given discretionary power to locate, relocate, or change any part of any public road in said township when in his judgment the same will prove advantageous to public travel; that when any person on whose lands the new road or part of the road is to be located claims damages therefor, and within thirty days petitions said board of trustees for a jury to assess the damages, the said trustees shall, within not less than fifteen nor more than sixty days after the completion of said road, order a jury of three disinterested freeholders of Magnolia Township, to be selected and summoned by the sheriff of Duplin County, as provided by law, who shall give

Location and change of roads.

Procedure for assessment of damage.

said landowner forty-eight hours notice of the time and place when and where the said jury will meet to assess his damages; and said jury, in considering the question of damages, shall also take into consideration the benefits to the owner of the land, and if such benefits be considered equal to or greater than the damages sustained, the jury shall so declare, and it shall report its findings in writing to said trustees for revision and confirmation: *Provided*, that such owner may appeal to the Superior Court of Duplin County from the decision of said trustees.

Proviso: right of appeal.

Road tax.

SEC. 9. That for the purpose of providing for the payment, the construction, improvement, and maintenance of the roads of said township, the board of county commissioners shall annually and at the time of levying the taxes levy and lay a special tax on all persons and property subject to taxation within the limits of said Magnolia Township of not less than fifteen cents and not more than twenty-five cents on the one hundred dollars assessed valuation of property and not less than forty-five cents and not more than seventy-five cents on each taxable poll. The taxes so levied shall be collected as other taxes are collected, and paid to the treasurer of said board of road trustees, and shall be used for the purpose of constructing and improving the public roads in said township, the purchase of such material, machinery, and implements and the employment of such officers and labor as may be found necessary in the carrying out of this work.

Limit of rate.

Collection and settlement.

Use of tax.

Convict work.

SEC. 10. That the said Magnolia Township road trustees are, in addition to the hired force, hereby authorized to work the convicts sentenced by the courts of the State upon the said public roads of Magnolia Township, and to that end the county commissioners of Duplin County shall, upon the request of the said road trustees of Magnolia Township, establish a chain-gang for Duplin County, and all persons confined in the jail in Duplin County, either under a sentence of the court for crime or imprisonment for the nonpayment of costs, shall be available to the said road trustees of Magnolia Township to be worked on the public roads in said township; and the said road trustees are hereby authorized to accept and work convicts from other counties in the State, and the judges of the Superior Court are hereby authorized to sentence prisoners from other counties for misdemeanors and felonies not capital, to be worked on the public roads of Magnolia Township.

Chain-gang.

Persons subject to road work.

Convicts from other counties.

Officers to sentence convicts to road work.

SEC. 11. That upon the application of the said road trustees of Magnolia Township, it shall be lawful for and the duty of the judges holding the courts of the said county, justices of the peace, mayors of incorporated towns, and all other courts now or hereafter established in Duplin County, to sentence to imprisonment at hard labor on the public roads of Magnolia Township, for such terms as is prescribed by law for their imprisonment in the county jail or State's Prison, all persons convicted of offenses the punish-

ment whereof would be in whole or in part imprisonment in the county jail or in the State's Prison for a term not exceeding two years.

SEC. 12. That for the purpose of equipping and maintaining the said convict system the said road trustees of Magnolia Township are hereby authorized to use the county jail of Duplin County for the safe keeping of the said prisoners; to build and establish convict camps, and to provide for the transportation of the said convicts to and from the place of keeping to their work, and to provide for the maintenance of the said convicts, under the rules and regulations laid down for the use of convicts on the public roads as promulgated by the State Highway Commission.

Safe keeping and maintenance.

SEC. 13. That prisoners working said roads, in default of the payment of fines and costs, shall be allowed a sum for each day, to be fixed by the said road trustees as just, to be credited on the amount of fine and costs adjudged against them. If any prisoner shall escape, he shall be guilty of a misdemeanor.

Allowance credited in fines and costs.

Escape a misdemeanor.

SEC. 14. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 15. That this act shall be in force from and after its ratification.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 630.

AN ACT TO PROTECT THE DURHAM BALL PARK AND PUBLIC MORALS.

The General Assembly of North Carolina do enact:

SECTION 1. Whoever shall curse and swear in a loud and boisterous manner, or engage in the use of vulgar or indecent language, or be intoxicated, or shall bet or wage any money on any baseball game or football game while at or on the premises owned or used by the Durham Baseball Club at its park in the village of East Durham, North Carolina, or within one hundred yards of said park, shall be guilty of a misdemeanor and fined not exceeding ten dollars or imprisoned not exceeding thirty days.

Acts declared misdemeanors.

Punishment.

SEC. 2. Any owner, renter, lessee, or tenant, or agent of the same, or person having charge, control, or keeping of any room or rooms, building or premises, knowingly suffering, allowing, or permitting any such room or rooms, building or premises to be used for the purpose of lewdness, assignation, or prostitution, gambling, or the illegal sale of intoxicating liquor, or the keeping of intoxicating liquor for sale, shall be guilty of a misdemeanor.

Allowing use of premises for immoral purposes a misdemeanor.

SEC. 3. It shall be unlawful for any person or persons to entice, persuade, solicit, procure, or in any other way influence any male

Procurement of illicit sexual intercourse misdemeanor.

person to meet, cohabit, or associate with any lewd woman or women for the purpose of illicit sexual intercourse, and any person violating the provisions of this section shall be guilty of a misdemeanor.

Permitting women to occupy premises.

SEC. 4. Whoever being the keeper of a house of prostitution, assignation house, building, room, or premises in this State where prostitution, fornication, or concubinage is allowed or practiced, shall suffer or permit any unmarried female under the age of eighteen years to live, board, stop, or room in such house, room, building, or premises shall be guilty of a misdemeanor, and any one enticing, persuading, causing, procuring, or influencing any female person under the age of eighteen years to enter any house of prostitution, assignation house, building, room, or premises in this State where prostitution, assignation, fornication, or concubinage is allowed or practiced, shall likewise be guilty of a misdemeanor; and any one having the care, superintendency, or government of such house of prostitution, assignation house, or the superintendency or government thereof, is the keeper thereof, and any one who employs another to manage and conduct such house is also the keeper thereof.

Enticing women to enter houses.

Misdemeanor.
Keeper of house.

Misdemeanor.
Punishment.

SEC. 5. Any person, firm, or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and fined or imprisoned, in the discretion of the court, unless otherwise hereinafter provided.

Repealing clause.

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

Application of act.

SEC. 7. This act shall apply only to the county of Durham, North Carolina, and shall be in force from and after its ratification.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 631.

AN ACT TO AMEND CHAPTER 463 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATING TO THE PUBLIC ROADS OF DURHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section seven of chapter four hundred and sixty-three of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby amended by inserting after the period in the last line of said section the following: "That if any railway company operating its line over any of the public roads of Durham County shall fail to keep its roadbed in good repair where it crosses said public road it shall be the duty of the super-

Railroad crossings.

Notice for repairs.

intendent of roads to notify said railway company of the condition of its said roadbed where it crosses said public road, and if said railway company fails to repair the same and put its said roadbed in good repair where it crosses said public road within thirty days from the receipt of said notice it shall be guilty of a misdemeanor, and each day said railway company permits said crossing to remain out of repair after receiving said notice shall constitute a separate and distinct offense.”

Misdemeanor.

Separate offenses.

SEC. 2. That section eight of chapter four hundred and sixty-three of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby amended by inserting after the word “feet” in line two of said section the following: “but neighborhood or branch roads in Durham Township as defined in section six of this act may have a right of way of forty-five feet, and said board of commissioners may and they are hereby empowered to provide walkways along thoroughfares, neighborhood, or branch roads to be of such width and of such material as they may in their judgment deem wise.”

Neighborhood or branch roads.

Walkways.

SEC. 3. That chapter four hundred and sixty-three of the Public-Local Laws of one thousand nine hundred and thirteen, section six, subsection “b,” be amended by adding after the word “thoroughfares,” the last word in line four (4), these words, “or are connecting roads between other roads.”

Connecting roads.

SEC. 4. Amend chapter four hundred and sixty-three of Public-Local Laws of one thousand nine hundred and thirteen, section eleven (11), by adding before the word “that,” in line one, these words, “that county board of commissioners, or.”

County commissioners.

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

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 632.

AN ACT TO AMEND THE FEE BILL OF THE OFFICERS OF WILSON COUNTY AND ITS SEVERAL TOWNSHIPS.

The General Assembly of North Carolina do enact:

SECTION 1. That in all cases where defendants are convicted and sentenced to the public roads, other public works, or the State Prison, that full fees shall be paid all officials for the execution of their duties connected with such cases.

Fees of officers.

SEC. 2. This act shall apply only to Wilson County and its several townships and shall be in force from its passage.

Application of act.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 633.

AN ACT TO AUTHORIZE EX-SHERIFF HIGGINS OF YANCEY COUNTY TO COLLECT ARREARS OF TAXES FOR THE YEAR 1913.

The General Assembly of North Carolina do enact:

SECTION 1. That Carter Higgins, ex-sheriff of Yancey County, North Carolina, be and he is hereby authorized to collect arrears of taxes for the year nineteen hundred and thirteen.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 634.

AN ACT TO ESTABLISH RECORDERS' COURTS IN ROBESON COUNTY AND TO PRESCRIBE THE JURISDICTION THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. Special courts to be designated "Recorder's Court of Lumberton District, Robeson County," "Recorder's Court of Fairmont District, Robeson County," "Recorder's Court of Rowland District, Robeson County," "Recorder's Court of Maxton District, Robeson County," "Recorder's Court of Red Springs District, Robeson County," "Recorder's Court of St. Pauls District, Robeson County," are hereby created.

SUBSEC. (a). Lumberton District shall be composed of Lumberton, Britts, Back Swamp, Raft Swamp, Saddle Tree, Howellville, and Wisharts townships. Fairmont District shall be composed of Fairmont, Orrum, Sterlings, and White House townships. Rowland District shall be composed of Rowland, Gaddy, and Thompsons townships. Maxton District shall be composed of Maxton, Alfordsville, Smiths, and Pembroke townships. Red Springs District shall be composed of Red Springs, Lumber Bridge, Burnt Swamp, and Shannon townships. St. Pauls District shall be composed of St. Pauls, Rennert, and Parkton townships.

SUBSEC. (b). At the next primary of Robeson County, and every two years thereafter, tickets shall be printed containing the names of candidates for each of the districts mentioned in subsection (a) hereof and placed at the polls in each township in the respective districts, where separate ballot boxes shall be provided to receive ballots for the recorder of the district within which the township

Collection authorized.

Courts created.
Official entitlements.

Lumberton district.

Fairmont district.

Rowland district.

Maxton district.

Red Springs district.

St. Pauls district.

Primary elections.

Separate boxes.

is located, and the same rules for primary which apply for the nominating of county officers shall apply as to the nomination of recorders, and the same officers of the primary for nominating candidates for county officers shall act as officers of the primary for nominating a recorder. Every voter who is qualified to vote in the county primary for the nominating of county officers shall be qualified to vote for the nomination of recorder in this primary, and the candidate receiving the majority of the votes cast for recorder in his district in this primary shall be declared the candidate for election, and at the next election of county officers and every two years thereafter the names of the persons legally nominated at the preceding primary shall be printed on separate ballots, and separate ballot boxes shall be provided in every township in the districts mentioned in subsection (a) of this act, and every voter who is qualified to vote in the election for county officers shall be entitled to vote for the election of a recorder for his district. The candidate receiving a majority of the votes cast in his district shall be declared elected recorder of said district, and the judges of election for county officers shall be judges of election of the recorder, and shall declare the election of the recorder for each district at the meeting of the judges of election for other county officers.

SUBSEC. (c). The regular term of the recorders herein provided for shall begin on the first Monday in December, one thousand nine hundred and sixteen, and until that time E. M. Britt shall be and is hereby appointed as recorder for the Lumberton District; A. E. Floyd shall be and is hereby appointed as recorder for the Fairmont District; A. T. McKeller shall be and is hereby appointed as recorder for the Rowland District; J. E. Carpenter shall be and is hereby appointed as recorder for the Maxton District; J. N. Buie shall be and is hereby appointed recorder for the Red Springs District; J. S. Butler shall be and is hereby appointed as recorder for the St. Pauls District.

SUBSEC. (d). For the Lumberton District there shall be a prosecuting attorney, whose duty it shall be to see that warrants, subpoenas, and other process are issued properly, and for the proper apprehension and trial of the violators of the law in said Lumberton District, and to represent the State of North Carolina in the trial of all criminal actions brought before said court and to faithfully and diligently prosecute the same. He shall be elected at the same time, for the same term, and in the same manner as the recorder of Lumberton District is elected; and until the first Monday in December, one thousand nine hundred and sixteen, R. A. McLean, esquire, shall be prosecuting attorney for Lumberton District. Before entering upon the discharge of the duties of his office he shall take and subscribe the oath now prescribed for solicitors, said oath to be taken before the clerk of the Superior Court

Rules and officers.

Voters.

Nominees.

Ballots at election.

Separate boxes.

Voters.

Candidate declared elected.

Judges of election.

Regular term.

Appointments ad interim.

Prosecuting attorney for Lumberton district. Duties.

Election.

Appointment ad interim.

Oath of office

- Fees. of Robeson County and recorded in the office of said clerk. Said prosecuting attorney shall receive a fee of two dollars for each person convicted of any offense, said fee to be taxed in the bill of costs: *Provided, however*, if the costs are not paid by the defendant the county shall only be liable for one-half the above fees.
- Proviso: liability of county. That the board of commissioners of Robeson County are hereby authorized and empowered, if in their discretion they think wise to do so, to appoint a prosecuting attorney for all or any one of the other districts mentioned in this act, and if a prosecuting attorney is appointed for any of said districts he shall receive the same fees and subscribe the same oath and perform the same duties as prescribed for the prosecuting attorney for the Lumberton District.
- Appointments for other districts. The office of prosecuting attorney for Maxton District is hereby established and the same rules and regulations as to the election, salary, and duties of the prosecuting attorney for Lumberton District, as herein provided, shall apply to the office of prosecuting attorney for Maxton District. That J. P. Wiggins be and he is hereby appointed prosecuting attorney for the said Maxton District, to serve until his successor is elected and qualified.
- Maxton district.
- Appointee. SEC. 2. Each court shall be a court of record and shall be presided over by a recorder, who shall be a qualified elector of the township from which he is elected.
- Court of record. Recorder.
- Recorders to qualify. SEC. 3. The recorders herein provided for and the recorders hereinafter elected, before entering upon the discharge of their duties, shall take and subscribe the oath subscribed by the judges of the Superior Court, before the clerk of the Superior Court of Robeson County, which said oath shall be recorded by said clerk in his office. The salary of the recorder for the Lumberton District shall be seventy-five dollars per month; the salary of the recorder for Maxton District shall be sixty-five dollars per month; the salary of the recorder for Rowland District shall be fifty dollars per month; the salary of the recorder for Red Springs District shall be fifty dollars per month; the salary of the recorder for Fairmont District shall be thirty-five dollars per month; the salary of the recorder for St. Pauls District shall be thirty-five dollars per month; said salaries shall be paid upon the warrants drawn monthly by the board of county commissioners of Robeson County. All fees as heretofore collected by the recorders shall be turned in monthly to the treasurer of Robeson County and shall be credited to the recorders' salary account.
- Salaries.
- Fees to use of county. SEC. 4. Each court herein provided for shall have a seal, bearing the name of the court, which seal shall be used in attestation of writs, warrants, or other proceedings, acts, or judgments of said courts, as required, and in the same manner and to the same effect as the seal of other courts of record in the State of North Carolina.
- Seals.
- Sessions. SEC. 5. Each court shall hold daily sessions, Sundays and legal holidays excepted, at some convenient place in the township in

which the courts are established. The first session of each of the said courts shall be on the first Monday of the following week after the ratification of this act. First sessions.

SEC. 6. The jurisdiction of said courts shall be as follows, to-wit: Jurisdiction.

(a) Said courts shall have final, exclusive, original jurisdiction of the violations of all town ordinances committed within the limits of the city or town where the several courts are located or held. Violations of ordinances.

(b) Said courts shall have final, concurrent, original jurisdiction of all criminal offenses committed in Robeson County which are now or may hereafter be within the jurisdiction of the justices of the peace. As of justices of the peace.

(c) Said court, in addition to the jurisdiction conferred in subsections (a) and (b) of this section, shall have final, concurrent, original jurisdiction with the Superior Court, as hereinafter provided, for the following criminal offenses, to-wit: carrying concealed weapons, gaming, gambling, keeping gambling places, tables, and houses; keeping bawdy and disorderly houses; the larceny of and receiving stolen goods, knowing them to be stolen, when the property stolen does not exceed twenty dollars in value; for failure to list taxes; assault and battery with a deadly weapon, or where serious damage is done; fornication and adultery, abandonment, failure to provide adequate support, cruelty to animals, malicious injury to real or personal property, trespassing on lands after being forbidden, forcible trespass, enticing servants to leave masters, indecent exposure of person, retailing spirituous liquors without license, selling or giving away spirituous liquors to minors, selling or giving away cigarettes to minors, obtaining advances by false pretense, disposing of mortgaged property, maintaining nuisances, all crimes against public health as contained in the Revisal of one thousand nine hundred and five from section three thousand four hundred and forty to three thousand four hundred and fifty-eight, inclusive, and not within the jurisdiction of justices of the peace, or misdemeanors contained in chapter eighty-one of the Revisal of one thousand nine hundred and five, or any act amendatory thereof, where the punishment does not exceed a fine of two hundred dollars and imprisonment for one year, and which are not within the jurisdiction of justices of the peace, and all crimes which at common law are misdemeanors, wherein the punishment is within the discretion of the court, and all such crimes hereinbefore enumerated are hereby declared by this act to be petty misdemeanors, and punishment thereof shall be as now prescribed by law. Of enumerated offenses.
Petty misdemeanors.

(d) In any other criminal matter wherein said court has not final jurisdiction it shall have power, and it is hereby fully authorized, to hear and bind over to the proper court all persons charged Jurisdiction as committing magistrate.

Proviso: pending cases.

with any crime committed within the county of Robeson, and to render such judgment in such matters as now provided by law for justices of the peace: *Provided*, prosecution has been commenced prior to the ratification of this act, the court in which said prosecution has been instituted shall have jurisdiction thereof; and any and all such cases heard by the recorders' courts established by this act as committing magistrates against any person or persons for any offense whereof said court herein established has not final jurisdiction, in which probable cause of guilt is found, such person or persons so charged shall be bound in bond or recognizance, with sufficient surety, if the crime be bailable under the law, to appear at the next term of the Superior Court of Robeson County for the trial of criminal offenses, and in default of such bond or recognizance such person or persons shall be committed to the common jail of Robeson County, to await trial as aforesaid; if the crime be not bailable, then to commit the defendant so charged to the common jail of Robeson County to await the action of the Superior Court thereof.

Bond for appearance.

Commitment in default of bail.

Sentences to roads.

(e) Said recorders shall have all the power, jurisdiction, and authority now conferred by law upon justices of the peace or the Superior Court of Robeson County to sentence any person convicted in said court, of a misdemeanor, for which the punishment prescribed by law is imprisonment, to be worked on the public roads of said county or any township of said county, as now provided by law; and the recorders of said courts shall issue commitments therefor in the same manner as now provided by law for clerks of the Superior Court.

Commitments.

Issuance of warrants.

(f) Warrants may be issued by the recorders of said courts or by any justice of the peace of Robeson County, made returnable to said courts, for any person or persons charged with the commission of any offense of which the said courts have jurisdiction; and any person convicted in said courts shall have the right to appeal as is now provided for appeals from the courts of justices of the peace, to the Superior Court of Robeson County, and upon appeal the trial shall be *de novo* in the Superior Court.

Right of appeal.

Actions for penalties.

(g) Said courts shall have jurisdiction to try all actions for the recovery of any penalty imposed by law, in this act, or any ordinance of a city or town wherein the court is held, for any act done within Robeson County to the law or said ordinance, and said penalty shall be recovered in the name of the State, if not inside of the corporate limits of the city or town wherein the court is held, and, if inside of said limits, in the name of any such city or town.

Offenses heretofore committed.

(h) Said courts shall have jurisdiction of any and all criminal offenses as hereinbefore in this section enumerated which have been committed before the ratification of this act and of which no court has taken jurisdiction.

(i) Said court shall have final, concurrent, and original jurisdiction in all civil matters arising in said county of Robeson which are now or may hereafter be given to justices of the peace. Civil jurisdiction.

SEC. 7. When upon affidavit of the defendant, made before entering upon the trial of any cause before any justice of the peace of Robeson County, it shall appear proper for said case to be removed for trial to some other justice, as is now provided by law, said case may be moved for trial to the nearest recorder's court of Robeson County, at the instance of the defendant. Cases removed from justices.

SEC. 8. That either plaintiff or defendant in actions in said court may demand and have a jury, as provided in courts of justices of the peace; and the county commissioners shall provide a jury box for each recorder's court, and the jurors shall receive the same compensation as now provided in courts of justices of the peace. Jury trials.
Jury boxes.
Pay of jurors.

SEC. 9. All civil actions shall be commenced in said courts by summons issued by the recorder or justices of the peace in such cases as they would have jurisdiction, made returnable to said court: *Provided*, either plaintiff or defendant may appeal to the Superior Court from any judgment rendered by the recorder in the same manner as is provided by law for appeals from courts of justices of the peace. Summons in civil action.
Proviso: right of appeal.

SEC. 10. The costs of serving warrants, subpoenas, summons, and other process issued by any of said recorders' courts shall be the same as now fixed by law, and shall be paid to the officer performing such services. The fees for issuing the warrants, subpoenas, summons, and for other process or writs, and for making up the bill of costs, shall be the same as now fixed by law for justices of the peace and clerks of the Superior Courts in similar cases; and every defendant who pleads guilty or is adjudged guilty in said court shall be fined and taxed with the costs of the prosecution, as now prescribed by law, and all such costs except that due the sheriff, constable, police officers, or special deputized officers shall be paid on Monday of each week by the recorders of said courts to the treasurer of Robeson County, who shall keep a separate account thereof and report to the board of commissioners of Robeson County, on the first Monday of each month, the amount paid him by each recorder; and each recorder shall file with the said board of commissioners, on the first Monday of each month, an itemized statement of all fines and costs collected by him and paid to the treasurer of the county of Robeson for the month preceding. Costs for serving process.
Fees for issuing warrants.
Cost taxed on conviction.
Costs to use of county.
Separate accounts.
Statements filed by recorders.

SEC. 11. That warrants, subpoenas, summons, and other process issued by said courts shall be issued to the sheriff or other lawful officer of Robeson County, or to the sheriff or other lawful officer of the county where said process is to be served, and service thereof shall be lawfully made when made by the sheriff of said Issue and service of process.

county, any constable of said county, or any police officer of any city or town wherein the court is held, or by any rural policeman hereafter elected or now serving in Robeson County, or, in the absence of such officer, by any person specially deputized by the recorder in writing to make service; and said warrants, subpoenas, summons, and other process of said courts, when attested by the seal of any of said courts, shall run anywhere in the State of North Carolina, and shall be executed by all officers according to law: *Provided*, that when such courts are exercising the civil jurisdiction of a justice of the peace, process shall issue and run therefrom as is provided by law for courts of justices of the peace and subject to the same limitations.

Proviso: civil process.

Warrants issued by mayors.

SEC. 12. The mayors of Lumberton, Fairmont, Rowland, Maxton, Red Springs, and St. Pauls shall issue warrants directed to any policeman of their respective towns, or other lawful officers, in the same manner and for the same offenses that they are now authorized by law to issue same. Said warrants shall be returnable before the recorder of the township or district in which said towns are located.

Warrants returnable before recorder.

Venue.

SEC. 13. That the same rules and practices as to venue of causes of action cognizable in said recorders' courts, civil or criminal, shall apply as is now provided by law for the Superior Court.

Challenge of jurors.

SEC. 14. The same rules for challenge for jurors shall apply to the recorders' courts as apply under the present law in the courts of the justices of the peace.

Presentments by grand jury.

SEC. 15. The grand jury drawn and selected for the Superior Court of Robeson County shall make presentments of all matters it was their duty to present under the general law prior to the creation of the recorders' courts of Robeson County, and it shall be the duty of the clerk of the Superior Court, as soon as practicable thereafter, to issue a warrant upon all such presentments which fall within the jurisdiction of the said recorders' courts, without any information or evidence to support said warrant other than the presentment of the said grand jury, and should any of the said recorders' courts fail to take cognizance of any act upon any crime within its exclusive or concurrent original jurisdiction, within six months of the commission thereof all such offenses shall be cognizable in the Superior Court, and the Superior Court shall thereafter have concurrent jurisdiction thereof with the said recorders' courts.

Warrants on presentments.

Offenses cognizable in superior court.

County tax.

SEC. 16. That there shall be taxed as costs in all causes in said recorders' courts a county tax which shall correspond with and be the same and collected under the same rules as the jury tax or costs are collected in the Superior Court, and that the said costs thus taxed shall be paid to the county as said jury costs are paid in the Superior Court and applied to the salaries of said recorders.

Payment and application.

Temporary recorder.

SEC. 17. When the recorder of either of the districts provided for in this act is unable to preside over the court on account of

sickness, absence, or other cause, said recorder shall appoint some other person, who shall possess the same qualifications as provided herein for the recorder, to act as substitute recorder, and the person so appointed shall have all the powers and duties of the recorder of such district. The compensation for the said substitute recorder shall be paid by the recorder. Any vacancy occurring in the office of the recorder of either of the districts or the office of prosecuting attorney for the Lumberton District or either of the other districts, if a prosecuting attorney is appointed by the board of commissioners of Robeson County for either of the other districts, shall be filled by the board of commissioners of Robeson County.

SEC. 18. Whenever any person is convicted of any offense of which said courts have jurisdiction, and the punishment imposed is a fine or imprisonment, or imprisonment and costs, the recorder shall sentence the prisoner to work upon the public roads of Robeson County until such sentence has been complied with, and the recorder shall issue commitment of the defendant in accordance with the judgment of said court. In all cases where there is a conviction and the defendant sentenced to the roads, the recorder shall certify to the board of commissioners at their regular monthly meeting the amount of costs taxed against the county, to whom due, and for what purpose, and the same, including the fees of the prosecuting attorney, shall be included in the whole and half fees as now provided by law for the Superior Court, and paid in the same manner: *Provided*, that the witness fees in all actions tried in the recorders' courts shall be the same as witness fees in the court of justices of the peace.

SEC. 19. It shall be the duty of the recorders of said courts to keep an accurate account and true record of all costs, fines, penalties, and forfeitures and punishment by said courts imposed by the provisions of this act, and said recorder shall show the name and residence of such offender, the nature of the offense, the date of hearing the trial, and punishment imposed, which record at all times shall be open to and subject to inspection of the board of commissioners of Robeson County and other persons having business relating to said courts. Each recorder shall provide a permanent docket for recording all the proceedings and processes issued by this court, which shall conform to the docket kept by the clerk of the Superior Court. He shall also provide proper files to properly keep records of all cases disposed of in his court and what disposition has been made of them.

SEC. 20. That the recorders of said courts shall not by virtue of their office as recorder be prevented from practicing law in matters in which they are in no way connected by reason of said office, or in other courts of the State in matters which have not been or will not be heard by him as recorder of said court.

Compensation.
Vacancy.

Road work for
fines and costs.

Commitments.

Certificate of costs
to county.

Payment.

Proviso: witness
fees.

Records kept by
court.

Record open to
inspection.

Permanent docket.

Files.

Recorders may
practice law.

Probate powers.

SEC. 21. The recorders herein provided for shall have power to administer oaths, to take acknowledgment to deeds, mortgages, and all other instruments which notaries public are now authorized to take acknowledgments for, and all such acknowledgments so taken, when directed outside of the county of Robeson, shall be attested by his seal, and all fees collected by reason of this authority herein conferred shall be accounted for and turned over to the county treasurer in the same manner as other costs.

Fees accounted for.

Payment of salaries.

SEC. 22. That salaries herein provided for shall be paid by the county treasurer to the recorders, upon warrants issued by the board of county commissioners.

Law repealed.

SEC. 23. That chapter seven hundred and ten of the Public-Local Laws of North Carolina, session of one thousand nine hundred and thirteen, be and the same is hereby repealed: *Provided*, the repealing of said chapter shall not have the effect of rendering invalid the acts of any of the recorders therein provided for.

Proviso: acts not invalidated.

SEC. 24. That this act shall be in full force and effect from and after its ratification.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 635.

AN ACT REQUIRING THE BOARD OF COMMISSIONERS OF HAYWOOD COUNTY TO HAVE THE ACCOUNTS OF CERTAIN OFFICES PROPERLY AUDITED.

The General Assembly of North Carolina do enact:

Appointment of accountant.

SECTION 1. That it shall be the duty of the board of commissioners of Haywood County to appoint a competent accountant whose duty it shall be to properly audit the books and accounts of the clerk of the Superior Court, sheriff, and treasurer, and make a full report under oath of his findings to the chairman of the board of commissioners on or before the first day of September of each year, and he shall receive for his services the sum of not more than five dollars per day and traveling expenses for the time actually spent in making and reporting said inspection.

Books and accounts to be audited.
Report of findings.

Per diem.

SEC. 2. That it shall be the duty of the chairman of the board of commissioners to publish in some newspaper published in said county the full report as made by said accountant within ten days after said report is filed by said accountant.

Publication of report.

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.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 636.

AN ACT TO CREATE A RECORDER'S COURT FOR THE CITY OF KINSTON, LENOIR COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That a recorder's court is hereby established and created to be known as "The Recorder's Court for the City of Kinston."

Court established.
Official entitlement.

SEC. 2. The said court shall have jurisdiction as herein set forth in the territory now comprised and included in the boundaries of the city of Kinston, and in addition thereto shall have the same jurisdiction in all the territory within a radius of one and one-half miles without the corporate limits of the city of Kinston.

Territory subject to jurisdiction.

SEC. 3. The said court shall be a court of record and shall be presided over by an elector of the said city of Kinston, who shall be a man of good moral character and who shall be known as "The Recorder of the City of Kinston."

Court of record.
Recorder.

SEC. 4. The said recorder shall be elected by the qualified voters of the city of Kinston at the municipal election in said city to be held on Tuesday after the first Monday in May, one thousand nine hundred and fifteen, and shall be elected under the same rules and regulations as the mayor of the city of Kinston.

Election.

SEC. 5. The said recorder shall immediately after his election take and subscribe the same oath as is now required of judges of the Superior Court, and shall forthwith be inducted into office, and shall thereafter perform the duties herein prescribed. The said recorder shall thereafter at each municipal election of the city of Kinston be elected as is the mayor of said city.

Oath of office.

Subsequent elections.

SEC. 6. The said recorder shall receive as full compensation for his services an annual salary of one thousand dollars, to be paid in equal monthly installments by the treasurer of the city of Kinston upon warrant to be issued as in the case of the salary of the mayor of said city. The same fees as are now allowed to the mayor of said city of Kinston shall be collected by the recorder's court for the city of Kinston as are fees now collected by the mayor's court of said city, all of which fees shall be paid into the treasury of the city of Kinston and shall belong to the said city. Such service fees as may be paid for the service of any writs issuing from said court which may be served by any officer of Lenoir County shall be paid into the treasury of Lenoir County as in case of service fees now collected by the sheriff of said county, and shall be the property of said county of Lenoir accordingly.

Salary.

Fees to use of city.

Fees to use of county.

SEC. 7. The said recorder shall open court every morning, Sunday and legal holidays excepted, at ten o'clock, and shall con-

Sessions of court.

tinue the session of said court until the business coming before it shall be finished, reasonable adjournments to be had as in cases of the Superior Court.

Substitute recorder. SEC. 8. At the first regular meeting of the city council of the city of Kinston after the election in said city on Tuesday after the first Monday in May, one thousand nine hundred and fifteen, the said city council shall appoint a substitute recorder for the recorder's court for the city of Kinston, who shall in the absence of the recorder for any reason perform the duties of the recorder.

Oath of office. Powers and authority. Term of substitute. He shall take the same oath as is prescribed for the recorder and shall be vested thereafter with the same powers and authority as shall be exercised by the recorder. Said substitute recorder shall be elected for one year from Tuesday after the first Monday in May, one thousand nine hundred and fifteen, that is, until Tuesday after the first Monday in May, one thousand nine hundred and sixteen.

Pay. He shall be paid for his services by the recorder upon the basis of eighty-three and thirty-three one-hundredths dollars per month for such time as he may serve.

Jurisdiction. SEC. 9. The jurisdiction of the said court shall be limited to criminal matters, and shall be as follows:

As of mayor. (a) Said court shall have final, exclusive, original jurisdiction of all violations of the ordinances of the city of Kinston committed within the limits of said city, and of all criminal actions, matters, and proceedings cognizable before the mayor of said city of Kinston.

Extent of territory. (b) Said court shall have final original jurisdiction of all criminal offenses committed without the corporate limits of the city of Kinston and within a radius of one and one-half miles of the said corporate limits.

Jurisdiction of enumerated offenses. (c) Said court, in addition to the offenses above mentioned in subsections (a) and (b), shall have final original jurisdiction of the following named crimes committed within the corporate limits of the city of Kinston and within that territory outside said corporate limits lying within a radius of one and one-half miles of said corporate limits, to-wit: carrying concealed weapons, gaming, keeping bawdy houses, fornication and adultery, assault upon females and indecent exposure of person, gambling, keeping gambling houses; larceny, or receiving stolen goods knowing them to be stolen, wherein the value of the articles stolen does not exceed the sum of twenty dollars; failure to list taxes, assault and battery with deadly weapon or when serious damage is done, abandonment, cruelty to animals, malicious injury to real or personal property, trespass upon land after having been forbidden, forcible trespass, enticing servants to leave masters, selling or manufacturing of spirituous liquors, selling or giving away spirituous liquors to minors and all other violations of the liquor laws, selling or giving away cigarettes to a minor, obtaining advances by

false pretense, disposing of mortgaged property, all crimes against health as contained in the Revisal of one thousand nine hundred and five of North Carolina from section three thousand four hundred and forty to section three thousand four hundred and fifty-eight inclusive, all misdemeanors as contained in chapter eighty-one of the Revisal of one thousand nine hundred and five of North Carolina and acts amendatory thereto, where the punishment does not exceed a fine of two hundred dollars or imprisonment for two years, or both; and all offenses enumerated above are hereby declared to be petty misdemeanors, and final, exclusive, original jurisdiction hereof is hereby given to the recorder's court for the city of Kinston.

Petty misdemeanors.

(d) In all criminal matters wherein said court has not final jurisdiction as hereinbefore granted and conferred it shall have power and it is hereby fully authorized to hear and bind over to the Superior Court of Lenoir County all persons charged with any crime committed within the corporate limits of the city of Kinston or committed without the corporate limits of said city and within a radius of one and one-half miles thereof, whereof the preliminary investigation is now conferred on justices of the peace, and to render judgment in such matters as is provided by law when heard by justices of the peace. Said court to have concurrent jurisdiction with the courts of justices of the peace in all criminal offenses committed within the corporate limits of the city of Kinston or without the corporate limits of said city and within a radius of one and one-half miles thereof, and shall have all the jurisdiction, power, and authority as is conferred upon justices of the peace by the Constitution and existing laws of North Carolina. Said court may sentence those convicted to work upon the streets of the city of Kinston, and may also sentence them to work upon the county roads of Lenoir County.

Jurisdiction of preliminary inquiries.

Jurisdiction as of justice of the peace.

Sentences.

Sec. 10. Said court shall have a seal with the impression "The Recorder's Court for the City of Kinston, N. C.," which seal shall be used in the attestation of all writs, warrants, acts, judgments, decrees, or other proceedings of said court in the same manner and to the same effect as the seals of other courts in North Carolina.

Seal of court.

Sec. 11. The said recorder shall provide and keep a permanent docket and record of all papers, proceedings, and processes, which shall be at all times open to the inspection of any person interested.

Permanent docket.

Sec. 12. The said recorder shall at least one time in each month prepare and transmit to the clerk of the Superior Court of Lenoir County a true record of all his official acts except those relating to violations of city ordinances, and all fines collected shall be paid into the treasury of Lenoir County on or before the second Tuesday in each month.

Monthly reports.

Settlement of fines.

- Jury trials. SEC. 13. That in all trials before the said court upon the demand for a jury the said recorder shall draw the same as is now provided in actions before a justice of the peace, and with the same right and challenges as now exist: *Provided*, that by consent of the defendant or his counsel the jury may be summoned from the bystanders.
- Proviso: jury summoned from bystanders.
- Vacancies. SEC. 14. That in case of a vacancy in the office of recorder or that of substitute recorder for any cause, it shall be the duty of the city council of the city of Kinston to appoint a recorder or a substitute recorder, as the case may be, for the balance of the unexpired term.
- Clauses of law repealed. SEC. 15. That the charter of the city of Kinston and all existing laws constituting the mayor of said city an inferior court or vesting him with authority to try any cases are hereby repealed, and the judicial functions heretofore exercised by the mayor of the city of Kinston are hereby repealed: *Provided*, that until the said recorder shall be elected and shall enter upon the duties of his office in the manner herein prescribed, that the mayor is authorized to act as a judicial officer as under the law he is now authorized to act. The mayor of the city of Kinston, after Tuesday after the first Monday in May, one thousand nine hundred and fifteen, shall be paid an annual salary of one thousand dollars, to be paid as his salary is now paid.
- Proviso: mayor to act until election.
- Salary of mayor. SEC. 16. That all books, documents, and papers necessary and proper to be used by the said court shall be furnished by the city of Kinston.
- Supplies.
- Solicitor. SEC. 17. That the solicitor of the Sixth Judicial District of North Carolina shall be solicitor *ex officio* of the recorder's court for the city of Kinston until and including the thirty-first day of December, one thousand nine hundred and eighteen, and shall have power and is hereby authorized to appoint an assistant solicitor, who shall perform the duties of the solicitor in his absence: *Provided*, that should a vacancy occur in the office of solicitor during said term by death, resignation, or otherwise, that of his assistant shall also expire, and then and in that event the city council of the city of Kinston shall appoint a prosecuting officer for the recorder's court for the city of Kinston, and shall fix his compensation by salary, who shall hold office until the next municipal election for the city of Kinston, after which he shall be named by the incoming city council at each municipal election for said city and his compensation fixed by salary.
- Assistant solicitor.
- Proviso: appointment by city.
- Solicitor's fee. SEC. 18. There shall be a solicitor's fee taxed of four dollars in every criminal action wherein a defendant is convicted of which said court has exclusive original jurisdiction, except for violation of town ordinances, and a solicitor's fee of two dollars in every criminal case wherein the defendant is convicted of which said court has concurrent jurisdiction with justices of the peace and

in violation of town ordinances: *Provided*, the said solicitor's fee of two dollars shall be collected and paid in those cases above mentioned only when the said cases are contested and in which the solicitor or his assistant shall appear and prosecute, and the solicitor or his assistant shall appear and prosecute in said cases only when requested to do so by the recorder of said court.

Proviso: fees in contested cases.

Request for prosecution.

SEC. 19. The police of the city of Kinston shall have jurisdiction over and be and are hereby authorized to act in that territory lying without the corporate limits of the city of Kinston over which the recorder of the city of Kinston is by this act given jurisdiction in the same manner and to the same extent as the said police are authorized to act within the territory within the corporate limits of the city of Kinston.

Territory subject to police jurisdiction.

SEC. 20. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 21. That this act shall be in force from and after its ratification.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 637.

AN ACT TO CONFER UPON THE CLERK OF THE SUPERIOR COURT OF BLADEN COUNTY ADDITIONAL JURISDICTION, AND EXPEDITE THE TRIAL OF PETTY MISDEMEANORS.

The General Assembly of North Carolina do enact:

SECTION 1. In addition to the jurisdiction now enjoyed and exercised by the clerk of the Superior Court of Bladen County, other and further jurisdiction shall be and is hereby conferred upon the said clerk as follows, to wit:

Additional jurisdiction.

(a) Said court shall have final, concurrent, original jurisdiction of all violations of town ordinances committed within the limits of the city or town where the said court is held.

As of mayors.

(b) Said court shall have final, concurrent, original jurisdiction of all criminal offenses committed in Bladen County which are now or may hereafter be within the jurisdiction of the justices of the peace.

As of justices of the peace.

(c) Said court, in addition to the jurisdiction conferred in subsections (a) and (b) of this section, shall have final, concurrent, original jurisdiction with the Superior Court as hereinafter provided, for the following criminal offenses, to wit: carrying concealed weapons, gaming, gambling, keeping gambling places, tables, and houses; keeping bawdy and disorderly houses; the larceny of and receiving stolen goods, knowing them to be stolen, when the

Of enumerated offenses.

property stolen does not exceed twenty dollars in value; for failure to list taxes, assault and battery with a deadly weapon or where serious damage is done, fornication and adultery, abandonment, failure to provide adequate support, cruelty to animals, malicious injury to real or personal property, trespassing on lands after forbidden, forcible trespass, enticing servants to leave masters, indecent exposure of person, retailing spirituous liquors without license, selling or giving away spirituous liquors to minors, selling or giving away cigarettes, obtaining advances by false pretense, disposing of mortgaged property, maintaining nuisances, all crimes against public health as contained in the Revisal of one thousand nine hundred and five from section three thousand four hundred and forty to three thousand four hundred and fifty-eight, inclusive, and not within the jurisdiction of the justice of the peace, or misdemeanors as contained in chapter eighty-one of the Revisal of one thousand nine hundred and five, or any acts amendatory thereof, where the punishment does not exceed a fine of two hundred dollars and imprisonment for one year, and which are not within the jurisdiction of justices of the peace, and all crimes which at common law are misdemeanors, wherein the punishment is within the discretion of the court; and all such crimes hereinbefore enumerated are hereby declared by this act to be petty misdemeanors, and punishment thereof shall be as now prescribed by law.

Petty misdemeanors.

Jurisdiction in preliminary hearings.

(d) In any other criminal matter wherein said court has not final jurisdiction it shall have power, and it is hereby fully authorized, to hear and bind over to the proper court all persons charged with any crime committed within the county of Bladen, and to render such judgment in such matters as now provided by law for justices of the peace: *Provided*, prosecution has been commenced prior to the ratification of this act, the court in which said prosecution has been instituted shall have jurisdiction thereof; and any and all such cases heard by the clerk of the Superior Court of Bladen County established by this act as committing magistrate against any person or persons for any offense whereof said court herein established has not final jurisdiction, in which probable cause of guilt is found, such person or persons so charged shall be bound in bond or recognizance, with sufficient surety, if the crime be bailable under the law, to appear at the next term of the Superior Court of Bladen County for the trial of criminal offenses; and in default of such bond or recognizance such person or persons shall be committed to the common jail of Bladen County to await trial as aforesaid; if the crime be not bailable, then to commit the defendant so charged to the common jail of Bladen County to await the action of the Superior Court thereof.

Proviso: pending prosecutions.

Bail for appearance.

Commitment in default of bond.

Sentences.

(e) Said clerk of the Superior Court shall have all the power, jurisdiction, and authority now conferred by law upon justices of the peace or the Superior Court of Bladen County to sentence any

person convicted before said clerk of a misdemeanor for which the punishment prescribed by law is imprisonment, to be worked on the public roads of said county or any township of said county, as now provided by law; and the clerk of the Superior Court shall issue commitments therefor in the same manner as now provided by law for clerks of the Superior Courts.

Commitments.

(f) Warrants may be issued by the said clerk of the Superior Court or by any justice of the peace of Bladen County, made returnable to said court for any person or persons charged with commission of any offenses of which the said court has jurisdiction; and any person convicted in said court shall have the right to appeal as is now provided for appeals from the courts of the justices of the peace to the Superior Court of Bladen County at term, and upon such appeals the trial in the Superior Courts shall be *de novo*.

Issue and return of warrants.

Right of appeal.

(g) Said court shall have jurisdiction to try all actions for the recovery of any penalties imposed by law, or this act, or any ordinance of a city wherein the court is held, for any act done within Bladen County contrary to the law or said ordinance, and said penalty shall be recovered in the name of the State, if not inside of the corporate limits of the city wherein the court is held, and if inside of said limits, in the name of any such city.

Actions for recovery of penalties.

(h) Said court shall have jurisdiction of any and all criminal offenses, as hereinbefore in this section enumerated, which have been committed before the ratification of this act, and of which no court has taken jurisdiction.

Offenses heretofore committed.

SEC. 2. That there shall be a prosecuting attorney for Bladen County, whose duty it shall be to see that warrants, subpoenas, and other process are properly issued for the apprehension and trial of violators of the law within said county, and to represent the State of North Carolina in the trial of all criminal actions in the said court and to faithfully and diligently prosecute the same; and the said prosecuting attorney shall also be county attorney or attorney to the board of commissioners and shall also advise the board of supervisors of the various townships in respect to their duties in the enforcement of the road law of Bladen County. The said prosecuting attorney shall be appointed or elected by the board of county commissioners of Bladen County at such time as said board shall desire to put into effect and operation the provisions of this act, and thereafter shall be nominated and elected in the same manner and at the same time as is provided for the nomination and election of county officers, and before entering upon the discharge of his duties as such prosecuting attorney shall qualify by taking and subscribing before the clerk of the Superior Court of Bladen County the oath now prescribed for solicitors, which oath shall be filed in the said office of the clerk; and should any vacancy occur in the office of prosecuting attorney, the same shall be filled by the board of county commissioners.

Prosecuting attorney.

County attorney.

Election.

Oath of office.

Vacancy.

- Costs for serving process. SEC. 3. The cost of serving warrants, subpoenas, summons, and other process issued by said court shall be the same as now fixed by law, and shall be paid to the officer performing such services.
- Fees. The fees for issuing the warrants, subpoenas, summons, and for other process or writ, and for making up the bill of costs, shall be the same as now fixed by law for justices of the peace and clerks of the Superior Courts in similar cases; and every defendant who pleads guilty or is adjudged guilty in said court shall be fined and taxed with the costs of the prosecution, as now prescribed by law, and all such costs and fines collected and recovered in said court, except the costs due to the sheriff, constable, police officers, or special deputized officers, shall be paid on the first Monday of each month by the said court to the commissioners of Bladen County, who shall keep a separate account thereof; and said clerk shall file with the said board of commissioners, on the first Monday of each month, an itemized statement of all fines and costs collected by him for the month preceding. Out of the cost and fees so paid to the treasurer of the county shall be paid the salary of said clerk and the expense of books, stationery, dockets, files, and other such expense of said court.
- Costs taxed on conviction.
- Monthly payments to county.
- Itemized statements.
- Payments from costs and fees.
- Issue and service of process. SEC. 4. The warrants, subpoenas, summons, and other process issued by said court shall be issued to the sheriff or other lawful officer of Bladen County, and service thereof shall be lawfully made when made by the sheriff of the said county, any constable of said county, or any police officer of any city wherein the court is held, or by any rural policeman hereafter elected in Bladen County, or, in the absence of such officer, by any person specially deputized by the said clerk of the Superior Court in writing to make service.
- Venue. SEC. 5. That the same rules and practices as to venue of causes of action cognizable in said court, civil or criminal, shall apply as is now provided by law for the Superior Court.
- Challenge of jurors. SEC. 6. That the same rules of challenge of jurors shall apply to the said court as apply under the present law in the courts of the justices of the peace; and the rules of procedure and practice which are now prescribed by law for the Superior Court and magistrates' courts shall be observed in the said court herein provided for.
- Procedure and practice.
- Presentments by grand jury. SEC. 7. The grand jury drawn and selected for the Superior Court for Bladen County shall make presentments of all matters it was their duty to present under the general law prior to the passage of this act, and it shall be the duty of the clerk of the said court, as soon as practicable thereafter, to issue a warrant upon all such presentments which fall within the jurisdiction herein conferred upon the clerk without any information or evidence to support said warrant other than the presentment of the said grand jury, and should the said clerk of the Superior Court fail to take cognizance of and act upon any crime within his exclusive or con-
- Warrant issued on presentments.
- Offenses cognizable in superior court.

current original jurisdiction within six months of the commission thereof, all such offenses shall be cognizable in the Superior Court, and the Superior Court shall thereafter have concurrent jurisdiction thereof with the said clerk.

SEC. 8. Whenever any person is convicted of any offense of which said court has jurisdiction, and the punishment imposed is a fine or imprisonment, or imprisonment and costs, the clerk shall sentence the prisoner to be worked upon the public roads of Bladen County until such sentence has been complied with, and the clerk shall issue commitment of the defendant in accordance with the judgment of said court. In all cases where there is a conviction and the defendant sentenced to the roads, the clerk shall certify to the board of county commissioners at their regular monthly meeting the amount of costs taxed against the county, to whom due, and for what purpose, and the same shall be included in the whole and half fees as now provided by law for the Superior Court and paid in the same manner.

Work in payment of fines and costs.

Commitments.

Certificate to county commissioners.

SEC. 8½. That either plaintiff or defendant in actions in said court may demand and have a jury, as provided in courts of the justice of the peace, and the county commissioners shall provide a jury box for the clerk of the Superior Court, and the jurors shall receive the same compensation as now provided in courts of justices of the peace.

Jury trial.

Jury box.

Pay of jurors.

SEC. 9. It shall be the duty of the clerk of the said court to keep an accurate account and true record of all costs, fines, penalties, forfeitures, and punishment by said court imposed by the provisions of this act, and said record shall show the name and residence of such offender, the nature of the offense, the date of hearing of trial, and punishment imposed, which record at all times shall be open to and subject to inspection of the board of commissioners of the county of Bladen and other persons having business relating to said court. A permanent docket shall be provided for recording all the processes issued by this court, which shall conform to the docket kept by the clerk of the Superior Court. He shall also provide proper files to properly keep records of all cases disposed of in said court and what disposition has been made of them.

Records kept.

Record open to inspection.

Permanent docket.

Files.

SEC. 10. That the said clerk of the Superior Court, in addition to the fees allowed him as a part of the costs in those matters herein placed in his jurisdiction, shall receive as compensation for the extra work herein imposed upon him such sum as the board of commissioners of Bladen County shall in their discretion allow him, and the prosecuting attorney herein provided for shall receive as his compensation the same fees as has heretofore been paid to the solicitor in like cases, and in cases in the jurisdiction of justices of the peace said prosecuting attorney shall receive a fee of two dollars (\$2) for each conviction where the fine and costs are paid.

Compensation of clerk.

Fees of prosecuting attorney.

Act effective upon appointment of attorney.

Record of appointment.

Application of act.

SEC. 11. That the provisions of this act shall not be and become effective until the board of county commissioners of Bladen County shall appoint or elect a prosecuting attorney for Bladen County, as hereinbefore provided for. When the said board of commissioners shall appoint or elect a prosecuting attorney, the proceedings with reference thereto shall be fully spread upon the minutes of the said board, and thereupon all the provisions contained in this act shall be and become in full force and effect.

SEC. 12. That this act shall only apply to Bladen County.

SEC. 13. That this act shall be in force from and after its ratification.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 638.

AN ACT FOR THE RELIEF OF A. T. GRANT, CLERK OF THE SUPERIOR COURT OF DAVIE COUNTY.

The General Assembly of North Carolina do enact:

Leave of absence.

SECTION 1. That A. T. Grant, clerk of the Superior Court of Davie County, be and he is hereby allowed to absent himself from his office for a period of thirty days continuously, beginning during the month of September of each and every year from and after the ratification of this act: *Provided*, he shall appoint a competent deputy to discharge the duties of his said office during such absence.

Proviso: competent deputy.

Relief from penalties.

SEC. 2. That upon the appointment of such deputy said clerk shall be relieved of all penalties provided by law for such absence as contained in the Revisal of North Carolina of nineteen hundred and five or the acts amendatory thereto.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 639.

AN ACT TO PROTECT GAME IN PENDER COUNTY.

The General Assembly of North Carolina do enact:

Close season.

SECTION 1. That it shall be unlawful for any person to kill any deer or wild turkeys in Pender County between the first day of February and the first day of October in each year. Any person violating the provisions of this act shall be guilty of a misdemeanor and fined at the discretion of the court.

Misdemeanor.

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.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 640.

AN ACT TO CREATE A RECORDER'S COURT FOR THE TOWN OF LAGRANGE AND MOSELEY HALL TOWNSHIP IN LENOIR COUNTY, AND DEFINE JURISDICTION OF SAID COURT.

The General Assembly of North Carolina do enact:

SECTION 1. That a recorder's court is hereby established and created to be known as a recorder's court for the district of LaGrange, which shall comprise, in addition to the town of LaGrange, the whole of Moseley Hall Township as the boundaries thereof are now defined or as they may hereafter be changed.

Court established.
Official entitlement.
Territory subject to jurisdiction.

SEC. 2. That said court shall be a court of record and shall be presided over by an elector of said territory, who shall be a man of good moral character and who shall be known as the recorder of the district of LaGrange.

Court of record.
Recorder.

SEC. 3. That the recorder hereinafter provided for in this act shall hold office until the next general election, when his successor shall be elected by the qualified voters of the said district in the same manner and at the same time as township officers are elected.

Temporary term.
Election.

SEC. 4. That at the first meeting of the board of county commissioners of Lenoir County following the ratification of this act it shall be the duty of said board to appoint a recorder for said district, who shall possess the qualifications required by section two hereof, and the said recorder shall at once take and subscribe before the clerk of the Superior Court of said county the same oath that is now required of judges of the Superior Court and shall forthwith be inducted into office and shall thereafter perform the duties herein prescribed. At the same time of the appointment of the recorder the board of county commissioners of Lenoir County shall appoint a substitute recorder to act in the absence of the recorder for any reason. The qualifications of the substitute recorder shall be the same as those of the recorder, and he shall take and subscribe the same oath and in the same manner as is required of the recorder, and shall have and exercise the same authority as the recorder. The compensation of the substitute recorder shall be paid by the recorder.

Election by county commissioners.

Oath of office.

Substitute recorder.

Qualifications and oath of substitute.

Compensation.

SEC. 5. The said recorder shall receive as full compensation for his services an annual salary of six hundred dollars, to be paid in

Salary of recorder.

monthly installments of fifty dollars each by the treasurer of Lenoir County, and for said payment a receipt from the recorder specifying the amount and for what month the same is paid shall be a valid voucher for said payment in the hands of the county treasurer of Lenoir County. The same fees as are now allowed to justices of the peace except for claim and delivery process shall be collected by the recorder and paid into the county treasury, and in claim and delivery process he shall collect the same fees as are now allowed to clerks of the Superior Court except the fee for trial and judgment, which shall be two dollars and for each additional fee one dollar. These fees for claim and delivery process, trial and judgment shall also be paid into the hands of the county treasurer; and all fees shall be paid on or before the second Tuesday in each month.

Fees collected to use of county.

Reduction or increase of salary. SEC. 6. The board of county commissioners of Lenoir County at any time after one year from the appointment of said recorder may either reduce or increase his salary, as to the said board may seem proper.

Sessions of court. SEC. 7. Said recorder shall hold sessions of his court as often as is necessary to speedily serve the public, legal holidays and Sundays excepted. Said sessions to be held in some suitable place in and to be provided by the town of LaGrange at its expense.

Place of sessions.

Town prison. SEC. 8. The town of LaGrange shall also provide at its own expense a suitable and proper place to confine prisoners coming before said court or being detained for any reason by process issuing from said court.

Jurisdiction. SEC. 9. The jurisdiction of the said court shall be as follows:

CIVIL.

On contracts. (a) On all actions founded on contract wherein the sum demanded does not exceed five hundred dollars.

On torts. (b) On all tort actions wherein the sum demanded does not exceed five hundred dollars or where the property in controversy does not exceed in value the amount of five hundred dollars.

CRIMINAL.

As of justices of the peace. (a) The said court to have concurrent jurisdiction with the courts of justices of the peace in all criminal offenses committed within said district.

Of offenses below felonies. (b) The said court shall have exclusive original jurisdiction to hear and determine all of the criminal offenses committed within said district below the grade of felony as is now defined by law, and all such offenses committed within said territory are hereby declared to be petty misdemeanors: *Provided*, that in all criminal offenses where the said court has been given jurisdiction by this act, and no prosecution has been commenced within six months

Petty misdemeanors.
Proviso: jurisdiction of superior court.

from the commission thereof, the Superior Court of Lenoir County may proceed to try the same as though this court did not exist.

(c) The said court shall have all the jurisdiction, power, and authority as is conferred upon justices of the peace by the Constitution and existing laws of North Carolina, and shall have power and authority to sentence any person convicted in the said court, for which the punishment is imprisonment, to be confined in the common jail of Lenoir County, to be worked on the public roads of said county; and any person convicted and punished by a fine may be required to work on the said roads for the nonpayment of the same, at fair and reasonable wages to be fixed by the board of county commissioners, until the same is paid in full, together with the cost, and then be discharged: *Provided further*, that in all cases where an appeal is taken to the Superior Court it shall be the duty of the said recorder to require a reasonable bond, and send the same, together with all papers, to the next term of the Superior Court to be held in said county, where the trial in all such cases shall be *de novo*; said appeal to be perfected as from a court of a justice of the peace.

Sentences.

Work in payment of fines and penalties.

Proviso: bond on appeal.

(d) The said court shall have exclusive original jurisdiction of all violations of town ordinances of the town of LaGrange.

Violations of town ordinances.

SEC. 10. Said court shall have a seal with the impression, "The Recorder's Court for the District of LaGrange," which seal shall be used in the attestation of all writs, warrants, summons, or other proceedings, acts, judgments or decrees of said court in the same manner and to the same effect as the seals of other courts of North Carolina.

Seal of court.

SEC. 11. The said recorder shall provide and keep a permanent docket and record of all papers, proceedings, and processes, which shall be at all times open to inspection to any person interested.

Permanent docket.

Docket open to inspection.

SEC. 12. The said recorder shall at least one time in each month prepare and transmit a true record of all his official acts to the clerk of the Superior Court of Lenoir County, and all fines imposed and collected shall be paid into the treasury of said county on or before the second Tuesday in each month.

Monthly reports.

Settlement of fines.

SEC. 13. That in all trials before said court, upon the demand for a jury the said recorder shall draw the same as is now provided in actions before a justice of the peace, and with the same rights and challenges as now exist: *Provided*, that the said jury shall consist of twelve if the trial be of a civil action above the jurisdiction of a justice of the peace: *Provided further*, that by consent of the parties in a civil action and by consent of the defendant or the counsel of the defendant in a criminal action the jury may be summoned from the bystanders.

Jury trials.

Proviso: number of jurors.

Proviso: tales jurors.

SEC. 14. That in case of a vacancy in the said recorder's office for any cause it shall be the duty of the board of county commissioners of Lenoir County to appoint a recorder for the balance of the unexpired term.

Vacancies.

Clauses of law repealed.

SEC. 15. That the charter of the town of LaGrange and existing laws constituting the mayor of said town an inferior court or vesting him with authority to try any cases, either civil or criminal, are hereby repealed, and the judicial functions heretofore exercised by the mayor of LaGrange shall be exercised by the recorder of the district of LaGrange: *Provided*, that until the said recorder shall actually be appointed as herein provided for and shall enter upon the duties of his office in the manner herein prescribed, that the mayor is authorized to act as a judicial official as under the law he is now authorized to act.

Proviso: mayor to act.

Office supplies.

SEC. 16. That all books, documents, and papers necessary and proper to be used by the recorder of the district of LaGrange and in connection with the said court shall be furnished by and at the expense of the county of Lenoir.

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

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 641.

AN ACT TO PREVENT THE SALE OF GINGER AND OTHER DRINKS IN WASHINGTON COUNTY.

The General Assembly of North Carolina do enact:

Sales forbidden.

SECTION 1. That it shall be unlawful for any person, firm, or corporation to sell, barter, exchange, or dispose of for profit any Dill's jamaica ginger, or ginger of any kind in liquid form or any compound in liquid form containing ginger, which may be used as a beverage, or to sell, dispose of, barter, or exchange any other bottled drinks, liquid, or compound containing ginger or narcotic or other compounds which, if taken in any quantity, will cause intoxication.

Exceptions.

SEC. 2. That this act shall not apply to drug stores, licensed pharmacists, druggists, or physicians in said county.

Misdemeanor.

SEC. 3. That any person, firm, or corporation convicted of a violation of section one of this act shall be guilty of a misdemeanor and shall be fined not less than ten dollars or imprisoned not less than thirty days, or both, in the discretion of the court.

Punishment.

SEC. 4. That this act shall apply only to Washington County.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 642.

AN ACT TO AMEND CHAPTER 248 OF THE PUBLIC-LOCAL LAWS OF THE EXTRA SESSION OF 1913, RELATIVE TO EVIDENCE IN CERTAIN CASES.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter two hundred and forty-eight of the Public-Local Laws of the extra session of one thousand nine hundred and thirteen be amended by adding at the end of said section the following: "*Provided*, that when any of the said stock are found running at large it shall not be *prima facie* evidence of the owner's guilt."

Proviso: not *prima facie* evidence.

SEC. 2. That this act shall apply only to Pender County.

Application of act.

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.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 643.

AN ACT TO AMEND CHAPTER 276 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1913, RELATIVE TO RECORDER'S COURT OF THE TOWN OF LEXINGTON.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and seventy-six of the Public-Local Laws of North Carolina, session of one thousand nine hundred and thirteen, be amended as follows: "That the clerk of the recorder's court may have authority to issue warrants."

Clerk to issue warrants.

SEC. 2. That section fourteen, page six hundred and eleven, be amended by inserting into it the following: "And in addition to the fees already provided for the prosecuting attorney in this section and amendments thereto, said prosecuting attorney shall also be paid a fee of two dollars in each case (provided for in section two, subsection four, and section eleven of above act) of which the court is without final jurisdiction and in which the court shall find probable cause of guilt and bind the defendant over to the Superior Court of Davidson County: *Provided*, the defendant is found guilty in the Superior Court, in which event the two dollars is to be taxed as a part of the cost against the defendant."

Fees of prosecuting attorney.

Proviso: fee taxed as costs on conviction.

Fees in civil actions.

SEC. 3. That section twenty-one on page six hundred and thirteen be also amended by adding at the end of said section the following: "But in all civil cases, both within the jurisdiction of a justice of the peace and all cases concurrent with the Superior Court, the fees charged by the clerk in such cases of one dollar and two dollars respectively shall go to the recorder of said court over and above his salary, and in no instance shall the civil fees taxed for the recorder go to make up his salary."

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 644.

AN ACT ESTABLISHING TOWNSHIPS IN PITT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all that portion of Pitt County heretofore known as Contentnea Township, Number Two; the portions of Chicod Township, Greenville Township, and that portion of what has heretofore been Contentnea Township, Number One, and embraced within the following boundary lines set forth in this section, shall be known and designated as Winterville Township, to-wit: "Beginning at Contentnea Creek, the northwest corner of E. E. Dail's Tucker land, running eastward with the said E. E. Dail's line to the western terminus of the Renston or J. B. Speight road to Kinston road in front of Lorenzo McLawhorn's residence; then northward with the said Kinston road to a bridge between E. E. Dail's and C. H. Langston's residences; thence eastward with southern boundary of lines of the lands of C. H. Langston, Charles McLawhorn, H. C. Beddard, B. T. Cox, and the Franklin Tripp heirs, to Swift Creek Swamp in a southerly direction to the Scuffleton or Ayden road; then with the said road eastwardly to the Kinston road near Hancock Church; then a continuous line across the field of the tract of land upon which Josephus Cox now resides, to Fork Swamp; then northwardly to the Taft road at Kinsaul Crossing; then eastwardly with the said Taft road to the Beaufort County Lumber Company tramroad; then northwardly with the said tramroad to the C. A. White road; then westward with the said White road to the land of Mrs. Louvenia Jackson; then northward and westward with the eastern and northern lines of the said Mrs. Louvenia Jackson and W. B. Stocks to Fork Swamp; then up the said Fork Swamp northward to Willoughby branch; then up said branch westward to the A. C. L. Railroad; then a straight line westwardly to the Kinston road at the north corner

Winterville town-
ship.

Boundary.

of M. G. Moye's land; then westward with his northern line and B. T. Smith northern and western lines to the B. T. Smith road at the Anderson place; then westward with the said B. T. Smith road to the Frog Level road; then southward and westward with the Beaver Dam Township line to Contentnea Creek; then down said creek to the beginning."

SEC. 2. That all that portion of Pitt County that heretofore has been known as Contentnea Township, Number One, except what is included in Winterville Township, as stated in section one of this act, shall hereafter be known and designated as Ayden Township.

SEC. 3. That the following justices of the peace heretofore elected and qualified for Contentnea Township, Number One, to-wit, J. F. Barwick and D. G. Berry, shall continue their respective

terms of office for which they were elected, and be hereafter justices of the peace for Ayden Township; and the following, J. C. Dawson, G. T. Gardner, and Wood McLawhorn, are hereby appointed justices of the peace for Ayden Township, to hold office until the first Monday in December, one thousand nine hundred and sixteen; and J. D. Cannon is hereby appointed constable for Ayden Township for the same period.

The following justices of the peace, R. Croom, S. C. Carroll, and J. L. Hobgood, now qualified and acting for Contentnea Township, Number Two, shall

hold their offices for the terms for which they were elected as justices of the peace for Winterville Township; and Heber McGlohon, heretofore constable for Contentnea Township, shall be constable for Winterville Township for the same term; and C. H. Langston and Paul Harrington, Jr., are hereby appointed justices of the peace for Winterville Township until the first Monday in December, one thousand nine hundred and sixteen. That the duties and authority of the justices of peace and constable appointed by this act shall begin from and after their qualification.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 645.

AN ACT TO REGULATE FISHING IN CERTAIN STREAMS IN JOHNSTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person to fish in any of the waters of Hannah's Creek and Stone's Creek below or on the eastern side of the point where the Smithfield and Fayetteville road crosses said creeks and below or on the east side of the

Fishing regulated. Hudson bridge across Mill Creek, in said county, with drag seines, gill nets, pond nets, or skim nets, or fish in any way in said streams below the points indicated in this section, except with rod, hook, and line, from the first day of April to the first day of November in each year.

Misdemeanor. Punishment. SEC. 2. Any person violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than ten dollars nor more than fifty dollars or imprisoned not exceeding thirty days.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 646.

AN ACT TO ASCERTAIN THE WILL OF THE VOTERS OF GASTON COUNTY AS TO WHETHER OR NOT THE COMMISSIONERS OF GASTON COUNTY SHALL BE AUTHORIZED TO ISSUE BONDS TO CONSTRUCT AND IMPROVE HIGHWAYS AND FUND AND LIQUIDATE FLOATING INDEBTEDNESS.

The General Assembly of North Carolina do enact:

Bond issue authorized. SECTION 1. That the county commissioners of Gaston County are authorized, empowered, and directed to issue bonds of said county to an amount not exceeding one hundred and fifty thousand dollars (\$150,000); fifty thousand dollars (\$50,000) of said bonds to be used for constructing, building, grading, and extending new roads and highways; fifty thousand dollars (\$50,000) for improving and repairing existing roads and highways; fifty thousand dollars (\$50,000) for liquidating and funding floating indebtedness incurred for the necessary expenses of said county.

Amount. Said bonds shall be in denominations not exceeding one thousand dollars (\$1,000), bearing interest from the date thereof at not exceeding the rate of five per centum per annum, with interest coupons attached, payable semiannually at such time and place as may be directed by the said board of county commissioners; such bonds to be of such form and tenor and transferable in such way and the principal thereof payable at such time or times, not exceeding thirty years from the date thereof, and at such place or places as the said board of county commissioners may determine:

Purposes. *Provided*, that none of the bonds authorized by this act shall be disposed of either by sale, exchange, hypothecation, or otherwise for a less price than their face value.

Denominations. Interest. Maturity. Proviso: sale below, par forbidden.

- SEC. 2. Such bonds and coupons shall be numbered and shall be signed by the chairman of the said board of commissioners and attested by the treasurer of said county, and shall bear the corporate seal of said county. Authentication.
- SEC. 3. A record shall be kept by the said board of commissioners in a separate book for that purpose of all bonds sold, and to whom, the amount, and date of sale and the issuing of each bond, and its number. Record.
- SEC. 4. The board of commissioners for the county of Gaston, or other authorities vested with levying taxes for said county, shall annually compute and levy, at the time of levying other county taxes, sufficient taxes on all polls, all real estate and personal property, and all other subjects of taxation which said commissioners or other authorities now or hereafter may be allowed to levy taxes upon for any purpose whatever, always observing the constitutional equation between the tax on property and the tax on polls; such taxes to be used and applied for the purpose of paying interest on said bonds and to create a sinking fund for taking up and retiring same at maturity. Special tax. Constitutional equation.
- SEC. 5. That said taxes, when collected, shall be kept separate and apart from all other taxes and shall be used only for the purpose for which they were collected. Taxes kept separate. Specific appropriation.
- SEC. 6. That it shall be the duty of the board of commissioners of the county of Gaston to annually invest any and all moneys arising from the said taxes for the sinking fund in the purchase of any of said bonds at a price deemed advantageous to said county by said board of commissioners, and to be agreed upon between them and the owners thereof. But in case said bonds cannot be purchased, the said commissioners shall invest said sinking fund upon approved security and upon terms advantageous to said county. Investment of sinking fund.
- SEC. 7. That any money of said sinking fund so loaned shall have the legal rate of interest for North Carolina and any interest from said fund shall be annually invested in the same way. Interest on loans.
- SEC. 8. That the money arising from the sale of said bonds shall be used for the purposes provided by this act for the issuing of said bonds. Use of proceeds of bonds.
- SEC. 9. That the bonds herein provided for shall be deposited in some safe deposit company or bank to be designated by said board of commissioners and only drawn out on the joint order of the said board of commissioners and the treasurer of said county, the proceeds of which shall be applied to the purposes as herein provided for. Deposit of bonds. Order for withdrawal.
- SEC. 10. For the purpose of ascertaining the wishes of the voters and electors of Gaston County upon the question of issuing such bonds, an election shall be held at all the voting precincts in said county of Gaston on the first Tuesday in August in the year one Election. Date.

- Ballots. thousand nine hundred and fifteen, and those electors qualified to vote under the provisions of this act who shall favor the issuing of bonds shall vote a ticket or ballot with the words written or printed thereon "For Bonds," and those opposing the issuing of bonds under the provisions of this act shall vote a ticket or ballot with the words written or printed thereon "Against Bonds"; and if a majority of the votes cast at said election shall vote "For Bonds," then the bonds provided for in this act shall be issued and sold according to the provisions herein contained.
- Bonds issued on majority of vote cast.
- Registrar. SEC. 11. At a regular meeting of the board of commissioners of Gaston County, held on the first Monday in June, one thousand nine hundred and fifteen, they shall appoint a registrar, who shall be a qualified elector, in and for each election precinct in said county, which registrar shall attend at the different voting precincts in said county the four Saturdays next preceding said election, and between the hours of nine o'clock a. m. and six o'clock p. m. register in a book which said board of county commissioners shall furnish to him the names of all persons applying to him for registration whose names are not now on the registration books of Gaston County and who will be on the day of said election qualified to vote in that precinct under the general law of the State.
- Registration.
- Registration books. SEC. 12. The register of deeds of Gaston County shall furnish the general registration books of said county to the registrars forty days before the date of said election, and such registration books shall be returned to the said register of deeds by the said registrar.
- Judges of election. SEC. 13. The board of county commissioners shall also, at their regular meeting on the first Monday in June, one thousand nine hundred and fifteen, appoint two electors as judges of election for each election precinct in the said county.
- Board of elections. SEC. 14. The said registrars and judges of election for each precinct as herein provided for shall constitute the board of elections for that precinct, and shall fill by the appointment of an elector of said county any vacancy occurring on the said board of elections, and the register of deeds of Gaston County shall furnish to said boards of election for each precinct a suitable box in which said ballots shall be cast; and such board of elections of each precinct shall decide challenges and conduct the election in such particulars as are not provided for in this act in the manner specified by the general election law of the State existing during the year one thousand nine hundred and twelve. The said board of elections of each precinct, as soon as the polls are closed, shall count the ballots and declare the result and shall make and sign a certificate thereof under the hands and seals of at least two of said board, and shall deliver by the hand of one of the members of the board the said certificate to the register of deeds of Gaston County, as clerk for the board of county commissioners for Gaston
- Vacancies.
- Ballot boxes.
- Count and return of votes.

County, who shall present the said certificate to the board of commissioners of said county at the meeting of said board hereinafter provided for; and the board of commissioners of Gaston County shall meet in the courthouse at Gastonia on the Monday next following said election provided for in this act, and shall receive the said certificate from the register of deeds and shall canvass and cast up the votes as certified to by the said precinct boards of elections, and shall declare the result of said election and shall record the said certificate and result upon the minute-book of the said board of commissioners; and if the majority of the votes cast at said election shall have voted "For Bonds," then the bonds provided for in this act shall be issued and sold according to the provisions hereinbefore set forth.

Canvass of returns and declaration of result.

Record.

SEC. 15. That the commissioners of Gaston County shall cause notice of such registration to be given by publishing such notice in some newspaper published in Gaston County for two weeks during the month of June, one thousand nine hundred and fifteen, setting forth in such notice the names of the registrars for each precinct and the places at which the said electors may register under the provisions of this act, and the said commissioners shall cause notice of such election to be given by publishing the same in one or more newspapers published in Gaston County for four successive weeks next before the date of said election, setting forth in such notice the purposes of said election and the day on which the same is to be held.

Notice of registration.

Notice of election.

SEC. 16. All laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 17. This act shall be in force from and after its ratification. Ratified this the 8th day of March, A. D. 1915.

CHAPTER 647.

AN ACT TO PROHIBIT THE RECEIPT AND DELIVERY OF INTOXICATING LIQUORS IN TRANSYLVANIA COUNTY, NORTH CAROLINA.

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 ship, transport, carry, or deliver in any manner or by any means whatsoever, for hire, any spirituous, vinous, fermented, or malt liquors or intoxicating bitters, from a point within or without the State, to any person, firm, or corporation, or any agent, officer, or employee thereof, in Transylvania County, North Carolina.

Shipment, transportation, and delivery forbidden.

- Receipt forbidden. SEC. 2. That it shall be unlawful for any person, firm, or corporation, or any agent, officer, or employee thereof, within Transylvania County to receive any spirituous, vinous, fermented, or malt liquor or intoxicating bitters, within the county of Transylvania aforesaid, for his, her, their, or its own use or for the use of any other person, firm, or corporation.
- Grain alcohol used in medicines. SEC. 3. It shall be lawful, however, under the provisions of this act for any manufacturer of medicine or duly licensed druggist in Transylvania County to receive, for the purposes of preserving, compounding, and mixing medicine, commercial grain alcohol, the standard proof, in quantities of not more than five gallons during any calendar month: *Provided*, such manufacturer of medicine or licensed druggist shall at all times keep such alcohol in a transparent receptacle properly labeled and under lock and key and in plain view of those entering his place of business.
- Proviso: regulations as to keeping.
- Sacramental wine. SEC. 4. The provisions of this act shall not apply to wine intended for sacramental purposes when received by a minister or any person acting as the agent of such minister.
- Fruit ciders. SEC. 5. That nothing in this act shall be construed to prevent or prohibit any person in Transylvania County from making and selling fruit ciders made by him from fruit grown on his own place.
- Misdemeanor. SEC. 6. That any person, firm, or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and fined not more than fifty dollars or imprisoned not more than thirty days for each offense.
- Punishment. SEC. 7. That all laws and clauses of laws in conflict with this act are hereby repealed.
- SEC. 8. This act shall be in force from and after its ratification. Ratified this the 5th day of March, A. D. 1915.

CHAPTER 648.

AN ACT TO PROVIDE FOR THE ELECTION OF JUSTICES OF THE PEACE OF VANCE COUNTY BY THE PEOPLE.

The General Assembly of North Carolina do enact:

- Election for justices. SECTION 1. That upon petition of a majority of the qualified voters of any township in Vance County, the board of county commissioners of said county shall call an election at the time and in the manner appointed for the next election of members of the General Assembly, and every two years thereafter, for the election of not more than five nor less than two justices of the peace to be voted for and elected by the voters of the township in which they reside. The justices so elected shall hold office for a term
- Term of office.

of two years and until their successors are elected and qualify. The said justices shall be qualified by taking the oath of office before the clerk of the Superior Court of Vance County. Oath of office.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 649.

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF ROWAN COUNTY TO LEVY A SPECIAL TAX, WHEN NECESSARY, TO PAY THE INTEREST AND PRINCIPAL ON CERTAIN BONDS.

The General Assembly of North Carolina do enact:

SECTION 1. That in order to pay the interest and principal on bonds which have heretofore been issued by the board of county commissioners of Rowan County, or which may be hereafter issued by said board under and by virtue of section one thousand three hundred and eighteen of the Revisal of one thousand nine hundred and five, the said board of county commissioners are hereby authorized and empowered, whenever necessary, to levy a special tax on all the property in said county of sufficient amount to pay the interest and principal of said bonds as they become due. Purpose.
Special tax authorized.

SEC. 2. This act shall be in force from and after its ratification. Ratified this the 8th day of March, A. D. 1915.

CHAPTER 650.

AN ACT TO ABOLISH THE OFFICE OF STANDARD KEEPER FOR HYDE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section three thousand and seventy-two, Revisal of one thousand nine hundred and five, be so amended as to include Hyde County in the list of counties in which the office of county standard keeper has been abolished, and the same office in Hyde County is hereby abolished. Revisal amended.
Office abolished.

SEC. 2. That all laws and parts of laws in conflict herewith are hereby repealed so far as they apply to or affect Hyde County. Repealing clause.

SEC. 3. That this act shall be in force from and after the expiration of the term of office of the present incumbent. When act effective.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 651.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF JACKSON COUNTY TO USE ANY SURPLUS FUNDS LEVIED AND COLLECTED FOR CERTAIN STOCK-LAW BOUNDARIES IN SAID COUNTY.

Preamble.

Preamble.

Whereas certain townships in Jackson County have gone into what is known as "exclusive stock-law boundaries"; and whereas certain funds have been collected from said townships and now remain in the treasury of Jackson County, and there being no further need of said funds for the maintenance and upkeep of said stock-law boundaries: Now, therefore,

The General Assembly of North Carolina do enact:

Use for roads or schools.

SECTION 1. That the board of county commissioners of Jackson County are hereby authorized and empowered to use any or all of the above mentioned funds and apply the same to the use of the schools or the public roads in the townships from which said funds were collected.

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.

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 652.

AN ACT TO AMEND SECTION 1319 OF THE REVISAL OF 1905, RELATIVE TO THE MEETINGS AND COMPENSATION OF JUSTICES OF THE PEACE IN VANCE COUNTY.

The General Assembly of North Carolina do enact:

Proviso: joint meetings.

SECTION 1. That section one thousand three hundred and nineteen of the Revisal of one thousand nine hundred and five be amended by adding the following at the end of said section: "*Provided*, that whenever the justices of the peace of Vance County are required by law to sit in joint session with the county commissioners during the years one thousand nine hundred and fifteen and one thousand nine hundred and sixteen they shall receive one dollar and fifty cents for each meeting they attend and the same mileage received by the county commissioners."

Per diem.

Mileage.

Requirement repealed.

SEC. 2. That after December the thirty-first, one thousand nine hundred and sixteen, section one thousand three hundred and nine-

teen of the Revisal of one thousand nine hundred and five shall be repealed, and the justices of the peace of Vance County shall no longer be required to meet in joint session with the county commissioners as provided in said section of the Revisal.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 653.

AN ACT TO PROVIDE FOR THE APPOINTMENT OF THE KEEPER OF THE JAIL OF FORSYTH COUNTY AND TO FIX THE COMPENSATION FOR HIS SERVICES.

The General Assembly of North Carolina do enact:

SECTION 1. That on the first Monday of December, one thousand nine hundred and sixteen, and every two years thereafter, the incoming sheriff of Forsyth County shall appoint a keeper of the common jail of said county, whose services shall continue for two years and until his successor is appointed and qualified. Appointment and term.

Sec. 2. That the said keeper of the jail shall be allowed a home for himself and the dependent members of his immediate family within the building or buildings used as the common jail of Forsyth County, in which he shall live, and shall also be allowed fuel or heat, water, lights, and food for himself and family, and in addition thereto a sum of one hundred and twenty-five dollars per month, to be paid out of the treasury of said county as full compensation for his services. Allowances.

Sec. 3. That before entering upon his duties as keeper of the jail he shall enter into a bond, payable to the State of North Carolina, in a sum of not less than ten thousand dollars, conditioned upon the faithful custody of all prisoners committed to the jail and the faithful performance of all duties imposed upon him as keeper of said jail by law or by the order of the sheriff or board of commissioners of Forsyth County, said bond to be executed by a surety company and the premium therefor paid out of the treasury of Forsyth County. Salary.
Official bond.

Sec. 4. That the said keeper of the jail shall purchase all necessary supplies for the maintenance of the said jail and the inmates thereof, and shall keep and render to the board of county commissioners of Forsyth County on the first Monday of each month during his term an itemized statement of all purchases, accounts, contracts, or other dealings in regard to the expenses of said jail and the inmates thereof, which said statement shall be audited by the auditor of Forsyth County, and the accounts in said statement, Payment of premium.
Purchase of supplies.
Itemized statements.

when approved by the board of commissioners, shall be paid out of the treasury of Forsyth County.

Duty of keeper.

SEC. 5. That it shall be the duty of the said keeper of the jail to furnish food, water, lights, fuel or heat, bedding and clothing as now provided by law, and to keep or have kept all buildings and grounds of said jail in a clean and sanitary condition: *Provided*, that the board of county commissioners may allow the keeper of the jail to employ or make use of the services of such prisoners as it deems wise and prudent, and also to allow the keeper of the jail to employ such helper or helpers as may in the judgment of the board of commissioners be necessary, and at such wages or compensation as the said board may fix.

Proviso: work of prisoners.

Employment of help.

Repealing clause.

SEC. 6. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

When act effective.

SEC. 7. That this act shall be in full force and effect from and after the first Monday in December, one thousand nine hundred and sixteen.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 654.

AN ACT TO AUTHORIZE THE BOARD OF DRAINAGE COMMISSIONERS OF BACK SWAMP AND JACOB SWAMP DRAINAGE DISTRICT, OF ROBESON COUNTY, TO ISSUE BONDS.

Preamble.

Whereas, under the general drainage law of North Carolina, as embodied in chapter four hundred and forty-two (442) of the Public Laws of one thousand nine hundred and nine and chapter sixty-seven (67) of the Public Laws of one thousand nine hundred and eleven, there was established in Robeson County a drainage district known as Back Swamp and Jacob Swamp Drainage District;

Preamble.

and whereas in the year one thousand nine hundred and twelve the said drainage district issued, in strict conformity to and accordance with said general drainage law, bonds to the amount of one hundred and fifty thousand dollars (\$150,000), there being three hundred (300) bonds in the sum of five hundred dollars (\$500) each, bearing date August the first, one thousand nine hundred and twelve, with interest from date at six (6) per centum per annum, payable semiannually, one-tenth of the entire principal of said issue, to wit, fifteen thousand dollars (\$15,000), becoming due and payable on the first of August, one thousand nine hundred and fifteen, and a similar installment of one-tenth of the principal each year thereafter until the entire issue shall have been paid in full, and the said bonds constitute a valid and bind-

ing obligation and debt of said drainage district; and whereas there is now in the treasury of said district a sum sufficient to meet the interest upon said bond issue falling due on August the first, one thousand nine hundred and fifteen, but the first installment of one-tenth of the principal of said bonds, towit, fifteen thousand dollars (\$15,000), will fall due before the assessment for one thousand nine hundred and fifteen, which has been levied to pay said installment, can be collected, the said assessment not being due or payable until the first Monday in September, one thousand nine hundred and fifteen, and the respective landowners having until December the thirty-first, one thousand nine hundred and fifteen, to pay said assessment; and whereas it is therefore necessary to provide funds wherewith to pay the first installment of said bonds, falling due on August the first, one thousand nine hundred and fifteen, at maturity: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the board of drainage commissioners of Back Swamp and Jacob Swamp Drainage District of Robeson County, in the State of North Carolina, be and they are hereby authorized and empowered to issue bonds of said drainage district in the principal sum of fifteen thousand dollars (\$15,000), towit, thirty (30) bonds in the sum of five hundred dollars (\$500) each, bearing interest from their date at the rate of six per centum per annum, payable semiannually, the principal of said bonds to be due and payable on the first day of August, one thousand nine hundred and twenty-five; the said bonds and interest thereon being payable at such place or places as said board of drainage commissioners may determine. The said bonds shall be numbered from one (1) to thirty (30), inclusive, and shall be denominated "Bonds of Back Swamp and Jacob Swamp Drainage District, series of one thousand nine hundred and fifteen." The said bonds shall be issued under the signature of the chairman of said board of drainage commissioners, attested by the secretary of said board, and the corporate seal of the district shall be affixed thereto. The lithographed signatures of the chairman and secretary of said district shall be deemed a sufficient signing of the interest coupons to be attached to the said bonds.

SEC. 2. The said board of drainage commissioners of said district are authorized and empowered to sell said bonds at public or private sale, with or without advertisement of sale, but none of said bonds shall be sold or disposed of at a price less than par, and the proceeds arising from the sale of said bonds shall be used in the payment of the installment of the bonds heretofore issued by said drainage district which falls due on the first day of August, one thousand nine hundred and fifteen, the said installment amounting to the principal sum of fifteen thousand dollars (\$15,000).

Preamble.

Preamble.

Bond issue authorized.

Amount and denomination.

Interest.

Maturity.

Bonds numbered.

Official entitlement.

Authentication.

Sale of bonds.

Sale below par forbidden.

Use of proceeds.

Use of assessment
paid present year.

SEC. 3. That the proceeds of the assessment heretofore levied upon the lands and real property within said drainage district, and payable on the first Monday in September, one thousand nine hundred and fifteen, shall, when collected, be applied to the payment of interest on the outstanding bonded debt of said drainage district and to the payment of the installment of said bonds which will fall due on August the first, one thousand nine hundred and sixteen; and the proceeds of the assessments for each succeeding year shall be applied in like manner to the payment of interest on the outstanding bonded debt and to the payment of the installment of bonds that falls due in the year following that in which the assessment is payable; so that the proceeds of the tenth assessment, which will fall due in one thousand nine hundred and twenty-four, can and shall be applied to the payment and discharge of the principal of the bonds to be issued under the provisions of this act.

Assessments of
future years.

Tenth assessment.

Payment of
interest.

SEC. 4. That the interest accruing upon the bonds to be issued under the provisions of this act shall be paid out of the proceeds of the assessments heretofore levied to provide for the payment of the bonds heretofore issued by said drainage district, the said assessments being sufficient in amount to pay off and discharge the bonds heretofore issued by said district (the first installment of said bonds to be paid with the proceeds of the bonds to be sold under the provisions of this act as herein provided) and the bonds to be issued under the provisions of this act, together with interest upon both issues; and the proceeds of the tenth assessment, which falls due in one thousand nine hundred and twenty-four, shall be used and applied in the payment and discharge of the principal of the bonds to be issued under the provisions of this act, with interest accruing during the last year prior to the maturity of said bonds.

Proceeds of tenth
assessment.

Reassessment.

SEC. 5. In case the assessments heretofore levied upon the lands and real property within said drainage district shall prove insufficient to pay off and discharge and satisfy the principal and interest of the bonds heretofore issued by said district, together with the principal and interest of the bonds to be issued under the provisions of this act, or if from any cause the proceeds from said assessments shall be insufficient to pay off and fully satisfy all the bonded indebtedness of said district, including the bonds to be issued under the provisions of this act, together with interest accruing upon all of said bonds, then and in that event a relevy and reassessment shall be made upon all lands and real property within said drainage district for the additional sum required, the same to be made in the same ratio on the lands benefited as the original assessment was made; and the assessment under said relevy or reassessment shall be due and payable on the first Monday in September, one thousand nine hundred and twenty-four;

Ratio as of former
assessment.

Time of payment.

and said relevy or reassessment shall be made in the way and manner provided in chapter four hundred and forty-two (442), Public Laws of one thousand nine hundred and nine, and chapter sixty-seven (67), Public Laws of one thousand nine hundred and eleven; and all the provisions of said acts relating to the method and manner of providing funds to cover such deficiency or deficit are hereby made a part of the provisions of this act as though fully set forth herein; and any deficit in the amount necessary to pay off and fully discharge the bonds to be issued under the provisions of this act, or interest thereon, shall be raised and provided in the way and after the manner and method provided in said acts or in this act.

Method of reassessment.

Deficit provided for.

SEC. 6. That as the proceeds of the bonds to be issued under the provisions of this act are to be applied solely to the payment and discharge of an installment of the bonds heretofore issued by said drainage district, and as the bonds to be issued under the provisions of this act do not increase the indebtedness of said drainage district, or impose any additional liability or burden upon the lands and real property or property owners within said district, it shall not be necessary to hold any election as a prerequisite to the issuance of the bonds provided for by this act, or to obtain the assent or consent of the landowners within said drainage district, or to do anything whatever other than herein provided; but the said bonds when issued in accordance with and conformity to the provisions of this act shall constitute a valid and binding obligation and debt of said drainage district to the same extent as the bonds heretofore issued and now outstanding, the first installment whereof is to be paid and discharged with the proceeds of the bonds to be issued under the provisions of this act.

Election declared unnecessary.

Bonds valid and binding.

SEC. 7. That as the assessments heretofore levied to provide for the payment of the bonded indebtedness of said drainage district are due and payable on the first Monday in September in each year, beginning with the year one thousand nine hundred and fifteen, and as under the provisions of this act the proceeds from each assessment will not be needed to pay the next installment of the principal of said bonds until August the first of the year following the year in which the respective assessments are due and payable, and therefore the proceeds of each assessment would otherwise remain in the treasury of said district until the first of August of the year following the year in which the respective assessments are to be collected, and it is advisable that the said funds be on interest, therefore the board of drainage commissioners of said district be and they are hereby authorized and empowered to loan all amounts derived from the respective assessments until such time as said funds are needed to pay interest upon the bonded debt of said district or interest thereon, the said

Investment authorized.

loans to be made to such bank or banks, or otherwise, and at such rate or rates of interest, and with such security for the prompt payment thereof, as the said board of drainage commissioners may, in their discretion determine: *Provided, however,* that no funds shall be so loaned out for a period longer than the date of the maturity of the next installment of the bonded debt of said district.

Proviso.. term of loans.

SEC. 8. That all laws and clauses of laws in conflict with the provisions of this act be and the same are hereby repealed.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 655.

AN ACT TO FIX THE TIME FOR KILLING SQUIRRELS IN HERTFORD COUNTY.

The General Assembly of North Carolina do enact:

Close season.

SECTION 1. That it shall be unlawful to kill any squirrel in Hertford County between the fifteenth day of January and the fifteenth day of September in any year.

Misdemeanor.
Punishment.

SEC. 2. That any person violating this act shall be guilty of a misdemeanor, and upon conviction shall be punished in the discretion of the court.

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

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 656.

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF NEW HANOVER COUNTY TO ISSUE BONDS FOR THE PURPOSE OF ACQUIRING PROPERTY AND RIGHTS AND PUTTING IN OPERATION A FREE FERRY ACROSS THE CAPE FEAR RIVER AND TO BUILD A ROADWAY ACROSS EAGLES ISLAND.

The General Assembly of North Carolina do enact:

Purpose.

SECTION 1. That for the purpose of acquiring by purchase or otherwise all real and personal property, rights and franchises in-

cident and necessary to the building and constructing of a substantial roadway across Eagles Island and to the putting in operation a free ferry across the Cape Fear River, the board of commissioners of New Hanover County are hereby authorized and empowered to submit to a vote of the qualified voters of New Hanover County, on such a day as may be fixed by the said board of commissioners, after thirty days notice, the question, "Shall New Hanover County, North Carolina, issue fifty thousand dollars (\$50,000) of its bonds, with interest coupons attached, the proceeds of which to be used in acquiring by purchase, or otherwise, all real and personal property, rights, and franchises incident and put in operation a free ferry across the Cape Fear River and provide for the maintenance of same?" The said board of commissioners shall for at least thirty days before said election give public notice of such election and the purpose thereof by publication in one or more newspapers published in said county.

Election authorized.

Question submitted.

Notice of election.

SEC. 2. That any election held under the provisions of this act shall be conducted in the same manner as is now or may hereafter be prescribed by law for holding elections for members of the General Assembly: *Provided, however,* that said board of commissioners shall appoint the registrars, judges, and inspectors of election, and any other election officers; and registration and challenge of voters shall be conducted in the same manner as is now or may hereafter be provided for the election of members of the General Assembly; and said county commissioners may or may not order a new registration for said election. The vote shall be counted at the close of the polls and returned to said board of commissioners on Thursday following the election, and said commissioners shall tabulate and declare the result of the election, all of which shall be recorded in the minutes of said board of county commissioners, and no other recording and declaring of the result of said election shall be necessary.

Law governing election.

Proviso: election officers.

Count and return of votes.

Canvass and record.

SEC. 3. That at said election all qualified voters who favor the issue of said bonds shall vote a ballot upon which shall be written or printed "For Free Ferry and Causeway," and all qualified voters who are opposed to the issue of said bonds shall vote a ballot upon which shall be written or printed "Against Free Ferry and Causeway."

Ballots.

SEC. 4. In the event that the majority of the qualified electors of said county shall vote "For Free Ferry and Causeway" at said election, and the result declared and recorded as aforesaid, the board of commissioners of New Hanover County shall be and they are hereby authorized and empowered to have prepared and issued, at such time or times and in such amount or amounts as they deem best, bonds in the denomination not exceeding one thousand dollars and not less than five hundred dollars, the total amount not to exceed that provided for in the first section of this act. The

Issue of bonds.

Denominations.

Amount.

Interest.

- said bonds shall bear a rate of interest not exceeding five per cent per annum, with interest coupons attached, payable semiannually, on the first days of January and July, during the time of their running, and the principal thereof shall be payable or redeemable at such time or times, not exceeding thirty years from the date of their issue, as the board of commissioners of New Hanover County may determine, and said bonds and coupons shall be payable at such place or places as the said board of commissioners may direct.
- Maturity.**
- Authentication.** SEC. 5. That the bonds issued under this act shall be signed by the chairman of the said board of commissioners and countersigned by the clerk of said board, and said bonds shall have upon them the corporate seal of said county, and shall be styled "New Hanover Ferry and Causeway Bonds," and issued as such. The coupons shall bear either the real, engraved, or lithographed signature of the chairman of said board.
- Sale below par forbidden.** SEC. 6. That none of the bonds issued by this act shall be disposed of by sale, exchange, hypothecation, or otherwise for a less sum than their face value, nor shall said bonds or their proceeds be used for any other purpose or purposes than those declared in this act: *Provided, however,* that the purchasers of said bonds shall not be required to see to the application of the fund. When said bonds shall be issued they shall be numbered consecutively and the interest coupons attached. The bonds and coupons shall state on their face when they are due and payable, and said bonds shall show by what authority they are issued. The said board of commissioners shall have all their proceedings in respect to said bonds recorded in the minutes of their meetings, and when any of the bonds are issued, the number of the bond, its denomination, date of issue, to whom issued, and the number of the coupons attached must be recorded in said minutes.
- Specific appropriation.**
- Proviso: no duty on purchasers.**
- Recitals.**
- Record of proceedings and of bonds.**
- Funds kept separate.** SEC. 7. When any of the bonds provided for in this act are sold, the proceeds of the sale shall be turned over to the auditor of New Hanover County, who shall keep said funds, and all other funds provided for in this act which may come into his hands, separate from all other funds, and he shall keep separate accounts of the same; and said auditor, before any fund provided for in this act shall be paid over to him, shall execute an official bond, payable in the usual manner, in a sum deemed sufficient by said board of commissioners to protect said fund: *Provided, however,* that said bond shall at no time be for a less sum than the amount that may come and be in the said auditor's hands at any one time by reason of this act. Said bond or bonds shall be conditioned upon the faithful safe keeping of the funds by said auditor, rendering accounting in respect thereto, and in all things holding, disbursing, and accounting for the same as required by law. The said board of commissioners may, in their discretion, authorize
- Separate accounts.**
- Official bond.**
- Proviso: amount of bond.**
- Condition of bond.**
- Premium on bond.**

the payment of the premium for such bond or bonds out of the proceeds of the sale of the bonds herein provided for; and shall receive and pass upon them as they receive, pass upon, and accept other like bonds.

SEC. 8. The expenses of holding said election and the cost and expenses incident to the preparation, issue, and sale of said bonds herein provided for shall be paid by said board of county commissioners out of the proceeds arising from the sale of said bonds.

Expense of election and bond issue.

SEC. 9. That in case the result of said election shall be in favor of issuing bonds as aforesaid, said board of commissioners of New Hanover County shall levy annually, at the time of levying other public taxes, a special tax for said county of not exceeding ten cents on the one hundred dollars worth of property and not exceeding thirty cents on each poll; the subject of taxation and levy of taxes are to be the same on which the said board of county commissioners now or may hereafter be authorized to lay and levy taxes upon for general county purposes; the taxes so levied shall be collected as other taxes are paid, and the same shall be a separate fund, applied first to the payment of interest on said bonds, and then to the creation of a sinking fund for redemption of said bonds, not exceeding two thousand dollars per annum, and the balance to be applied to the roads and bridges of the county as provided for in section twelve of this act.

Special tax.

Subjects of taxation.

Collection.

Separate fund.

Specific appropriation.

SEC. 10. The board of commissioners of New Hanover County shall audit and ascertain the accounts of the sheriff for all taxes levied and collected under this act, and make settlement of the same between said sheriff and the county auditor or such other officer duly authorized by law to receive the same, and the said board of commissioners may prosecute any necessary action for the recovery of any such taxes against any officers failing to account for the same.

Audit and settlement.

SEC. 11. It shall be the duty of the said board of county commissioners, out of the proceeds arising from the sale of said bonds, to acquire by purchase or otherwise any real and personal property, rights, and franchise incident and necessary to the acquiring, building, and constructing of a substantial roadway across Eagles Island and to the putting in operation a free ferry across the said Cape Fear River; or should they deem it best to acquire the rights, property, and privileges possessed by the Brunswick Bridge and Ferry Company across the Cape Fear River at Wilmington, and in the road or causeway across Eagles Island, by purchase from the present owners, and be unable to agree upon a price to purchase the same, the said board of commissioners are hereby authorized, empowered, and instructed to condemn the same to the use of the county of New Hanover, and are hereby vested with the right of eminent domain for that purpose. That should said board of commissioners deem it wise to resort to condemnation

Property to be acquired.

Power of condemnation.

Procedure of condemnation.

proceedings to acquire said property, rights, and privileges, they are hereby empowered to institute said proceedings and conduct the same in accordance with and in the manner set forth in chapter sixty-one of the Revisal of one thousand nine hundred and five, entitled "Railroads," and upon the payment of the price adjudged by said proceedings, the said board of commissioners being thereby vested with said property, may, in their discretion, either operate or discontinue said ferry.

Repair and maintenance of roads and bridges.

SEC. 12. That said board of county commissioners shall use the funds provided for in this act in the manner hereinbefore set out and towards repairing and maintaining public roads and public bridges in said county in such a manner as to them may be deemed necessary and most beneficial and effective; and said board of commissioners are authorized and empowered to employ such labor, in addition to the regular county force, as they may deem wise and proper; and said funds shall be used by the board of commissioners in all other respects as provided for in the act entitled "An act to provide for the better working of the public roads and highways of the State," the same being chapter five hundred and eighty-one of the Public Laws of one thousand eight hundred and ninety-nine, or any other road law passed by the General Assembly of North Carolina for New Hanover County.

Employment of labor.

SEC. 13. This act shall be in force from and after its ratification. Ratified this the 8th day of March, A. D. 1915.

CHAPTER 657.

AN ACT TO MAKE SCHOOL ATTENDANCE COMPULSORY IN BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

Attendance required.

SECTION 1. That from and after the first day of July, one thousand nine hundred and fifteen, every parent, guardian, or other person in the county of Buncombe, North Carolina, having charge or control of a child or children between the ages of eight and fourteen years shall cause such child or children to attend the local public school in the district, town, or city in which he resides, continuously for four months of the school term of each year: *Provided*, that continuous attendance upon some other public school, or upon any private or church school taught by competent teachers, may be accepted in lieu of attendance upon the local public schools.

Age limits.

Term of attendance. Proviso: attendance on other schools.

Repealing clause.

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

When act effective.

SEC. 3. This act shall be in full force and effect from and after the first day of July, one thousand nine hundred and fifteen.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 658.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF BRUNSWICK COUNTY TO ISSUE BONDS FOR CERTAIN TOWNSHIPS AUTHORIZED TO ISSUE BONDS FOR THE PURPOSE OF BUILDING PUBLIC ROADS.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners for Brunswick County are hereby authorized to issue the bonds for Northwest Township and Town Creek Township in said county which were authorized and voted for by the voters of said respective townships, and not yet sold and delivered, and to cause the said bonds to draw interest at the rate of six per cent per annum, instead of five per cent, payable semiannually, said bonds to mature and bear such date as said board of county commissioners may determine.

Issue of bonds
heretofore voted.

Interest.

Maturity and date.

SEC. 2. That the election proceedings in Northwest Township, and also in Town Creek Township, and all the proceedings heretofore taken with respect to the said bonds voted for in said Town Creek and Northwest townships, respectively, are hereby ratified, approved, confirmed, and legitimated.

Election validated.

SEC. 3. That all laws and parts 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.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 659.

AN ACT TO AMEND CHAPTER 122, PUBLIC LAWS OF 1913, SO AS TO ALLOW THE COMMISSIONERS OF GATES COUNTY TO SELL TOWNSHIP BONDS AT 6 PER CENT AND TO ALLOW SUPERVISORS AND EMPLOYEES TO GO UPON THE LANDS AND TAKE MATERIAL THEREFROM FOR ROADS AND BRIDGES IN GATES COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the commissioners of Gates County are authorized to sell any township road bonds heretofore voted at a rate of interest not to exceed six per cent.

Interest.

SEC. 2. That the supervisors of any township in Gates County or such persons as may have charge of the building of roads in any township in said county are hereby empowered to enter upon any lands in any township in Gates County and take therefrom

Entry on lands
for material.

Proviso: compensation to owner.

any material for the purpose of improving roads or repairing bridges in such township, provided the owner shall be compensated for any and all damages due to said lands.

Application of act.

SEC. 3. This act shall only apply to Holly Grove Township in Gates County.

SEC. 4. That 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. Ratified this the 8th day of March, A. D. 1915.

CHAPTER 660.

AN ACT TO AUTHORIZE NORTHWEST TOWNSHIP IN BRUNSWICK COUNTY TO ISSUE BONDS FOR ESTABLISHING, LAYING OUT, AND MAINTAINING A PUBLIC HIGHWAY FROM BRUNSWICK RIVER TO THE COLUMBUS COUNTY LINE, LEADING TO ACME.

Preamble.

Whereas there exists a great public necessity in Northwest Township, Brunswick County, for a good road or highway leading from the bridge or ferry across Brunswick River, or some other convenient site, to the Columbus County line, leading towards Acme in Columbus County, and establishing, laying out, altering, repairing, grading, constructing, and improving such a highway or road is a necessary expense, which should be incurred by the county for such purpose, as the territory through which the said road is projected is almost impassable by reason of the deep sand and in some places of the standing water thereon: Now, therefore,

The General Assembly of North Carolina do enact:

Establishment of road.

SECTION 1. That the county commissioners of said county of Brunswick be and they are hereby empowered, authorized, and instructed to lay out, construct, grade, and establish a public road or highway leading from some point on Brunswick River in said Brunswick County, either at the present site of the bridge or some other appropriate site, leading towards Acme to the Columbus County line through Northwest Township in said county.

Route.

Public necessity.

Necessary expense.

SEC. 2. The establishing, constructing, and maintenance of said road is hereby declared a public necessity, and the expense thereof is declared hereby to be a necessary expense.

Bond issue authorized.

SEC. 3. That for the purpose of raising and creating a fund for establishing, constructing, and maintaining said public road, and for building bridges and culverts across the same, the said county commissioners of Brunswick County are hereby authorized, empowered, and instructed to issue under the common seal of the said county, and signed by the chairman of the county commissioners, and attested by the county treasurer of said county, cou-

Authentication.

pon bonds of such denominations as the said commissioners may deem best, of not less than one hundred or more than one thousand dollars par value, and to an amount in the aggregate not exceeding the sum of fifteen thousand dollars, and maturing for a definite period not to exceed fifty years, and drawing a rate of interest not exceeding six per centum per annum, represented by coupons attached, payable semiannually in installments on January first and July first of each year.

SEC. 4. That the said county commissioners shall not sell the said bonds for less than their par value, but that the cost of engraving, preparing, or printing said bonds shall not be regarded as affecting the sale, if such cost should make the net proceeds be less than par.

SEC. 5. That the said county commissioners of Brunswick County shall annually compute and levy, at the time of levying the general State and county taxes for Brunswick County, a sufficient special tax on all property, real and personal, and other subjects of taxation, on which the said board of county commissioners is now or may hereafter be authorized to levy taxes for general county purposes, and on all polls subject to taxation, in the said township of Northwest, and so much of Town Creek Township over which the said proposed road may run, although the same may not be within the territory of Northwest Township, observing the equation between the tax on property and the tax on polls, with which to regularly and promptly pay the interest on said bonds, together with the necessary cost of making out and disbursing the same. Said taxes shall be collected in the same manner, at the same time as other taxes, and shall be paid over to the treasurer of the county of Brunswick to be held by him as a special fund for the territory affected thereby, and the official bond of the sheriff and of the county treasurer shall be in a sufficient amount for the same and liable for the same as other taxes. It is hereby declared to be the purpose of this act that this special tax shall be levied upon the said Northwest Township and only so much of Town Creek Township as should be included in the territory north and west of so much of said road as shall pass through Town Creek Township.

SEC. 6. That the taxes levied and collected for the purposes specified herein shall be kept separate and distinct from any and all other taxes, and shall be used for the purpose for which they were levied and collected: *Provided*, that if the taxes levied and collected for the payment of interest shall in any one year exceed the sum required for that purpose, and the cost and expense of making out, collecting, and disbursing the same, the amount in excess shall be applied to the credit of the interest fund for the next succeeding year, and said commissioners shall take into consideration the said excess, and shall compute and levy said taxes accordingly.

Denominations.

Amount.

Maturity.

Interest.

Sale below par
forbidden.
Expense of
issuance.

Special tax.

Territory subject
to tax.Constitutional
equation.Collection and
settlement.

Official bonds.

Territory further
defined.Taxes kept
separate.Specific appropri-
ation.
Proviso: surplus.

Special tax for
sinking fund.

SEC. 7. That for the purpose of creating a sinking fund to pay the principal of said bond issue hereunder, it shall be the duty of the board of county commissioners, at and after the expiration of ten years from the date of issue of said bonds, annually to levy and collect a special tax in addition to the tax collected to pay the interest on said bonds, for the purpose of retiring said bonds gradually, that they may not become a burden upon the taxpayers, and out of the proceeds of said special tax shall annually invest any and all such funds arising from the special tax to pay the principal as herein provided in the purchase of any of said bonds at a price deemed advantageous to said township by the said county commissioners; but in case said bonds cannot be purchased, they may lend said sinking fund on good and absolutely sure real estate security.

Investment of
sinking fund.

Powers in building
roads.

SEC. 8. That for the purpose of facilitating the construction and building of said road the said county commissioners are hereby invested with all the power and privileges contained in chapter fifty-two of the Public-Local Laws of North Carolina, session one thousand nine hundred and eleven, entitled "An act to facilitate road building in Brunswick County," ratified twenty-sixth of January, one thousand nine hundred and eleven.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 661.

AN ACT TO AMEND CHAPTER 424, PUBLIC-LOCAL LAWS, SESSION 1911, RELATING TO ROAD DISTRICT IN BEAU- FORT COUNTY.

The General Assembly of North Carolina do enact:

Road districts.

SECTION 1. That chapter four hundred and twenty-four, Public-Local Laws, session one thousand nine hundred and eleven, be and the same is hereby amended as follows: Strike out in line three of section one the words "a road district" and substitute the words "three separate road districts."

Commissioners
appointed.
For Washington
township.

For Long Acre
township.

For Chocowinity
township.

Term.

SEC. 2. Strike out all of section two and substitute therefor the following: "That James H. Hodges, C. T. Hardison, and O. B. Wynne be and they are hereby appointed road commissioners for Washington Township; that Surry Parker, J. G. Mixon, and Charles A. Flynn be and they are hereby appointed road commissioners for Long Acre Township; that Jesse J. Warren, F. H. Von Eberstein, and Jesse N. Hill be and they are hereby appointed road commissioners for Chocowinity Township; and they shall

hold office until the next general election or until their successors have been elected and qualified, and at the next general election and each succeeding election their successors shall be elected in such manner as provided by law for the election of township officials.”

SEC. 3. That the treasurer of Beaufort County be and he is hereby appointed treasurer of each of the three road districts. Treasurer.

SEC. 4. Strike out in line two of subsection one of section three the word “ten” and insert in lieu thereof the word “twenty,” and add at the end of said subsection the following: “the rate in the corporate limits of the city of Washington shall remain ten cents on the one hundred dollars valuation.” Amend subsection two by adding after the words “two dollars” in line five thereof the words “and fifty cents.”

SEC. 5. Add after the words “board of road commissioners” wherever it shall appear in this chapter the words “of each district.” Commissions.

SEC. 6. Strike out all of section eight. Election.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 662.

AN ACT TO APPOINT COLUMBUS DELOATCH A JUSTICE OF THE PEACE FOR NORTHAMPTON COUNTY, AND TO VALIDATE CERTAIN OF HIS ACTS.

The General Assembly of North Carolina do enact:

SECTION 1. That Columbus Deloatch be and he is hereby appointed a justice of the peace for Northampton County, Roanoke Township, for a period of six years from and after the ratification of this act. Appointment. Term.

SEC. 2. That whereas the said Columbus Deloatch was heretofore appointed a justice of the peace for said county and township, to fill the vacancy in said office created by the death of the late F. C. Brewer, and believing that he had been appointed and qualified for the full term of said F. C. Brewer, was not elected at the last general election on the first Tuesday in November, one thousand nine hundred and fourteen; and whereas doubts may arise as to the validity of his official acts since said general election, all of his said official acts are hereby validated and made legal, regular, and binding. Appointment. Not elected. Doubts as to act. Acts validated.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 663.

AN ACT TO AMEND CHAPTER 699 OF THE PUBLIC LAWS OF 1907, RELATING TO THE PROTECTION OF GAME IN IREDELL COUNTY.

The General Assembly of North Carolina do enact:

Close of season.

SECTION 1. That chapter six hundred and ninety-nine of the Public Laws of one thousand nine hundred and seven be amended by striking out the word "March" in line six of section two and inserting in lieu thereof the word "February," and by striking out the word "March" in line ten of said section and inserting in lieu thereof the word "February." That said chapter and section be further amended by adding after the period in line eleven and before the word "that" in line twelve the following: "That it shall be unlawful for any person not a *bona fide* resident of said county to hunt or take in said county any game mentioned in this act unless said nonresident shall have first applied to and obtained from the clerk of the Superior Court of said county a license to hunt therein, which license shall not be issued until the applicant shall pay to the clerk of said court the sum of ten dollars, and said license when issued shall be good from the date of its issue to the close of the open season for that year."

Nonresident's license.

License fee.

Term of license.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 664.

AN ACT TO PERMIT GREENE COUNTY TO EMPLOY BANK AND TRUST COMPANIES IN THE CAPACITY OF COUNTY TREASURER.

The General Assembly of North Carolina do enact:

Abolition of office.

SECTION 1. That the board of county commissioners of Greene County is hereby authorized and empowered, in its discretion, to abolish the office of county treasurer in the said county of Greene, and in lieu thereof to appoint one or more solvent banks or trust companies located in its county as financial agent for said county, which said bank or trust company shall perform the duties now performed by the treasurer of said county: *Provided*, that such bank or trust company shall not charge nor receive compensation for its services other than such advantage and benefit as may accrue from the deposit of the county funds in the regular course of banking.

Bank as financial agent.

Duties.

Proviso: no compensation allowed.

SEC. 2. That said bank or trust company appointed and acting as the financial agent of its county shall be appointed for a term of two years and shall be required to execute the same bonds for the safe keeping and proper accounting of such funds as may come into its possession and belonging to said county and for the faithful discharge of its duties as are now required by law of county treasurers.

Term of appointment.

Official bonds.

SEC. 3. That this act shall be in force from and after its ratification, but the county treasurer of Greene County elected and duly qualified shall be permitted to perform the duties of his office with the same compensation and liabilities as now provided until his then term of office shall expire.

When act effective.

Present treasurer.

SEC. 4. That the county commissioners shall before abolishing the office of treasurer pass a resolution to that effect at least six months before the end of said term of office to which the then county treasurer shall have been elected and qualified.

Resolution abolishing office.

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

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 665.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF WILSON AND GREENE COUNTIES TO ERECT A BRIDGE ACROSS CONTENTNEA CREEK.

The General Assembly of North Carolina do enact:

SECTION 1. That the commissioners of Wilson and Greene counties be and they are hereby authorized to build, erect, and construct a bridge of iron, steel, concrete, wood, or other material across Contentnea Creek at or near the present site of Ruffin's bridge, at a cost not exceeding six thousand dollars.

Construction authorized.

Location.

Limit of cost.

SEC. 2. That should the commissioners of Greene County fail or neglect for the space of sixty days after the passage of this act to cooperate with the commissioners of Wilson County in the erection and construction of such bridge, then the commissioners of Wilson County are hereby authorized and empowered to erect and construct such bridge; and should the commissioners of Wilson County fail or neglect for the space of sixty days after the passage of this act to cooperate with the commissioners of Greene County in the erection and construction of such bridge, then the commissioners of Greene County are hereby authorized and empowered to erect and construct said bridge.

Construction by either county.

Apportionment
of expense.

SEC. 3. That the charges and costs of building, erecting, and constructing said bridge shall be defrayed by both counties, Wilson and Greene, in proportion to the taxable property listed for taxation in each of said counties, respectively; and the keeping up and repairing of said bridge after the construction thereof shall be a charge on each of said counties and defrayed by each in proportion to the taxable property listed for taxation in each of said counties, respectively.

Apportionment
of maintenance.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 666.

AN ACT TO PREVENT HOGS FROM RUNNING AT LARGE IN WANCHESE SCHOOL DISTRICT, DARE COUNTY.

The General Assembly of North Carolina do enact:

Prohibition.

SECTION 1. That it shall be unlawful for any hogs to run at large in Wauchese School District, Dare County.

Misdemeanor.

SEC. 2. That any person owning hogs, or having them in charge, in said district, and willfully allowing them to run at large, shall be guilty of a misdemeanor and fined not more than ten dollars or imprisoned, in the discretion of the court.

Punishment.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 667.

AN ACT TO AMEND CHAPTER 374, PUBLIC-LOCAL LAWS OF 1913, RELATIVE TO THE RECORDER'S COURT OF JOHNSTON COUNTY.

The General Assembly of North Carolina do enact:

Costs and fees.

SECTION 1. That section one, chapter three hundred and seventy-four of the Public-Local Laws of one thousand nine hundred and thirteen, relating to the recorder's court of Johnston County, be and the same is hereby amended by striking out of line twelve, in said section one, the following words: "one-half of the costs and fees."

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 668.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF IREDELL COUNTY TO ISSUE BONDS TO FUND ITS FLOATING INDEBTEDNESS INCURRED IN BUILDING BRIDGES ON THE PRINCIPAL HIGHWAYS OF SAID COUNTY.

Whereas the board of commissioners of Iredell County has incurred a floating indebtedness of said county to the amount of fifty thousand dollars, said money having been expended in the erection of bridges on the principal highways of said county; and whereas it will be necessary to expend an additional sum of fifty thousand dollars to complete the building of bridges in Iredell County and to build additional roads; and whereas it is desired that bonds of said county sufficient to take up and pay off the obligations of Iredell County outstanding for said indebtedness and to provide sufficient fund to build said bridges and additional roads shall be issued by the commissioners of said county; and whereas it is desired further that a sinking fund for paying off and discharging said bonds at maturity shall be provided for, and that oppressive taxation shall be prevented: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Iredell County be and it is hereby authorized and empowered to issue the bonds of the county of Iredell to an amount not exceeding one hundred thousand dollars, said bonds to be in denomination not greater than one thousand dollars and bearing interest from the date thereof at a rate not to exceed six per cent per annum, coupons for said interest to be attached to said bonds, said interest to be payable semiannually at such times and places as may be deemed advisable by said commissioners, said bonds to be due and payable at such time or times not exceeding thirty years from the date thereof and at such place or places as the board of commissioners of said county may determine, which bonds shall be numbered and shall be signed by the chairman of said board and countersigned by the clerk thereof, and shall have the county seal impressed thereon: *Provided, however,* the interest coupons may bear the facsimile signature of said chairman and said clerk.

SECTION 2. That for the purpose of paying the interest on said bonds and to provide a sinking fund for the payment of the principal thereof when due, the board of commissioners of Iredell County shall levy and cause to be collected annually as other county taxes are levied and collected a special tax upon all subjects of taxation located in said county, sufficient in amount to pay said

Preamble.

Preamble.

Preamble.

Preamble.

Bond issue authorized.

Amount.

Denominations.

Interest.

Maturity.

Authentication.

Proviso: authentication of coupons.

Special tax.

Limit of rate.

interest and create said sinking fund to pay the principal of said bonds at maturity thereof, said tax not to exceed ten cents on each one hundred dollars worth of property valuation and thirty cents on each poll.

Sale below par forbidden.

SEC. 3. That bonds provided for in this act shall not be sold by the commissioners of Iredell County for less than par.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 669.

AN ACT TO PROHIBIT THE MANUFACTURE OR SALE OF WINE WITHIN TWO MILES OF UNION CHURCH IN WATAUGA COUNTY.

The General Assembly of North Carolina do enact:

Prohibition.

SECTION 1. That it shall be unlawful for any person, firm, or corporation to manufacture or sell, except for sacramental purposes, any wine within one mile of Union Baptist Church in Cove Creek Township, Watauga County, North Carolina.

Territory.

Misdemeanor.

SEC. 2. Any person violating the provisions of this act shall be guilty of a misdemeanor and upon conviction be fined not more than fifty dollars or imprisoned not more than thirty days.

Punishment.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 670.

AN ACT TO AMEND CHAPTER 744 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATIVE TO KILLING AND SELLING GAME BIRDS IN VANCE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter seven hundred and forty-four of the Public-Local Laws of one thousand nine hundred and thirteen, regular session, be repealed and the following substituted therefor:

Killing or offering for sale unlawful.

“SECTION 1. That it shall be unlawful for any person to kill and offer for sale quail, woodcock, wild turkey, or other game birds of market value killed in Vance County. Any person who shall violate this act shall be guilty of a misdemeanor and fined

Misdemeanor.

Punishment.

not less than five nor more than ten dollars, or imprisoned not less than ten nor more than thirty days: *Provided*, that this section shall not apply to a landowner, or any member of his immediate family, killing game birds on his own land, nor to a tenant who rents land for agricultural purposes or to any member of his immediate family.”

Proviso: land-owners and tenants.

SEC. 2. That it shall be unlawful for any person to kill more than fifteen game birds in any one day.

SEC. 3. That this act shall apply only to Vance County.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 671.

AN ACT TO PREVENT THE KILLING OF SQUIRRELS, WILD TURKEYS, AND DEER IN SEVENTY-FIRST TOWNSHIP, CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful to kill any squirrels, wild turkeys, or deer in Seventy-first Township, Cumberland County; and any person found guilty of violating the provisions of this act shall be deemed guilty of a misdemeanor, and for the first offense shall be fined ten dollars and for any subsequent offense shall be fined not more than fifty dollars or imprisoned not more than thirty days.

Killing unlawful.

Misdemeanor.

Punishment.

SEC. 2. That this act shall be in full force and effect for the term of three (3) years from and after its ratification, and not thereafter.

Term of act.

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

Ratified this 8th day of March, A. D. 1915.

CHAPTER 672.

AN ACT TO ALLOW THE PEOPLE OF COOPER'S TOWNSHIP, NASH COUNTY, TO ELECT THEIR ROAD COMMISSIONERS BY VOTE OF THE PEOPLE.

The General Assembly of North Carolina do enact:

SECTION 1. That section four of chapter four hundred and fifty-one, Public-Local Laws of one thousand nine hundred and eleven, be amended by adding at the end: "*Provided*, that this section

Proviso: township excepted.

Election by
magistrates.

shall not apply to Cooper's Township in so far as the mode of election of road commissioners is concerned, but that on the first Monday in May, one thousand nine hundred and fifteen, the justices of the peace of Cooper's Township shall meet and elect successors to the present incumbents of said office of road commissioner, whose terms of office shall expire on the first Monday in December, one thousand nine hundred and sixteen; and *Provided further*, that at the general election of one thousand nine hundred and sixteen, and biennially thereafter, the road commissioners of said township shall be elected by the people of the township, under the rules and regulations that apply to general elections, and their term of office shall begin on the first Monday in December thereafter."

Term.

Proviso: election
by people.

Term.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 673.

AN ACT TO APPOINT JUSTICES OF THE PEACE FOR ANSON COUNTY.

The General Assembly of North Carolina do enact:

Appointments.

SECTION 1. That H. E. Braswell of Morven Township and M. C. Maness of Lilesville Township in Anson County be and they are hereby appointed justices of the peace for their respective townships for the term of two years.

Term.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 674.

AN ACT TO ABOLISH THE OFFICE OF COUNTY TREASURER IN ROBESON COUNTY.

The General Assembly of North Carolina do enact:

Office abolished.

Sheriff to perform
duties.

SECTION 1. That the office of county treasurer in Robeson County be abolished at the expiration of the present term. That the sheriff of Robeson County shall perform the duties heretofore imposed upon the treasurer of said county, and that said sheriff shall be paid the sum not to exceed nine hundred dollars as compensation for performing the duties of the treasurer's office, said sum to be in addition to the salary now allowed by law to the sheriff. That said sheriff shall be required to execute sufficient

Compensation.

Official bond.

bond, in the discretion of the commissioners, for the safe keeping and proper disbursement of and accounting for all moneys that come into his possession and for the faithful discharge of such duties as are now required by law imposed upon the treasurer of said county.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 675.

AN ACT TO AMEND CHAPTER 828 OF THE PUBLIC-LOCAL LAWS OF 1913, SAME BEING THE PUBLIC ROAD LAW OF MADISON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section fifteen, chapter eight hundred and twenty-eight of the Public-Local Laws of one thousand nine hundred and thirteen, be amended by adding at the end of said section the following: "*Provided*, said highway commission may, in its discretion, from time to time make an allowance to the president elected by said highway commission herein provided in such sum as will reasonably compensate such president for his services rendered and expense incurred by him in carrying out his duties in administering this act."

Proviso: allowance to president.

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

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 676.

AN ACT TO AMEND CHAPTER 287 OF THE PUBLIC-LOCAL LAWS OF 1911, REGARDING THE DUTIES OF COMMISSIONERS OF THE LONG CREEK DRAINAGE DISTRICT.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and eighty-seven of the Public-Local Laws of one thousand nine hundred and eleven be and the same is hereby amended by adding after section eleven in said act the following:

"SEC. 11½. If any member of the board of commissioners created and provided by the provisions of this act shall neglect to perform any duty required of him by said act as a member of the board, he shall be liable to a penalty of one hundred dollars (\$100) for each

Penalty for neglect of duty.

Proviso: petition for performance.

offense, to be paid to any person who shall sue for the same: *Provided*, that before such liability shall be incurred by any such member of said board of commissioners, not less than ten (10) qualified electors residing in said drainage district or owning land in said district and residing in the State of North Carolina shall first give notice in writing by petition to such commissioner or commissioners of said drainage district for not less than thirty (30) days to perform said duty or duties as aforesaid."

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.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 677.

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF HENDERSON COUNTY TO REGULATE THE KILLING OF GAME AND FUR-BEARING ANIMALS IN CERTAIN CASES.

The General Assembly of North Carolina do enact:

Authority given commissioners.

Proviso: open season not lengthened.

Further authority given commissioners.

SECTION 1. That the board of commissioners of Henderson County may, by order duly made, fix the open season for killing birds and other game in Henderson County: *Provided*, the open season so fixed shall not be longer than the open season now allowed by law; and said commissioners may also add to the list of fur-bearing animals now protected by law such other fur-bearing animals as they may deem proper, and fix the open season for killing same.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 678.

AN ACT TO AUTHORIZE THE ROAD COMMISSIONERS OF UNION COUNTY TO PAY WILL ROSEBORO FOR WORK.

Preamble.

Whereas Will Roseboro was sentenced by the Superior Court of Union County to work on the public roads of Union County, and the term for which he was sentenced expired on or about the first day of April, one thousand nine hundred and thirteen; and whereas, by mistake, said Will Roseboro was required to work on said roads about four hundred and forty-five days after the expira-

tion of said term; and whereas it is desired to pay said Will Roseboro for the said four hundred and forty-five days work which he was by mistake required to do: Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the road commissioners of Union County are hereby authorized to pay to Will Roseboro the sum of fifty dollars to compensate him for four hundred and forty-five days work on the public roads of Union County, which he was by mistake required to do.

Payment
authorized.
Amount.

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

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 679.

AN ACT TO CREATE A HIGHWAY COMMISSION FOR THE COUNTY OF WAYNE.

The General Assembly of North Carolina do enact:

SECTION 1. That there shall be established in and for the county of Wayne a highway commission to be known as the Wayne Highway Commission, said highway commission to be composed of twelve citizens and taxpayers of Wayne County, North Carolina, all of said members to be appointed by the present General Assembly, one each from the twelve townships of Wayne County, four of whom shall hold office for the term of six years, four for four years, and four for two years, and said highway commission shall be and the same is hereby created a body corporate and politic, with a common seal, and with the power to sue and be sued.

Highway commis-
sion established.
Official title.
Members.

Appointment.

Terms of office.

Incorporation.

SEC. 2. That all the public roads and bridges along or across the public roads of Wayne County shall be under the exclusive supervision and control of the Wayne Highway Commission; that all petitions for establishing, locating, changing, and discontinuing any public road or building or repairing bridges on said public roads or across the streams of said county, and all other matters in reference to the public roads and bridges of said county, are by this act placed under the exclusive supervision and control of the Wayne Highway Commission, except as hereinafter provided.

Supervision and
control of roads.

Petitions as to
roads and bridges.

SEC. 3. That the terms of office of the members of the Wayne Highway Commission shall begin on the first Monday in June, one thousand nine hundred and fifteen. The first four hereinafter named in this act shall hold office for the term of six years from the first day of June, one thousand nine hundred and fif-

Beginning of term.

Terms.

teen, the next four named shall hold office for four years therefrom, and the remaining four shall hold office for two years from said date, and their successors shall hereafter be elected by the General Assembly of North Carolina at its biennial session, and their respective terms of office shall last for the term of six years, and begin on the first Monday in June following their appointment. That in electing the successors of the members of said highway commission hereinafter named in this act the General Assembly of the State of North Carolina shall select as the successors of the parties retiring citizens or taxpayers of the township in which the retiring commissioner resides.

Election of successors.

Qualifications for successors.

Vacancies.

SEC. 4. That upon failure of any member of the Wayne Highway Commission now or hereafter appointed to qualify, or in case of the death or resignation of any member of said highway commission, said vacancy shall be filled by appointment by the State Geologist of North Carolina.

Executive committee.

SEC. 5. That the said Wayne Highway Commission shall elect from its members an executive committee, consisting of three of its members, who shall have authority to do and perform all duties placed upon the Wayne Highway Commission by this act; and the doing or performing of anything or duty by said executive committee of three in relation to the public roads or bridges of the county of Wayne or any other matter which the Wayne Highway Commission should perform or would have the right to perform under this act shall be considered and construed as the act of the Wayne Highway Commission.

Authority.

Acts construed as of commission.

Appointment, term, and salary of secretary.

SEC. 6. That the said Wayne Highway Commission shall appoint a secretary of said board, whose term of office shall be one year from the date of his appointment or at the pleasure of the board, which said secretary shall receive a salary not to exceed the sum of thirty-five dollars per month. It shall be the duty of the said secretary of the Wayne Highway Commission to keep a complete record of all acts and doings of the highway commission or the executive committee, showing the amount of money received for the use and benefit of the highway commission, and it shall be the duty of the secretary to keep the books and records of the county convict system and audit all bills for same and perform all and singular the clerical duties incident to the proper road management, and purchase by bid, as herein provided, provisions, feed for teams, and all other supplies for the road force.

Record to be kept.

Books and records of convict system.

Audit of bills.

Purchases by bids.

Financial agent.

That the said highway commission shall select such bank or banks or trust companies doing business in the county of Wayne to act as financial agent or treasurer for said highway commission, and such bank or banks or trust companies shall execute a bond to be approved by the said highway commission for the faithful accounting of any and all funds so deposited with it, and conditioned as now provided by law for the faithful accounting by

Bond.

the county treasurer: *Provided*, that such bank or banks or trust companies shall be selected for the period of two years, unless some good grounds as to the financial condition of said bank, in the opinion of the said highway commission, warrant it in designating some other bank. Such bank or banks or trust companies so selected shall keep an accurate account of all moneys deposited with them, and shall, if so required by the highway commission, keep a separate account for different funds that may be designated by the said highway commission. All funds shall be paid out by the said bank or banks or trust companies upon the proper warrant signed by the chairman of said highway commission and countersigned by the secretary thereof: *Provided*, that all road funds shall be deposited equally and impartially, as near as can be done, among the several banks doing business in Wayne County: *Provided further*, that such bank or trust company so selected shall act as treasurer of all such funds and perform the duties of treasurer without commission or compensation of any character.

Proviso: term of selection.

Accounts to be kept.

Warrants on funds.

Proviso: division of deposits.

Proviso: treasurer allowed no compensation.

SEC. 7. That after the qualification of said Wayne Highway Commissioners, and their organization, the board of county commissioners shall turn over to the highway commission all road machinery, stock, and implements and other property now in use by the county of Wayne, and said board of county commissioners is hereby directed to instruct and require the county treasurer or other custodian of public funds, by whatever name designated, to turn over to the treasurer of the highway commission all taxes levied and collected for road purposes which may come into his hands by virtue of his office, and said county treasurer or other custodian of public funds shall take from the treasurer of the Wayne Highway Commission a receipt for such funds, which shall be a voucher for the county treasurer or other custodian of county funds in the settlement with the board of county commissioners; and there shall be paid to the Wayne Highway Commission by the treasurer or other custodian of public funds of Wayne County two and one-half per centum of all taxes collected by the sheriff of Wayne County assessed for county purposes, said money so paid to be used by said Wayne Highway Commission for the building and repairing of the roads of Wayne County.

Equipment and funds delivered to commission.

Voucher.

Appropriation from county tax.

SEC. 8. The highway commission shall purchase stock, material, implements, wagons, road scrapers, rollers, camp outfits, provisions, and clothing for the convicts, quarters or stockades or other things needful for the use of the county in working the roads and for the safe keeping of the convict force as may be found necessary in the proper carrying out of the work, and for the employment of such additional labor as may be deemed necessary. The highway commission shall have full and complete charge and control of all prisoners sentenced by any court of

Purchase of equipment and supplies.

Charge and control of convicts.

- Wayne County to work upon the public highways and roads of Wayne County, and shall have a right to prescribe such rules as are necessary for the proper maintaining of order among said convicts, to employ such guards and foremen for such convicts as in their discretion may seem necessary, and to do any and all other things necessary relative to the maintenance of said convicts and working them upon the public roads and bridges of Wayne County; and upon the organization of said highway commission as hereinafter set out the authorities of Wayne County now in supervision and control of said convicts shall deliver the same to the said highway commission, together with possession of all convict camps, stockades, now maintained in Wayne County or established between now and the date of said highway commission, together with the possession of any and all road machinery and other things used by the authorities of Wayne County in working the roads of Wayne County or maintaining said convicts.
- SEC. 9.** The highway commission shall have power to contract all or any part of the road construction or repair to the best responsible bidder and upon the best obtainable terms, taking sufficient bond from the contractor to indemnify the county against breach of contract and other damages and to fix forfeiture or liquidated damage.
- SEC. 10.** The highway commission is authorized, in its discretion, to create and fill any position which it may deem expedient for the proper road construction, repair, and maintenance, such as superintendent of road construction and repair, superintendent of convict force engaged in road work, a highway engineer at a price not to exceed fifteen hundred dollars per annum, or it may hire an engineer at so much per month or by the job, and he shall be experienced and approved by the State Geologist; to fix the compensation of and prescribe the forms and amounts of bonds which shall be given by such appointees for the faithful performance of their duties; to prescribe the powers and duties of such appointees, and to authorize them to employ, subject to the approval of the board, such subordinates or employees as may be needed. The board shall have power, for causes which it deems good and for which it shall be the sole judge, to discharge any appointee or employee at any time. The board may incur such expense as it deems needful in the examination of road work in other counties or to secure proper instruction in road work.
- SEC. 11.** The permanent roads to be built or improved by the highway commission shall from time to time be determined upon and designated by the highway commissioners, taking into consideration the needs of the whole county and every part thereof, opening and improving those roads which in its opinion will be of benefit to the greatest possible number of people of the county, and treating every section of the county with equal justice.
- Rules for maintenance of order.
- Guards and foremen.
- Delivery of force and equipment.
- Contracts for road work.
- Bonds on contracts.
- Authority to create and fill positions.
- Limit of salary of engineer.
Employment of engineer.
- Compensation and bonds of officers.
- Powers and duties.
- Employment of subordinates.
- Discharge for cause.
- Expense for instruction.
- Designation of permanent roads.

<p>SEC. 12. For the purpose of construction, improving, or repairing public roads the superintendent of road work or other person engaged in or connected with the road work, after first consulting the owner or his agent, shall have authority to enter upon any land, to cut or carry away any timber except trees left for ornament or shade; to dig or cause to be dug or carried away any gravel, earth, or sand which may be necessary to construct, improve, or repair said roads, and to enter upon any land adjoining or lying near the roads; to make such drains or ditches through the same as may be necessary for the benefit of the roads, doing as little injury to the land as possible; and any person willfully obstructing such drains or ditches shall be guilty of a misdemeanor, and on conviction thereof shall be fined not less than five dollars for each day the obstruction remains. Any landlord considering himself damaged by reason of acts authorized in this section may, within sixty days from the commission of the acts complained of, present his claim to the highway commission, who shall pass thereon within twenty days thereafter, and the owner may, within ten days from notice of the decision, appeal to the Superior Court. If the owner shall not recover a greater amount than that offered in the decision of the board, he shall be taxed with all costs of the appeal.</p>	<p>Entry on land for material.</p>
<p>SEC. 13. No person shall allow or cause to drain water from his lands into the public roads where there is no ditch, and it shall be the duty of the secretary of the said highway commission to give notice in writing to the owner or owners of such lands the ditches of which now or may hereafter drain into the public roads, to discontinue the draining of such lands into the public roads, and the owners of such lands shall be required to discontinue the draining of said lands into the public roads within two months after such notice is given, and any person failing or refusing to comply with the provisions of this act within two months after such notice shall be guilty of a misdemeanor, and fined or imprisoned, in the discretion of the court; and if any person draining across the public roads of Wayne County, and who is required by law to keep up the bridge over the same, shall fail or refuse to repair or rebuild his bridge when notified to do so by the superintendent of highways or other person in authority of said public roads, within ten days from such notice, the highway commission or superintendent of highways shall have power to put the bridge in good order at the expense of the owner, and the cost of such repairing or rebuilding shall be a tax or lien upon said property so drained, and shall be collected by the sheriff when so ordered by the highway commission as other taxes are collected: <i>Provided</i>, that this shall not relieve the owner from criminal prosecution according to law: <i>Provided further</i>, that all bridges or pipes so constructed across the public roads shall be constructed according to plans approved in writing by the road superintendent.</p>	<p>Drains or ditches.</p>
	<p>Obstructing drains or ditches misdemeanor.</p>
	<p>Punishment.</p>
	<p>Presentation and action on claim.</p>
	<p>Right of appeal.</p>
	<p>Costs on appeal.</p>
	<p>Draining water into roads forbidden. Notice for discontinuance.</p>
	<p>Failure to discontinue misdemeanor.</p>
	<p>Punishment.</p>
	<p>Drains across roads.</p>
	<p>Maintenance of bridges.</p>
	<p>Lien for bridges.</p>
	<p>Proviso: criminal prosecution.</p>
	<p>Proviso: approval of plans.</p>

Traffic regulations.	<p>SEC. 14. The highway commission shall have full power to prescribe rules and regulations governing the use of any public roads within Wayne County, except as provided in section thirty-three of this act, and any violation of such rules and regulations shall be a misdemeanor. The highway commission shall and is hereby required to cause to be removed from the public roads of said county all telephone and telegraph poles or other obstructions of whatever character: <i>Provided</i>, such telegraph or telephone poles or other obstruction may be removed across the ditch or drainway of any of the public roads of said county; and to the end that this section may be enforced and complied with, the said highway commission shall have the power and authority to exercise the right of eminent domain and may condemn, in the same manner as is provided herein for the condemnation of public roads, any lands on the field side of any ditch or drainway paralleling any of the public roads in said county, for the purpose of placing such telegraph and telephone poles; and the said highway commission shall have power to remove or cause to be removed all trees which shade any of the public roads of the county, whenever it may be necessary for the better maintenance of said roads, and they shall have a right and power to cause to be removed all of such trees to a width of seventy-five feet on each side of any public road.</p>	
Misdemeanor.		
Removal of poles and obstructions.		
Proviso: removal across drains.		
Power to condemn lands.		
Trees shading roads.		
Width of clearing.		
Power to locate and alter roads.		<p>SEC. 15. The highway commission shall have power, on petition or on its own motion, to relocate, construct, widen, or otherwise change public roads or parts thereof, and to lay out and construct new roads or parts thereof, and to lay out and construct new roads, when in its judgment the same will be advantageous to public travel, and for such purpose is authorized, through its agents, to enter upon any lands to make the necessary surveys. Before doing any work of construction, apart from surveys, the board shall give the owner of the land over which the proposed new road or change of road may run at least five days notice in writing of a time and place when and where the highway commission will consider the question of condemning the land. If the landowner be a minor or insane, such notice shall be given to him and his guardian, or if there be no guardian, the person with whom he is living. If the landowner be a nonresident or cannot be found within the county, such notice shall be mailed to his last known address and published in a newspaper of Wayne County at least twenty days before the hearing. If the highway commission shall find the proposed improvement advantageous to public travel and shall decide to condemn the land necessary for the road, it shall so declare and enter the order of condemnation in its minutes. Upon the question of condemnation, the findings and order of the board shall not be subject to review. Upon making the order of the board, the highway commission shall have authority, through its agent, to immediately take possession of the land described in the order and con-</p>
Entry on land for surveys. Notice to landowner.		
Persons under disability.		
Nonresidents.		
Order for condemnation.		
Order not subject to review.		
Power to take possession and construct roads.		

struct the road. If the landowner, after the road has been relocated or otherwise changed, or after the new road has been opened, shall consider himself damaged, and shall be unable to agree with the highway commission as to the amount of damages, he shall, within sixty days after opening, relocating, or otherwise changing the road, apply to the clerk of the Superior Court for an assessment of damages. Five days notice of such application shall be given to the highway commission. The clerk shall appoint and cause to be summoned by the sheriff a jury of three disinterested freeholders to assess damages, and shall at the time of appointing the jury fix the time and place of their meeting. If for any cause the jurors shall fail to so meet, they shall meet at such time and place as may be fixed by them, after giving forty-eight hours notice thereof to the highway commission and to the landowner or his attorney. The jurors, being duly sworn by some officer qualified to administer an oath, shall in considering the question of damages take into consideration the benefits to the landowner, and shall render a verdict for such amount, if any, as the damages may exceed the benefits, and shall report their findings and verdict to the clerk, and the clerk shall render judgment accordingly, and shall tax the landowner with the cost of the assessment if the damages assessed shall not exceed the amount offered by the highway commission. Either the highway commission or the landowner may appeal to the Superior Court within ten days from the filing of the report. If the landowner appeals, the clerk shall require him to give bond or make a deposit in a sum not exceeding one hundred dollars to secure such costs as may be recovered against him on appeal, and if the amount of damages recovered by him in the Superior Court shall not exceed the assessment appealed from, he shall be taxed with all the costs of the appeal. If the landowner make affidavit of inability, by reason of poverty, to give the required bond or to make a deposit, he shall be allowed to appeal without bond upon making affidavit as required in pauper appeals. The bond or deposit may be increased by the judge of the Superior Court. The appellate courts shall in no wise adjudicate the necessity of relocating, widening, or otherwise changing, or of the opening of the road, but shall try under the rules of procedure of the Superior Court only the question of damages and benefits: *Provided*, that if the highway commission shall desire to have the damages assessed before proceeding to the work of construction, and shall fail to agree with the landowner as to the damages, it shall, within sixty days after the order of condemnation, make application to the clerk accordingly; first, however, serving upon the landowner, in the manner as hereinafter provided for condemnation, notice of application. Upon hearing the application, the clerk shall appoint and cause to be summoned a jury of three disinterested freeholders, who shall proceed and make a report as

Application for assessment of damage.

Notice of application.
Jury of view.

Verdict of jury.

Report and judgment.
Cost of assessment.

Right of appeal.

Bond on appeal by landowner.

Costs on appeal.

Appeal without bond.

Increase of bond.

Question on appeal.

Proviso: assessment before work.

Application for assessment.

Jury of view.

Report.

- hereinbefore directed, except that they shall separately state therein the damage, if any, caused by the survey or surveys and taking of land condemned, and the rights of appeal and proceedings on appeal shall be as hereinbefore set forth: *Provided*, that within ten days after the filing of the report, or before final judgment in the Superior Court, if any appeal shall have been taken, the highway commission shall have the election to abandon the proposed road improvement or construction, and in such cases the clerk or the judge of the Superior Court, if an appeal shall have been taken, shall render judgment so declaring, setting aside the order of condemnation, awarding to the landowner the damages actually sustained, and taxing the highway commission with all costs: *Provided further*, that the said highway commission shall have the right of condemnation of any other lands for the purpose of acquiring suitable road-building material, and all such lands shall be condemned in the manner hereinbefore set forth.
- Right of appeal.**
Proviso: election by commission to abandon work.
- Order on abandonment.**
- Proviso: condemnation of land for material.**
- Obstruction of officers misdemeanor.**
- Punishment.**
- Discontinuance of roads.**
- Notice to land-owners.**
- Roads made cartways.
 Establishment of cartways.**
- Accounts of road funds.**
- Separate accounts.**
- Quarterly reports.**
- SEC. 16.** Any person who shall obstruct a highway commissioner, the engineer, road superintendent, or other agent, subordinate, or employee in making survey or who is engaged in any road work under authority of the highway commission, shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, or both, in the discretion of the court.
- SEC. 17.** The highway commission shall have authority to discontinue any public road at discretion which it may deem unnecessary, first, however, giving the landowners so affected not less than twenty days notice when and where they may be heard upon the question of discontinuing such road; or the highway commission may convert unnecessary public roads into cartways. It shall also have authority to establish or discontinue cartways, in the manner as provided in sections two thousand six hundred and eighty-six and two thousand six hundred and ninety-four of the Revisal of one thousand nine hundred and five, except that the words "highway commission" shall be substituted for the words "board of supervisors of the township," and the provisions for appeal to the board of commissioners shall not apply, but an appeal may be taken from the highway commission to the Superior Court.
- SEC. 18.** The highway commission shall keep or cause to be kept a separate account of the road funds of the county, and of its disbursements of the same; keeping, however, the disbursements on permanent roads separate and distinct from the disbursements on the repair work done on the roads in the several townships, keeping each township's disbursements separate, and it shall make a written report thereof to the board of county commissioners on the first Mondays in January, March, July, and October of each year, giving a statement of the disbursements from the road funds since the last report to the board, which report shall be filed with the clerk of the board.

- SEC. 19. The secretary of the highway commission shall annually, within ten days next before the first Monday of December of each year, make out and certify and cause to be published in a newspaper printed in the county a statement of the preceding year showing the amount of taxes collected in the county for road purposes and turned over to the highway commission; the amount expended in each township for repair of roads in such townships; for the building of bridges and repairs thereof; the amount paid out for opening new roads; the amount paid out for road machinery purchased during the year, and the amount of stock purchased and the cost of each, and the amount of road machinery and stock on hand; the amount of permanent road work done and the cost thereof in each township separately.
- SEC. 20. The stock and road implements and machinery belonging to the county and turned over to the highway commission may be used upon both the permanent and repair work upon the roads of the county, and the highway commission is empowered to purchase additional road machinery, stock and other machinery and tools used in road building from time to time as the same may be needed for keeping the roads of the county in good condition, and also for doing permanent road work.
- SEC. 21. That upon application of the highway commission, all male prisoners confined in the county jail of Wayne County under final sentence of the court for crime, or imprisonment for nonpayment of costs or fines, or under the vagrant acts, all male insolvents who shall be imprisoned by any court in said county for nonpayment of costs, and all male persons sentenced in said county to the State's Prison for a term of less than ten years, shall be assigned to work on the public roads of the county. Judges of the Superior Court or the judges of the criminal courts, the justices of the peace, and the recorder, police justice, or judge of any municipal court in the county may assign such persons convicted in his court to work on the public roads of said county, upon application of said highway commission. All such convicts after sentence by the respective courts shall be committed to the common jail in said county or delivered immediately to the sheriff of Wayne County, who shall deliver said convict or convicts to such officers of the highway commission as said highway commission may direct, and shall be paid by the county out of the general county funds, not exceeding one dollar for each convict so delivered. All such convicts, after delivery to the highway commission, to be fed, clothed, and otherwise cared for at the expense of the highway commission: *Provided*, that in case of serious physical disability certified to by any licensed physician, or other satisfactory reason appearing to the presiding judge, said person so convicted may be sentenced to the penitentiary or to the county jail: *Provided*, that any convict sentenced to the road becoming disabled
- Publication of annual statement.
- Details of statements.
- Use of equipment.
- Additional purchases.
- Prisoners assigned to road work.
- Sentences to road work.
- Delivery of convicts.
- Allowance to sheriff.
- Maintenance.
- Proviso: convicts physically disabled.
- Proviso: return of disabled convicts.

may be placed in jail, upon satisfactory evidence of his disability to work; the expense of keeping said convict or convicts to be borne by the county.

Convicts from other counties.

SEC. 22. Upon application of the highway commission to the judge of the Superior Court presiding in adjoining counties or any other counties in the same or adjoining districts which do not otherwise provide for the working of their own convicts on the public roads, said judge may sentence such able-bodied male persons as are described in the preceding section, from such adjoining counties in the same and adjoining judicial districts, to work the public roads of Wayne County; and the cost of transporting, guarding, and maintaining such prisoners, and such other costs as may be agreed upon in order to secure such convicts, shall be paid out of the road fund of Wayne County: *Provided*, that any and all such prisoners from such other counties may at any time be returned to the keeper of the common jail of such counties at the expense of the Wayne County road fund.

Costs paid from road fund.

Proviso; return of convicts.

Purchase of supplies.

SEC. 23. It shall be the duty of the highway commission to purchase supplies and provisions at wholesale, or at the best price obtainable, as may be needed from time to time, and it shall advertise the bids for supplies for the support of the convicts and all other necessaries during each year and the same shall be awarded to the best bidder, said bids to be sealed and filed with the highway commission.

Advertisement for bids.

Award of contract.

Investigation of crossings.

SEC. 24. The said highway commission shall, upon its motion, or upon petition of another, have the power to fully investigate any and all crossings of the public roads of the county, whether said crossings be those of railroad companies, street car companies, or other corporations or private individuals, and whenever said crossings may be so constructed or maintained as in the opinion of the highway commission the use of the public roads at such crossings has become dangerous, unsafe, or inconvenient, by reason of the construction or maintenance of the crossing of the public roads, the highway commission shall give ten days notice to such corporations or persons maintaining the alleged obstructions to appear before the highway commission and show cause why the obstructions shall not be removed or so changed as to render travel over and along the public road safe, less dangerous, and more convenient.

Notice to appear and show cause.

Hearing.

SEC. 25. That the said highway commission shall, after notice, investigate the conditions at the crossing, hear such evidence as may be offered, and may make personal investigation as to the alleged obstruction, and determine as to whether the obstruction complained of renders the travel over the public road dangerous, unsafe, and inconvenient, and if so, the highway commission shall order and direct its removal or change within a reasonable time; and unless said obstruction is removed or changed as directed by the highway commission within the time prescribed, said railroad

Order on hearing.

Misdemeanor.

company, street car company, other corporation or person maintaining the alleged obstruction shall be guilty of a misdemeanor, and shall be fined five dollars for each day said obstruction is allowed to remain after notice. That upon the findings of the highway commission as to the removal of such obstruction, the railroad company, street car company, other corporation or person maintaining the obstruction may appeal direct to the Superior Court, where the matter in controversy may be tried *de novo*. In case an appeal is taken to the Superior Court, the appellant shall give bond in the sum of two hundred dollars, unless the appellant shall make and file an affidavit as is required in pauper appeals.

Punishment.

Right of appeal.

Bond on appeals.

SEC. 26. That said highway commission is hereby authorized and empowered, when it shall deem it necessary, to borrow not exceeding five thousand dollars in any one year to be used in road construction, to be repaid out of the road funds coming into its custody by virtue of this act.

Power to borrow money.
Limit.

Repayment.

SEC. 27. That the following named citizens and taxpayers of Wayne County be and they are hereby appointed members of the Wayne Highway Commission: George S. Dewey, George L. Becton, Isaac Smith, and J. R. Murvin, whose term of office shall be six years from the first Monday in June, one thousand nine hundred and fifteen, or until their successors are each elected and qualified; William Potts, L. O. Hayes, Aleck Aycock, and W. A. Copeland, whose term of office shall be four years from the first Monday in June, one thousand nine hundred and fifteen, or until their successors are each elected and qualified; James Parks, L. R. B. Combs, Bright Thompson, and W. B. Fort, whose term of office shall be two years from the first Monday in June, one thousand nine hundred and fifteen, or until their successors are each elected and qualified: *Provided, however*, that the said members are hereby required to meet on the second Monday in June, one thousand nine hundred and fifteen, at which time they shall organize, appoint the executive committee hereinbefore referred to, elect the said secretary, appoint the bank or banks hereinbefore referred to as treasurer, and they shall further organize and begin their active duties as herein prescribed.

Commissioners and terms.

Proviso: date of meeting for organization.

Details of required business.

SEC. 28. That the said executive committee heretofore referred to shall hold such meetings as in the discretion of said executive committee shall be necessary, said meetings to be held at the courthouse of Wayne County, as above described: *Provided, however*, each member of said executive committee shall be paid for attendance upon said meeting two dollars and a half a day, but no session shall continue longer than two days at any one time; and *Provided further*, that said executive committee shall not receive pay for more than one meeting per month unless they hold meeting in conjunction with the entire highway commission, and when so meeting shall receive pay as do the other members of said highway commission.

Meetings of executive committee.

Place of meetings.

Proviso: pay of committeemen.

Limit of session.

Proviso: number of meetings.

Meetings of commissioners.

SEC. 29. That said highway commission shall hold its meetings in the courthouse or in the room of the county commissioners when said room shall not be in use by the board of county commissioners. That all expense necessary to be incurred by the highway commission in putting into effect this act shall be paid for by the highway commission out of the road fund coming into its custody by virtue of this act.

Payment of expenses.

Attorney for commissioner.

SEC. 30. That the county attorney of Wayne County shall act as attorney for said highway commission without additional compensation.

County commissioners to appropriate road funds.

SEC. 31. That the board of commissioners of Wayne County shall on the first Monday in July, one thousand nine hundred and fifteen, and thereafter annually on the first Monday of December, after hearing said highway commission, set apart from the county funds a reasonable amount of money which shall be turned over to said commission and shall be expended in constructing, maintaining, and repairing bridges.

Former road laws.

SEC. 32. That all laws pertaining to the public roads or bridges of Wayne County shall be and remain in force until the highway commission created by this act shall qualify and organize for the purpose declared in this act.

Repealing clause.

Proviso: exceptions.

SEC. 33. That all laws and clauses thereof in conflict with this act are hereby repealed: *Provided*, that nothing in this act shall be construed to repeal or affect any act affecting townships or special road districts, or any authority conferred therein which have heretofore or may during the existence of highway commission created by this act issue any bonds under authority of any act of the General Assembly.

When act effective.

SEC. 34. That this act shall be in full force and effect from and after June first, one thousand nine hundred and fifteen.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 680.

AN ACT TO PROVIDE GOOD ROADS IN TYRRELL COUNTY.

The General Assembly of North Carolina do enact:

Petition for election.

County commissioners to order election.

SECTION 1. That upon a petition signed by one-fourth of the freeholders of any township of Tyrrell County, presented to the board of county commissioners of Tyrrell County, it shall be the duty of said board of commissioners to order and provide for holding an election in said township to ascertain the will of the electors therein whether such township shall have good roads and whether said good roads shall be provided for by a special tax not exceeding thirty cents on each one hundred dollars valua-

tion of property and ninety cents on each poll. If said election be held at any other time than the regular election, the said election shall be advertised for thirty days preceding the date of election by posting notices at the courthouse door of Tyrrell County and at three public places in such township, and the said county commissioners shall appoint a registrar and a poll-holder for each election precinct in such township, and may, in their discretion, order a new registration, and the election shall be held as nearly as may be under the laws governing general elections. At such elections those who favor a special road tax shall vote a ballot on which shall be printed or written "For Road Tax," and those opposed shall vote a ballot on which shall be printed or written "Against Road Tax."

SEC. 2. If a majority of the votes cast in said election in any township shall be "For Road Tax," the board of county commissioners shall annually, in the manner and at the time of levying the county taxes, levy a special tax on all persons and property within said township subject to taxation not more than thirty cents on the one hundred dollars worth of property and not more than ninety cents on the poll, observing the constitutional equation. The taxes so levied shall be collected as other taxes are, and paid to the county treasurer, and be held and applied as the road fund of such township. At the election herein provided for the registrar and poll-holders shall count and canvass the votes cast and shall report the result of the same to the board of county commissioners, which report shall be recorded in the minutes of the board of county commissioners, and no other report, canvassing, or recording shall be necessary.

SEC. 3. That whenever any township in Tyrrell County shall have voted the road tax as herein provided for, the justices of the peace of such township shall be notified thereof, and shall, at a regular called meeting attended by a majority of said justices, elect from the qualified voters of said township a board of road commissioners for such township, consisting of three members, one of whom shall be elected for a term of six years, one for a term of four years, and one for a term of two years, and as their terms of office expire their successors shall be elected by the justices of the peace of the township for a term of six years, and justices of the peace of said township may be elected and serve as members of said board of road commissioners. Should any member of said board of road commissioners cease to be a qualified voter in said township, his office shall *ipso facto* become vacant, and in case of a vacancy on said board resulting from any cause, the justices of the peace of said township shall elect a qualified voter of said township to fill the unexpired term. The said board of road commissioners shall qualify by taking the

Advertisement if election be special.

Election officers.

New registration.
Law governing election.
Ballots.

Levy of tax.

Limit of rate.

Collection and settlement.

Count and return of votes.

Record of returns.

Election of road commissioners.

Terms of office.

Election of successors.

Justices eligible.

Removal to work vacancy.

Election to fill vacancies.

Commissioners to qualify.

Organization. oath of office required by law and organize by electing from their
 Records. number a chairman and a secretary, and said secretary shall keep
 a record of the proceedings and transactions of said board of road
 commissioners. Said board of road commissioners of such town-
 Incorporation. ship, when elected and qualified, and their successors in office,
 are hereby incorporated under the name of "The Board of Road
 Corporate name. Commissioners of ----- Township," and by that name
 Corporate powers. may sue and be sued, make contracts, and do all things necessary
 for a proper performance of their duties and necessary to carry
 out the purposes and provisions of this act.

SEC. 4. That the board of road commissioners of such township
 are hereby given all such powers as may be needed in the pro-
 viding of good roads in such township. They may purchase such
 machinery, implements, and supplies as may be needed, and may
 Purchase of equip- employ a practical road builder or road superintendent to super-
 ment and supplies. intend the working, repairing, and construction of roads in such
 township; and two or more townships which have voted the road
 Superintendent. tax herein provided for may jointly purchase such machinery and
 implements and supplies and employ a practical road builder or
 road superintendent and apportion the cost of same between the
 townships: *Provided*, that the practical road builder or superin-
 tendent of roads herein provided for may at any time be removed
 by the board or boards of road commissioners which employ him,
 after having been given ten days notice and a hearing, when in
 the opinion of such board or boards there exists good and suffi-
 cient cause for such action, and for malfeasance or misconduct
 in office. He may be removed by them without any further no-
 tice than may be necessary in order to give him a hearing. It
 shall be the duty of said superintendent of roads, subject to the
 approval of the board or boards of road commissioners employing
 him, to supervise, direct, and have charge of the maintenance and
 building of all public roads in such township or townships, and
 shall submit to the board or boards of road commissioners a
 monthly report of all work done and in progress and the moneys
 expended. Said practical road builder or superintendent of roads
 shall, before entering upon the discharge of his duties, deposit
 with each board of road commissioners by whom he is employed a
 good and sufficient bond, to be approved by such board of road
 commissioners, in the sum of not less than three hundred dollars,
 conditioned for the faithful and honest discharge of the duties
 he is employed to perform and for the forthcoming of all ma-
 chinery, implements, and property of all kinds over which he ex-
 exercised supervision or control.

SEC. 5. All moneys raised under the provisions of this act shall
 be expended under the supervision and control and upon the
 orders of the board of road commissioners of such township for
 the making and maintenance of the public roads in such township.

Powers given com-
 missioners.
 Cooperation by
 townships.
 Proviso: superin-
 tendent removable
 for cause.
 Duties of superin-
 tendent.
 Monthly reports.
 Superintendent to
 give bond.
 Supervision of and
 orders for expendi-
 tures.

<p>The sheriff shall pay the taxes levied and collected under this act to the treasurer of Tyrrell County, and they shall be paid out only on the order of the chairman of the board of road commissioners of such township when countersigned by the secretary of such board, and the treasurer shall keep a separate account of all moneys received and disbursed for any such township under this act. The bonds of the sheriff and treasurer shall be liable for the proper keeping and disbursement of all funds coming into their hands by virtue of this act; and for collecting taxes levied under this act the sheriff shall be paid three per cent and the treasurer two per cent in full payment for the performance of their duties herein.</p>	<p>Taxes paid to county treasurer. Orders on fund.</p>
	<p>Separate accounts.</p>
	<p>Officers liable on bonds.</p>
	<p>Commissions.</p>
<p>SEC. 6. The board of road commissioners of such township as shall vote for the road tax under this act, from the date of their election and qualification, shall succeed to all the rights and duties heretofore exercised by the board of road supervisors of such township and the public road overseers of such township under chapter sixty-five of the Revisal of nineteen hundred and five, and such board of road supervisors of such township and all road overseers of such township shall cease to exercise any of the duties heretofore enjoined upon them by law with respect to the public roads of such township, and except as modified herein all the duties and powers heretofore possessed and performed by the road supervisors and road overseers of such township shall devolve upon and be performed by the board of road commissioners of such township. The board of road commissioners under this act shall serve without compensation, but shall not themselves be subject to work on the roads of such township.</p>	<p>Road commissioners successors to supervisors.</p>
	<p>Duties and powers devolved.</p>
	<p>Compensation.</p>
<p>The board of road commissioners of such township may divide the roads of such township into sections and assign road hands to work on said sections, or may assign the hands to work on the roads of such township without dividing the roads of the said township into sections; and all work on the public roads of such township, whether done by contract or hired labor or by hands subject to road duty, shall be done under the supervision, direction, and control of said board, which is empowered to employ supervisors of work on the roads of such township. All persons subject under the general road law to work on the public roads of such township shall continue to be subject to road duty, members of the board of road commissioners of such township excepted: <i>Provided, nevertheless</i>, if any person subject under the general road law to work on the public roads of such township shall pay to the treasurer of Tyrrell County three dollars he shall be relieved from working on the public roads of such township for the period of one year from the date of such payment. When a person subject to road duty elects to pay three dollars and obtain exemption from road work for one year, he shall demand</p>	<p>Roads divided into sections.</p>
	<p>Assignment of road hands.</p>
	<p>Supervision and direction of work.</p>
	<p>Road duty.</p>
	<p>Proviso: commutation.</p>
	<p>Receipt for commutation.</p>

- and receive a receipt for said money, stating when the period of exemption begins. If a receipt be lost or destroyed, upon proof thereof satisfactory to the person who issued the same, he shall issue a duplicate receipt to the person entitled thereto. Receipts for money paid for exemption from road work shall be personal and not transferable.
- Duplicate receipt.
Receipts not transferable.
- SEC. 7. The board of road commissioners of such township shall make reports to the Superior Court of Tyrrell County as the board of road supervisors are required to do under the general road law, and the board of road commissioners of such township shall also make a report to the board of commissioners of Tyrrell County of all work done and money expended during each year, such report to be made on the first Monday in January in each year.
- Reports to superior courts and to county commissioners.
- SEC. 8. Except as herein changed or modified, chapter sixty-five of the Revisal of one thousand nine hundred and five, with amendments thereto, is declared to be in full force as regards such townships as avail themselves of the benefits of this act.
- General law.
- SEC. 9. That the taxes levied herein shall be levied by the board of county commissioners of Tyrrell County upon the recommendation of the board of road commissioners of such township constituted as herein stated, and may be diminished in amount or entirely discontinued in the discretion of the board of road commissioners of such township.
- Levy of taxes.
- SEC. 10. The words "such township" shall be construed to mean such township or townships as vote for the road tax herein provided for.
- Definition of term.
- SEC. 11. Nothing in this act contained shall in any way interfere with the levying and collecting of taxes in Tyrrell County for the building of the road now under construction connecting Kilkenny Precinct or neighborhood with the Gum Neck road, nor with the construction of said road by the board of commissioners of Tyrrell County, nor with the laying off and construction of any other public road by the board of commissioners of Tyrrell County.
- Work not interfered with.
- SEC. 12. The board of commissioners of Tyrrell County may, in their discretion, require a deposit to be made by the petitioners for any election under this act of an amount of money sufficient to defray the cost of any election held under this act, as a condition precedent to ordering an election, to be refunded to the petitioners in case the special road tax carries at such election.
- Deposit for expense of election.
- SEC. 13. This act shall have no application to Scuppernong Township in Tyrrell County.
- Scuppernong township excepted.
- SEC. 14. That this act shall be in force from and after its ratification.
- Ratified this the 8th day of March, A. D. 1915.

CHAPTER 681.

AN ACT TO ESTABLISH AN INFERIOR COURT FOR PITT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That there shall be and hereby is established an inferior court in and for the county of Pitt, which shall be called the county court of Pitt County and which shall have an official seal with the words "County Court of Pitt County" thereon, and said court shall be a court of record.

Court established.
Official entitlement.
Seal of court.
Court of record.

SEC. 2. Said court shall be presided over by a judge, who shall be a man of good moral character and who shall be at the time of his election and qualification an elector in and for Pitt County. Said judge shall be elected by the people of Pitt County at the same time and in the same manner as other county officers are elected, and shall hold office for two years.

Judge.
Election of judge.

SEC. 3. That the provisions of the Code of Civil Procedure and processes and pleadings, both criminal and civil, applicable to actions in the Superior Court shall be applicable to actions and proceedings in said court except as hereinafter provided. That the judge of said court shall have power to transfer causes, civil and criminal, pending therein to the Superior Court of Pitt County for trial, and the judge of the Superior Court shall have like power to transfer to said county court for trial criminal and civil actions pending in the Superior Court, that are within the jurisdiction of the county court: *Provided*, that all process of this court in causes of action ordinarily within the jurisdiction of justices of the peace shall be subject to same laws as govern process in courts of justices of the peace.

Rules and pleadings as of superior court.
Transfer of cases.

Proviso: process in cases within justice's jurisdiction.

SEC. 4. Said court shall have original jurisdiction of all misdemeanors committed within the county of Pitt, as follows, to wit: of all crimes the jurisdiction of which is now or may hereafter be given to justices of the peace. That in addition to the offenses above mentioned, the following crimes, to wit, carrying concealed weapons, gaming, gambling, keeping bawdy houses, keeping gambling houses; larceny, or receiving stolen goods knowing them to be stolen, wherein the value of the article does not exceed twenty dollars; failing to list taxes, assault and battery with deadly weapon or when serious damage is done, fornication and adultery, cruelty to animals, malicious injury to real or personal property, trespassing on land after being forbidden, forcible trespass, enticing servants to leave masters, indecent exposure of person, retailing spirituous liquors without license, selling intoxicating liquors, selling or giving away intoxicating liquors to a minor, selling or giving away cigarettes to a minor, obtaining advances

Jurisdiction in criminal cases.

by false pretense, disposing of mortgaged property, all crimes against public health as contained in the Revisal of one thousand nine hundred and five from section three thousand four hundred and forty to section three thousand four hundred and fifty-eight, inclusive; all misdemeanors as contained in chapter eighty-one of the Revisal of one thousand nine hundred and five, and acts amendatory thereof, where the punishment does not exceed a fine of two hundred dollars and imprisonment for two years; and all offenses enumerated above are hereby declared to be petty misdemeanors; and all crimes which under the common law are misdemeanors, wherein the punishment is in the discretion of the court, are hereby declared by this act to be petty misdemeanors, and exclusive, original jurisdiction thereof is hereby given to the said county court of Pitt County.

Petty misdemeanors.

Sessions.

SEC. 5. Said court shall be open for the trial of all cases on each and every Monday morning at ten o'clock at the courthouse in Greenville, and shall continue its sessions until the business before it shall be disposed of.

Adjournment during superior court.

SEC. 6. The judge of said court may, in his discretion, to suit the convenience of counsel, witnesses, and parties, adjourn said court during the sittings of the Superior Court of Pitt County.

Issue of warrants.

SEC. 7. All trials of criminal actions in said court shall be on warrants issued by the clerk of said county court, except as herein-after provided.

Summons in civil actions.
Return day.

SEC. 8. All civil actions shall be commenced by summons issued by the clerk, and shall be returnable on the first Monday next after the tenth day from the issuance thereof, and the plaintiff shall file a written complaint on the return day, in all matters beyond the jurisdiction of a justice of the peace, and shall serve a copy of said complaint on the defendant or his counsel, and the defendant shall file his answer or demurrer within ten days following the return day, a copy of which shall be served on the plaintiff or his counsel, and the case shall stand for trial on the second Monday after return day.

Complaint.

Answer or demurrer.

Trial day.

Clerk ex officio.

Deputy clerk.

SEC. 9. The clerk of the Superior Court of Pitt County shall be *ex officio* clerk of the county court of Pitt County, and shall have full power and is hereby authorized to appoint a deputy clerk to perform the duties of clerk of said county court.

Jury trials on demand of parties.

SEC. 10. That either plaintiff or defendant, in actions in this court, may demand and have a jury, which shall be twelve in number. That the judge of said court, in all cases in which in his judgment the ends of justice would be best served by submitting the issues to a jury, may have a jury called of his own motion, as herein provided, and submit the issue to the jury.

Jury trial ordered by judge.

Order for drawing jury.

SEC. 11. That the judge of said court, when a jury is demanded, or when in his discretion he shall order a jury of his own motion, shall direct and order the register of deeds of Pitt County to draw

a jury from the regular jury box, and upon receipt of such order it shall be the duty of said register of deeds to draw from the jury box such number of jurors as said judge may direct, in such order, under the same regulations as now govern county commissioners in drawing jurors for the Superior Court, and deliver the names so drawn to the sheriff of Pitt County, with an order to summon such named persons as jurors. The judge of said court shall have power during any term of his court to cause a jury to be summoned from the bystanders as is now or may be hereafter provided by law for summoning tales jurors in the Superior Court: *Provided*, that in the selection of and passing upon juries and jurors in the trial of all cases, both criminal and civil, the same rules for challenging juries and jurors shall be applicable to this court as are now or may hereafter be applicable in and to the Superior Court.

Drawing.

Summons.

Jury of bystanders.

Proviso: challenges.

SEC. 12. Said court shall have jurisdiction in civil actions and proceedings as follows:

Civil jurisdiction.

(a) Concurrent jurisdiction with justices of the peace in all civil matters, actions, and proceedings which are now or may hereafter be given to justices of the peace of Pitt County.

As of justices of the peace.

(b) Concurrent jurisdiction with the Superior Court of Pitt County in all civil actions, matters, and proceedings founded on contract wherein the sum demanded shall not exceed five hundred dollars, and wherein the title to real estate shall not be in controversy.

Further jurisdiction.

In matters on contract.

(c) Concurrent jurisdiction with the Superior Court of Pitt County in all civil actions, matters, and proceedings founded on tort, wherein the sum demanded or the value of the personal property in controversy does not exceed one thousand dollars, and wherein the title to real estate shall not be in controversy; and in all civil matters tried by justices of the peace in said county where either party to the suit appeals from the judgment of said justice's court the said case on appeal shall be sent to the said county court for a new trial, unless the appellant demands an appeal direct to the Superior Court, as is now provided by law for the trial of cases in the Superior Court upon appeal from justices' courts, and shall be heard at the first sitting of the said county court thereafter, and the trial in said court shall be *de novo*.

In actions on torts.

Appeals from justices.

Trial on appeals.

(d) Concurrent jurisdiction with the justices of the peace and with the Superior Court in attachment and claim and delivery proceedings where the sum demanded or the value of the property claimed is within the jurisdiction of said county court of Pitt County, as defined herein.

Jurisdiction in attachment and claim and delivery.

SEC. 13. All judgments rendered in said county court shall be duly docketed in the office of the clerk of the Superior Court of Pitt County, and shall have the same force and effect as judgments of the Superior Court, and executions shall issue thereon as is now provided by law for execution.

Judgments docketed.

Executions.

- Jurisdiction as committing magistrate. SEC. 14. In all criminal cases heard by justices of the peace or other committing magistrates of said county against any person or persons for any offense mentioned herein in which probable cause of guilt is found, such person or persons shall be bound in a personal recognizance, with surety, to appear at the next succeeding session of the said county court for trial, and in default of such surety such person or persons shall be committed to the common jail of Pitt County to await trial.
- Bail for appearance. SEC. 15. All mayors of incorporated towns or cities, justices of the peace, committing magistrates, constables, sheriffs, and police officers shall have the same fees as are now prescribed by law in the Superior Courts, to be collected and paid out in the same manner and by the same officers as collect and disburse said fees in the Superior Courts.
- Commitment in default of bail. SEC. 16. All persons convicted in said court for any of the offenses mentioned in this act wherein punishment is imprisonment alone and costs shall be sentenced by said judge to imprisonment in the common jail in said county, to be worked upon the public roads of Pitt County. All fines imposed shall be collected by the clerk as is now done in the Superior Court, and where a defendant is acquitted or is convicted and fails to pay the costs the county shall pay such costs as is now allowed and provided by law in similar cases in the Superior Court.
- Fees. SEC. 17. The said clerk shall receive the same fees, both in civil and criminal matters, as are now received by him as clerk of the Superior Court for similar services, to be collected and paid in the same manner that his fees as clerk of the Superior Court are collected.
- Sentence to work on roads. SEC. 18. There shall be a solicitor's tax fee of four dollars in every criminal action wherein a defendant is convicted, of which the court has exclusive original jurisdiction, and a solicitor's tax fee of two dollars in every criminal case wherein the defendant is convicted, of which said court has concurrent jurisdiction with the mayors of cities or towns and justices of the peace in said county, and in such cases as may be tried in said court upon appeal from such officers.
- Collection of fines. SEC. 19. There shall be a tax fee of five dollars in every civil suit, to be deposited by the plaintiff with the clerk of said county court when suit is brought. That in cases where plaintiff is allowed to bring suit *in forma pauperis* he shall make the said deposit unless he shall also make oath that he is unable by reason of his poverty to make such deposit. This tax fee shall be recovered as part of the costs. The tax fees of the solicitor and the five dollars tax fee in civil actions shall be applied to create a fund for the payment of the expenses of said court.
- Costs paid by county. SEC. 20. As a fee for issuing a warrant, summons, or other original process returnable to the county court of Pitt County for trial,
- Fees of clerk.
- Solicitor's tax fees.
- Tax fee deposited in civil suits.
- Suits in forma pauperis.
- Tax fee recovered as costs.
- Tax fees as fund for court.
- Fees of officers and witnesses.

the officer shall be entitled to fifty cents and witnesses shall be entitled to fifty cents a day and mileage at five cents per mile each way, but only such witnesses shall be allowed to prove as are now allowed to prove attendance in the Superior Court. In each action, civil or criminal, within the jurisdiction of the justices of the peace a fee of one dollar, and in all other cases a fee of two dollars shall be taxed and collected as other costs for trial and judgment and paid to Pitt County. Except as above provided, the respective officers shall be entitled to the same fees in the said county court as are now allowed by law in the Superior Court: *Provided*, that the police officers of the city of Greenville shall be allowed the same fees as sheriffs or constables, the same to be paid into the treasury of the city of Greenville. Costs in all actions, civil and criminal, in the said county court of Pitt County shall be payable and collected as is now provided by law. The said judge shall have full power as to taxing bills of costs, and the respective items thereof, under the practice now obtaining in the Superior Court in respect to such matters: *Provided*, that all costs in all cases tried upon appeal from the mayor of the city of Greenville shall be paid into the said treasury, and should any case be brought before said court on appeal from the mayor of any other incorporated town of Pitt County, then and in that event the costs in such trial shall be paid into the treasury of such incorporated town.

SEC. 21. That the board of commissioners of Pitt County shall provide summons, minute, trial, judgment, and judgment cross-index dockets for the use of said county court of Pitt County and docket for attorneys.

SEC. 22. That in cases in said county court wherein a jury trial is demanded or had a jury fee shall be taxed in the costs of such case, which jury fee shall be that provided for in bills of costs in the Superior Court of Pitt County; and in all trials in said county court the judge thereof shall have full power and authority to employ a stenographer therefor, whose compensation shall be fixed by the commissioners of Pitt County, which shall not exceed that provided for a stenographer for the Superior Court of Pitt County; and the same fees therefor shall be taxed as are taxed in the Superior Court of Pitt County.

SEC. 23. That the board of commissioners of Pitt County shall at their first regular or called meeting held after the ratification of this act appoint a judge of said county court to hold the office until the first day of January, one thousand nine hundred and seventeen, and until his successor shall be elected and qualified. That before entering upon the duties of his office he shall take and subscribe the oath prescribed for judges of the Superior Court, before some judge of a Superior Court or other officer authorized to administer oaths, which oath shall be filed with the clerk of said county court. That his successor, who shall be a man in good

Fees taxed and paid to county.

Fees as in superior courts.

Proviso: fees of police officers.

Collection of costs.

Judge to tax bills of cost.

Proviso: costs on appeals from mayors.

Dockets.

Jury fee taxed as costs.

Employment of stenographer.

Compensation.

Election of judge.

Term.

Oath of office.

Election of successor.

standing and an elector in Pitt County, shall be elected at the general election to be held in one thousand nine hundred and sixteen by the voters of Pitt County.

Judge may practice law.

SEC. 24. The said judge shall not be prohibited from practicing the profession of attorney at law in other courts than the one of which he is judge, nor as to litigation not within the jurisdiction of said court or connected with or growing out of some cause pending therein.

Salary.

SEC. 25. That the judge of said county court shall be paid a salary of one thousand dollars a year, to be paid in monthly installments by the treasurer of Pitt County, but the county commissioners may increase the said salary of the judge or solicitor at any time. There shall be a substitute judge of said county court of Pitt County, who shall, whenever the judge of said court is unable to perform the duties of his said office, or is absent from the said county, or said office of judge for any reason becomes vacant, be clothed with all the authority of the judge of said county court and perform the duties of the judge of said court, and receive the compensation herein provided for such judge during the time said substitute judge is performing said duty, and that the board of commissioners of Pitt County shall at their first regular or called meeting held after the ratification of this act appoint a substitute judge of said county court, to hold said office until the first day of January, one thousand nine hundred and seventeen, and until his successor shall be elected and qualified. That on the first Monday in December, one thousand nine hundred and sixteen, and biennially thereafter, the board of county commissioners of Pitt County shall elect a substitute judge of said county court, who shall have the same qualifications that the judge of said court is required to have, who shall take and subscribe the oath herein prescribed for the judge of said court, and who shall hold his office from the first day of January next following his election, for two years and until his successor is elected and qualified: *Provided*, that the said substitute judge shall not be prohibited from practicing his profession in said county court.

County commissioners may increase salary.

Substitute judge.

Election of substitute.

Election of successor.

Proviso: practice by substitute.

Appointment of solicitor.

Election of successor.

Oath of office.

SEC. 26. That the board of commissioners of Pitt County shall at their first regular or called meeting held after the ratification of this act appoint a solicitor of said county court of Pitt to hold the said office until the first day of January, one thousand nine hundred and seventeen, and until his successor is elected and qualified; that his successor shall be elected by the voters of Pitt County at a general election to be held in one thousand nine hundred and sixteen; that such person, an elector of Pitt County, shall hold his said office for two years. That before the solicitor enters upon the duties of his office he shall take and subscribe before the judge of said county court the oath required of the solicitor of the district, which oath shall be filed with the clerk of said county court.

SEC. 27. That the solicitor of said county court shall receive a salary of six hundred dollars per year, to be paid in monthly installments by the treasurer of Pitt County in the same manner as is provided for the payment of the salary of the judge of the said court. In case of a vacancy in the office of either judge or solicitor of said county court, from any cause, it shall be filled, until the next general election and qualification of such officer, by the board of county commissioners of Pitt County from electors of said county.

Salary of solicitor.
Vacancy.

SEC. 28. That the clerk of said county court, before entering upon the duties of his office, shall take and subscribe before the judge of said court or other person authorized to administer oaths, an oath to faithfully perform the duties of his office and to safely keep and honestly account for any and all moneys coming into his hands as clerk of said county court by law or order of said court, which oath shall be recorded and filed in said court.

Oath of clerk.

SEC. 29. That the clerk of said county court shall have possession and custody of the seal of said court, and shall affix the same to all writs, processes, and other instruments requiring a seal, and which run or are to be used outside of Pitt County. He shall keep the records of said court, issue all writs, and other processes issuing from and returnable to said court, and in all respects perform the duties of the clerk of a court of record.

Custody and use of seal.

Duties as clerk.

SEC. 30. That this act shall be in force and effect from and after its ratification.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 682.

AN ACT TO CONSOLIDATE THE CLOSED SEASONS FOR CERTAIN GAME IN CARTERET COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the following dates are hereby made the closed season for game specified as follows:

Close season.

Squirrel, March first to November first; quail, March first to November first; wild turkey, March first to November first; dove, March first to November first; woodcock, March first to November first; plover, snipe, yellow-legs, March first to December first; deer, February first to September first: *Provided*, the closed season in White Oak Township shall be from February first to August first.

Squirrel.
Quail.
Wild turkey.
Dove.
Woodcock.
Plover, snipe,
yellow-legs.
Deer.
White Oak town-
ship.
Law for Newport
township.

SEC. 2. That chapter seven hundred thirty-eight of the Public-Local Laws of one thousand nine hundred and thirteen be amended by striking out all of section two.

- Application of act. SEC. 3. That this act shall apply only to Carteret 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 force from and after its ratification.
- Ratified this the 8th day of March, A. D. 1915.

CHAPTER 683.

AN ACT TO PROHIBIT THE RUNNING AT LARGE OF HOGS, SHEEP, AND GOATS ON HOG ISLAND IN CARTERET COUNTY.

The General Assembly of North Carolina do enact:

- Prohibition. SECTION 1. That it shall be unlawful for any person or persons
- Date. to allow their hogs, sheep, or goats to run at large on Hog Island in Carteret County after July first, one thousand nine hundred and fifteen.
- Misdemeanor. SEC. 2. That any person or persons violating section one of this
- Punishment. act shall be guilty of a misdemeanor and upon conviction shall be fined not more than ten dollars nor less than one dollar or imprisoned not more than ten days nor less than one day.
- 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.
- Ratified this the 8th day of March, A. D. 1915.

CHAPTER 684.

AN ACT TO PLACE THE OFFICERS OF HARNETT COUNTY UPON A SALARY BASIS.

The General Assembly of North Carolina do enact:

- Officers to collect and account for fees. SECTION 1. That the sheriff, clerk of the Superior Court, clerk of the recorder's court, register of deeds, and treasurer of Harnett County, and their several deputies and clerks, shall collect, receive, and account for all the fees to which they become liable by virtue of their respective offices under the laws of North Carolina relative to salaries and fees or such as may hereafter be enacted by the General Assembly, and shall pay the same on the first of every calendar month, or within five days thereafter, to the treasurer of Harnett County; and said officers and each of them shall be responsible for and chargeable with all moneys of every kind
- Monthly settlements.

which are paid into their respective offices, and shall be held to strict account thereof; and the moneys so paid shall be kept by the treasurer of said county in a separate fund to be known as the "Salary Fund."

SEC. 2. That said officers shall faithfully collect all fees, commissions, profits, and emoluments of all kinds now belonging or appertaining to their respective offices; and they shall receive as compensation for their services only such salaries and compensation as is provided for in this act; and for any abstraction, concealment, or misapplication of any of the moneys payable into their respective offices, which any of them have collected, the person so offending shall be guilty of a felony, and upon conviction shall forfeit his said office and be punished as is now by law provided in cases of embezzlement by public officers.

SEC. 3. That any officer of Harnett County, or any clerk or deputy thereof, who shall fail or refuse to collect any fee, commission, or emolument of any kind belonging to his office shall be guilty of a misdemeanor and shall be fined or imprisoned, in the discretion of the court; and all fees, commissions, or emoluments which should be collected by such officers under the laws of the State of North Carolina shall be demanded and collected by them in advance, unless otherwise provided by law, and upon being collected shall be turned over to the treasurer of said county as provided by this act.

SEC. 4. That each and all of said officers shall open and keep a separate set of account books, consisting of a daily journal and a ledger, in which shall be promptly, correctly, and accurately entered itemized accounts of all moneys collected or received by such officers by virtue of their office, or which by law are or may be payable into their respective offices; and all of said books shall at all times be open to the inspection of the public upon demand, and said books shall be safely and securely kept so as to prevent and guard against the loss or destruction thereof. Said books shall show in itemized form the name of the person paying in any sum of money, the date when paid, the purpose for which it is paid, and the amount thereof. The auditor of Harnett County shall have the power to prescribe the form of the books to be kept, not inconsistent with this act, and to prescribe rules and regulations for the keeping thereof, and said books shall be kept in the form and after the method so prescribed by said auditor.

SEC. 5. That at the end of each calendar month, or within five days thereafter, a true and accurate report shall be transmitted by each of said officers, under oath, to the auditor of said county; said report to show the total amount collected by said officer from all fees during the preceding calendar month; and upon receipt of such statements it shall be the duty of said auditor to cause each statement to be checked and compared with the books of original

Moneys kept as salary fund.

Fees to be collected.

Salaries as sole compensation.

Abstraction, concealment, or misapplication felony.

Forfeit of office.

Further punishment.

Failure to collect fee a misdemeanor.

Punishment.

Fees collected in advance and paid to treasurer.

Officers to keep account books.

Books open to inspection.

Items of account.

Auditor to prescribe forms and method.

Verified reports filed monthly.

Auditor to check statements.

entry, and if upon such checking and comparison it shall be ascertained that the statement submitted by any officer does not conform to and correspond with the books of original entry, or if it be ascertained that the statement so submitted is not a true and correct statement of the transactions of his office for the preceding month, then it shall be the duty of the auditor of said county to ascertain and determine the true and correct amount which should be paid by such officer for moneys collected and received by him during the preceding month by virtue of his office, and upon the amount being so ascertained it shall be the duty of the auditor to cause the officer to pay over the amount so ascertained to be due to the county treasurer; and if he shall fail to do so, then the matter shall be reported to the county attorney, and it shall be his duty to institute action against such officer and his official bond in the Superior Court or other court of competent jurisdiction in the county of Harnett, and to prosecute such action to final judgment and to collect the amount due by such officer and pay over the same to the county treasurer.

Auditor to determine and collect amount.

Report to and action by county attorney.

Acts declared misdemeanor.

Punishment.

Salary of sheriff.

Expenses allowed.

Monthly statement of expenses.

Payment.

Deputies to be paid by sheriff.

Proviso: township deputies.

SEC. 6. That any of said officers who shall fail, neglect, or refuse to make the monthly statement as required by the preceding section, or who shall willfully submit any false or incorrect statement, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined or imprisoned, in the discretion of the court.

SEC. 7. The sheriff of Harnett County shall receive for his salary and clerk and deputy hire the sum of thirty-seven hundred and fifty dollars per annum, and shall also receive the amount of his actual expenses for conveying prisoners from the place of trial to jail and from jail to place of trial; for taking prisoners to the State Prison or chain-gang; for taking insane persons to the State Hospital; and it shall be the duty of the sheriff to render to the board of commissioners of the said county, monthly, a statement of expenses hereinbefore provided for, showing the date the expense was incurred, the purpose for which incurred, and the amount thereof; and thereupon, if the board of commissioners be satisfied that the amount submitted is correct, the amount thereof shall be paid to the sheriff by the treasurer upon the warrant of the board of commissioners, countersigned by the clerk of such board, and the amount thereof shall be paid by the treasurer out of the "Salary Fund" herein provided for.

SEC. 8. That out of the annual allowance made to the sheriff by section seven of this act the said sheriff shall employ and pay the compensation of at least one office clerk and one field deputy, and it shall be the duty of the sheriff, field deputies or field deputy to serve all legal process to be served within a radius of twelve (12) miles of the courthouse at Lillington: *Provided, however,* that the sheriff may appoint one deputy sheriff in each township in Harnett County, except such as lie wholly within a radius of

twelve (12) miles of the courthouse, and the sheriff of Harnett County is hereby permitted to send the said deputies and have served by them any and all summons, subpoenas, notices, executions, or other legal processes whatsoever, where the persons upon whom such legal process is to be served shall reside or be served twelve (12) or more miles from the courthouse at Lillington, and the said deputies shall be allowed to receive and retain for their services the legal fees made and collected by them in serving such summons, subpoenas, and notices and all other legal processes whatsoever: *Provided*, that under the direction of the judge presiding at any term of the Superior or recorders' courts of said county he may direct the sheriff or his field deputy to serve anywhere in the county, or elsewhere as by law required, all instanter subpoenas *ad testificandum* or *capias* instanter, notwithstanding any limitations in this act: *Provided*, that nothing herein shall prevent the sheriff from serving process anywhere in the county.

Process served by township deputies.

Fees retained by deputies.

Proviso: service of process under special orders.

Proviso: service by sheriff.

SEC. 9. The sheriff of Harnett County shall retain and pay over to the treasurer of said county, for the benefit of the salary fund herein provided for, any and all commissions heretofore allowed him by law for the collection of taxes.

Sheriff to retain and pay over commissions on taxes.

SEC. 10. The sheriff of said county shall also appoint a jailer, whose salary shall be fixed by the board of commissioners of said county, and the actual expenses of maintaining the common jail of said county, as heretofore, shall also be allowed by the board of commissioners of said county from the funds of the county as now provided by law, as well as the salary of the jailer.

Appointment and salary of jailer.

Jail expenses.

SEC. 11. The clerk of the Superior Court of Harnett County shall receive for his salary, and for deputies and other clerical assistance, the sum of twenty-three hundred dollars per annum, and out of the allowance made said clerk in this section he shall employ and pay the compensation of at least one deputy clerk during the sittings of the Superior Court and at such other times as the public good may require, and such other further clerical assistance as the public business may require; and it shall be the duty of the said clerk of the Superior Court of Harnett County to at all times provide and pay for sufficient clerical assistance for the prompt and efficient discharge of the duties as clerk and of all duties imposed upon him by law.

Salary of clerk of superior court.

Deputies and clerks paid by clerk.

SEC. 12. The clerk of the Superior Court of Harnett County shall also be clerk *ex officio* of the recorder's court, and for his services in this capacity, as defined by the act creating said recorder's court, he shall receive the sum of two hundred dollars annually in lieu of all fees now allowed by law, which fees he is required to faithfully collect and turn over to the treasurer as herein provided for fees of regular county officers. The clerk of the Superior Court may serve the recorder's court by a deputy in lieu of his personal service, and such deputy shall be appointed by

Salary as clerk of recorder's court.

Deputy for recorder's court.

the clerk of the Superior Court as contemplated in section eleven of this act, which deputy shall, when not actually engaged in the performance of his duties to the recorder's court, serve as deputy clerk of the Superior Court, for which additional services he shall receive such allowance as the said clerk of the Superior Court may make to him out of the salary of twenty-five hundred dollars allowed by this act to the Superior Court clerk: *Provided, however,* notwithstanding any provisions of law to the contrary, the clerk of the Superior Court shall not be required to take and subscribe an oath of office pertaining to his or his deputy's duties as clerk of the recorder's court, nor give additional bond; but nothing herein shall exempt his official bond now required by law from any violation or breach of his or his deputy's duty as clerk of the recorder's court. The effect of this provision is to be construed as an enlargement of the duties of the clerk of the Superior Court, and not to create an additional office.

Proviso: oath of office and bond.

Liability on bond.

Salary of register of deeds.

Deputy and clerks paid by register.

SEC. 13. The register of deeds of Harnett County shall receive for his salary and for deputies and for other clerical assistance the sum of twenty-five hundred dollars per annum; and out of the allowance made to said register of deeds in this section he shall employ and pay the compensation of at least one deputy register of deeds and such other and further clerical assistance as the public business may require; and it shall be the duty of the said register of deeds to provide and pay the compensation of sufficient clerical assistance for the prompt and efficient discharge of his duties as register of deeds and of all duties imposed upon him by law.

Salary of treasurer.

Clerical assistance.

Office supplies.

SEC. 14. The treasurer of Harnett County shall receive for his salary, and for such clerical assistance as he may need or the public business demand, the sum of six hundred dollars per annum; and it shall be the duty of said treasurer to at all times provide and pay the compensation of sufficient clerical assistance for the prompt and efficient discharge of his duties as treasurer and of all duties imposed upon him by law.

SEC. 15. That in addition to the salaries herein provided and the allowances herein set forth, the board of commissioners of Harnett County shall furnish each of said officers with all necessary supplies for conducting the business of their office, including the necessary postage for official business, and such supplies shall be paid for by the county of Harnett out of the general county fund.

Salaries sole compensation.

Fees collected and paid into salary fund.

SEC. 16. That the salaries and allowances herein provided for the several officers of Harnett County shall be in lieu of all other compensation now allowed by law; but they shall each continue to collect and pay over to the treasurer of Harnett County, for the credit of the salary fund described in this act, all fees, commissions, and emoluments coming into their hands by virtue of their office.

SEC. 17. If it shall appear at any time to the board of commissioners of Harnett County that the allowance made by this act to the several officers is insufficient to provide for the prompt and efficient transaction of the public business, and that the public interest requires that other assistance be provided, then the board of commissioners shall have power, upon ascertaining such facts, to provide such other and further clerical assistance for any of said officers, or for the auditor of Harnett County, as may be reasonably necessary to promptly and efficiently carry on the public business; and in such event the salaries as determined by the board of commissioners shall be in lieu of the salaries provided for in this act, and the amount thereof shall be paid out of the salary fund as herein provided. The action of the board of commissioners in this behalf shall be spread upon the minutes of the said board: *Provided*, that the increase for any one officer's salary shall not exceed five hundred dollars over the amounts herein allowed: *Provided further*, that no increase whatever shall be made except upon the recommendation and approval of the county auditor and the county attorney.

Commissioners may increase allowances.

Record of action.

Proviso: limit of increase.

Proviso: recommendation of auditor and attorney.

SEC. 18. All the salaries provided for in this act shall be paid by the treasurer of Harnett County to the person or persons entitled to receive the same, in equal monthly installments, upon warrants drawn by the board of commissioners of said county and countersigned by the clerk of said board, and said warrants, when paid, shall be charged to the salary fund herein provided.

Warrants for salaries.

SEC. 19. All moneys coming into the hands of the treasurer by virtue of this act shall be held by him as a separate and distinct fund, and so much of said fund as shall be necessary shall be applied to the payment of the salaries and allowances herein provided for. The treasurer shall open a separate account with each of the several officers of said county, which shall show the amount received from the said officer and the amount paid to each officer, and said accounts shall at all times be open to the public.

Salary fund kept separate.

Accounts with each officer.

SEC. 20. On the first Monday in December in each and every year it shall be the duty of the said treasurer to submit to the board of commissioners of said county a detailed statement of the condition of the said salary fund, showing the amounts received during the preceding year from each officer and the balance remaining in said salary fund to the credit of each of the respective officers, and after the payment of the salaries and allowances herein provided the balance remaining in the said salary fund shall, on the first Monday in December in each year, be turned over by the treasurer, to be credited to the general county fund: *Provided*, if the salary fund created under the provisions of this act shall be insufficient to pay the salaries and allowances herein provided, any such deficit shall be paid out of the county funds

Detailed statement filed annually.

Balance credited to general fund.

Proviso: deficit made up from general fund.

and charged to the salary fund, to be reimbursed to the county funds whenever a sufficient amount of the salary fund not otherwise employed shall justify.

Bonds in surety companies.

SEC. 21. All officers of Harnett County who are now or may hereafter be required to give bond for the faithful performance of their duties may give bond in a surety company approved by the board of commissioners of said county, and the premium thereon shall be paid out of the salary fund provided in this act.

Premiums paid from salary fund.

Office of auditor created.
Salary and bond.

SEC. 22. That the office of auditor is hereby instituted and created, and the auditor of said county shall receive a salary of twelve hundred dollars per annum and shall furnish bond in some bonding company in the sum of five thousand dollars, payable to the county of Harnett, conditioned that he shall diligently, truly, and faithfully perform all the duties of his office, and shall faithfully account for all penalties or any moneys or other things of value which may come into his hands by virtue of his office, and shall be liable for any negligence, default, malfeasance, or misconduct in office; premiums on said bonds to be paid by the said county out of the salary fund.

Premium on bonds.

Duties of auditor as to tax lists.

SEC. 23. It shall be the duty of the auditor of Harnett County to make out one copy of the tax list of each township as a permanent copy, and to deliver the original copy to the sheriff of said county, and to supervise and direct the performance of all duties now required by law of the register of deeds relative to the tax list and taxes; to make out and prepare for publication all annual statements required by law; to investigate and inquire for all delinquent tax and to require such delinquents to be placed on the tax list; to act as accountant for the county, settling with the county officers; to supervise, scrutinize, and examine at least once in every calendar month all books, accounts, receipts, and vouchers and other records of all the officers of Harnett County which show fees and commissions collected and received by them; to examine at least twice each year the dockets of all justices of the peace and mayors of said county, and report his findings to the board of county commissioners; and he is hereby authorized to open a set of account books in which shall be shown the total monthly receipts of fees and commissions of all the officers of said county, in an expert and intelligent manner, which book shall be permanently kept as the records of his office and always open to public inspection; it shall likewise be the duty of said auditor to open and keep a complete set of books of all receipts and disbursements of the county funds for all purposes, including the receipts and expenditures of the board of education of said county and all other offices authorized to receive and disburse any funds of said county, and the said book shall be permanently kept in his office and at all times open to public inspection.

Preparation of annual statements.

Accountant for county.
Examination of accounts of officers.

Examination of dockets.

Account books.

General account books.

Books open to inspection.

SEC. 24. It is the intention of this act for the auditor of said county to assume and discharge all the duties heretofore required by law of the register of deeds with reference to making out the tax list of said county, and he shall receive no other compensation therefor except as heretofore allowed for the office of auditor.

To discharge duties of register as to tax lists.

SEC. 25. That at the next general election for the members of the General Assembly of North Carolina an auditor for said county shall be voted for and elected, as near as may be under the same rules and regulations governing the election of other officers of the county, for a term of two years; said term of office to begin on the first Monday in December, one thousand nine hundred and sixteen, and continue for two years, or until his successor shall be elected in the same manner biennially thereafter; and he shall take and subscribe an oath of office; and he shall open and keep an office to be selected and furnished by the said board of commissioners of said county, in which shall be securely kept the records of his office.

Election of auditor.

Oath of office.

Office room.

SEC. 26. The officers hereinbefore mentioned shall faithfully and truly perform all the duties of their several offices which are now or which may hereafter be imposed upon them by law; and they shall receive no other compensation or allowance of any kind whatsoever for any extra or additional services rendered to the county, State, or other governmental agency, except as herein provided, and they shall be liable to all the pains and penalties now or hereafter provided for failure to perform the duties of their office.

Officers to perform duties.

No allowance for additional services.

Liable to pains and penalties.

SEC. 27. That all laws and clauses of laws in conflict with this act are hereby repealed.

Repealing clause.

SEC. 28. That this act shall be in force from and after the first Monday in December in the year one thousand nine hundred and sixteen.

When act effective.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 685.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF RICHMOND COUNTY TO DESIGNATE THE BANK OR BANKS IN WHICH THE COUNTY DEPOSITS SHALL BE KEPT.

The General Assembly of North Carolina do enact:

SECTION 1. That the county commissioners of Richmond County shall designate the bank or banks in the said county in which the county funds of the said county shall be deposited, and the county treasurer shall deposit the funds of the county in the bank or banks as designated by the county commissioners.

County commissioners to designate depositories.

Deposits by county treasurer.

Bond of depository. SEC. 2. That before any county funds are deposited in any bank or banks in the said county the said bank or banks shall file with the commissioners of the said county a bond, either personal or in a surety company, the amount of the said bond and the solvency of the same to be satisfactory to the county commissioners, to protect the funds of the county so deposited.

Funds drawn by warrant. SEC. 3. That the funds in the bank or banks so deposited shall be drawn by warrant as is now provided by law.

SEC. 4. This act shall be in force from and after its ratification. Ratified this the 8th day of March, A. D. 1915.

CHAPTER 686.

AN ACT TO AMEND SECTION 5 OF HOUSE BILL 478, SENATE BILL 447, RATIFIED BY THE GENERAL ASSEMBLY OF NORTH CAROLINA ON THE 20TH DAY OF FEBRUARY, 1915, ENTITLED "AN ACT TO AMEND CHAPTER 222 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, REGULAR SESSION, 1913, ENTITLED 'AN ACT TO AUTHORIZE THE COMMISSIONERS OF MECKLENBURG COUNTY TO ISSUE BONDS TO FUND ITS FLOATING INDEBTEDNESS, BUILD A NEW COUNTY JAIL, AND CONSTRUCT CERTAIN HIGHWAY BRIDGES,' AND TO AMEND ALL ACTS SUPPLEMENTARY THERETO OR AMENDATORY THEREOF."

The General Assembly of North Carolina do enact:

SECTION 1. That section five of an act ratified February the twentieth, one thousand nine hundred and fifteen, being House Bill four hundred and seventy-eight, Senate Bill four hundred and forty-seven, entitled "An act to amend chapter two hundred and twenty-two of the Public-Local Laws of North Carolina, regular session, one thousand nine hundred and thirteen, entitled 'An act to authorize the commissioners of Mecklenburg County to issue bonds to fund its floating indebtedness, build a new county jail, and construct certain highway bridges,' and to amend all acts supplementary thereto or amendatory thereof," be amended by striking out all of said section and inserting in lieu thereof the following:

"SEC. 5. That section eight of chapter two hundred and twenty-two of Public-Local Laws of North Carolina, regular session, one thousand nine hundred and thirteen, be and hereby is reenacted so as to read as follows: 'SEC. 8. That in order to provide for the safe keeping and investment of the funds arising from the taxes levied under this act over and above the amount necessary to pay the interest upon said bonds, the treasurer of Mecklenburg County shall open upon his books, as county treasurer, an account, being

Improvement
bonds sinking fund
account.

designated as "Improvement Bonds Sinking Fund," and all amounts received by said treasurer from the taxes levied hereunder which may not be necessary for the payment of the accrued and accruing interest on said bonds shall be credited to the said account which shall be known as the "Sinking Fund Account," and there kept separate and distinct from all other county funds for the purpose of paying the principal of said bonds at maturity; and said treasurer is hereby authorized and directed to invest any amounts which belong to said sinking fund, from time to time, in safe interest-bearing securities, payable to the county of Mecklenburg for the use and benefit of said sinking fund: *Provided*, that no investment of said funds shall be made until the security therefor is approved by the board of commissioners of said county; and *Provided further*, that preference shall be given in making said investment in the purchase if possible of said bonds issued hereunder; and the treasurer shall be liable on his official bond for the faithful and honest performance of the duties imposed by this section.' "

Amounts credited to fund.

Fund kept separate.

Investment of sinking fund.

Proviso: county commissioners to approve investments.

Proviso: preferred investment.

Treasurer liable on bond.

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

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 687.

AN ACT TO AMEND CHAPTER 442 OF THE PUBLIC LAWS OF 1909, AND AMENDATORY ACTS THEREOF, IN SO FAR AS THE DRAINAGE DISTRICT KNOWN AS GRANT'S CREEK DRAINAGE DISTRICT, ROWAN COUNTY, NORTH CAROLINA, IS CONCERNED.

Whereas, pursuant to chapter four hundred and forty-two of the Public Laws of one thousand nine hundred and nine, and amendatory acts thereof, a drainage district known as Grant's Creek Drainage District, Rowan County, North Carolina, was established in the special proceeding entitled "M. L. Jackson *et al.* v. N. N. Boyden *et al.*," in the Superior Court of Rowan County to drain Grant's Creek between certain points; and whereas petition has been duly filed, all landowners and persons interested in adjoining and adjacent lands have been made parties, and all proper notices have been given, all necessary orders and decrees have been made, and the contract has been let for the construction, dredging, and draining said Grant's Creek; and whereas bonds will have to be issued in an amount not exceeding forty-three thousand dollars to pay for said work, costs, construction of proper canals, for maintenance, and for the payment of interest in advance on the bonds for the first three years; and whereas it will be necessary

Preamble.

Preamble.

Preamble.

Preamble.

Preamble. to amend the aforesaid Public Laws to the above effect; and whereas the board of drainage commissioners and the landowners affected by the drainage of said creek desire to have the privilege to pay the amount of their respective assessments, as now provided by law, at any time before the actual issuance of said bonds for the payment of said work, etc.; and whereas it will be necessary to amend the aforesaid laws, and the amendatory acts thereof, in order to grant such persons this right; and whereas a sale of said bonds will be greatly promoted and their value enhanced by legislative enactment validating all proceedings in said cause and ordering a bond issue, etc., as set forth above:

Preamble.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and forty-two, Public Laws of one thousand nine hundred and nine, be and the same is hereby amended by adding to the end of section thirty-nine of said chapter the following: "That the board of drainage commissioners of Grant's Creek Drainage District, Rowan County, North Carolina, be and the same is hereby empowered, directed, and authorized to issue drainage bonds to an amount not exceeding forty-three thousand dollars, which said amount shall be used in paying for the draining, dredging, improving, and constructing Grant's Creek in Rowan County, and for paying the costs incident to the proceeding instituted before the clerk of the Superior Court of Rowan County in the case of M. L. Jackson *et al.* against N. N. Boyden *et al.*, establishing the drainage district known as Grant's Creek Drainage District for the drainage and improvement of the lands described in the petition filed in said cause, and for the payment of interest of said bonds for three years in advance, and for the purpose of providing a maintenance fund for the upkeep of said Grant's Creek as provided by law. Said board of drainage commissioners shall issue said bonds as the same may be needed, and that said bonds shall bear six per cent interest per annum, payable semiannually."

Issue of drainage bonds authorized.

Amount.

Use of proceeds.

Issue as needed.

Interest.

SEC. 2. That said chapter four hundred and forty-two, Laws one thousand nine hundred and nine, and the amendatory acts thereof, be and the same are further amended in so far as the board of drainage commissioners of Grant's Creek Drainage District, Rowan County, is concerned, so as to read as follows: "That all persons against whom assessments have or shall be made for the drainage, dredging, and improving Grant's Creek and as provided by the general law and the aforesaid chapter and its amendatory acts, shall have the right and privilege to pay to the proper authorities, as now provided by law. their respective assessments or charges against their respective lands, at any time before the actual issuance of bonds set forth in this act, and upon payment of their respective amounts, as shown by the levy and assessments entered against them, their said lands shall be exempted from the opera-

Right to pay assessments.

Lands relieved from obligation of bonds.

tion of this act so far as being liable for their pro rata of the bond issue or tax or levy against their lands, and such amounts shall be deducted from the total amount of the bond issue provided for in this act. The bonds provided for in the aforesaid Public Laws, chapter four hundred and forty-two, and the amendatory acts thereof, shall be issued as now provided by law, except as herein modified, and all other acts and laws not inconsistent with this act shall remain in full force and effect."

Payments deducted from bond issue.

Issue of bonds.

SEC. 3. That the special proceedings instituted before the clerk of Rowan County in the matter entitled "M. L. Jackson *et al.* v. N. N. Boyden *et al.*," and all notices, reports, orders, decrees, surveys, and other things done in regard to the establishment of the drainage district known as Grant's Creek Drainage District of Rowan County, North Carolina, are hereby declared valid and binding in all respects upon all persons interested in the drainage of said district or made parties to the proceeding above referred to, and shall bind all parties and their privies thereto, and when said bonds shall be issued as herein provided they shall likewise be binding upon all parties to said proceeding, their privies, executors, administrators and assigns, and shall be valid into whosoever hands said bonds shall come for value. That the appointment of the drainage commissioners for said district, and all notices, orders, and decrees made in the aforementioned cause, are likewise declared valid and binding upon all persons interested in said proceeding, their heirs, parties, and privies.

Special proceedings validated.

Obligation of bonds.

Other acts validated.

SEC. 4. That if it is desired to issue bonds for said drainage district in excess of the amount of which notice has heretofore been given to the landowners, it shall be the duty of the board of drainage commissioners to give notice for three weeks by publication in some newspaper published in Rowan County and also by posting a written or printed notice at the door of the courthouse of said county and at five conspicuous places in the district, reciting the amount of bonds to be issued, the rate of interest, and time when payable. That as to the excess of such bond issue over the amount of bond issue proposed in previous notice, each and every landowner shall have available to him every right and defense that would have been available to him if the full amount of the bond issue had been proposed in the original notice, and if he fail to pay his assessment in cash or make some lawful objection to said bond issue, he shall be deemed to have waived any and all irregularities and to have consented to the bond issue and the assessments to meet the payment of principal and interest of the same.

Notice for excess bond issue.

Rights and remedies of landowners.

Waiver.

SEC. 5. That this act shall apply only to the drainage district known as "Grant's Creek Drainage District."

Application of act.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 688.

AN ACT TO PROVIDE AN ELECTION FOR ADDITIONAL ROAD TAX IN YOUNGSVILLE TOWNSHIP, FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

Tax rate.

SECTION 1. That chapter forty-three of the Public Laws of nineteen hundred and eleven be and the same is hereby amended by striking out in line eight of section ten the word "thirty" and inserting in lieu thereof the word "forty," and by striking out in lines nine and ten the words "ninety cents" and inserting the words "one dollar and twenty cents."

Election on request of trustees.

SEC. 2. Upon the request of the road trustees of Youngsville Township, the county commissioners shall submit the provisions of this act to the voters of said Youngsville Township and shall order an election thereupon, at which said election those favoring the increase of tax shall vote a ballot on which is written or printed the words "For Additional Road Tax" and those opposed shall vote ballots on which is written or printed the words "Against Additional Road Tax." The county commissioners shall appoint a registrar and two poll-holders for said election, shall designate the time thereof, and shall post a notice of same at the courthouse door and in the town of Youngsville; otherwise said election shall be conducted under the laws governing general elections. If a majority of the votes cast in said election shall be "For Additional Road Tax" then the provisions of this act shall go into effect immediately. The registrar and poll-holders shall count and canvass the votes cast in said election and shall report the result thereof to the board of county commissioners, and no other canvass or report shall be necessary.

Ballots.

Election officers.

Time and notice of election.
Law governing election.
Majority of votes cast to make law effective.

Count and return of vote.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 689.

AN ACT FOR THE BETTERMENT OF THE ROADS AND HIGHWAYS OF WILKES COUNTY.

The General Assembly of North Carolina do enact:

County commissioners to levy road tax.

SECTION 1. That the county commissioners of Wilkes County at their regular meeting in June, nineteen hundred and fifteen or nineteen hundred and sixteen, or at any time the provisions of this act as hereinafter provided for in this act are carried out and

remain in force and effect, shall levy a tax of thirty cents on each one hundred dollars worth of real and personal property and ninety cents on each poll in said county, said tax to be for the purpose of improving, keeping in repair the public roads of said county, and for constructing new roads where it is necessary. The taxes above levied, assessed, and collected shall be levied, assessed, and collected under the same fines and penalties as are imposed for the collection of State and county taxes. The sheriff of Wilkes County or its tax collector shall file a good and sufficient bond, to be approved by the county commissioners of said county, in a sum equal to the amount of road tax to be collected, conditioned upon his faithful collection and accounting for all road taxes that may come into his hands before the same shall be turned over to him for collection. Said bond to be renewed as is required by law for the collection of other taxes. The treasurer of Wilkes County shall file a bond in an amount not less than the amount of road taxes to be collected for the faithful accounting of all road funds that may come into his hands under the provisions of this act.

SEC. 2. That Wilkes County shall be divided into twenty-one road sections, the boundaries of which shall be identical with the boundaries of the twenty-one townships and shall be designated and known by the same name as the townships. That the county commissioners of said county shall appoint a road supervisor of each section or township who shall be appointed for his fitness and ability to supervise the repairing and building of roads. Said supervisor shall file a good justified bond in the sum of two thousand dollars, payable to the State of North Carolina, the forfeitures to be paid to the section of road on which he is supervisor. Said bond to be conditioned upon the faithful performance of his duty and the proper expenditures of the road funds that shall be due his section, and shall also take an oath for the faithful performance of his duties of supervisor of his road section, which are hereinafter set forth. Said supervisor shall have power to employ teams, buy the necessary road machinery and tools, also whatever material may be necessary for building, blasting, or repairing bridges, culverts, and for other purposes for keeping the roads and highways in good condition. He shall employ all necessary labor for the roads at as reasonable and low wages as can be consistently done, giving preference, however, to taxpayers who are authorized and permitted to work themselves or their teams on the public roads and highways at the customary wages for the same to the amount of their road tax, and a warrant signed by the supervisor, and approved as hereinafter set forth, shall be taken by the sheriff or tax collector in payment of said taxpayer's road tax. Should the labor of any taxpayer or other employee of the road at any time become unsatisfactory, it shall be the duty of the supervisor to stop him from work and let him pay his road

Rate.

Purpose of tax.

Levy and collection.

Bond of collector.

Bond of treasurer.

Road sections.

Boundaries.

Designation.

Road supervisor.

Bond of supervisor.

Conditions of bond.

Oath of office.

Employment of teams.
Purchase of equipment and material.

Employment of labor.

Preference to taxpayers.

Warrants receivable for road tax.

Stoppage of unsatisfactory work.

Day's work.	tax in money. A day's work under this act shall consist of ten hours, and labor may be employed by the day or the hour.
Alterations and improvements.	SEC. 3. Said supervisor shall have power to widen, make better grades where necessary, straighten, macadamize or topsoil all the old roads in his section. All the main thoroughfares shall first be put in first-class condition for travel at a width of not less than twenty-five feet nor over fifty feet, clear of all rocks, stumps, and other obstructions, rounded up at least two feet in the middle, well ditched on each side, with good outlets for drainage; and on mountains not less than sixteen feet wide and well rounded in the middle and drained. Cartways not otherwise known as public roads to be exempt from this provision. When there are enough funds due any section, it shall be the duty of the section supervisor to topsoil or macadamize as much as possible of the roads in his section. The material used in said soiling or macadamizing shall be paid for at a reasonable figure from parties through whose lands the road runs or is laid off, when charged for. In case the parties or any of them refuse to sell material necessary, the supervisor shall summons three disinterested persons, who shall assess the value of the same, when the supervisor can use it. (This means soil and rock.) This course shall be pursued also when right of way is contested.
Specification for thoroughfares.	
Cartways.	SEC. 4. A competent surveyor shall be employed when necessary to resurvey old roads and survey new ones to get the best possible grades under the conditions, not over two per cent if possible, and five per cent the limit, and to assist in locating the proper drainage ditches and outlets, said surveyor to be paid not over three dollars per day for his services while actually employed.
Topsoil or macadam.	
Payment for material.	SEC. 5. Each township or road section shall have the moneys assessed and collected within its boundaries exclusively for its own roads, none of which shall be paid out except upon a warrant signed by the section supervisor, approved by the board of county commissioners, countersigned by the chairman thereof and entered and numbered by the clerk of said board in a book to be furnished him by the county, to be known as the road claim book, and each section shall have its claims entered and numbered separately. No claim shall be a valid voucher in the sheriff's or tax collector's hands that is not signed, approved, countersigned, entered, and numbered as above; but when so signed, approved, countersigned, entered, and numbered, the same shall be accepted at its face value in cash for the amount on the road tax of any taxpayer who has worked the same out on the public roads or highways, but shall not be valid for the payment of any other taxes or the road tax of any other taxpayer. However, this will not prevent the payment in cash of all vouchers for ordinary laborers employed on the roads of the section. The county shall furnish separate books for numbering the road claims, keeping the accounts of same and
Assessment for material and right of way.	
Employment of surveyor.	SEC. 6. Each township or road section shall have the moneys assessed and collected within its boundaries exclusively for its own roads, none of which shall be paid out except upon a warrant signed by the section supervisor, approved by the board of county commissioners, countersigned by the chairman thereof and entered and numbered by the clerk of said board in a book to be furnished him by the county, to be known as the road claim book, and each section shall have its claims entered and numbered separately. No claim shall be a valid voucher in the sheriff's or tax collector's hands that is not signed, approved, countersigned, entered, and numbered as above; but when so signed, approved, countersigned, entered, and numbered, the same shall be accepted at its face value in cash for the amount on the road tax of any taxpayer who has worked the same out on the public roads or highways, but shall not be valid for the payment of any other taxes or the road tax of any other taxpayer. However, this will not prevent the payment in cash of all vouchers for ordinary laborers employed on the roads of the section. The county shall furnish separate books for numbering the road claims, keeping the accounts of same and
Grades.	
Drainage.	SEC. 7. Each township or road section shall have the moneys assessed and collected within its boundaries exclusively for its own roads, none of which shall be paid out except upon a warrant signed by the section supervisor, approved by the board of county commissioners, countersigned by the chairman thereof and entered and numbered by the clerk of said board in a book to be furnished him by the county, to be known as the road claim book, and each section shall have its claims entered and numbered separately. No claim shall be a valid voucher in the sheriff's or tax collector's hands that is not signed, approved, countersigned, entered, and numbered as above; but when so signed, approved, countersigned, entered, and numbered, the same shall be accepted at its face value in cash for the amount on the road tax of any taxpayer who has worked the same out on the public roads or highways, but shall not be valid for the payment of any other taxes or the road tax of any other taxpayer. However, this will not prevent the payment in cash of all vouchers for ordinary laborers employed on the roads of the section. The county shall furnish separate books for numbering the road claims, keeping the accounts of same and
Pay of surveyors.	
Use of money for sections.	SEC. 8. Each township or road section shall have the moneys assessed and collected within its boundaries exclusively for its own roads, none of which shall be paid out except upon a warrant signed by the section supervisor, approved by the board of county commissioners, countersigned by the chairman thereof and entered and numbered by the clerk of said board in a book to be furnished him by the county, to be known as the road claim book, and each section shall have its claims entered and numbered separately. No claim shall be a valid voucher in the sheriff's or tax collector's hands that is not signed, approved, countersigned, entered, and numbered as above; but when so signed, approved, countersigned, entered, and numbered, the same shall be accepted at its face value in cash for the amount on the road tax of any taxpayer who has worked the same out on the public roads or highways, but shall not be valid for the payment of any other taxes or the road tax of any other taxpayer. However, this will not prevent the payment in cash of all vouchers for ordinary laborers employed on the roads of the section. The county shall furnish separate books for numbering the road claims, keeping the accounts of same and
Warrants on funds.	
Vouchers.	SEC. 9. Each township or road section shall have the moneys assessed and collected within its boundaries exclusively for its own roads, none of which shall be paid out except upon a warrant signed by the section supervisor, approved by the board of county commissioners, countersigned by the chairman thereof and entered and numbered by the clerk of said board in a book to be furnished him by the county, to be known as the road claim book, and each section shall have its claims entered and numbered separately. No claim shall be a valid voucher in the sheriff's or tax collector's hands that is not signed, approved, countersigned, entered, and numbered as above; but when so signed, approved, countersigned, entered, and numbered, the same shall be accepted at its face value in cash for the amount on the road tax of any taxpayer who has worked the same out on the public roads or highways, but shall not be valid for the payment of any other taxes or the road tax of any other taxpayer. However, this will not prevent the payment in cash of all vouchers for ordinary laborers employed on the roads of the section. The county shall furnish separate books for numbering the road claims, keeping the accounts of same and
Warrants accepted for road tax.	
Payments in cash.	SEC. 10. Each township or road section shall have the moneys assessed and collected within its boundaries exclusively for its own roads, none of which shall be paid out except upon a warrant signed by the section supervisor, approved by the board of county commissioners, countersigned by the chairman thereof and entered and numbered by the clerk of said board in a book to be furnished him by the county, to be known as the road claim book, and each section shall have its claims entered and numbered separately. No claim shall be a valid voucher in the sheriff's or tax collector's hands that is not signed, approved, countersigned, entered, and numbered as above; but when so signed, approved, countersigned, entered, and numbered, the same shall be accepted at its face value in cash for the amount on the road tax of any taxpayer who has worked the same out on the public roads or highways, but shall not be valid for the payment of any other taxes or the road tax of any other taxpayer. However, this will not prevent the payment in cash of all vouchers for ordinary laborers employed on the roads of the section. The county shall furnish separate books for numbering the road claims, keeping the accounts of same and
Separate books.	

<p>for recording the report of the supervisors. The accounts of each section shall be kept separate and shall be open at all times for the inspection of any taxpayer, and the same shall be published as a financial exhibit each year with the other county exhibits. All road funds shall be separated from other funds by the sheriff and treasurer of the county.</p>	<p>Accounts kept separate and open for inspection.</p>
<p>Sec. 6. The term of office of section road supervisor shall begin January first after the provisions of this act go into effect, and shall expire two years from the date of appointment, and every two years thereafter. Any supervisor that shows his incapacity or unfitness to discharge the duties of his office in an intelligent and efficient manner shall be discharged and another supervisor appointed in his place by the board of county commissioners.</p>	<p>Publication.</p> <p>Road funds kept separate.</p> <p>Term of supervisor.</p>
<p>Sec. 7. The bridges across the Yadkin River in Wilkes County shall be kept up at the expense of the county and not out of any section road fund, except the bridge between the towns of Wilkesboro and North Wilkesboro, which shall be kept up and repaired, one-half by the towns and one-half by the county when repairs are necessary to keep up said bridge.</p>	<p>Discharge for inefficiency.</p> <p>Expense of bridges.</p>
<p>Sec. 8. All machinery and tools shall be bought at wholesale prices. When there are sufficient funds and conditions so require, a section or township may purchase one or more teams. If deemed advisable and best in the interest of economy, two or more sections may combine and buy road machinery to be used in the sections thus combining. Macadamizing and topsoiling shall be advanced as rapidly as funds will permit until all the public thoroughfares are either macadamized or soiled.</p>	<p>Purchase of equipment.</p> <p>Purchase of teams.</p> <p>Coöperation.</p> <p>Macadamizing and topsoiling.</p>
<p>Sec. 9. The salary of section supervisor shall not exceed the sum of three dollars per day (the county commissioners shall employ them at a smaller salary, if possible) for the time actually employed, to be paid semimonthly or monthly, as may be agreed upon: <i>Provided</i>, that no account for services of supervisors shall be allowed that is not itemized and sworn to.</p>	<p>Salary of supervisor.</p> <p>Proviso: accounts itemized and verified.</p>
<p>Sec. 10. The section supervisors shall file with the county commissioners a written report, sworn to, at the end of each month, said report to be filed on each first Monday. The same shall contain a true account and record of the amount of work done in his section, the number of hands employed and the number of teams employed, the number of hours worked by each team and hand and the amount paid therefor to each. The amount of work shall show number of miles or fraction of miles of road repaired and built, bridges built or repaired, culverts built and repaired, and cost of material, itemized for each, and where used; the amount of surveying done, by whom done, what roads done on, and cost of same, the amount paid for machinery, tools, or other purposes; which said report shall be recorded in a book for inspection. For the purpose of getting work as near uniform as possible all over</p>	<p>Monthly reports.</p> <p>Details of report.</p> <p>Report recorded. Supervisors to meet quarterly.</p>

the county, the supervisors shall meet at the courthouse in Wilkesboro at least four times each year, on the first Monday of January, April, July, and October; that they may purchase their tools and other purchases that must be made at wholesale, and they shall study the most improved methods of repairing and building roads, and when they meet as aforementioned, exchange views and experiences, and as much as possible work so as to make the connecting links perfect on all the main thoroughfares in the county.

Purchases.
Consultation.

Work authorized.

SEC. 11. This act authorizes and empowers the building of bridges, culverts, banisters, and making all other improvements on the public roads and highways of Wilkes County as the exigencies of the case may demand and the amount of funds will permit. When the amount of funds due a section [shall have been expended, further work under this act] shall cease until the funds for the next succeeding year shall become available, and no supervisor shall sign warrants for an amount in excess of the amount due his section. In the meantime, should the roads, bridges, or fords in any section become damaged from high waters or otherwise, the supervisor shall warn hands within the ages now prescribed by law and repair the same, and the law as it is now in force shall apply in such cases. Each supervisor shall have made at as reasonable price as possible nice, plain, legible signboards and put up at each and every cross or forks road in his section, giving direction and distance to all important points in his section and the county. Any supervisor or other officer failing to comply with the terms of this act shall be guilty of a misdemeanor and, in addition, to forfeiture of his bond, and upon conviction therefor shall be fined not more than fifty dollars or imprisoned in the county jail for more than thirty days, or both, at the discretion of the court. This act empowers the county commissioners of Wilkes County and the section supervisor to employ convict labor on any section of road in Wilkes County if they think it advisable to do so, and if they can be profitably so employed.

Work to cease on exhaustion of funds.

Road duty in emergencies.

Signboards.

Failure a misdemeanor.

Punishment.

Convict labor.

Election.

Petition for election.
Question to be submitted.

Notice of election.

Proviso: further elections.

SEC. 12. That for the purpose of carrying out the provisions of this act the board of commissioners of Wilkes County be and it is hereby empowered and directed to submit to the voters of Wilkes County, upon presentation of a petition or petitions signed by three hundred qualified voters of said county, the question whether said county shall levy a road tax of thirty cents on the one hundred dollars valuation of all real and personal property taxable by law and ninety cents on each poll, and apply the proceeds as above provided for in this act, for the purpose of working out and improving the road system in Wilkes County. The said board of commissioners shall for at least thirty days before the election give public notice of such election, together with the purpose thereof, by publication in one or more newspapers published in said county: *Provided*, that if a majority of the voters of said county shall not vote to levy a special tax for road purposes at the

election so held, the said board of commissioners may submit the said road tax question to said voters at any other time or times upon like terms and under regulations hereinafter set out and provided for.

SEC. 13. That any election under the provisions of this act shall be conducted in the same manner as is now or may be hereafter prescribed by law for holding elections for the General Assembly: *Provided, however,* that the said board of commissioners shall appoint the registrars of election, the judges or inspectors, and any election officers, and registration and challenge of voters shall be conducted in the same manner as is now or may hereafter be provided for the election of members of the General Assembly; and said county commissioners shall order a new registration for the first election held hereunder, and may or may not order a new registration for any other of said elections. The votes so voted under the provisions of this act shall be either printed or written, and all votes cast favoring said special taxes for good roads shall read "For Special Road Tax," and those cast against it shall read "Against Special Road Tax." The votes shall be counted at the close of the polls and returned to the said board of commissioners on the Thursday next following the election, and said board shall tabulate and declare the result of the election, all of which shall be recorded in the minutes of said board of county commissioners, and no other recording and declaring of the result of the election shall be necessary.

Law governing elections.

Proviso: election officers.

New registration.

Votes.

Count and return of votes.

Canvass and record of returns.

SEC. 14. In the event that the majority of the votes cast shall be "For Special Road Tax" at any election herein provided for, after the result has been declared and recorded as aforesaid the board of commissioners of the county shall proceed to levy special road tax at their regular meeting in each and every year at the same date and time of making levies for State and county purposes, as above provided for, for general purposes.

Levy of tax.

SEC. 15. That the provisions of this act shall apply to any township or group of townships that desire to hold an election for special tax for road purposes in Wilkes County, and shall be as binding upon any township or group of townships as upon the entire county of Wilkes.

Act applicable to townships.

SEC. 16. That this act shall only go into effect after a majority of the qualified voters of Wilkes County shall have voted for "Special Road Tax" in said county, township, or group of townships, as the case may be.

Act effective upon adoption of tax.

SEC. 17. That in the event any township wishes to vote separately on the special tax for roads, in lieu of requiring three hundred names, as above set out, in petition, only one hundred shall be required.

Petition for township election.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 690.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF VANCE COUNTY TO SUBMIT TO THE VOTERS OF THE COUNTY THE QUESTION OF ISSUING ADDITIONAL BONDS TO MAKE AND IMPROVE THE PUBLIC ROADS OF SAID COUNTY.

The General Assembly of North Carolina do enact:

- Election authorized. SECTION 1. That the board of commissioners of Vance County be and it is hereby directed to submit to the qualified voters of Vance County, not later than the first day of June in the year one thousand nine hundred and fifteen, the question whether said county shall issue bonds in the sum of fifty thousand dollars, with interest coupons attached, the proceeds of which to be used in further surveying, laying out, grading, improving, building, macadamizing, or otherwise surfacing the public roads of said county.
- Time for election. The said board of commissioners shall, for at least thirty days before the election, give public notice of such election, together with the purpose thereof, by publication in one or more newspapers published in said county: *Provided*, that if a majority of the qualified voters of said county shall not vote to issue bonds at the election so held, said board of commissioners may submit the said question to said voters at any other time after four months.
- Question to be voted on. SEC. 2. That any election under the provisions of this act shall be conducted as nearly as may be in the same manner as is now or may hereafter be prescribed by law for holding elections for the General Assembly: *Provided, however*, that the said board of commissioners shall appoint the registrars of election, the judges or inspectors, and any other election officers, and registration and challenge of voters shall be conducted in the same manner as is now or may hereafter be provided for the election of members of the General Assembly; and said county commissioners shall order a new registration for said election or elections. The vote shall be counted at the close of the polls and returned to said board of commissioners on the Thursday next following the election, and said board shall tabulate and declare the result of the election, all of which shall be recorded in the minutes of said board of county commissioners, and no other recording and declaring of the result of the election shall be necessary.
- Notice of election. SEC. 3. That at said election or elections the ballots tendered and cast by the voters shall have written or printed upon them "For Good Roads Bond Issue" or "Against Good Roads Bond Issue," and all electors who favor the issuing of said bonds shall vote for good roads bond issue and those opposed to the issuing of the bonds shall vote against good roads bond issue.
- Proviso: further elections.
- Law governing elections.
- Proviso: election officers.
- New registration.
- Count and return of votes.
- Canvass and record.
- Ballots.

<p>SEC. 4. In the event the majority of the qualified voters of the county cast a vote for the bond issue at any election herein provided for, after the result has been declared and recorded as aforesaid the board of commissioners of the county shall have bonds prepared of the denominations of one thousand dollars, five hundred dollars, or one hundred dollars, as they may deem best, the total amount being that provided for in the first section of this act.</p>	Issue of bonds.
<p>The said bonds shall bear a rate of interest to be determined by the board of commissioners, not exceeding five per cent per annum, with interest coupons attached, payable semiannually during the time the bonds shall run, with the principal payable forty years from their issue, and providing that said commissioners may provide and contract for the payment and redemption of one-half of said bonds at the expiration of twenty years from their issue at par and accrued interest. Said bonds and coupons shall be payable in standard currency of the United States at the office of the treasurer of Vance County, in the town of Henderson, North Carolina, or at some bank in New York City, New York. Both bonds and coupons shall be numbered consecutively, beginning with number one B, and both shall be signed by the chairman of said board of commissioners and countersigned by its clerk, and each bond shall be authenticated by the seal of the county; and they shall be styled "Vance County Highway Improvement Bonds, Series B."</p>	Denominations.
	Amount.
	Interest.
	Maturity.
	Provision for call.
	Payable in standard currency.
	Authentication.
	Entitlement.
<p>SEC. 5. Immediately upon the preparation and signing of said bonds the said board of county commissioners shall turn over to the chairman of the good roads commission hereinafter provided for all of said bonds, without the county seal having been affixed to any of them. The good roads commission shall have the power to advertise and sell any or all of said bonds, at such time and place as they may deem best, for the purpose of raising a fund with which to construct and improve the public highways of said county as aforesaid. The expense of such advertising and selling or other necessary expenses in regard thereto to be paid out of the fund arising from the sale thereof. Before delivering any of the bonds sold by the provisions of this section and under this act, the chairman of the good roads commission shall apply to the custodian of the seal of Vance County, whose duty it shall be to affix said county seal to the bonds so sold and to keep a record of all bonds to which the seal is affixed, and no bonds shall be of any value until such seal is so affixed. Said bonds shall not be sold or disposed of in any way for less than their face value, nor shall they or their proceeds be used for any other purpose than those declared by this act: <i>Provided, however,</i> that the purchasers of said bonds shall not be required to see to the application of the fund. Said bonds shall be numbered consecutively beginning with number one B, and the coupons attached and issued with them shall bear the number of the bond to which they are attached.</p>	Bonds turned over without seal.
	Sale of bonds.
	Expense of issue and sale.
	Bonds sealed before delivery.
	Record.
	Sale below par forbidden.
	Specific appropriation of proceeds. <i>Provido:</i> no duty imposed on purchasers.
	Bonds and coupons numbered.

Recitals.	The bonds and coupons shall state on their face when they are due and where payable, and the bonds shall show by what authority they are issued. The good roads commission shall record all their proceedings in respect to said bonds in the minutes of their meetings, and, whenever the same are sold, the number of bonds and their denomination, to whom sold, and the number of coupons attached. Said minutes shall always be open to the inspection of the board of county commissioners and all other persons interested.
Records in respect to bonds.	
Minutes open to inspection.	
Proceeds paid into road treasury.	SEC. 6. When any of the bonds provided for in this act are sold, the proceeds of the sale shall be turned over to the treasurer or financial agent of the good roads commission hereinafter provided for, and shall become part of the good roads funds hereinafter provided for. Said treasurer, or financial agent, shall annually, before any fund provided for in this act is paid over to him, execute an official bond payable to the county of Vance, in the usual form, the penal sum being equal to the greatest amount which may at any time come into his hands during the succeeding year, conditioned for his faithful safe keeping of the same and in all things holding, disbursing, and accounting for same as required by law, which bond shall be passed upon and received by said good roads commission, if the same is satisfactory to it. All orders directed to the treasurer or financial agent for the payment of money under this act shall state on their face that they are good roads orders and to what account they are chargeable, and they shall be signed by the chairman and secretary of said good roads commission.
Bond for safe-keeping.	
Orders on fund.	
Separate road tax.	SEC. 7. In case the election shall be in favor of issuing bonds as aforesaid, the board of commissioners shall levy annually, at the time and in the manner of levying other State and county taxes, a separate road tax for the county on the one hundred dollars worth of property of not more than ten cents nor more than thirty cents on each taxable poll in the county, as recommended by the board of road commissioners, the subject of taxation and the levying of the taxes to be the same as those on which the board of county commissioners are now or may hereafter be authorized to levy taxes for general county purposes. The taxes so levied shall be collected as other taxes, and the same shall be a separate fund to be applied, first, to the interest on said bonds; second, the creation of an adequate sinking fund for the redemption or purchase of said bonds; third, for the maintenance of the roads constructed under this act and of the dirt roads. The sinking fund shall be held by the treasurer or financial agent of the county under the direction of the said county commissioners on special trust for the payment of the bonds issued under the provisions of this act, and neither the principal thereof nor the interest thereon shall be used for any other purpose. The board of county commissioners shall manage and invest the fund at their discretion until paid out for the redemption or purchase of the bonds sold under this act, at or
Limit of rate.	
Collection of tax.	
Application of fund.	
Sinking fund a special trust.	
Investment of sinking fund.	

before their maturity. The balance of the fund raised by the annual road tax, after paying the annual interest on the bonds and setting aside the sinking fund, shall be paid over to the treasurer of the road commission and become a part of the good roads funds, to be expended for the maintenance of roads. The said good roads commission shall use the funds derived from the sale of said bonds only for the construction and improvement of the public highways in said county, and not for the maintenance or repair of the highways of said county.

Balance to road fund.

Fund used for construction and improvement.

SEC. 8. If any act shall be passed at this or any subsequent session of the General Assembly authorizing the State to loan money to the counties to aid in building and improving public roads, taking county bonds as collateral for said loan, then the board of county commissioners of Vance County are hereby authorized and empowered to avail themselves of the privilege and benefits of any such act.

Acceptance of State aid.

SEC. 9. If a majority of the qualified voters of Vance County shall vote for good roads bond issue, then and in that event W. B. Daniel, C. L. Blacknall, Sol. W. Greenway, W. T. Rowland, and T. J. Richardson are hereby appointed as the "Good Roads Commission of Vance County," and shall hold office for two years from the ratification of this act by the said election and until their successors are qualified, and they shall have charge of the road work of said county: *Provided*, that the board of county commissioners may, at their first regular meeting after the ratification of this act by the said election, elect by ballot not more than four additional members of the said good roads commission. The term of office, rights and powers of any member so elected by the county commissioners shall be the same as if he had been named a member of the good roads commission in this act. The said board of county commissioners are hereby authorized and empowered to fill all vacancies occasioned by death, resignation, failure to qualify, or any other cause.

Commissioners named.

Term.

Proviso: additional commissioners.

Vacancies.

SEC. 10. As soon as practicable after the election, the members of the good roads commission shall qualify by taking the oath of office before some person authorized to administer oaths, meet and organize by electing one of their members chairman and a secretary, and some other suitable person treasurer. The treasurer shall not be allowed fees, but his salary shall be fixed by the good roads commission, not to exceed one hundred and twenty-five dollars (\$125) per annum: *Provided*, that the said good roads commission may appoint some bank or banks to act as treasurer or financial agent to receive and disburse the funds under control of said commission: *Provided further*, that any such bank so appointed to act as treasurer or financial agent shall not receive any greater compensation than one hundred and twenty-five dollars (\$125) per annum.

Commissioners to qualify.

Organization.

Salary of treasurer.

Proviso: bank as financial agent.

Proviso: salary of financial agent.

- Duties of secretary.** SEC. 11. It shall be the duty of the secretary to attend the meetings of the commission and keep a record of the proceedings; to keep the books of the commission; to buy (with the approval of the highway superintendent and the chairman of said commission) all supplies for the commissary department (if the commission deem it expedient to maintain a commissary department), and such light equipment as the commission may direct; to keep the books for the commissary department and to attend to the distribution of supplies to such road force or forces as the commission deem expedient to maintain, keeping a separate account of everything furnished the respective road forces and posting a copy of the same at the courthouse door at least once in each sixty days; to make out the pay-roll, and to perform such other duties incident upon his office as the commission may require.
- Separate accounts.**
- Accounts posted.**
- Surveyor or engineer.** SEC. 12. In order that the road work may be properly and economically carried on, the good roads commission is authorized and instructed to secure the services of such surveyor or engineer as may be necessary to the proper laying out and grading of the roads. If the State furnishes to the counties engineering assistance, the acceptance of such service from the State by the good roads commission shall be considered as fulfilling the requirements by the commissioners of this section.
- Acceptance of service from State.**
- Highway superintendent.** SEC. 13. Before proceeding with the road work of Vance County, the good roads commission may elect by ballot a competent highway superintendent for the county of Vance, who is familiar with road construction, and fix his compensation at an amount not to exceed one hundred and twenty-five dollars (\$125) per month. The result of said election shall be declared and recorded in the proceedings of said good roads commission. The person so elected shall take and subscribe an oath for the faithful performance of his duties as such highway superintendent and shall execute an official bond in the sum of two thousand five hundred dollars (\$2,500) for the faithful performance of his duties and for the accounting of all moneys and property which may come into his hands as such officer. He shall hold his office for one year and until his successor qualifies, except that the good roads commission may, for good cause, remove him from his said office and elect a successor for the unexpired term. He shall have charge of the laying out, construction, and upkeep of the roads. He shall direct the work of the surveyor and foreman, and shall have charge of the live stock, machinery, and other equipment under control of the good roads commission. Together with the secretary and chairman, the highway superintendent shall purchase the supplies and equipment for the road forces, with the approval of the commission. He shall enter upon his duties and work when and where directed by said good roads commission, and shall have such
- Compensation.**
- Record of election.**
- Oath of office.**
- Official bond.**
- Term of office.**
- Removal for cause.**
- Charge of construction and maintenance.**
- Direction of work.**
- Charge of stock and equipment.**
- Purchase of supplies and equipment.**
- Work directed by commission.**

authority and perform such duties as may be from time to time determined by said good roads commission, except as otherwise provided in this act.

SEC. 14. In opening new highways, widening and straightening old roads and repairing same, the good roads commission, through its agents, are hereby authorized to enter upon any land and locate and build such highways. If the good roads commission and the owner or owners of said land cannot agree as to the damages, if any, the good roads commission shall, after six months after said highway is completed, cause to be summoned three disinterested freeholders of said county, who shall go upon the land and assess damages and benefits under the general road law, as it now exists: *Provided further*, that before entering upon lands as authorized in this section it shall be the duty of the good roads commission, through its chairman, to notify the owner or owners of said land that the highway is to be located upon said land under authority of this act.

Entry on lands for location and construction.

Assessment of damages.

Proviso: notice to landowner before entry.

SEC. 15. The highways in said county constructed or improved under this act shall have a right of way of not less than eighteen feet, of which not less than twelve feet shall be free from logs, stumps, rocks, and drains, except where ledges of rock are encountered or where the width is considered impracticable by the engineer and highway superintendent. The alignment of the road shall be as straight as practicable and with no grade over four and one-half ($4\frac{1}{2}$) per cent, except as such grade is considered impracticable by the road engineer and highway superintendent.

Right of way.

Roadbed.

Alignment.

Grade.

SEC. 16. Judges of the Superior Court, recorders, justices of the peace, and mayors holding court in Vance County are hereby authorized to sentence to work on the public roads of said county persons convicted in their courts held in said county. Persons thus sentenced shall be assigned by the board of county commissioners to the custody and control of the good roads commission, who may also receive, upon terms to be agreed upon, convicts from other counties to be worked on said roads. Said convicts, while in the custody and under the control of the said good roads commission, shall be employed in the construction or repair or maintenance of highways under the provisions of this act, and the expense of maintaining and guarding such convicts while so employed shall be paid by the good roads commission out of the road fund of the county.

Sentences to road work.

Assignment.

Convicts from other counties. Employment.

Maintenance and safe keeping.

SEC. 17. The term "highway" shall be understood to mean all public roads where the county owns and controls the right of way.

Highway constructed.

SEC. 18. All expenses incurred by the good roads commission on account of meetings held by reason of duties imposed by this act shall be paid upon their order out of the good roads fund provided for by this act.

Expenses of meetings.

Issue or payment of fraudulent order a felony.

SEC. 19. Any good roads commissioner or superintendent making or causing to be made any fraudulent order whereby money is to be paid out of said good roads fund, or any treasurer knowingly paying any fraudulent order, shall be guilty of a felony and shall be fined or imprisoned, or both, in the discretion of the court, and shall be removed from office.

Punishment.
Removal from office.

Itemized accounts published monthly.

SEC. 20. The treasurer or financial agent of the good roads commission shall on the first Monday of each and every month post at the courthouse door of said county an itemized statement showing in full an account of his receipts and disbursements for the previous month; and the good roads commission shall require him to account to them quarterly in each year for the said good roads fund; and it may require, as often as is deemed best, reports from officers and employees concerning their progress and their duties, and to what extent and in what manner they have performed the same.

Quarterly accounts.

Reports from officers and employees.

Moneys constituting road fund.

SEC. 21. That any moneys that are raised by a special tax or a bond issue or in any manner whatsoever by the county officials of Vance County for the construction or improvement or repair or maintenance of the public roads of Vance County shall become a part of what is herewith designated as the good roads fund, which shall be in the custody of the treasurer or financial agent of the good roads commission, to be drawn upon as directed by the good roads commission.

Use of fund.

SEC. 22. That the good roads commission is hereby authorized to use the good roads fund provided for in section three to construct and improve and repair and maintain the public highways in Vance County, and shall purchase for such work the necessary tools, machinery, implements, and stock. The good roads commission is also authorized to employ overseers, supervisors, foremen, and laborers, as it may be necessary for carrying out the purposes of this act, and to pay for the hiring of such out of the good roads fund. The good roads commission is also authorized to let out any of the road work on contract when in the opinion of the highway engineer and highway superintendent this is more economical to the county.

Purchases.
Employees.

Work let to contract.

Compensation of commissioners.

SEC. 23. The good roads commission is hereby empowered to fix the compensation of its members, not to exceed two dollars and mileage for each meeting. The said commission is authorized to hold six regular meetings each year, if they deem it necessary. They may hold as many special meetings as they deem necessary, but shall not receive any compensation for more than two called meetings, or a total of eight meetings per year: *Provided*, that the commission may allow the chairman an amount not to exceed ten dollars per month to assist the secretary and highway superintendent in auditing accounts and purchasing supplies and equipment. The salary of the secretary shall not exceed seventy-

Regular meetings.

Special meetings.

Limit of compensation.
Provide: allowance to chairman.

Salary of secretary.

five dollars (\$75) per annum. In addition to the ones specifically named in this act, there shall be no other salaried officials except the men in active charge of the construction work, known as foremen or overseers. Further salaries.

SEC. 24. That upon petition of one-fifth of the freeholders of any township, the county commissioners are authorized and empowered to appoint three suitable persons in that township whose duty will be to aid as they may desire the good roads commission in the work of their township. If more than one road in a township is to be worked, the township commissioners so appointed by the county commissioners shall designate the order in which they shall be worked. Township commissioners.
Road designated for work.

SEC. 25. That if this act is ratified by the people at the election herein provided for, the good roads commission authorized and established by section ten, chapter four hundred and sixty-six, Public-Local Laws of one thousand nine hundred and thirteen, are hereby authorized and directed to turn over, as soon as practicable, to the good roads commission authorized and established by section nine of this act, all moneys, supplies, books, or equipment of whatever nature belonging to the good roads commission, together with all proper liabilities, and to publish an inventory and itemized statement of the same at courthouse door. Transfer of records, moneys, supplies, and equipment.
Inventory and statement.

SEC. 26. That all laws and clauses of laws in conflict with this act are hereby repealed, but this shall not be construed to repeal any provision of the Vance County road law of March sixth, one thousand nine hundred and thirteen, not in conflict with this act. Repealing clause.

SEC. 27. That this act shall take effect from and after its ratification.

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 691.

AN ACT TO PLACE THE OFFICERS OF FRANKLIN COUNTY ON SALARIES.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff, clerk of the Superior Court, register of deeds, county treasurer, and such other officer of Franklin County whose compensation is hereinafter fixed upon a salary basis, and their several deputies, assistants, and clerks, shall faithfully collect, receive, and account for all fees, commissions, profits, and emoluments to which they become entitled by virtue of their respective offices under the laws of North Carolina relative to salaries and fees, or such as may hereafter be enacted by the General Assembly, except as otherwise herein provided, and Officers to collect and pay over fees.

Monthly settlements.	shall pay the same to the treasurer of Franklin County on the first day of each and every calendar month, or within five days thereafter; and the said officers and each of them shall be responsible for and chargeable with all the moneys of every kind which are, shall be, or ought to be paid into their respective offices; and they shall be held to strict account for all such moneys; and for any abstraction, concealment, or misapplication of any moneys payable into their respective offices, which any of them shall have collected, the officer, deputy, assistant, or clerk so offending shall be guilty of a felony, and upon conviction shall forfeit his said office and be punished as is now provided by law in cases of embezzlement by public officers. All the moneys paid to the county treasurer as herein provided shall be kept by the treasurer of said county in a separate fund to be known as the "Salary Fund": <i>Provided</i> , that the amount paid out for salaries under this act in any one fiscal year shall not exceed the amount received in said "Salary Fund"; and in event said salary fund should be insufficient, the salary of each officer shall be reduced in proportion to the lack of fees received in said office sufficient to pay such salary in full.
Abstraction, concealment, or misapplication felony.	
Forfeit of office. Further punishment.	
Moneys kept as salary fund.	
Proviso: salaries not to exceed fund.	
Ratio of reduction of salary.	
Failure to collect fee a misdemeanor.	SEC. 2. Any officer of Franklin County, or any deputy, assistant, or clerk of such officer, who shall fail or refuse to collect any fee, commission, or emolument of any kind belonging to his office shall be guilty of a misdemeanor, and shall be fined or imprisoned, in the discretion of the court; and all fees, commissions, or emoluments which should be collected by such officers under the laws of the State of North Carolina shall be demanded and collected by them in advance, unless otherwise provided by law, and upon being collected shall be turned over to the treasurer of said county as provided in this act.
Punishment.	
Collection in advance.	
Account books.	SEC. 3. That each and all of said officers shall open and keep a separate set of account books, consisting of a daily journal and a ledger, in which shall be promptly, correctly, and accurately entered itemized accounts of all moneys collected or received by such officers by virtue of their office or which by law are or may be payable into their respective offices; and all of said books shall at all times be open to the inspection of the public upon demand, and said books shall be safely and securely kept so as to prevent and guard against the loss or destruction thereof.
Itemized accounts.	Said books shall show in itemized form the name of the person paying in any sum of money, the date when paid, the purpose for which it is paid, and the amount thereof, except the fees for proof of witness tickets may be entered without giving name of each person paying same. The auditor of Franklin County shall have the power to prescribe the form of books and accounts to be kept, not inconsistent with this act, and to prescribe rules and regulations therefor, and the books and accounts shall be kept in the form and after the manner so prescribed by said auditor.
Books open to inspection.	
Details of entries.	
Auditor to prescribe forms.	

- SEC. 4. That the sheriff of Franklin County shall appoint at least one deputy in each township in the county, except Louisburg Township, and may allow such deputies fees made and collected by them in serving summons, subpoenas, notices, and processes of all kinds in their respective townships, and all fees and commissions made and collected by them from executions in their respective townships, said fees not to be paid into the salary fund; and the said deputies so appointed shall not receive any compensation for serving summons, subpoenas, notices, and processes of all kinds in Louisburg Township, and such fees shall be turned over to the treasurer of Franklin County by the sheriff and deputies residing in Louisburg Township, as hereinafter provided.
- SEC. 5. That all fees, commissions, profits, and emoluments of all kinds, together with fees for serving summons, subpoenas, and processes of all kinds in Louisburg Township, together with all commissions on taxes collected and all other commissions and profits now belonging or appertaining to or hereafter by any law belonging to or appertaining to the sheriff by virtue of his office and not excepted in section four of this act, shall be faithfully collected by him and turned over to the treasurer of said county as hereinafter prescribed, to be disposed of by said treasurer as hereinafter provided.
- SEC. 6. That said sheriff shall receive a salary of twenty-two hundred and fifty dollars per annum, payable monthly upon the order of the board of county commissioners, countersigned by the auditor, drawn on the treasurer of said county, which shall be in lieu of all fees and commissions due him for services rendered by virtue of his office as sheriff of Franklin County: *Provided*, that said sheriff shall receive the regular mileage allowed him by law for conveying prisoners outside of the county.
- SEC. 7. That the said sheriff of Franklin County shall appoint a deputy sheriff who shall reside in Louisburg Township, and the said deputy shall receive a salary of not to exceed nine hundred dollars per annum, payable monthly, and all fees, commissions, and profits earned by the said deputy sheriff residing in Louisburg Township shall be accounted for by the sheriff of Franklin County to the treasurer in the same manner as the sheriff is required to turn over the fees and commissions due him, and the sheriff shall be responsible for all fees and commissions collected by the said deputy and shall see to it that the same are turned over to the treasurer: *Provided*, that if at any time it should appear that public necessity and the efficient conduct of the public business demands additional deputy or the expenditure of a sum greater than that allowed in this section, the county commissioners may authorize an additional expenditure, not to exceed five hundred dollars in any one year.
- Sheriff to appoint township deputies.
- Fees allowed deputies.
- Service in Louisburg township.
- Fees to be collected and turned over by sheriff.
- Salary of sheriff.
- Proviso: mileage outside of county.
- Deputy for Louisburg township.
- Salary.
- Fees accounted for.
- Proviso: additional allowance by county commissioners.

Allowance for collecting taxes and for clerks.

SEC. 8. That the county commissioners may make an allowance of not more than eight hundred and fifty dollars to the sheriff of Franklin County to be expended by said sheriff in collecting taxes, and for any necessary clerical assistance.

Bond of deputy.

SEC. 9. The sheriff may require his deputy residing in Louisville Township to give bond, in such sum as the county commissioners may fix, for the faithful performance of his duty. The sheriff shall also appoint a jailer, whose salary shall be fixed by the county commissioners, to be paid, together with the actual expenses of maintaining the county jail, out of the funds of the county as now provided by law.

Jailer.

Salary and expense of jailer.

Salary of register of deeds.

SEC. 10. The register of deeds of Franklin County shall receive a salary of nineteen hundred dollars per year, payable monthly, in lieu of all other compensation, and shall be allowed the sum of seven hundred dollars a year for a deputy, the said salary to be paid in the same manner as the sheriff's salary is paid.

Allowance for deputy.

Salary of treasurer.

SEC. 11. The treasurer of said county shall receive in lieu of all other compensation, a salary of nine hundred dollars per year: *Provided*, that if the office of treasurer be abolished this section shall be abrogated and any duties imposed by this act shall be discharged by the financial agent taking the place of such treasurer.

Proviso: salary abrogated on abolition of office.

Salary of clerk of superior court.

SEC. 12. The clerk of the Superior Court of Franklin County shall receive a salary of nineteen hundred dollars a year, payable monthly in the same manner as the sheriff's salary is paid, in lieu of all other compensation, and shall be allowed the sum of seven hundred dollars a year for a deputy.

Allowance for deputy.

Creation of auditor authorized.

SEC. 13. On and after the first day of December, one thousand nine hundred and seventeen, the county commissioners are authorized, if experience shows it to be wise, to create the office of auditor of Franklin County and to pay such auditor a salary not to exceed twelve hundred dollars per year. The auditor shall give such bond as the commissioners may require. It shall be the duty of the auditor to act as accountant for the county, settling with the county officers; to supervise, scrutinize, and examine at least once in every calendar month all books, receipts, accounts, and vouchers and other records of all the officers of Franklin County which show fees and commissions collected and received by them; and he is hereby authorized to open a set of account books in which shall be shown the total monthly receipts of fees and commissions of all the officers of said county in an expert and intelligent manner, which books shall be permanently kept as the records of his office and always open to public inspection; it shall likewise be his duty to audit all bills and claims presented to the board of county commissioners of said county; and no claim or bill filed with said board of commissioners shall be allowed or paid until it has been audited by said auditor; and

Salary.

Bond of auditor.

Accountant for county.

Supervision of books and accounts.

Accounts with officers.

Audit of bills and claims.

Claims not paid before audit.

all warrants drawn upon claims or bills allowed by the board of commissioners shall be countersigned by said auditor before they shall be honored or paid by the treasurer of said county; it shall likewise be his duty to see that the register of deeds properly makes out the tax list, and to assist in balancing same and making out the proof-sheets and abstracts, and retain a copy thereof; and to investigate and inquire for all delinquent taxpayers, and to require such delinquents to be placed on the tax list; and to see that all statements are properly made and published: *Provided*, that until such office be created the county commissioners shall have all books and accounts of officers audited by some competent person.

Warrants countersigned by auditor.

Supervision of tax list.

Inquiry for delinquents.

Proviso: audit under present law.

SEC. 14. The usual compensation allowed the register of deeds for making out the tax list shall be paid into the salary fund. The county commissioners are authorized to expend not to exceed two hundred and fifty dollars a year for clerical assistance to the register of deeds in making out the tax list.

Compensation for tax list to salary fund.

Expenditure authorized.

SEC. 15. The provisions of this act shall be submitted to the voters of Franklin County at the time for holding the general election in the year nineteen hundred and sixteen, and at said election all voters who favor the provisions of this act shall vote ballots on which is written or printed "For Salaries" and all opposed shall vote ballots on which is written or printed "Against Salaries"; and if a majority of the votes cast in said election shall be "For Salaries," then the provisions of this act shall be in full force and effect from and after the first day of December, nineteen hundred and sixteen. The said election shall be held and conducted under the laws applying to general elections.

Act submitted at general election.

Ballots.

Effect of election.

SEC. 16. All laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 17. That this act shall be in force from and after its ratification.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 692.

AN ACT TO PROVIDE FOR THE CONSTRUCTION AND REPAIR OF THE PUBLIC ROADS OF WATAUGA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That C. D. Taylor, W. W. Stringfellow, and Roy M. Brown of the county of Watauga be and they are hereby appointed the good roads commission for Watauga County, who shall hold office for the following terms, beginning on the first Monday in December, one thousand nine hundred and sixteen, towit: the

Appointment of commissioners.

Terms.

first named for six years, and until his successor qualifies; the second for four years, and until his successor qualifies; the third for two years, and until his successor qualifies. The board of county commissioners of the county of Watauga shall, at their meeting in May following the expiration of the term of the above named officers, elect a successor to each, who shall hold his office for a term of six years, and until his successor qualifies. The said board of county commissioners shall fill all vacancies occasioned by the expiration of the term of office, death, resignation, failure to qualify, or any other cause: *Provided*, that not more than two of said good road commissioners shall be of any one political party. As soon as practicable after the election the members of the good roads commission shall, by taking the oath of office before some person authorized to administer oaths, meet and organize by electing one of their members chairman and another secretary. The said good roads commission shall designate some bank in the county of Watauga to act as treasurer of the good roads commission. The members of the good roads commission shall each be paid out of the road fund of the county three dollars per day: *Provided*, that they shall be paid for a number of days not to exceed eighteen in any one year. The meetings of said commission shall be held at and the records kept in the courthouse, said meeting to be held the first Monday of each month.

SEC. 2. That in order that the road work may be properly and economically carried on, the good roads commission is expressly authorized and instructed to employ a competent road engineer, at a salary to be fixed by it and to be paid out of the road fund as provided for in this act: *Provided*, that the road commissioners are authorized, if proper arrangements can be made, to hire jointly with another county or counties the services of the road engineer, or to employ the road engineer for such part of his time as they deem necessary to give proper supervision to the work; and *Provided further*, that if the State furnishes to the counties engineering assistance and supervision of their road work, or if such assistance and supervision is given by the United States, the acceptance of such services from the State or the United States by the good roads commission shall be considered as fulfilling the requirement by the commission of this section. The highway engineer shall advise the good roads commissioners regarding the road work, supervise the making of plans and specifications, devise a general road scheme for the entire county, and have general supervision of all road work; and he is expressly authorized to give instruction to the highway superintendent hereinafter provided for. The said good roads commissioner shall, on or before the regular time for levying the county taxes in the year one thousand nine hundred and seventeen, and each year thereafter,

Election of successors.

Vacancies.

Proviso: political affiliations.

Commissioners to qualify.

Meeting and organization.

Bank designated as treasurer.

Pay of commissioners.

Proviso: limit.

Meetings and records.

Employment and salary of engineer.

Proviso: coöperation.

Proviso: acceptance of State aid.

Engineer to advise commission.

Plans and specifications.

General road scheme.

Instruction to superintendent.

Estimate of taxes.

make an estimate of the amount of taxes necessary to carry on the road work for the following year, and shall demand of the county commissioners that they make a levy of the amount requested by said good roads commissioners, not to exceed twenty cents on the hundred dollars worth of real and personal property, and said board of county commissioners shall make said levy as requested by said good roads commissioners, and said tax shall become due and collectible at the time and in the manner that the general county taxes are collected. The said tax when collected shall be set apart as a good roads fund for Watauga County and shall be paid to the treasurer of the good roads commission as herein provided for.

SEC. 3. That before proceeding with the road work of Watauga County the good roads commission shall elect by ballot a competent highway superintendent of roads for the county of Watauga and fix his compensation. The result of such election shall be declared and recorded in the proceedings of said good roads commission. The road engineer and the highway superintendent may be one and the same person. The person so elected shall take and subscribe an oath for the faithful performance of his duties as such highway superintendent, and shall execute an official bond in the sum of two thousand five hundred dollars for the faithful performance of his duties and for the accounting for all the money and property which may come into his hands as such officer. He shall hold his office for two years and until his successor is elected and qualified, except that the good roads commission may for good cause remove him from his said office and elect his successor for the unexpired term. He shall enter upon his duties and work when and where directed by the good roads commission and by the highway engineer, and shall have authority to notify the overseers when and where to work on new and amended roads, and shall have such authority and perform such duties as may from time to time be determined by the good roads commission, except as otherwise provided in this act.

SEC. 4. That in opening new highways, widening and straightening old roads, and repairing the same, the good roads commission, through its agents, are authorized to enter upon any land, locate and build such highways. If the good roads commission and the owner or owners of the said land cannot agree as to the damages, if any, the good roads commission shall, after sixty days after said highway is completed, cause to be summoned three indifferent freeholders of said county, who shall go upon the lauds and assess damages and benefits under the general road law as it now exists: *Provided*, that before entering upon lands as authorized by this section, it shall be the duty of the good roads commission to serve notice upon the owner or owners of said land, notifying him or them that the highway is to be located upon said land under

Demand for levy.

Rate.

County commissioners to levy tax.

Tax set apart as road fund.

Election and compensation of superintendent.

Record of election.

Engineer and superintendent combined.

Oath of office and bond.

Term.

Removal for cause.

Direction of work.

Authority and duties.

Entry on lands.

Assessment of damages.

Proviso: notice to landowners before entry.

- authority of this act; said notice to be in writing and served personally upon the owner, or, if the owner be not in the State, or unknown, by publication of said notice at the courthouse door in the town of Boone for twenty days. If served personally, a notice of ten days shall be given. That the said good roads commission shall survey and make a map of the good roads and amendments to old roads which are in their opinion necessary to be made into each and every township in Watauga County. They shall begin construction of said roads at such time and at such places as they deem best, using the money then available for road work. They shall so expend the road funds that when all the roads are completed each township will have received as nearly as possible, in the value of the roads constructed, the amount of money paid in taxes by said township.
- Maps. SEC. 5. That the highways in said county constructed or improved under this act shall have a right of way of not less than thirty feet. The alignment of the road shall be as straight as practicable, and with no grade over four and one-half per cent, except as such grade is considered impracticable by the road engineer.
- Beginning of work. SEC. 6. That the term "highway" shall be understood to mean all public roads where the county owns and controls the right of way or may hereafter own and control. That all roads that have been laid off, out, or appointed by virtue of any act of the General Assembly or any order of the court or board of road commissioners are hereby declared to be public roads; and the good roads commissioners, as herein set out, shall have full power and authority to order the laying out of all public roads where necessary, to determine the location of all bridges pertaining to highways, the letting of contracts for same and the supervision of their construction; to discontinue such roads as shall be found useless, and to alter any road that in their judgment will make it of more benefit to the community: *Provided*, that all such road and bridge location, construction, and changes are made according to plans and specifications of a competent road engineer. That from all orders, judgments, and decrees made by the good roads commission an appeal shall lie by the party aggrieved to the Superior Court as is now provided by law in appeals from the board of county commissioners.
- Expenditure proportioned to townships. SEC. 7. That all expenses incurred by the good roads commission on account of meetings held by reason of duties imposed by this act shall be paid upon their order out of the good roads fund provided by this act.
- Right of way. SEC. 8. That any good roads commissioner or superintendent making or causing to be made any fraudulent order whereby money is to be paid out of the said good roads fund, or any treasurer knowingly paying any fraudulent order, shall be guilty of a
- Alignment.
- Grade.
- Highways defined.
- Public roads.
- Laying out roads.
- Location of bridges.
- Contracts.
- Supervision.
- Discontinuance and alterations.
- Proviso: plans and specifications.
- Right of appeal.
- Expense of meetings.
- Issuing or paying fraudulent order felony.

felony, and shall be find or imprisoned, or both, at the discretion of the court, and shall be removed from office.	Punishment. Removal from office.
SEC. 9. That the treasurer of the good roads commission shall, on the first Monday of each and every month, post on the courthouse door of said county an itemized statement showing in full an account of its receipts and disbursements for the previous month; and the good roads commission shall require him to account to them quarterly in each year for the said good roads funds; and it may require, as often as it deems best, reports from officers and employees concerning their progress and duties, and to what extent and in what manner they have performed the same.	Itemized statements posted monthly. Quarterly accounts. Reports.
SEC. 10. That the board of county commissioners may, for good and sufficient cause, remove any one or more of the good roads commissioners, and the vacancy or vacancies shall be filled as provided in this act.	Road commissioners removable for cause. Vacancy filled.
SEC. 11. That any moneys that are raised by special tax or in any other manner whatsoever by the county officials of Watauga County for the construction, improvement, or repair of the public roads of Watauga County shall become a part of what is herewith designated as a good roads fund, which shall be in the custody of the treasurer of the good roads commission, to be drawn upon and expended as directed by the good roads commission: <i>Provided</i> , that any money raised in any township by a vote of said township of Watauga County in excess of that raised by the regular county tax for road purposes shall be applied only to the roads of said township by the said good roads commission; and the board of county commissioners of Watauga County are hereby authorized, instructed, and directed to levy a special road tax in any township of Watauga County of not exceeding thirty cents on the one hundred dollars worth of property, upon a petition to the board of road commissioners signed by a majority of the qualified voters of said township, requesting that such special tax be levied; and said board of road commissioners, upon receiving such petition, shall within twenty days of the receipt of said petition transmit same to the board of county commissioners of Watauga County. All the money thus raised by said special tax shall be expended in the township in which the tax was raised, but under the supervision of the board of road commissioners.	Moneys composing road fund. Custody of fund. Proviso: moneys raised by townships. Special township tax. Rate. Petition for tax. Money expended in township. Supervision of road commission.
SEC. 12. That the good roads commission is hereby authorized to use the good roads fund and the compulsory labor provided for in this act to construct, improve, and repair the public highways in Watauga County, and shall purchase for such work the necessary tools, machinery, implements, and stock: <i>Provided</i> , that no such purchase shall be made until the order for same has been approved by either the highway engineer or the highway superintendent, or both, if this is deemed advisable by the good roads commission. The highway superintendent is herewith authorized	Use of money and labor. Purchase of equipment and stock. Proviso: approval of engineer. Employees.

- to appoint, subject to the approval of the good roads commission, overseers, supervisors, foremen, and laborers as may be necessary for carrying out the provisions of this act, and may discharge same for cause. Said overseers, supervisors, foremen, and laborers shall be paid by the good roads commission out of the good roads fund. The good roads commission is also authorized to let out any of the road work on contract when in their opinion and the opinion of the highway engineer and the highway superintendent this is more economical for the county.
- Payment of employees.** **Work let to contract.** **Road sections.** **Overseers.** **Allotment of hands.** **Notice of appointment and list of hands.** **Proviso: alteration.** **Service of overseer.** **Resignation.** **Proviso: road in good repair.** **Limit of service.** **Roads dividing townships.** **Road duty.** **Limit.** **Emergency work.** **Exemptions.** **Overseer to warn out hands.** **Limit of continuous work.**
- SEC. 13. The said good roads commission shall annually, at its meeting in April, divide the roads of the various townships into sections and appoint overseers for such sections at said meetings. They shall at the same time allot the hands to said overseer and shall also designate the boundaries or points to which each resident shall be liable to work on said section, and shall within five days after such meeting certify to each overseer a written notice of his appointment, with a list of hands assigned to his section: *Provided*, that the good roads commission may at any time alter the section or allotment, but shall give notice thereof to the overseer; such overseer shall serve and be liable as such for neglect of duty until he shall be relieved by the commission, which shall be done only upon his showing that his road is in good condition as prescribed by law. The overseer may resign after twelve months: *Provided*, his road shall be in good repair, and the commission shall so find; any overseer so resigning, and whose resignation has been accepted by the commission, shall not without his consent be again appointed overseer until after the expiration of two years from the date of his resignation. When a public road shall be a dividing line between townships the good roads commission shall make the overseers of the respective townships assume equal responsibility in keeping up such road, and to this end may divide the same.
- SEC. 14. All able-bodied male persons between the ages of eighteen years and forty-five years shall be required under the provisions of this chapter to work on the public roads, except the members of the good roads commission, but no person shall be compelled to work more than seven days in any one year, except in case of damage resulting from a storm.
- SEC. 15. No person between the ages prescribed shall be exempted from working upon the public roads except as such shall be exempted by the General Assembly or by the good roads commission on account of personal infirmity, of which the said commission shall be the sole judge.
- SEC. 16. The overseer of the road shall as often as the road shall require, subject to the limitation in the preceding section, summons the hands of his section to work on the road, but the said hands shall not be required to work continuously for a longer time at

any one time than two days, and at least fifteen days shall intervene between workings, except in case of special damage to the road resulting from a storm. The notice shall be at least three days before the day named for the work, and shall state the hour and place named for the meeting of the hands, and what implement he shall bring with him; and said overseer may require the owner of a team of horses or oxen to bring his team and wagon or plow, as may be required, to work on said road, and the labor and use of the team and wagon or plow shall count as two days work for such owner. If said notice shall be left at the house or place where said hand is staying for said period of time, it shall be sufficient. Every person liable to work on the road who has been so summoned shall appear at the time and place named and with the implement directed, and shall work under the direction of the overseer until discharged by him: *Provided*, that eight hours shall constitute a day's work. Any person summoned as aforesaid who shall by twelve o'clock of the day preceding the one appointed for work on the road pay to the overseer the sum of one dollar shall be relieved from working on the road for one day. The money thus collected by the overseer shall be by him applied on the working and repairing of the road: *Provided further*, that any person who shall furnish one able-bodied hand as a substitute, with the implement directed, shall be held to have complied with this chapter.

Warning.

Teams.

Hands to appear and work.

Proviso: day's work.
Commutation.

Money applied to roads.

Proviso: substitute.

SEC. 17. Any person liable to work on the road who shall fail to attend and work as hereinbefore provided, or, having attended, shall refuse to obey the directions of the overseer or shall spend the time in idleness or any inattention to the duties assigned him, shall be guilty of a misdemeanor.

Failure to attend and work a misdemeanor.

SEC. 18. Every overseer shall make a quarterly report to the good roads commission at the monthly meeting of the commissioners held in January, April, July, and October; said report to show the present condition of his road, the number of days worked on his section since last meeting, the number and names of hands who attended and worked each day, the number and names of hands who failed to attend and work, the number and names of hands who attended and refused to obey the directions of the overseer and spent their time in idleness, whether or not they were legally summoned, and whether or not they paid the one dollar as before provided. The said overseer shall before some person authorized to administer an oath make written affidavit that the report is true and correct. Upon this report, sworn to as aforesaid, if it shall appear that any of the hands, after being legally summoned, have failed to attend and work on said road, or that they did not pay the one dollar, then it shall be the duty of the said supervisor, or any one of them, to report the same to the solicitor of his district at the next succeeding term of court, who

Overseers to report quarterly.

Details of report.

Verification of report.

Report to solicitor.

- Proviso: report to chairman. shall put him upon trial for the offense: *Provided*, that the overseer may make report to the chairman of the commission at any time said chairman may direct such prosecution.
- Annual report. SEC. 19. The said overseer shall at the meeting of the commissioners in April make a report of all moneys collected by him from parties excused from work on the road for the preceding year, and give name of each party; all fines and penalties collected from delinquents, and all other moneys handled or used by him for road purposes, with a statement as to how the same was expended. If any overseer shall fail to discharge any one of the duties imposed by this chapter he shall be guilty of a misdemeanor. In case of failure of any overseer to make any report to the good roads commission of his township as provided in this chapter, it shall be the duty of the chairman of such commission to report his failure to the solicitor. The good roads commission shall have the right to lay out and discontinue cartways, and to lay out and establish and discontinue public roads: *Provided*, that in laying out and establishing cartways and for the purpose of assessing damage to property by reason of the same, three jurors only shall be summoned or required.
- Details.
- Failure a misdemeanor.
- Report of failure to solicitor.
- Cartways and public roads.
- Proviso: jury of view.
- Width of roads. SEC. 20. All roads except such as are causewayed shall not be less than sixteen feet wide, clear of trees, logs, and other obstructions to the passage of ordinary vehicles, and there shall be ten feet in width in the center of the roadway clear of stumps and runners; where it may be deemed expedient by the overseers to make or repair causeways on the same, they shall be at least fourteen feet wide and constructed so as to form a drain on each side of the causeway; and they shall make of the same width any necessary bridge through swamps and over small streams of water: *Provided*, that in opening new roads and making extensive amendments on old ones, and the whole of the new road or the amendments on the old one cannot be built the required width, the overseer may open said road and make sufficient turnouts for the passage of vehicles until the same can be completed.
- Roadbed.
- Causeways.
- Bridges.
- Proviso: turnouts.
- Poles and timber. SEC. 21. The said good roads commission may through its agents lawfully cut poles and other necessary timber for repairing and making bridges and causeways, and whenever earth or stone shall be needed on a public road and it cannot be conveniently procured on either side of the causeway, the said agents of the good roads commission may lawfully take the earth from any adjoining land: *Provided*, that nothing contained in this section shall authorize the said agent of the good roads commission to cut or remove shade trees or trees kept for ornamental purposes unless the same are an obstruction to the road; and the said agent of the good roads commission may lawfully enter on any adjoining land for the purpose of making ditches for the better drainage of said road, doing as little damage to the owner thereof as in his judgment the circumstances will allow.
- Earth or stone.
- Proviso: trees kept for ornament or shade.
- Entry for making ditches.

SEC. 22. The owner of the land and timber or stone thus used may file his petition before the good roads commission of the county wherein the injury is done, and for damages sustained thereby the commission is authorized to make such compensation as in their opinion is proper and just. Petition and payment.

SEC. 23. The good roads commission shall, when it deems necessary, cause to be made and keep in repair, for the convenience of travelers on foot, good and sufficient footways over all swamps and streams of water that may cross that part of the road allotted to him, and shall also erect and keep in repair necessary hand-rails. Footways.
Hand-rails.

SEC. 24. Overseers shall cause to be set up at the forks of their respective roads a post or posts, with arms pointing the way of each road with plain and durable directions to the most public places to which they lead, and with the number of miles from that place as nearly as can be computed; and every overseer who shall neglect to do so in six months after his appointment, and keep the same in repair, shall be guilty of a misdemeanor. Guide-posts.
Misdemeanor.

SEC. 25. Any person who shall wantonly remove, knock down, or deface the said posts, arms, or any mile mark shall be guilty of a misdemeanor, and upon conviction be fined or imprisoned at the discretion of the court. Injuring posts
misdemeanor.
Punishment.

SEC. 26. The good roads commission shall through its agents have the roads accurately measured, where it has not already been done, and at the end of each mile shall mark in a plain, legible, and durable manner the number of miles, beginning, continuing, and marking the number in such manner and form as it may direct; and it shall be the duty of every overseer to keep up and in repair such marks and numbers on the road under his supervision. If any overseer shall neglect any of the duties prescribed in this section for a space of thirty days after his appointment to office he shall forfeit and pay four dollars to the use of the road fund of his township, and a like sum for every day thereafter that the said repair may be neglected. Road to be measured.
Mileposts.
Forfeit for neglect of duty.

SEC. 27. Every overseer who shall neglect to do any other duty by this chapter directed to be done, or who shall not keep the roads and bridges in repair, or shall let them remain out of repair during the space of ten days, unless hindered by extremely bad weather or other unfavorable circumstances, shall forfeit and pay for every such offense four dollars to the use of the road fund of the township and be liable for such damages as may be sustained, and be guilty of a misdemeanor. Further forfeit for neglect.
Liable for damages.
Misdemeanor.

SEC. 28. It shall be the duty of every owner of a water mill which is situate on any public road, and also of every person who for the purpose of draining his lands or for any other purpose shall construct any ditch, drain, or canal across a public road, respectively, to keep at his own expense in good and sufficient repair all Bridges kept up by mill owners.

bridges that are or may be necessary across such ditch, drain, or canal immediately over which a public road may run, and also to erect and keep in repair all necessary bridges over such ditch, drain, or canal on the highway so long as they may be needed by reason of the continuance of said mill or milldam, ditch or canal: *Provided*, that nothing herein shall be construed to extend to any mill which was erected before the laying off of such road, unless the road was laid off at the request of the owner of the mill: *Provided further*, that the duty hereby imposed on the owner of the mill and on the person cutting the drain or canal shall continue on all subsequent owners of the mill or other property for the benefit of which the said drain, ditch, or canal was cut: *Provided, also*, that when any ditch or drain originally constructed across any public road and bridged for the convenience and safety of the traveling public has or may hereafter be enlarged by the owner of adjacent lands to drain his lands, it shall be the duty of such owner to keep up and in repair all bridges crossing such ditch, drain, or canal, and that such charge shall be imposed upon all subsequent owners of the lands so drained, and that any person throwing a bank of dirt in the main road shall be compelled to spread or remove the same.

Proviso: mill antedating road.

Proviso: duty attached to land.

Proviso: bridge over enlarged drain.

Dirt to be spread or removed.

Opening roads.

SEC. 29. Whenever any road has been laid out and established in accordance with this act it shall be the duty of the good roads commissioners to appoint one or more overseers with a sufficient number of hands to construct and open said road on the grade, and it shall be the duty of said commissioners to cause a copy of the order of appointment to be served on each overseer within twenty days of his appointment, and said order shall designate the boundary from which said lands shall be taken or shall embody the names of the hands liable to work on said road: *Provided*, that no hand shall be required to work outside of his own township except on a bridge over a stream dividing one township from another, or where he may be required to do so by special act of the Legislature, and in no case shall he be required to work more than four days in one year.

Notice served on overseer.

Proviso: locality of work.

Limit of work.

Service of order of appointment.

SEC. 30. The secretary of the good roads commission within ten days after its adjournment shall, if convenient, serve each overseer with a copy of the order appointing him overseer, and if not convenient, or said overseer refuses to accept said appointment, the said board shall within ten days deliver two copies of said order to the township constable, or to the sheriff of the county or his deputy, who shall serve each overseer with a copy of the order or leave the same at his usual habitation, and the other copy shall be returned to the next meeting of the good roads commission, with the date of reception by him and the date and manner of service indorsed thereon, and if either the board or con-

Misdemeanor.

stable or other officer shall willfully fail to perform any duty enjoined by this section he shall be guilty of a misdemeanor.

SEC. 31. When an overseer shall not be able to personally notify the hands three days before the day appointed for working the road, he shall leave at the house of each hand a written summons, specifying the day and hour which they are required to attend, the place of the road to be worked, and the kind of tools to be brought or used, and the said written notice left as aforesaid shall be deemed sufficient notice to the hands required to be notified, and all penalties or fines recovered by an overseer for default of working on the road shall be applied by him to the repair of the road of which he is or may have been overseer.

Written notice to road hands.

Penalties and fines applied to roads.

SEC. 32. If any person be settled upon or is cultivating any land to which there is leading no public road, and it shall appear necessary, reasonable, and just that such person should have a private way to a public road over the lands of other persons, he may file his petition before the good roads commission, praying for a cartway to be kept open across such other person's lands leading to some public road, bridge, or public landing; and upon his making it appear to the commission that the adverse party has had ten days notice of his intention, the commission shall hear the allegations of the petitioner and the objections of the adverse party or parties, and, if sufficient reasons be shown, shall order the constable to summon a jury of three freeholders to view the premises and lay off a cartway not less than fourteen feet wide, and assess the damages the owner of such land may sustain thereby, which with the expense of making the way shall be paid by the petitioner, and the way shall be kept open for the free passage of all persons on foot or horseback, carts, and wagons: *Provided*, that if the notice aforesaid shall not have been given, the commission shall cause such petition to be filed with their chairman until their next meeting, when they shall proceed to hear and determine the same, and the petitioner or the adverse party may appeal from the order of the good roads commission to the Superior Court at term, when the issues of fact shall be tried by a jury, and from the judgment of the Superior Court to the Supreme Court, as in other cases of appeal, and all costs accumulated after the order of the commission shall be paid by either party as the court may direct.

Petition for cartways.

Hearing by commission.

Cartway laid off.

Assessment of damages.

Payment.

Proviso: continuance for want of notice.

Right of appeal.

SEC. 33. Cartways laid off according to the provisions of this chapter may be changed or discontinued upon application by any person concerned, under the same rules and proceedings as they were first laid off and upon such terms as the good roads commission may deem equitable and just, and any person through whose lands a cartway may pass may erect gates across the same; and if any person shall leave open, break down, or otherwise injure

Change or discontinuance of cartways.

Gates.

Forfeit for injury.

- such gates, he shall forfeit and pay for every such offense ten dollars to the person erecting the same or his assigns of the line, and if the offense shall be willfully and wantonly done, he shall be guilty of a misdemeanor: *Provided*, that by and with the approval of the good roads commission, and the owner of the land through which said cartway is laid out, line fences may be erected by the party for whose benefit the cartway has been constructed along each side of said cartway, which shall have suitable gateways leading to adjoining fields; and *Further provided*, that such fences and gates shall be built and maintained by said party for whose benefit the cartway was constructed.
- Misdemeanor.**
Proviso: line fences.
- Proviso: building and maintenance.**
- Church roads.** **SEC. 34.** The good roads commission is authorized to order the laying out of any and all necessary roads to and from any church or other place of public worship in their said township; to discontinue such roads when they may be found useless, and to alter the same so as to make them more useful, and the right of way herein provided for shall terminate whenever the church or other place of worship shall cease to be used as such: *Provided*, this section shall not be construed so as to apply to public roads.
- Proviso: public roads.**
- Proceedings as to cartways.** **SEC. 35.** The said good roads commission shall not order the laying out of any such cartway, or discontinue or alter the same, except upon petition in writing, nor shall it hear any such petition unless it shall be made to appear that every person over whose lands the said cartway may pass shall have had ten days notice of the intention to file such petition by personal service of notice in writing, or if the owner be unknown or there be no owner, agent, or attorney of such owner resident in this State, then by notice thereof posted up at the courthouse door of the county in which the township is situate and two public places in the township for the space of ten days; and upon the hearing of the petition, if sufficient cause be shown the said commission shall discontinue or alter the said road, as the case may be, and from their determination any party dissatisfied may appeal as provided in this chapter in the section directing the laying out of cartways.
- Right of appeal.**
- Grade of cartways.** **SEC. 36.** All cartways provided in the two preceding sections shall be laid out on the best grade obtainable to the greatest advantage of the inhabitants and with as little prejudice as may be to lands and inclosures, within twenty days from the notification of their appointment by three disinterested freeholders, to be appointed by the said good roads commission; and such damages as any individual may sustain shall be ascertained by the said freeholders and a report thereof, with the proceedings had by them, shall be made to the said good roads commission, and all damages assessed by the freeholders shall be paid by the petitioners, and until paid there shall be no confirmation of the report of the freeholders and such laying out shall be of no effect.
- Damages ascertained.**
- Damages paid by petitioners.**

- SEC. 37. If any person shall willfully alter, change, or obstruct any highway, cartway, mill road, or road leading to and from any church or other place of worship, or any bridge, or any of said roads, whether the right of way thereto be secured in the manner herein provided for or by purchase, donation, or otherwise, such person shall be guilty of a misdemeanor and fined or imprisoned, or both, in the discretion of the court. Any person who shall hinder or in any manner interfere with the making of any road or cartway laid off according to this chapter shall be guilty of a misdemeanor and punished by fine or imprisonment, or both, at the discretion of the court.
- SEC. 38. Any overseer shall be liable for any injury or damage that may result to any and all implements submitted to his care, whether such damage is due to improper use thereof or to unnecessary exposure to weather during the time same may be in his possession; and when he shall be relieved of his duties as overseer he shall turn over said implements to the good roads commission or its authorized agent. The amount for which overseer shall be liable for such improper use or neglect may be recovered in the name of the good roads commission.
- SEC. 39. If any township shall have a road fund to its credit at the adoption of this act by reason of any prior law, the same shall be expended in repairing the roads of said township.
- SEC. 40. That provisions of chapter one hundred and twenty-two of the Public Laws of one thousand nine hundred and thirteen shall apply to Watauga County so far as they relate to the issuing of bonds by townships.
- SEC. 41. That the board of commissioners of Watauga County shall, upon a petition signed by at least twenty-five per cent of the qualified voters of Watauga County, requesting an election regarding the question of issuing bonds for road improvement, submit, within ninety days after presentation of said petition, to the voters of Watauga County the question whether this said county shall issue bonds in any stipulated sum of dollars, with interest coupons attached, the proceeds of which to be used in grading, improving, macadamizing, or otherwise surfacing the public roads of said county. The said board of commissioners shall for at least thirty days before the election give public notice of such election, together with the purpose thereof, by publication in one or more newspapers published in said county: *Provided*, that if a majority of the voters of said county shall not vote to issue bonds at the election so held, said board of commissioners may submit the said question to said voters at any time or times under the regulations hereinafter set out.
- SEC. 42. That any election under the provisions of this act shall be conducted in the same manner as is now or may hereafter be

Acts declared misdemeanors.

Punishment.

Hindrance of work a misdemeanor.

Punishment.

Overseer liable for damage to implements.

Recovery.

Road funds on hand expended by townships.

Bond issues.

Petition for election on bond issues.

Election ordered.

Notice of election.

Proviso; subsequent elections.

Law governing elections.

Proviso: election officers.	prescribed by law for holding elections for the General Assembly: <i>Provided, however,</i> that the said board of commissioners shall appoint the registrars of election, the judges or inspectors, and any other election officers: and registration and challenge of voters shall be conducted in the same manner as is now or may hereafter be provided for the election of members of the General Assembly, and said county commissioners may or may not order
Count and return of votes.	a new registration for any or all of said elections. The vote shall be counted at the close of the polls and returned to the said board of county commissioners on the Thursday next following
Canvass of returns and record.	the election, and said board shall tabulate and declare the result of the election, all of which shall be recorded in the minutes of said board of county commissioners, and no other recording and declaring of the result of the election shall be necessary.
Ballots.	SEC. 43. That at said election or elections the ballots tendered and cast by the voters shall have written or printed upon them "For Good Roads Bond Issue" or "Against Good Roads Bond Issue," and all electors who favor the issuing of said bonds shall vote for good roads bond issue and those opposed to the issuing of the bonds shall vote against good roads bond issue.
Issue of bonds.	SEC. 44. In the event that the majority of the votes cast shall be for the bond issue at any election herein provided for, after the result has been declared and recorded as aforesaid, the board of commissioners of the county shall have bonds prepared of the denomination of one thousand dollars, five hundred dollars, or one hundred dollars, as they may deem best, the total amount being that provided for in section forty-four of this act. The said bonds shall bear a rate of interest to be determined by the board of commissioners, not exceeding five per cent per annum, with interest coupons attached, payable semiannually during the time the bonds shall run, with the principal payable forty years from their issue.
Denominations.	Said bonds and coupons shall be payable in standard currency of the United States at the office of the treasurer of Watauga County, in the town of Boone, North Carolina. Both bonds and coupons shall be numbered consecutively, beginning with number one, and both shall be signed by the chairman of said board of commissioners and countersigned by its clerk, and each bond shall be authenticated by the seal of the county, and they shall be styled "Watauga County Highway Improvement Bonds."
Interest.	
Maturity.	
Payable in standard currency.	
Authentication.	
Entitlement.	
Bonds turned over without seal.	SEC. 45. Immediately upon the preparation and signing of said bonds the said board of county commissioners shall turn over to the chairman of the good roads commission provided for in this act all of said bonds, without the county seal having been affixed to any of them. The good roads commission shall have the power to advertise and sell any or all of said bonds, at such time and place as they may deem best, for the purpose of raising a fund with
Sale of bonds.	

which to construct and improve the public highways of said county as aforesaid; the expense of such advertising and selling or other necessary expenses in regard thereto to be paid out of the fund arising from the sale thereof. Before delivering any of the bonds sold by the provisions of this section and under this act, the chairman of the good roads commission shall apply to the custodian of the seal of Watauga County, whose duty it shall be to affix said county seal to the bonds so sold, and no bonds shall be of any value until such seal is so affixed. Said bonds shall not be sold or disposed of in any way for less than their face value, nor shall they or their proceeds be used for any other purpose than those declared by this act: *Provided, however*, that the purchasers of said bonds shall not be required to see to the application of the funds. Said bonds shall be numbered consecutively and the coupons attached and issued with them shall bear the number of the bond to which they are attached. The bonds and coupons shall state on their face when they are due and where payable, and the bonds shall show by what authority they are issued. The good roads commission shall record all their proceedings in respect to said bonds in the minutes of their meetings, and, whenever the same are sold, the number of bonds and their denominations, to whom sold, and the number of coupons attached. Said minutes shall always be open to the inspection of the board of county commissioners.

SEC. 46. When any of the bonds provided for in this act are sold the proceeds of the sale shall be turned over to the treasurer of the good roads commission provided for in this act, and shall become part of the good roads fund provided for in this act. Said treasurer shall annually, before any fund provided for in this act is paid over to him, execute an official bond, payable to the county of Watauga, in the usual form, the penal sum to be equal to the greatest amount which may at any time come into his hands during the succeeding year, conditioned for his faithful safe keeping of the same and in all things holding, disbursing, and accounting for the same as required by law, which bond shall be passed upon and received by said good roads commission if the same is satisfactory to it. All orders directed to the treasurer for the payment of money under this act shall state on their face that they are good roads orders and to what account they are chargeable, and they shall be signed by the chairman and secretary of said good roads commission.

SEC. 47. In case the election shall be in favor of issuing bonds as aforesaid the board of county commissioners shall levy annually, the first Monday in June, a separate road tax for the county on the one hundred dollars worth of property of not less than fifteen cents nor more than twenty-five cents, as recommended by

Expense of issue.

Bonds sealed before delivery.

Sale below par forbidden.

Specific appropriation.

Proviso: no duty on purchasers.

Recitals.

Records in respect to bonds.

Minutes open to inspection.

Proceeds of bonds to road fund.

Treasurer to give bond.

Orders on road funds.

Separate road tax.

Limit of rate.

the board of road commissioners, the subject of taxation and the levying of the taxes to be the same as those on which the board of county commissioners are now or may hereafter be authorized to levy taxes for general county purposes. The taxes so levied shall be collected as other taxes, and the same shall be a separate fund, to be applied, first, to the interest on said bonds; second, to the creation of an adequate sinking fund for the redemption of said bonds; third, for the maintenance of the roads constructed under this act and of the dirt roads. The sinking fund shall be held by said board of county commissioners in special trust for the payment of the bonds issued under the provisions of this act, and neither the principal thereof nor the interest thereon shall be used for any other purpose. The board of county commissioners shall manage and invest the fund at their discretion until paid out for the redemption of the bonds sold under authority of this act, at their maturity. The balance of the fund raised by the annual road tax, after paying the annual interest on the bonds and setting aside the sinking fund, shall be paid over to the treasurer of the road commission and become a part of the good roads fund, to be expended for the maintenance of roads. The said good roads commission shall use the funds derived from the sale of said bonds only for the construction and improvement of the public highways in said county, and not for the maintenance or repair of the highways of said county.

Collection.
 Separate fund.
 Application.

Sinking fund a special trust.

Management and investment of funds.

Balance to road fund.

Use of funds.

Act submitted to voters.

Ballots.

Canvass of returns.

Declaration and publication of result.

SEC. 48. That this act shall not go into effect until the same has been submitted to and adopted by the qualified voters of the county of Watauga, under the same rules and regulations now provided by law for the election of members of the General Assembly, which election shall be held at the next regular election of members of the General Assembly, and shall be by ballot; and those in favor of this act shall vote a ticket upon which shall be written or printed the words "For Road Law," and those opposed, "Against Road Law." The result of said election shall be determined by the canvassing board of elections, as in the case of the election of public officers, and they shall certify the result thereof under their hands and seals to the chairman of the board of county commissioners, who shall declare the result of the said election, and if a majority of the votes cast shall be "For Road Law," then it shall be the duty of the chairman of said board of county commissioners to publish the result in one or more places in each township in said county.

SEC. 49. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 50. That this act shall be in force and effect from and after its ratification.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 693.

AN ACT FOR THE RELIEF OF A. T. GRANT, CLERK OF
THE SUPERIOR COURT OF DAVIE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That A. T. Grant, clerk of the Superior Court of Davie County, be and he is hereby allowed to absent himself from his office for a period of thirty days continuously, beginning during the month of September of each and every year from and after the ratification of this act: *Provided*, he shall appoint a competent deputy to discharge the duties of his said office during such absence. Leave of absence.
Proviso: competent deputy.

SEC. 2. That upon the appointment of such deputy said clerk shall be relieved of all penalties provided by law for such absence as contained in the Revisal of North Carolina of nineteen hundred and five or the acts amendatory thereto. Relief from penalties.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 694.

AN ACT TO PROHIBIT THE SHIPMENT OF SPIRITUOUS
LIQUORS INTO CLEVELAND COUNTY.

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 ship, transport, carry, or deliver in any manner or by any means whatsoever, for hire, any spirituous, vinous, fermented, or malt liquors or intoxicating bitters from a point within or without this State to any person, firm, or corporation, or any agent, officer, or employee thereof in this State. Shipment, transportation, or delivery unlawful.

SEC. 2. That it shall be unlawful for any person, firm, or corporation, or any agent, officer, or employee thereof to receive at any point within the State of North Carolina any spirituous, vinous, fermented, or malt liquors or intoxicating bitters shipped in violation of section one of this act, from any point within or without the State of North Carolina for his, her, their, or its own use or for the use of any other person, firm, or corporation. Receipt forbidden.

SEC. 3. 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 manufac-

turers of medicine, when intended to be used in compounding, mixing, or preserving medicines or medical preparations, or for surgical purposes, when obtained as hereinafter provided: *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, manufacturers, and arts of any denatured alcohol or other denatured spirits which are compounded and made in accordance with formulæ 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: *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.

Proviso: denatured alcohol.

Proviso: hospitals and sanatoria.

Application for permits.

SEC. 4. 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.

Permit granted.

Details of permit.

Permit in duplicate. Original pasted on package.

Transportation and delivery on permit.

SEC. 5. 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.

Duplicate filed.

SEC. 6. 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 inspection 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 seventy-five cents, to be paid by the applicant.

Subject to inspection.

Fee of clerk.

SEC. 7. That any person, firm, or corporation violating any of the provisions of this act shall be guilty of a misdemeanor.

Misdemeanor.

SEC. 8. That all laws and clauses of laws in conflict with this act are hereby repealed.

Repealing clause.

SEC. 9. This act shall apply only to Cleveland County.

Application of act.

SEC. 10. That this act shall take effect on the first day of April, one thousand nine hundred and fifteen.

When act effective.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 695.

AN ACT TO PROMOTE THE TEACHING OF AGRICULTURE AND DOMESTIC SCIENCE IN THE PUBLIC SCHOOLS OF SURRY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That in order to prepare the boys and girls in Surry County for farm life and home-making, the board of commissioners of Surry County, upon the compliance with the provisions of this act, is hereby authorized and empowered to establish and maintain in one or more high schools of said county a department of agricultural instruction and a department of training in domestic science and home economics.

Maintenance of department in high schools.

SEC. 2. That said school or schools shall be under the control and management of a board of trustees, consisting of the members of the board of education of said county and the chairman and secretary of the board of trustees of such high school in which said departments are established.

Control and management.

SEC. 3. That after due advertisement inviting bids from the high schools in said county now in existence or hereafter created, the county board of education of Surry County shall designate the places at which such agricultural or domestic science work shall be established. In designating a school the said county board of education shall take into consideration the financial aid offered for maintenance and equipment, desirability and suitability of location: *Provided, however,* that no such department shall be established in a school which is located in a town of more than one thousand inhabitants, nor within two miles of the corporate limits of any city or town of more than five thousand inhabitants.

Bids from school.

Designation of location.

Considerations governing location.

Proviso: locations forbidden.

Appropriations
from county fund.

SEC. 4. That for the maintenance of said school or schools the county board of education of Surry County shall provide annually out of the public school fund, or by donation or local tax, not exceeding twenty-five hundred dollars (\$2,500): *Provided, however,* that the present average school term of the county shall not be shortened by the appropriation herein designated; and that no part of the public school fund shall be set aside for this purpose unless the amount is included in the estimate of the necessary expenses for a four months school, as a part thereof, and provided by the special tax levy therefor; and *Provided further,* that no part of the appropriation by the county board of education out of the public school fund for this purpose shall be derived directly or indirectly from the State equalizing fund. Any school applying for the benefits to be derived under this act shall first provide by lease not less than five years, or purchase or by gift, a building with recitation rooms, laboratories, and apparatus necessary for efficient instruction in the prescribed subjects of study, and such dormitories as the county board of education of said county may require, and farm of not less than ten acres of good, arable land, said land to be situated not more than one mile from the school building: *Provided, however,* that before the county board of education of Surry County shall designate any school at a place at which the agricultural and domestic science work shall become a part of the school curriculum, it shall first submit to the State Superintendent of Public Instruction, for his inspection and approval, the equipment provided for said school.

Proviso: school
term not shortened.

Proviso: State
equalizing fund.

Requisites to be
provided.

Proviso: approval
of State superin-
tendent.

Purpose of school.

SEC. 5. That the purpose of said school or schools is to give to the boys and girls such preparation as is now given in the said county public high schools, and, in addition to that, to give the boys training in agricultural pursuits and to prepare the girls for home-making and home-keeping.

Faculty.

SEC. 6. That the teacher or teachers of the high school, the teacher of agriculture, and the teacher of domestic science shall constitute the faculty of the county high school, who shall arrange the weekly schedule of work and submit such weekly schedule to the county superintendent of Surry County for his approval.

Weekly schedule.

Appropriation from
State.

SEC. 7. That upon its being made to appear to the State Board of Education that Surry County has complied with all the provisions of this act for establishment, maintenance, and equipment of an agricultural department and a domestic science department in connection with one or more of the public high schools of said county, it shall appropriate and pay to the county board of education of Surry County for such purposes an amount equal to that appropriated and furnished by the county of Surry for said purposes: *Provided, however,* that said appropriation by the State Board of Education shall not exceed the sum of twenty-five hundred dollars (\$2,500) annually for the maintenance of said work

Proviso: limit of
amount.

in said county. That any money that is now or may hereafter be appropriated by the General Assembly of North Carolina, the State Board of Education, or other State authority for agricultural or domestic science education, a part of which appropriation would, except for this act, be appropriated to Surry County absolutely, or upon contingency or contingencies, then and in that event such appropriation that would go to Surry County shall be turned over to the county board of education of Surry County to aid in carrying out the provisions of this act. That compliance with the provisions of this act by the authorities of Surry County shall be sufficient to entitle the county of Surry to its proportion of any appropriation of money already made or which may hereafter be made for training in the science of agriculture or domestic science. The State Superintendent of Public Instruction shall issue a requisition on the State Auditor for the amount so apportioned to Surry County, and said Auditor shall issue his warrant upon the State Treasurer, payable to the county treasurer of said county, and the money shall be placed by the said treasurer to the credit of the school or schools of Surry County in which agricultural or domestic science work is being conducted: *Provided, however*, that all money thus placed to their credit shall be used exclusively for the purpose of instruction in agriculture and domestic science.

Further appropriations from State.

Sufficient title to apportionment.

Payment of appropriation.

Proviso: exclusive use of money.

SEC. 8. That nothing in this act shall be construed to lessen the power and authority of the principal of the high school, but the instructors in the various departments shall be considered as members of the faculty, of which the high school principal is head.

Head of faculty.

SEC. 9. That all persons employed as teachers of agriculture or domestic science in the school or schools herein provided for shall be employed by the county board of education of Surry County, and said county board of education shall not employ as teacher in agriculture or domestic science any person who has not furnished to the said board of education satisfactory evidence of a liberal English education and, in addition thereto, special preparation and fitness for the specific branches to be taught, said qualifications to be passed upon by the county superintendent of Surry County, and, if approved, submitted to the State Superintendent of Public Instruction for his approval. In addition to the above requirements, the said person shall hold a high school teacher's certificate on all required subjects except Latin, Greek, and modern languages.

Employment of teachers.

Qualifications for teachers.

SEC. 10. That the county board of education of Surry County is authorized and empowered to admit students from other counties of the State to said school or schools upon payment of such tuition charges as said county board of education may fix from time to time, but all students who are residents of Surry County shall be admitted to any of said schools without charge for tuition: *Provided*, no discrimination against students coming from other counties in the charges fixed for board and incidentals.

Nonresident students.

Tuition charges.

Residents of Surry not charged tuition.

- Extension work. SEC. 11. That it shall be a part of the duty of the teachers of agriculture and domestic science to conduct agricultural and farm-life and extension work in Surry County in coöperation, as far as possible, with such work carried on in said county by the State Department of Agriculture, the State of North Carolina College of Agriculture and Domestic Arts, and the United States Department of Agriculture; to hold township and district meetings in various parts of Surry County for farmers and farmers' wives; to coöperate with the county superintendent of education of said county and with the county commissioner of agriculture, if such office exist, in stimulating, directing, and supervising practical farm-life works in the public or private high schools and the elementary schools of said county, and providing instruction through the teachers' association and through special short course of study in the schools where agriculture and domestic science instruction is given for the public school teachers of said county.
- Township and district meetings. Coöperation.
- Short courses.
- Application of act. SEC. 12. That this act shall apply only to Surry County.
- SEC. 13. That all laws and clauses of laws in conflict with this act, so far as they are applicable to Surry County, are hereby repealed.
- SEC. 14. That this act shall be in force from and after its ratification.
- Ratified this the 5th day of March, A. D. 1915.

CHAPTER 696.

AN ACT TO PROVIDE THE METHOD OF ASCERTAINING DAMAGE IN THE CONSTRUCTION OF PUBLIC ROADS IN CLEVELAND COUNTY AND FOR THE PREVENTION OF INJURY TO SAID PUBLIC ROADS.

The General Assembly of North Carolina do enact:

- Territory affected. SECTION 1. That all districts and townships in Cleveland County now building and working their public roads by taxation or by bond issues under the provisions of special acts of the Legislature or that may hereafter so build and work their public roads under existing acts or acts that may be hereinafter enacted, where any new public road shall be opened or established or any old public road shall be changed or relocated or where the lands of any person in any of said road districts or townships shall be entered by the highway commission or other road authorities of said district or township and sand, clay, gravel, rock, topsoil, or other formation needed in the construction of roads shall be taken and removed therefrom, or when such highway commission or other road authorities of said districts or townships shall have the timber on either side of the public road cut and removed for such dis-
- Acts giving grounds for claims.

tance, not exceeding one hundred feet on either side of said road, as will permit the air and sunshine to reach said road and keep it dry and preserve it in good condition, then any person aggrieved by the foregoing acts or any of them, on the part of said highway commission or other road authorities, shall within sixty days after the completion of such work or acts aforesaid present in writing to the offending highway commission or road authorities his claim for damages, which writing shall set forth the nature of the damages for which he asks payment, and said highway commission or road authorities shall take action on said claim within sixty days from its presentation, either settling same or rejecting same; and if said highway commission or road authorities shall reject said claim and refuse its payment, it shall enter upon its minutes its order of rejection or refusal of same, or give the claimant notice thereof in writing by mail, and failure to act upon said claim within sixty days from date of its presentation shall be equivalent to its rejection and refusal; and if said claim shall be rejected or refused, then the person aggrieved who has filed the claim aforesaid may within sixty days from the rejection of his claim as aforesaid file his petition before the clerk of the Superior Court of Cleveland County, giving ten days notice thereof to the offending highway commission or road authorities, in which he shall set forth the nature of his alleged damages and his claim therefor, and upon the return day and after answer shall be filed by the defendant the said clerk shall appoint a jury to consist of three and not more than five freeholders, residents of the road district or township where petitioner's alleged endamaged property is located, to assess the damage, and the said jury shall go upon the premises and shall hear evidence and shall assess the petitioner's damages, if any, and make their report thereof to the clerk in writing within five days under their hands and seals or under the hands and seals of a majority of them, and the clerk shall enter judgment in accordance therewith, from which either party shall have the right of appeal to the Superior Court in term, after giving good and sufficient security for the costs, where the matter shall be heard *de novo*; but no costs shall be taxed against the defendant in the Superior Court when the damages awarded by the jury there are the same or less than those assessed by the jury below; and the jury, both below and in the Superior Court, in determining the damages to the petitioner shall consider all benefits special to the lands of the petitioner, and also all benefits, whether real or supposed, which the petitioner may derive or has derived from the construction or improvement of the public road, over, through, or by his lands, whether the same be common to other lands or special to his own, and such benefits so assessed shall be deducted from any damages which the landowner may sustain by virtue of the work and acts complained of. The remedy

Presentation of claims.

Action on claims.

Delay equivalent to refusal.

Petition to court.

Assessment of damages.

Judgment.

Right of appeal.

Costs on appeal.

Considerations governing verdict.

Remedy exclusive.

hereby provided shall be exclusive, and no action shall be instituted or maintained against the offending highway commission or other road authorities for damages for the work or acts aforesaid unless within the time above specified the person aggrieved shall have presented his claim in writing as above provided and upon its rejection, within the time above specified, shall have filed his petition with the clerk as above provided; but nothing herein contained shall be construed to prevent any statute of limitations from commencing to run at the time such claim accrued or demand arose, or in any manner interfere with its running.

Statute of limitations.

Roads discontinued.

SEC. 2. That where any public road in any road district or township in Cleveland County building roads by taxation or by bond issues as aforesaid has been heretofore changed, altered, or relocated by the highway commission or road authorities of said township or district, then that portion of the old public road so changed and no longer being a part of the regular public road is hereby discontinued; and when hereafter a public road is changed by said highway commission or road authorities such portion of the former public road as may be left off by said change shall be discontinued as a public road unless the highway commission or road authorities of the township or district where such change is made shall by a formal order on their minutes declare that same shall be continued as a public road.

Roads discontinued but by special order.

Terraces, ditches, and drains.

SEC. 3. That no landowner, his servants, tenants, or agents, shall so terrace or ditch or drain the lands adjacent to any public road in Cleveland County built or maintained or under the jurisdiction of any highway commission or road authorities of said county acting under a special act of the Legislature as to throw water upon such public road, or maintain such terrace, ditch, or drain already built or hereafter built, but ditches, drains, and terraces shall be so constructed as to carry the water away from said public road or only to such point on said public road where a culvert or other outlet has been provided; and any person who shall construct or maintain such terrace, ditch, or drain shall be liable in a civil action for damage by the highway commission or road authorities of the road district or township where same is constructed or maintained and may be enjoined from the construction or maintenance of same; and any person constructing or maintaining such drains, ditches, or terraces, after being notified by the road authorities or highway commission of the district or township not to do so, shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days.

Prescribed construction.

Liability for improper construction.

Remedy by injunction.

Misdemeanor.

Punishment.

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

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

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 697.

AN ACT TO FIX THE SALARY OF SUPERINTENDENT OF
PUBLIC INSTRUCTION OF PAMLICO COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section two thousand seven hundred and eighty-two of the Revisal of nineteen hundred and five be and the same is hereby amended by inserting after the word "dollars" and before the word "Perquimans" in line eleven the following words: "Provided, that the county superintendent of Pamlico County shall not receive over eight hundred dollars per annum." This salary decrease may be ordered by the county board of education of said county, in their discretion.

SEC. 2. 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.

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 698.

AN ACT TO PROVIDE FOR COTTON WEIGHERS AND
GRADERS IN ROBESON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That John B. Smith be and he is hereby appointed a public cotton weigher and cotton grader for the town of Lumberton in Robeson County, who shall hold his office for a term of two years, and his successor shall be elected biennially thereafter by the board of county commissioners of Robeson County. That M. A. McQueen be and he is hereby appointed a public cotton weigher for the town of Maxton in Robeson County, who shall hold his office for a term of two years, and his successor shall be elected biennially thereafter by the board of county commissioners of Robeson County; that the board of county commissioners of Robeson County is hereby authorized and empowered to appoint any cotton weigher for any or all the other towns in Robeson County upon a petition of the qualified voters of the township in which any of the towns are located, showing such applicant's competency to serve as cotton weigher.

SEC. 2. That the said cotton weigher and cotton grader and cotton weigher herein named and appointed and any and all cotton weighers for the other towns in Robeson County who may here-

- after be appointed by the board of county commissioners of Robeson County, before entering upon their duties, shall give bonds each in the sum of five hundred dollars, conditioned for the faithful performance of his duties, said bond to be approved by the board of county commissioners and filed with the register of deeds of Robeson County; and said cotton weigher and cotton grader and cotton weigher herein named, and those who may be appointed by the board of commissioners of Robeson County, before entering upon the duties of their office shall each make and subscribe an oath in writing, before some person authorized to administer oaths, to honestly and impartially weigh all cotton brought to him; and if said cotton weigher or grader or any of the cotton weighers who may serve under this act be found guilty of any fraud or unfairness in weighing or grading cotton, making unfair deductions from the weight, shall be guilty of a misdemeanor and fined or imprisoned at the discretion of the court, and shall be immediately expelled from office by the said board of commissioners.
- Oath of office.**
- Fraud or unfairness misdemeanor.**
- Punishment.**
- Expulsion from office.**
- Weighing by unauthorized person misdemeanor.**
- SEC. 3.** Any person other than the aforesaid cotton weigher and cotton grader for the town of Lumberton and the cotton weigher for the town of Maxton herein named or the cotton weighers for the other towns of Robeson who may hereafter be appointed by the board of commissioners of Robeson County, who shall weigh any cotton offered for sale in said towns herein named or the towns named in the appointment by said county commissioners shall be guilty of a misdemeanor and punished in discretion of the court: *Provided*, this act shall only apply to cotton in bales.
- SEC. 4.** That it shall be the duty of the cotton weigher and grader herein named to give to the seller the grade of the cotton so offered for sale, showing the grade; it shall further be the duty of all cotton weighers under this act to keep separate the cotton belonging to each purchaser or buyer, so that the cotton owned by different purchasers or buyers will not become mixed on the cotton yard or cotton platform or platforms in said towns; and it shall be the duty of the cotton grader and weigher to keep a record showing the grade of cotton; it shall further be the duty of all weighers to keep a record of all cotton weighed, showing the name of the seller, the marks thereon, if any, weight of bale or bales, by whom delivered on yards, if not so delivered by the seller, and name of purchaser, grade of cotton, and the price for which sold, if known to such weigher.
- SEC. 5.** That the cotton weigher for the town of Maxton, herein named, and the cotton weighers for the other towns in Robeson County for which a cotton weigher may be appointed for each town provided for in this act shall each receive for his compensation for his said services eight cents for each bale weighed, four cents to be paid by the buyer and four cents to be paid by the seller;
- Punishment.**
- Proviso: cotton in bales.**
- Grade given seller.**
- Cotton kept separate.**
- Record of grade.**
- Record of cotton weighed.**
- Fees.**

and each buyer shall retain from the price of said cotton four cents, to be paid to the weigher as the seller's part; and the said buyer shall pay to the weigher eight cents, four cents being for himself and four cents for the seller; that the cotton weigher and cotton grader herein named for the town of Lumberton shall receive for his compensation for his said services as grader and weigher ten cents for each bale weighed, five cents to be paid by the buyer and five cents to be paid by the seller; and each buyer shall retain from the price of said cotton five cents, to be paid to the weigher and grader as the seller's part, and the said buyer shall pay to the weigher and grader ten cents, five cents being for himself and five cents for the seller.

Fees in Lumberton.

SEC. 6. That the records of the said cotton weighers, when properly authenticated, shall be evidence in any court, and said records shall be open to inspection of any person upon requesting said cotton weigher to be allowed to do so.

Records received in evidence. Open to inspection.

SEC. 7. That the cotton weighers and graders herein referred to shall in weighing and grading make proper deductions for damage by water or otherwise.

Deductions for damage.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 699.

AN ACT TO PROHIBIT THE DUMPING OF SAWDUST IN THE STREAMS OF WILKES COUNTY.

Whereas the Agricultural Department of the Government of the United States is stocking the streams of Wilkes County with fish; and whereas sawdust in said streams would tend to destroy said fish: Therefore,

Preamble.

Preamble.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm, or corporation to run, dump, or cause to be run, dumped, or put any sawdust in any of the streams or their tributaries in Wilkes County.

Acts declared unlawful.

SEC. 2. That any person, firm, or corporation violating the provisions of this act shall for each day's violation, upon conviction, pay a fine of not less than five dollars and not more than thirty days.

Fine.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 700.

AN ACT TO AMEND CHAPTER 269 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATIVE TO THE ROAD LAW IN DILLSBORO TOWNSHIP, JACKSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and sixty-nine, section twelve, Public-Local Laws one thousand nine hundred and thirteen, be amended as follows: Immediately after the word "Jackson" insert the following: "and he may be a member of the board of road trustees of Dillsboro Township."

Road superintendent.

Application of act.

SEC. 2. That this act shall apply only to Dillsboro Township, in Jackson County, and to the board of road trustees of said township.

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

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 701.

AN ACT TO REGULATE THE NUMBER OF COUNTY COMMISSIONERS FOR BEAUFORT COUNTY, TO PRESCRIBE THE TOWNSHIPS FROM WHICH THEY SHALL BE ELECTED, AND TO FIX THEIR PAY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one thousand three hundred and eleven of the Revisal of one thousand nine hundred and five of North Carolina be amended by striking out in line sixteen thereof the words, "and in the county of Beaufort seven."

Number.

Election.

SEC. 2. There shall be elected in the county of Beaufort at the general election to be held in the year one thousand nine hundred and sixteen, and every two years thereafter, by the qualified electors thereof, three persons. The persons so elected shall be styled "The board of commissioners for the county of Beaufort," and shall hold their offices two years from the date of their qualification and until their successors shall have been elected and qualified.

Number.
Official entitlement.
Term.

Per diem.

SEC. 3. Each of said county commissioners shall receive for his services and expenses in attending the meetings of the board not exceeding five dollars per day, as a majority of the board may fix

upon, and they may be allowed mileage to and from their respective places of meeting not to exceed five cents per mile. Mileage.

SEC. 4. The present commissioners shall continue to serve their unexpired term. Commissioners to serve out term.

SEC. 5. That W. T. Hudnell be and he is hereby appointed county supervisor of the county of Beaufort, North Carolina, and shall hold said office for three years unless removed for cause, and before entering upon the discharge of his duties he shall enter into a bond in the sum of five thousand dollars (\$5,000), payable to the State of North Carolina, conditioned upon the faithful performance of the duties of his office. Appointment of county supervisor. Term. Bond.

SEC. 6. It shall be the duty of the supervisor of Beaufort County to do and perform all duties required by law of the register of deeds of said county of Beaufort relating to making out tax lists, computing taxes, copying tax lists, making abstracts and returns; and shall supervise and direct the listing of all taxes levied in said county; and shall do and perform all duties that are or may be required by law of a county assessor of taxes for or in said county of Beaufort; to make out one copy of the tax lists of each township as a permanent copy, and to deliver the original copy to the tax collector of said county, and to supervise and direct the performance of all duties now required by law of the register of deeds relative to the tax lists and taxes; to make and prepare for publication all annual statements required by law; to investigate and to inquire for all delinquent taxpayers and to require all delinquent property, including polls, to be placed on the tax list; to keep a record of all real estate transfers, with prices paid for same; to instruct, direct, supervise under the direction of the board of county commissioners, tax listers and assessors as to their duty in the listing and assessment of property for taxation in said county; to act as accountant for said county, settling with the county officers; to supervise and examine, at least once every calendar month, all books, accounts, receipts, and vouchers and other records of all the officers of Beaufort County which show fees and commissions collected and received by them, and to examine, at least twice a year, the dockets of all justices of the peace, recorders, and mayors of said county, and report his findings to said board of county commissioners; and he is hereby authorized to administer oaths on verification of claims which may be filed against the county and county board of education of Beaufort County, and to open a set of account books in which shall be shown the total monthly receipts of fees and commissions of all the officers of said county in an expert and intelligent manner, assigning distinct and separate accounts for each and every of said officers, which book shall be permanently kept as the records of his office and always open to public inspection; he shall like- Duties of supervisors as to tax lists. Accountant for county. Supervision of accounts of officers. Examination of dockets and report to commissioners. Verification of claims. Accounts with officers. Examination of county institutions and accounts of same.

Examination and report of road and bridge work.	<p>wise visit the county jail and other county institutions and examine the same, and also the books and accounts kept by the jailer and others; it shall likewise be his duty to examine all road work and bridge work done in the county of Beaufort by the county commissioners or any one of them, and shall report on the same to the county commissioners doing said work; it shall likewise be his duty to audit all bills and claims presented to the board of county commissioners of said county, the board of education in said county, for payment, and to countersign all warrants drawn upon claims or bills allowed by said board of commissioners, board of education, and no claim shall be ordered to be paid by said county commissioners or said board of education until it has been audited and allowed by said supervisor.</p>
Audit of claims.	
Claims not paid until audited and allowed.	
Other duties.	<p>SEC. 7. That it shall be the duty of said supervisor to perform such other duties as may be required of him by the said board of county commissioners, giving his entire time to the performance of the duties of his office imposed upon him by this act and by said board of county commissioners.</p>
Exclusive occupation.	
Salary.	<p>SEC. 8. That the said supervisor shall receive a salary for his services in the sum of two thousand dollars per annum, payable in monthly installments upon warrants to be drawn by the chairman of board of county commissioners and countersigned by the clerk of the said board of commissioners, the said sums to be paid out of the general fund of the county.</p>
Election of successor.	<p>SEC. 9. That at the next general election for county officers in Beaufort County, in the year one thousand nine hundred and eighteen, and biannually thereafter, there shall be elected every four years, in the same manner as is prescribed for other county officers and subject to the same qualifications, the county supervisor of Beaufort County, whose duties shall be the same as is herein prescribed for the manager named in this act, and in event of vacancy occurring in said office the county commissioners shall fill the same for the unexpired term by the election of a successor by a majority vote of the said county commissioners.</p>
Vacancies.	
Act not effective until ratified by voters.	<p>SEC. 10. That all laws and clauses of laws in conflict with this act be and the same are hereby repealed.</p>
Date of election.	<p>SEC. 11. That this act shall become effective only after ratification by the people of Beaufort County as hereinafter provided; that there shall be held in the county of Beaufort on the last Saturday in April, one thousand nine hundred and fifteen, an election, under the same rules and regulations as are provided for holding general elections in said county, in which every qualified voter in said county opposing the provisions of this act may cast a written or printed ballot with the words "Against Supervisor Bill," and every qualified voter in said county favoring the provisions of this act may cast a ballot on which shall be written or printed the words "For Supervisor Bill"; and if at such election</p>
Ballots.	
Effect of election.	

a majority of the votes so cast shall be "For Supervisor Bill," then this act shall be in full force and effect; but if a majority of the votes so cast shall be "Against Supervisor Bill," then this act shall be of no effect.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 702.

AN ACT TO REPEAL CHAPTER 593, PUBLIC-LOCAL LAWS, REGULAR SESSION 1913, RELATING TO THE BOARD OF COUNTY COMMISSIONERS OF WILKES COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and ninety-three, Public-Local Laws of one thousand nine hundred and thirteen, of the regular session, be and the same is hereby repealed. Allowances for clerk hire.

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.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 703.

AN ACT TO AUTHORIZE THE FENCE COMMISSIONERS OF THE FAISON AND WOLFSCRAPE STOCK-LAW DISTRICT IN DUPLIN COUNTY TO APPROPRIATE FUNDS BELONGING TO SAID DISTRICT TO THE ROADS AND SCHOOLS WITHIN SAID DISTRICT.

Whereas the fence around the stock-law district known as "The Faison and Wolfscrape Stock-law Districts" has been sold, and from the proceeds of the sale the sum of _____dollars still remains in the hands of the treasurer of said district over and above all the debts of the said district; and whereas the residents of the said districts desire the fund to be apportioned to the roads and schools thereof: Preamble.

The General Assembly of North Carolina do enact:

SECTION 1. That the fence commissioners of the Faison and Wolfscrape Stock-law Territory, viz., G. W. Albritton, E. R. Hicks, and G. T. Sutton, be and they are hereby authorized to apportion the funds now in the hands of the treasurer of said fence commis- Fence commissioners to apportion funds.

- Apportionment. sion to the Calypso Good Roads District and to the board of education of Duplin County for the use and benefit of the Cobb School in Wolfscrape Township, according to the taxable value of the property within said districts.
- Payment by treasurer. SEC. 2. That the treasurer of said district, G. W. Albritton, is authorized to pay to the treasurer of the Calypso Good Roads District the amount apportioned to Faison Township, and to take his receipt therefor; and he is further authorized and empowered to pay to the treasurer of Duplin County the amount apportioned to Wolfscrape Township, to be credited to the board of education for the use and benefit of the Cobb School of Wolfscrape Township, and to take the receipt of the treasurer therefor. The treasurer of said fence commission shall make a report to the board of county commissioners of Duplin County, when he has performed the duties imposed by this act, and his report shall be spread upon the minutes of the board of said county commissioners.
- Report to county commissioners. SEC. 3. All laws and clauses of laws in conflict with this act are hereby repealed.
- SEC. 4. This act shall be in force from and after its ratification. Ratified this the 8th day of March, A. D. 1915.

CHAPTER 704.

AN ACT TO REGULATE THE FEES OF THE TREASURER OF SAMPSON COUNTY.

- Preamble. Whereas the treasurer of Sampson County heretofore, while acting as treasurer of the school fund, has received two per cent on disbursements; and whereas said rate is too high: Now, therefore,
- Preamble. *The General Assembly of North Carolina do enact:*
- Commission on school fund disbursements. SECTION 1. That the treasurer of Sampson County, while acting as treasurer of the school fund of said county, shall receive one and one-half per cent on disbursements.
- Rate effective during term. SEC. 2. That after this act takes effect this rate shall not be increased or diminished during the term of the present incumbent.
- Repealing clause. SEC. 3. That all laws and clauses of laws in conflict with this act are hereby repealed: *Provided*, that this act shall apply only to the disbursement of the school fund in Sampson County.
- Proviso: application of act. SEC. 4. That this act shall be in force from and after its ratification.
- Ratified this the 8th day of March, A. D. 1915.

CHAPTER 705.

AN ACT TO PROVIDE FOR THE PUBLICATION PERIODICALLY OF STATEMENTS SHOWING RECEIPTS AND DISBURSEMENTS OF COUNTY, SCHOOL, ROAD, AND OTHER PUBLIC MONEYS IN HENDERSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of the city of Hendersonville shall publish or cause to be published quarterly in the two weekly newspapers published in Hendersonville an accurate statement of all moneys collected from tax levies and all other sources in and for said city, and with said statement they shall also publish a statement showing the amount expended by them, or by the treasurer or business manager of said city, and for what purpose expended. The first of said quarterly statements to be published during the first week in July, one thousand nine hundred and fifteen.

Quarterly publication by city.

Statement of receipts and disbursements.

First publication.

SEC. 2. That the board of county commissioners of Henderson County shall publish or cause to be published quarterly in the two weekly newspapers now published in Hendersonville an accurate statement showing the amount of all moneys received or collected from every source whatever for the use and benefit of said county, and with said statement they shall also publish a statement showing the amount of money expended by them or upon their orders, and for what purpose expended. The first of said statements to be made by said county commissioners during the first week in July, one thousand nine hundred and fifteen.

Quarterly publication by county.

Statement of receipts and disbursements.

First publication.

SEC. 3. That the board of county road supervisors of Henderson County shall publish or cause to be published quarterly in the two weekly newspapers now published in said county an accurate statement showing all moneys collected from every source whatever for the benefit of the road and bridge funds of said county, and with said statement they shall also publish or cause to be published a statement of the amount of money expended by them, and for what purpose expended. The first of said quarterly statements to be published by said road supervisors during the first week in July, one thousand nine hundred and fifteen.

Quarterly publication by road supervisors.
Statement of receipts and disbursements.

First publication.

SEC. 4. That the board of education of Henderson County shall publish or cause to be published quarterly in the two weekly newspapers now published in said county an accurate statement showing all moneys received or collected from every source whatever for the benefit of the general school fund of said county, and with said statement they shall also publish or cause to be published a statement of the amount of money expended by them, and for what purpose expended. The first of said statements to be made

Quarterly publication by board of education.

Statement of receipts and disbursements.

First publication.

by said board of education shall be published during the first week in October, one thousand nine hundred and fifteen.

Cost of publication.

SEC. 5. That the cost of publishing the said statements shall not exceed one-half a cent a word.

Sole publication.

SEC. 6. That no other publication of financial statements than those above provided for shall be required of either of the above named boards; but any board failing to comply with this act shall forfeit and pay two hundred dollars to said county.

Forfeit for failure.

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

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 706.

AN ACT TO FIX THE COMPENSATION OF THE SHERIFF AND DEPUTIES IN BEAUFORT COUNTY.

The General Assembly of North Carolina do enact:

Salary of sheriff.

SECTION 1. That from and after the ratification of this act by vote of the people as hereinafter provided, the sheriff of Beaufort County shall be paid by said county for his services a salary of three thousand dollars per year in monthly installments, and shall be allowed deputies of his own choosing with salaries as follows: chief deputy in Washington, ninety dollars per month; assistant deputy in Washington, fifty dollars per month; deputy in Pantego Township, fifty dollars per month; deputy in Richland Township, fifty dollars per month; and janitor for jail and courthouse, thirty dollars per month; and neither the sheriff nor any of his deputies shall receive any other fees or compensation for their services, but all fees for all services rendered by the sheriff or deputies sheriff in Beaufort County shall be paid to said county.

Salaries of deputies.

Fees paid to county.

SEC. 2. That all provisions of law in conflict with this act are hereby repealed.

Act not effective until ratified by voters.

Date of election.

SEC. 3. That this act shall become effective only after ratification by the people of Beaufort County as hereinafter provided; that there shall be held in the county of Beaufort on the last Saturday in April, one thousand nine hundred and fifteen, an election under the same rules and regulations as are provided for holding general elections in said county, in which every qualified voter in said county favoring the provisions of this act may vote a ballot on which shall be written or printed the words "For Sheriff's Salary Bill," and all qualified voters in said county opposing the provisions of this act may vote a ballot on which shall

Ballots.

be written or printed the words "Against Sheriff's Salary Bill"; and if at such election a majority of the votes so cast shall be "For Sheriff's Salary Bill," then this act shall be in full force and effect; but if a majority of the votes so cast in said election shall be "Against Sheriff's Salary Bill," then this act shall be of no effect.

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 707.

AN ACT TO PROVIDE FOR THE IMPROVEMENT OF THE PUBLIC ROADS OF DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Duplin County, in order to provide a fund for the building, improving, or maintaining the public roads of Duplin County or any township in said county or any special road district in said county, setting forth well-defined boundaries of said district, be and is hereby authorized and directed, whenever petitioned so to do by one-fifth of the qualified voters of Duplin County or any township of said county or any special road district of said county, to submit to a vote of the qualified voters of said county, township, or district so petitioning the question as to whether the road commissioners as hereinafter provided shall issue bonds to be paid out of the taxes collected from said county, township, or district; said board of commissioners shall call said election at the first special or regular meeting after the filing of the petition aforesaid, and shall for thirty days preceding said election give public notice thereof in some newspaper published in said county, if there be one published in said county, and by notices posted in the townships or districts of said county. That said election shall be held in the manner and under the same regulations prescribed by law for holding elections for members of the General Assembly: *Provided, however,* that all duly qualified voters who may have become entitled to register and vote since the last election for members of the General Assembly shall be entitled to vote in said election. The vote shall be counted at the close of the polls and returned on the next Monday after said election to the clerk of the board of commissioners, and shall be recorded by said clerk in the minutes of the board, and no other recording or declaration of the results of said election shall be necessary: *Provided,* that no township or district shall vote separately on the same day that election is held for the county.

SEC. 2. That at said election the ballots shall have written or printed thereon the words "For Good Roads" and "Against Good

Effect of election.

Petition for election.

Question to be voted on.

Call for election.

Notice of election.

Law governing election.

Proviso: voters qualified since last election.

Count and return of votes.

Record of return.

Proviso: county election held separately.

Ballots.

Roads." All those voting who favor the issuance of said bonds and the levy of the special tax shall vote a ballot "For Good Roads," and all those who are opposed to issuing said bonds and levying the special tax shall vote a ballot "Against Good Roads."

SEC. 3. In the event that a majority of the qualified voters of said county or of any township in said county or any district in said county petitioning for an election as set forth in section one shall vote "For Good Roads" at said election, the board of road commissioners shall issue bonds in such denomination as they may determine, aggregating the amount specified in the petition and running for the number of years specified in the petition. The said bonds shall bear a rate of interest not exceeding six per cent per annum, with interest coupons attached, payable semiannually until their maturity. Said bonds and coupons shall be payable at such place as the board of commissioners may designate and shall be signed by the chairman of said board of commissioners and attested by the secretary and sealed with the common seal of said board of commissioners. The said bonds shall be issued and sold by the board of road commissioners at such time and in such manner as the said board desires, and none of them shall be sold for less than their face value. When the said bonds shall be issued they and the attached coupons shall be numbered consecutively and shall state on their face when they are due and payable and shall show by what authority they are issued.

SEC. 4. The proceeds from the sale of said bonds and from the special tax authorized under this act shall be turned over to the county treasurer, who shall keep said bonds separate from all other funds and shall keep separate accounts of the same, and the said county treasurer shall, before any funds authorized by this act are deposited with him, execute a sufficient bond as other bonds to cover said funds, and all orders drawn on the treasurer for the payment of any of the fund provided for under this act shall specify for what purpose the said order was drawn.

SEC. 5. That in case the result of said election be in favor of issuing said bonds and levying of special tax, the said board of commissioners of Duplin County shall levy annually, at the time county taxes are levied, a special tax upon all taxable property of Duplin County, or in such township or district voting for the provisions of this act, to an amount not to exceed thirty cents on the one hundred dollars worth of property, and if specified in the petition calling for said election, a tax of not more than ninety cents on each poll: *Provided*, that in the levy of said taxes the commissioners shall preserve the constitutional equation between the property and the poll tax. The subject of taxation and levy of taxes shall be the same as that on which the said board of commissioners now or may hereafter be authorized to levy for general county purposes. The tax so levied shall be collected by the sheriff or tax

County commis-
sioners to issue
bonds.

Interest.

Authentication.

Issue and sale of
bonds.

Sale below par
forbidden.
Bonds and cou-
pons numbered.

Recitals.

Proceeds paid to
treasurer.

Fund and account
kept separately.

Bond of treasurer.

Orders on fund.

Special tax.

Limit of rate.

Proviso; consti-
tutional equation.

Subjects of
taxation.

Collection.

- collector as other taxes, and the same shall be a separate fund known as the "Road Fund": *Provided*, that the sheriff's and treasurer's commissions for collecting said taxes and disbursing the funds shall not exceed two and one-half per cent.
- SEC. 6. That all the expenses in connection with this act and the election held under the authority of this act and of issuing and selling the bonds authorized by this act shall be paid by the board of commissioners out of the fund provided for under this act, and it shall be the duty of the board of commissioners of Duplin County to audit the accounts of the sheriff and treasurer as in other cases.
- SEC. 7. That in case the result of said election be in favor of issuing bonds for Duplin County or any township or district of said county, the board of commissioners shall appoint five road commissioners for said county, township, or district so voting for bonds, no more than three of whom shall be of the same political party, who shall hold office for a period of two years, and their successors appointed in the same manner as above set out. Every commissioner before entering upon the discharge of his duties shall take an oath for the faithful performance of his duties to the best of his ability. The commissioners shall receive no compensation for their services.
- SEC. 8. That the board of road commissioners of Duplin County or any township or district voting for bonds are authorized and empowered to employ a road superintendent and such other employees and laborers, and purchase stock, machinery, or materials as may be necessary for the purpose of building, constructing, and repairing roads with the fund provided for under this act, and the said road commissioners shall have full power and authority to do all things necessary to be done in the building, constructing, and repairing of said public roads, and may, in their judgment, without publication or notice, change the location of roads and straighten the same where rights of way can be obtained free without resorting to condemnation proceedings, and where rights of way cannot be obtained free nor can be purchased at a reasonable price, may resort to condemnation proceedings as prescribed in chapter sixty-five of the Revisal of North Carolina of one thousand nine hundred and five. Said commissioners shall expend the money provided herein, and the county treasurer shall pay the vouchers which shall be issued by the clerk of the board of commissioners of Duplin County when the items are approved by the chairman and secretary of said board.
- SEC. 9. The said road commissioners are authorized and empowered to provide for a convict force and use convicts in the construction, building, and repairing said roads and to defray the expenses out of the proceeds from the sale of the bonds and from the special tax; and the courts of the State are authorized to sen-
- Separate fund.
 Proviso: commissioners.
 Expense of bond issue and election.
 Audit of accounts.
 Road commissioners.
 Political affiliation.
 Term of office.
 Oath of office.
 Commissioners to receive no pay.
 Road superintendent and employees.
 Purchase of stock and equipment.
 Powers of commissioners.
 Change of roads.
 Right of condemnation.
 Proceedings for condemnation.
 Expenditure of money.
 Vouchers.
 Use of convict labor.
 Sentence of convicts to road work.

tence convicts to work the roads of Duplin County or any township or districts voting for bonds in the same manner and to the same effect as they are now authorized to sentence them to work the roads of the various counties.

Act not to supersede present road law.

SEC. 10. That this act does not supersede, destroy, or in any way change the present law as to working public roads in Duplin County or any township or district voting bonds, except road hands shall be exempt from road duty if so specified in the petition calling for the election: *Provided*, that this act shall not destroy or in any way affect any road law applying to any special section of Duplin County.

Proviso; road laws for special sections.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 708.

AN ACT TO PREVENT THE SPREAD OF TUBERCULOSIS IN GUILFORD COUNTY.

The General Assembly of North Carolina do enact:

Physicians to report patients.

SECTION 1. That every physician in Guilford County shall report to the county superintendent of health, on blanks to be furnished for that purpose, full particulars as to every person under his treatment for tuberculosis within one week after the diagnosis of the disease.

Separation in institutions.

SEC. 2. It shall be unlawful for the authorities in charge of any penal or charitable institution to care for any person afflicted with tuberculosis in the same room or ward with inmates who are not affected with the disease.

Certificates required of teachers, pupils, and employees of schools.

SEC. 3. That no teacher, pupil, or employee about a school building who is afflicted with pulmonary tuberculosis shall remain in or about such a building without having a certificate issued by the county superintendent of health or the city physician stating that said person is in no sense a source of danger to others.

Premises to be renovated and disinfected.

SEC. 4. That in case of the vacation of any apartment or premises by death from tuberculosis or by the removal therefrom of any person or persons sick with tuberculosis, it shall be the duty of the person or physician in charge to notify the county superintendent of health or the health officer of the city where such premises are, of such removal, within twenty-four hours thereafter, and such apartment and premises so vacated shall not again be occupied until renovated and disinfected as hereinafter provided. That in case of such vacation the health officer shall order that such premises or apartments and all infected articles therein be prop-

Order for disinfection.

erly and suitably renovated and disinfected. In case there shall be no remaining occupant in such apartment or premises, then the health officer shall cause a notice in writing to be served upon the owner or the agent of the owner of such apartment or premises, ordering the renovation and disinfecting of such premises under the direction of and conformity with the regulations of the State Board of Health.

Notice to owner or agent.

SEC. 5. That in case any orders or directions of the health officer, requiring the disinfecting of any article, premises, or apartment, as hereinbefore provided, shall not be complied with within thirty-six hours after such order or direction shall have been given, then it shall be the duty of the health officer to cause a placard in words and form as follows to be placed upon the door of the infected apartment or premises, to wit:

Time for compliance with order.

Placard to be posted.

NOTICE!

Form of placard.

Tuberculosis is a communicable disease. These apartments have been occupied by a consumptive, and may be infected. They must not be occupied until the order of the health officer directing their renovation and disinfecting has been complied with.

This notice must not be removed under a penalty of law, except by the health officer or other authorized officer.

SEC. 6. That it shall be unlawful for any person having pulmonary tuberculosis to dispose of sputum, saliva, or other secretions or excretions so as to cause danger or offense to any person or persons.

Disposal of sputum, saliva, and other excretions.

SEC. 7. That affliction with active tuberculosis shall be considered as cause for the suspension of a certificate of any school teacher while a holder thereof is suffering from such disability.

Suspension of school teachers.

SEC. 8. That if proper precautions are not being taken by the patient or those in charge of the patient, the county superintendent of health or the city physician or the health officer shall post in a conspicuous place on the entrance to the premises, where a case of pulmonary or glandular tuberculosis in the infectious stage, cards in the words and form as follows:

Premises posted on neglect of precautions.

WARNING!

Form of warning.

TUBERCULOSIS
EXISTS ON THESE PREMISES.
POSTED BY ORDER OF

-----19--
Date.

Health Officer.

(This notice is posted only when the proper precautions are not being taken for the protection of public health.)

Affected persons not to handle provisions.

SEC. 9. That no person affected with pulmonary or glandular tuberculosis in the infectious stage shall handle in any capacity milk, cream, butter, or other food or food products likely to be eaten without being cooked, if such foods are to be offered for sale.

Infectious stage defined.

SEC. 10. That the infectious stage of pulmonary or glandular tuberculosis for the purposes of these regulations shall be considered as period or periods following a positive clinical diagnosis of tuberculosis or the demonstration of tubercular bacilli in the sputum or discharge, during which there is cough with expectoration or during which there is discharge from the mouth or externally from the affected glands.

County or municipalities may establish sanatorium.

SEC. 11. That the board of county commissioners of the county or any incorporated city or town in said county shall have and are hereby granted and given power, with the advice and approval of the county superintendent of health or the city superintendent of health or the city physician, as the case may be, to establish and maintain a sanatorium for the treatment and care of persons affected with tuberculosis.

Misdemeanor.

SEC. 12. That any person violating any provision of this act shall be guilty of a misdemeanor.

SEC. 13. That this act shall be in force from and after its ratification.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 709.

AN ACT TO CHANGE THE BOUNDARY LINE BETWEEN THE TOWNSHIPS OF MOUNT AIRY AND STEWART'S CREEK, IN SURRY COUNTY.

The General Assembly of North Carolina do enact:

Boundary changed.

SECTION 1. That the boundary line between the townships of Mount Airy and Stewart's Creek in Surry County be changed and that the following be the line dividing the two townships, to wit: Beginning at a point on the east side of Paul's Creek, corner of the present line between Mount Airy and Stewart's Creek townships, and runs with Paul's Creek to Brushy Fork, thence up Brushy Fork to the Virginia line; thence with the Virginia line to the Fancy Gap road, the present line between the townships; thence with the present township line to the beginning.

New lines.

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.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 710.

AN ACT TO CONFER ADDITIONAL POWER ON THE CONSTABLE OF GREENVILLE TOWNSHIP IN THE COUNTY OF PITT.

The General Assembly of North Carolina do enact:

SECTION 1. That in addition to the power now conferred upon him by law, the constable of Greenville Township, in the county of Pitt, is hereby fully authorized and empowered to arrest any person anywhere in the county of Pitt, without a warrant, whom he may detect in the commission of a crime. Power of arrest without warrant.

SEC. 2. That upon making such arrest the said constable shall take the person so arrested, as soon as possible, before some justice of the peace, who, upon the complaint of said constable, shall issue a warrant for the arrest of such person so detained, and deliver it to said constable, and he shall then proceed to deal with said case as in other criminal cases. Warrant on complaint of constable.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 711.

AN ACT TO AMEND CHAPTER 615, PUBLIC LAWS OF 1911, RELATIVE TO SALARIES OF OFFICERS OF PITT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter six hundred and fifteen, Public Laws of one thousand nine hundred and eleven, be and the same is hereby amended as follows: In the quotation in section one which begins in line five and ends in line six, instead of the words "seven hundred and fifty," in lieu thereof the words "one thousand five hundred" shall be inserted. That in line eight in said section where the words "four hundred" are used, the words "one thousand" shall be inserted in lieu thereof; and in line eleven of said section where the words "one thousand dollars" are used, insert "and six hundred" between the words "thousand" and "dollars." Allowances for deputies and clerk hire.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 712.

AN ACT TO PROHIBIT THE SALE OF WINE AND CIDER
WITHIN THREE MILES OF BEAR MARSH CHURCH IN
DUPLIN COUNTY.*The General Assembly of North Carolina do enact:*Prohibition.
Territory.

SECTION 1. That it shall be unlawful for any person or persons to sell, or offer for sale any wine or cider within three miles of Bear Marsh Church in Duplin County.

Misdemeanor.
Punishment.

SEC. 2. Any person or persons violating this act shall be guilty of a misdemeanor, and upon conviction fined not more than fifty dollars and imprisoned not more than thirty days.

SEC. 3. This act shall be in force from and after its ratification. Ratified this the 5th day of March, A. D. 1915.

CHAPTER 713.

AN ACT TO WORK THE PUBLIC ROADS OF COLUMBUS
COUNTY BY TAXATION.*The General Assembly of North Carolina do enact:*County commis-
sioners to levy
road tax.
Poll.

SECTION 1. That the county commissioners of Columbus County shall annually levy and collect a road tax of ten cents on the hundred dollars and thirty cents on the poll, in addition to the tax now levied and collected for the support of the chain-gang, which fund shall be used in the construction and maintenance of the public roads of said county as hereinafter provided.

Use of fund.

SEC. 2. The funds collected under the provisions of this act shall be under the control of and disbursed by the county commissioners and shall be expended in the townships where collected on the roads of that township.

Control of fund
and disbursements.Locality of
expenditure.

SEC. 3. That the commissioners are authorized and empowered to appoint a superintendent of roads in each township, whose duty it shall be to look after the construction and maintenance of the roads of his township, and said superintendent shall receive such compensation as the county commissioners shall fix.

Appointment and
pay of super-
intendent.

Work by contract.

SEC. 4. That the county commissioners are empowered to construct and maintain the roads of the different townships by contract or otherwise.

Act to be sub-
mitted at general
election.

SEC. 5. That this act shall not be in force until the same has been submitted to the qualified voters of Columbus County at the general election of one thousand nine hundred and sixteen.

SEC. 6. That at said election a ballot shall be prepared bearing Ballots.
the words "For Special Tax" and one "Against Special Tax," and Effect of election.
if at said election a majority of the votes cast shall bear the
words "For Special Tax," then this act to be in full force and
effect.

SEC. 7. That nothing in this act shall be construed to repeal Effect of law.
any part of the present law providing for the chain-gang of Co-
lumbus County, but all other laws providing for working the
roads of said county by the citizens of said county are hereby
repealed.

SEC. 8. That this act shall be in force from and after its ratifi- When act effective.
cation by the voters of said county as above provided for.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 714.

AN ACT RELATIVE TO DOMESTIC FOWLS IN SCOTLAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. It shall be unlawful for any person, firm, or corpo- Act declared
ration, after having been forbidden in the presence of one or illegal.
more witnesses, to allow his or its chickens, geese, or turkeys, or
other domestic fowls to run upon the cleared land of the person
so forbidding after said land has been planted to a crop and be-
fore said crop has been gathered.

SEC. 2. Any one violating the provisions of this act shall be Misdemeanor.
guilty of a misdemeanor.

SEC. 3. This act shall apply only to the county of Scotland. Application of act.

SEC. 4. This act shall be in force from and after its ratification.
Ratified this the 8th day of March, A. D. 1915.

CHAPTER 715.

AN ACT TO ABOLISH ROAD DUTY OR FREE LABOR ON THE PUBLIC ROADS OF GREENVILLE TOWNSHIP, PITT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all male citizens between the ages of eighteen Residents of town-
and forty-five years of age who do now or may hereafter reside ship exempted.
in Greenville Township, Pitt County, and are subject to free road
duty, are hereby exempt from said public road duty, and shall

not in the future be required to devote any time to the public roads of said township unless they are compensated 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.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 716.

AN ACT TO AMEND CHAPTER 128 OF THE PUBLIC-LOCAL LAWS OF 1915, TO AUTHORIZE INSTEAD OF REQUIRE THE BOARD OF COMMISSIONERS OF PITT COUNTY TO HAVE THE BOOKS OF SAID COUNTY AUDITED.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and twenty-eight of the Public-Local Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out the word "required" in line two, section one, and inserting in lieu thereof the word "empowered."

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 717.

AN ACT TO AMEND CHAPTER 185 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATIVE TO THE PUBLIC ROADS OF ASHE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section four of chapter one hundred and eighty-five of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby amended as follows: By adding at the end of said section the following: "That if any member of the board of road trustees of any township in said county of Ashe shall fail or refuse to serve, after being duly elected, he shall forfeit and pay the sum of twenty-five dollars, to be recovered by suit instituted by the general road supervisor of said county, to be used for the benefit of the roads of said township."

Action made optional.

Forfeit for failure to serve.

SEC. 2. That section fifty of chapter one hundred and eighty-five of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby amended as follows: By adding at the end of said section the following: "That the board of road trustees of Pine Swamp and Jefferson townships are hereby directed, by and with the consent and approval of the board of county commissioners of Ashe County, to locate and have constructed a public road from Osborne's Ford in Pine Swamp Township to West Jefferson by the way of Bethel Church and Beaver Creek; and all hands subject to road duty in said townships along said road when changed or altered shall be liable to work on said road, under the general provisions of the road law of Ashe County. That the board of road trustees of Peak Creek Township are hereby directed, by and with the consent and approval of the board of commissioners of Ashe County, to have constructed a public road beginning at or near J. N. Tullbert's in the Ashe and Alleghany County line, by the way of C. L. Upchurch mill to the junction of Peak Creek near Gordon Hodgins' mill, upon a reasonable grade, said road to be constructed under the general provisions of this act. That the board of said road trustees of Peak Creek Township is hereby directed, by and with the consent and approval of the board of county commissioners of Ashe County, to have relocated and amended, so as to be upon as reasonable a grade as practicable, the old public road leading from the mouth of Little Peak Creek near Gordon Hodgins's store to a point in the Ore Knob and Jefferson road near F. C. Bare's; said work to be done under the general provisions of the road law of Ashe County. That the board of road trustees of Horse Creek and Piney Creek townships are hereby directed, by and with the consent and approval of the board of county commissioners of Ashe County, to have constructed a public road from the forks of the road at J. A. Miller's in Horse Creek Township, by the nearest and most practicable route to Tuckerdale in Piney Creek Township, said road to be constructed under the provisions of the general road law of Ashe County; and for the grade and location made by Ambrose Clark, J. P. Hampton, and H. C. Tucker, who are hereby appointed to locate said road."

Road in Pine Swamp and Jefferson townships.

Location.

Allotment of hands.

Road in Peak Creek township.

Location.

Road reopened in Peak Creek township.

Location.

Road in Horse Creek and Piney Creek townships.

Location.

Appointment to locate road.

SEC. 3. That there shall be inserted in said chapter one hundred and eighty-five of said Public-Local Laws of one thousand nine hundred and thirteen, after section fifty, another section, as section fifty (a), as follows: "That C. K. Rich, J. M. Tucker, and George Sheets be and they are hereby appointed commissioners to lay out, alter, and make such changes as to them may seem proper in the public roads from Laurel Spring to intersect with the Jefferson and Wilkesboro turnpike road, at or near the river bridge at George Sheets', and have said road constructed upon

Commissioners to lay out road.

Location.

as reasonable a grade as is practicable, taking into consideration both grade and distance in the location and changes in said road. That Edward Shepherd, G. W. Perkins, and C. W. Ray be and are hereby appointed commissioners to lay out, alter, and make such changes, both as to grade and location, as to them may seem best in the public road leading from Scottville, so as to intersect with the Jefferson and Wilkesboro turnpike road at or near the residence of Mrs. J. E. Foster, and have said road constructed upon as reasonable grade as may be practicable. That said commissioners shall have power to supervise or appoint supervisors to have said roads constructed, who shall have the same power and authority as the supervisors of the public roads of Ashe County, together with the additional power to summon hand or hands subject to road duty within one mile of the nearest point of any point of said roads when so located, by the nearest way of travel: *Provided, however*, not more than ten days shall be required of any road hand during any one year. That any hand duly summoned to work on any of said roads, and fails or refuses to work, shall be subject to the same penalties provided in the general road law of Ashe County."

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 718.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF DUPLIN COUNTY TO SUBMIT A ROAD TAX TO THE VOTERS OF SAID COUNTY.

The General Assembly of North Carolina do enact:

Special road tax authorized.

SECTION 1. That the board of county commissioners of Duplin County, at the same time and in the same manner as they levy and assess the public taxes of each year, are hereby authorized and empowered to levy annually a special tax in Duplin County, or any township in said county adopting the provisions of this act, not exceeding ten cents on each one hundred dollars of taxable property and thirty cents on each taxable poll, to be used under the direction of said county commissioners for the purpose of tiling, draining, ditching, removing roots, grading, surfacing, and leveling the public roads of the townships of said county, the amount apportioned to each township corresponding to the amount of the tax levy for said township.

Limit of rate.

Use of tax.

Apportionment.

Date of election.

SEC. 2. That the board of county commissioners shall submit the question of road tax to the qualified voters of Duplin County

on the first Tuesday after the first Monday in November, one thousand nine hundred and sixteen, the same being the date of the regular election of members of the General Assembly and county officers, under the same laws, rules and regulations as govern such regular elections and under the direction and control of the duly appointed and qualified election officials holding such regular elections; and only such voters as are duly qualified to vote in such regular election shall vote upon such question. A separate box shall be provided at each voting precinct in said county by registrars and judges of election, and those electors favoring the road tax shall vote a ballot upon which is printed or written "For Road Tax," and those opposed thereto shall vote a ballot upon which is printed or written "Against Road Tax." These ballots shall be passed upon and counted by said election officials, who shall make sworn returns thereof to the board of county canvassers for said regular election, who shall canvass the vote and determine the result thereof at the meeting held by them to canvass the returns and determine the result of said regular election.

Law governing election.

Voters.

Separate box.

Ballots.

Count and return of votes.

Canvass of returns.

Application of act.

Proviso: special tax heretofore voted.

SEC. 3. That the provisions of this act shall apply only to those townships of Duplin County in which a majority of the votes cast shall be in favor of road tax: *Provided*, this act shall not apply to the several road districts which have heretofore voted a special tax for roads.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 719.

AN ACT TO INCREASE THE MEMBERSHIP OF THE BOARD OF EDUCATION OF BEAUFORT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the membership of the board of education of Beaufort County be increased to five, and that the following be and they are hereby appointed a board of education for Beaufort County for the terms named herein: E. W. Ayers, two years; W. M. Butt and F. H. Von Eberstein for a term of four years each; John G. Tooley and T. R. Hodges for six years each.

Increase.

Appointment and terms.

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

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 720.

AN ACT TO ESTABLISH "COMMUNITY HOME, No. 1, FOR THE AGED AND INFIRM" IN THE COUNTIES OF BEAUFORT, CHOWAN, DARE, GATES, HERTFORD, MARTIN, PASQUOTANK, PERQUIMANS, PITT, TYRRELL, AND WASHINGTON, AND PROVIDE FOR THE SALE OF THE POORHOUSES IN SAID COUNTIES, AND FOR OTHER PURPOSES.

Preamble.

Whereas the counties of Beaufort, Chowan, Dare, Gates, Hertford, Martin, Pasquotank, Perquimans, Pitt, Tyrrell, and Washington each maintain county homes, or poorhouses, for the aged and infirm and indigent, with superintendents, physicians, nurses, and other employees, at large expense to the taxpayers; and whereas it can be easily demonstrated that the aged, indigent, and infirm, in said counties, can be much more efficiently and economically cared for by combining these county homes, or poorhouses, into one: Now, therefore,

Preamble.

The General Assembly of North Carolina do enact:

Community home for aged and infirm.
Official entitlement.
Location.

SECTION 1. That a community home for the aged and infirm be built by the counties aforesaid, said home to be known as "Community Home, Number One, for the Aged and Infirm," to be located on a farm of suitable size and fertility, susceptible to high agricultural improvements, location and purchase to be controlled by a board of trustees appointed by the county commissioners of the respective counties owning and controlling said home, each county having the same vote in all meetings of the board of trustees as such county has in the lower house of the General Assembly.

Vote of counties.

Sale of county homes.

SEC. 2. That the county commissioners of the aforesaid counties are hereby authorized and empowered to sell and convey by deed all properties held by the aforesaid counties for the care and maintenance of their county's poor, and from the proceeds of such sale appropriate so much as may be required to meet said county's proportionate part of the funds necessary to perfect the completion of said community home as provided herein.

Appropriation.

Fund by district taxation.

SEC. 3. That should it be deemed wisest, however, not to sell said properties, or should any county not have said properties in its possession, or should any counties have said properties which would not be for sale, the necessary funds shall then be raised by direct taxation within the county or counties preferring this method of raising their pro rata part, which pro rata part shall be arrived at by a per capita population proportion.

Expense apportioned per capita.

- SEC. 4. That the several boards of county commissioners shall, as soon as this act is ratified, and every two years thereafter, appoint the members of the board of trustees, which board shall be known as "The Board of Trustees for Community Home, Number One, for the Aged and Infirm"; that the term of office for said trustees shall be two years, and until their successors are chosen and qualified; that all vacancies shall be filled by the several boards of county commissioners, and said commissioners shall provide for the expense and compensation of said board of trustees.
- SEC. 5. That this board of trustees shall, as soon as possible after appointment, upon call of the president of the North Carolina Board of Charities, assemble at a time and place designated in the call and organize by the election of a chairman, secretary, and treasurer, which last officer shall be bonded. They shall proceed promptly with the purchase of a farm of suitable size, location, and fertility, giving due consideration to sanitary surroundings and transportation facilities; provide for the necessary stock, tools, and farm equipment, and shall then cause to be erected suitable plain, substantial, comfortable, and permanent buildings for the accommodation of those for whom this act is intended, giving due regard to the separation of the sexes and races, and such other plans for segregation as their judgment and existing conditions may suggest. Said buildings are to be furnished with plain, substantial furniture and such other equipment as conditions demand.
- SEC. 6. That the several counties constructing, equipping, and operating "Community Home, Number One, for the Aged and Infirm" shall pay for same in proportion to population, as herein provided for, and shall own in the same such proportion.
- SEC. 7. That as soon as the home is ready for occupancy the several county homes, or poorhouses, heretofore owned by the several counties shall be closed, and occupants shall be transferred and located in "Community Home, Number One, for the Aged and Infirm."
- SEC. 8. That the board of trustees of the said home shall elect a capable superintendent, physician, trained nurses, and other employees necessary to the efficient management of said home, and shall fix their salaries (the salaries of the said superintendent, physician, trained nurses, and other employees) with due regard to number and condition of inmates occupying said home.
- SEC. 9. That the board of trustees shall meet at least twice a year for the transaction of such business as their positions may require. They shall have the general conduct and management of the home's affairs. They shall meet at the call of the chairman whenever he shall deem it necessary, or upon call issued by a majority of the board.
- Appointment of trustees.
- Official entitlement.
- Term.
- Vacancies.
- Compensation.
- Trustees to meet and organize.
- Organization.
- Treasurer to be bonded.
- Purchase of farm.
- Stock and equipment.
- Erection of buildings.
- Separation of sexes and races.
- Other plans of segregation.
- Furniture.
- Apportionment of expense and ownership.
- County homes closed.
- Transfer of occupants.
- Election and salaries of officers and employees.
- Semiannual meetings.
- General conduct and management. Called meetings.

- Business at special meetings.** SEC. 10. That the matter to be considered at any special meeting shall be set out in the call for the special meeting, but any business may be transacted at special meetings which received a two-thirds vote of the entire board of trustees, although not mentioned in the call.
- Powers of board.** SEC. 11. That the board is vested with all powers not already mentioned which are possessed by other boards supervising State institutions.
- Persons sent to home.** SEC. 12. That the aforesaid counties constructing, operating, and maintaining "Community Home, Number One, for the Aged and Infirm" shall, as required by law now in force, for the care and maintenance of those not able to care for themselves, send such person or persons to "Community Home, Number One, for the Aged and Infirm" in lieu of the county poorhouse, and shall pay the expense of maintenance in proportion to number of inmates occupying said home.
- Apportionment of expense of maintenance.** SEC. 13. That the said counties are prohibited from helping, at home, any person or persons who may apply as pauper, but said counties must care for all such persons or person by admitting them into "Community Home, Number One, for the Aged and Infirm."
- Home help forbidden.** SEC. 14. That as soon after the first day of January of each year as may be practicable, the board of trustees shall cause a report to be made of the home, which report shall show the number of inmates, the county admitting them, date of admission, age, condition of health, sex, color, educational acquirements, diagnosis of disease if diseased, total number of inmates received during the year, average number cared for per month, names and disposition made of those dismissed, pro rata cost of maintenance, the total amount of money expended, the total amount of money received from each county, and such information as the State Board of Charities and the board of trustees of the community home may demand. It shall also show an inventory and an appraisalment of property, real and personal, and give a strict account of receipts from farm and expenditures thereon, and such other information as may be required to check up the institution from all viewpoints.
- Annual report.** SEC. 15. That a copy of said report of the said board of trustees shall be furnished the county commissioners of the respective counties interested in and providing said community home.
- Details of report.** SEC. 16. That all acts or parts of acts not consistent with this act are hereby repealed in so far as they appertain to "Community Home, Number One, for the Aged and Infirm": *Provided*, that the provisions of this act shall not become operative as to any county named herein until the same shall have been approved by the board of commissioners of the said counties respectively.
- Inventory and appraisalment.**
Farm account. SEC. 17. That this act shall be in force from and after its ratification.
- Copies of report.**
- Repealing clause.**
- Proviso: approval by counties.**

Ratified this 8th day of March, A. D. 1915.

CHAPTER 721.

AN ACT FOR THE RELIEF OF G. A. TURNER OF ROCKINGHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That G. A. Turner be and he is transferred from Matrimony School District in Rockingham County to the Pratt School District in said county, and that he be allowed to send his children to the Pratt District School.

Transfer to school district.

SEC. 2. That this act be in force from and after its ratification. Ratified this the 8th day of March, A. D. 1915.

CHAPTER 722.

AN ACT TO PROMOTE THE BUILDING AND REPAIRING OF SCHOOLHOUSES IN THE COUNTY OF BUNCOMBE.

The General Assembly of North Carolina do enact:

SECTION 1. The board of county commissioners of Buncombe County are hereby authorized and empowered to issue bonds on behalf of any school district or any school district that may hereafter be created by the board of education of Buncombe County under the general law or by special act of the Legislature; and said bonds shall be issued for the purpose of repairing, altering, making additions to, or erecting new buildings, or for purchasing schoolhouse sites and playgrounds. Said bonds shall bear a rate of interest not exceeding six per cent, and shall mature at such time or times as the board of county commissioners of Buncombe County shall determine, and shall be of such denomination, and the principal and interest shall be payable at such place or places as the board of county commissioners of Buncombe County shall determine. Said bonds shall be signed by the chairman of the board of county commissioners of Buncombe County and countersigned by the clerk of said board, and shall bear the corporate seal of the county of Buncombe, and shall have attached thereto the required number of interest coupons.

Bond issues for school districts.

Purpose of issues.

Interest.

Maturity.

Denominations.

Authentication.

SEC. 2. None of said bonds, however, shall be issued unless authorized by a majority of the qualified voters of said school district of Buncombe County as now created and existing, or as shall hereafter be created and existing by order of the county board of education of Buncombe County or by any general or special legislative enactment, by an election ordered and held in the following

Issue to be authorized by voters.

- Petition for election. manner: Upon a petition of one-fourth of the voters within any school district and approved by the county board of education, which petition shall state the amount of the bonds and the purpose for which they are to be issued, the board of county commissioners shall, after thirty days notice at the courthouse door and three other public places in said school district, hold an election to ascertain the will of the people in any school district whether there shall be issued bonds for said school purposes and whether a tax shall be levied to pay the principal and interest on said bonds. The board of county commissioners shall appoint a registrar and two poll-holders and shall designate a polling place, and shall order a new registration in said school district, and the election shall be held under the laws governing general election, as near as may be, and the registrar and poll-holders shall canvass the vote cast and shall declare the result and shall duly certify the returns to the board of county commissioners, and the same shall be recorded in the records of said board of commissioners: *Provided*, the expense of holding said election shall be paid out of the general school fund of the county. At such election those who are in favor of the issuing of said bonds and the levying of said tax shall vote a ticket upon which shall be written or printed the words "For School Building Bonds," and those who are opposed shall vote a ticket upon which shall be written or printed the words "Against School Building Bonds."
- Notice of election.
- Election officers.
- Polling places.
- New registration.
- Law governing election.
- Canvass and returns.
- Record.
- Proviso: expense of election.
- Ballots.
- Sale of bonds. SEC. 3. In case a majority of the qualified voters of any school district shall vote for an issue of school bonds, it shall then be the duty of the board of county commissioners to forthwith order a sale of said bonds, as authorized by section one of this act.
- Special tax. SEC. 4. Whenever any bonds have been voted on behalf of any school district, it shall be the duty of the board of county commissioners to levy and collect annually, at the time the other taxes are levied and collected, upon all taxable property and polls within said school district, at a sufficient rate and sufficient in amount to pay the interest on said bonds, and to create a sinking fund to pay the principal at maturity.
- Application of act. SEC. 5. The provisions of this act shall be applicable to any school district in Buncombe County; and in order to take advantage of this act any districts now existing may be consolidated by the county board of education of Buncombe County for the purpose of building schoolhouses, repairing, making additions to, or altering schoolhouses in the county of Buncombe, and issue bonds therefor under the provisions of this act, and the county board of education of Buncombe County is hereby vested with full power and authority to erect and create any territory in Buncombe County as a school district in order that the school district may avail itself and the people within such districts may avail themselves of the advantage of repairing, improving, or building schoolhouses, or
- Consolidation of districts.
- Creation of school districts.

purchasing schoolhouse sites and grounds under the provisions of this act. After the creation of any school district by the county board of education of Buncombe County, then the citizens of such district or districts may avail themselves of the benefits of this act, and issue bonds hereunder.

SEC. 6. That all moneys arising from the sale of said bonds under the provisions of this act shall be deposited with the treasurer of the school fund of Buncombe County, and shall be expended and disbursed by order of and under the authority and direction of the county board of education of Buncombe County.

Proceeds of bonds deposited with treasurer.
Direction of disbursements.

SEC. 7. This act shall be in force from and after its ratification. Ratified this 8th day of March, A. D. 1915.

CHAPTER 723.

AN ACT TO AMEND CHAPTER 581 OF THE PUBLIC LAWS OF 1899 AS IT RELATES TO ROCKINGHAM COUNTY AND TO PROVIDE FOR THE ELECTION OF THE ROAD SUPERINTENDENT OF SAID COUNTY BY A VOTE OF THE PEOPLE.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter five hundred and eighty-one of the Public Laws of one thousand eight hundred and ninety-nine be amended by striking out all of said section down to and including the word "hearing" in line sixteen, and substituting therefor the following: "That there shall hereafter be elected at the general election for the county of Rockingham in the year one thousand nine hundred and sixteen, and every two years thereafter, a superintendent of roads for said county, under the same rules and regulations and the same provisions of law as provided for the election of sheriff and register of deeds. His salary shall be one thousand eight hundred dollars per annum, and his term of office shall commence on the first Monday in December of each election year, and he shall hold until his successor is elected and qualified. It shall be his duty to superintend the working of the roads of said county under and by virtue of the provisions of chapter five hundred and eighty-one, Public Laws of one thousand eight hundred and ninety-nine."

Election of superintendent of roads.

Salary.

Term of office.

Duty.

SEC. 2. Nothing in this act shall interfere with the present board of commissioners of Rockingham County electing a superintendent of roads for the years one thousand nine hundred and fifteen and one thousand nine hundred and sixteen, save and except that the term of the superintendent elected the first Monday in January,

Superintendent until election.

Expiration of term.

one thousand nine hundred and sixteen, shall expire on the first Monday of December of the same year.

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

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 724.

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF BEAUFORT COUNTY TO BUILD A NEW COUNTY HOME FOR THE AGED AND INFIRM, TO ESTABLISH A WORKHOUSE IN CONJUNCTION WITH SAID COUNTY HOME, TO ISSUE BONDS TO OBTAIN FUNDS FOR SAID PURPOSE, AND TO SELL THE PRESENT COUNTY HOME FARM AND PURCHASE ANOTHER, IF THE BOARD IN ITS DISCRETION SHALL DEEM SUCH SALE AND PURCHASE FOR THE BEST INTEREST OF THE COUNTY.

Preamble.

Whereas, on the second day of February, one thousand nine hundred and fifteen, in meeting assembled, the board of commissioners of Beaufort County by resolution duly adopted declared that a new county home for the aged and infirm was necessary: Now, therefore,

The General Assembly of North Carolina do enact:

Building authorized.

SECTION 1. That the board of county commissioners of Beaufort County be and it is hereby authorized and empowered to build for the county of Beaufort a new county home for the aged and infirm, suitable to the needs thereof, either upon the present county home farm or upon such other county home farm as the commissioners may purchase, as hereinafter provided for; and said board of commissioners is hereby further authorized and empowered to establish a county workhouse in conjunction with said county home.

Location.

Establishment of workhouse.

Bond issue authorized.

SEC. 2. For the purpose of obtaining the necessary funds for building and furnishing said new county home and establishing the workhouse heretofore mentioned, the said board of county commissioners of Beaufort County is further authorized and empowered to issue interest-bearing coupon bonds of Beaufort County in an amount not to exceed forty thousand dollars, in denominations of not less than one hundred dollars nor more than one thousand dollars, as said board may determine, bearing semiannual interest at not more than five per centum per annum, to be sold by said board at not less than par. with all accrued interest thereon

Amount.

Denominations.

Interest.

Sale not below par.

to date of delivery to the purchaser or purchasers thereof; and said bonds shall mature not more than thirty years from date:

Provided, that said bonds shall not be issued until same have been approved by a majority of the qualified voters of Beaufort County at an election to be held at such time as it may be called by the board of county commissioners under the general election law.

Maturity.
 Proviso: approval of majority of voters.

SEC. 3. That the said board of county commissioners shall cause said bonds to be signed by its chairman and clerk in the presence of a full board, or a majority thereof, and in the presence of the county treasurer, and shall cause the official seal of said board to be impressed thereon by its clerk.

Authentication.

SEC. 4. That for the purpose of paying the accrued interest on said bonds and creating a sinking fund for their retirement when due, said commissioners shall annually compute and levy, at the time of levying of other county taxes, a sufficient special tax on all real and personal property and all other subjects of taxation which said commissioners now and hereafter may be allowed to levy taxes upon for any purposes whatever.

Special tax.

SEC. 5. After paying the interest on said bonds out of the taxes when collected as authorized in section four, the treasurer of Beaufort County, who is hereby appointed "sinking fund commissioner" to carry out the provisions of this act, shall open upon his books as county treasurer an account known as the "County Home Sinking Fund Issue," and shall credit the balance of the taxes collected under this act to the above named account, and it shall be kept separate and distinct from all other county funds for the purpose of paying principal of said bonds at maturity; and the said treasurer is hereby authorized and directed to invest any amount belonging to said "County Home Sinking Fund Issue" from time to time in safe interest-bearing securities, payable to said treasurer for the benefit of said sinking fund, and the treasurer shall be liable on his official bond for the faithful and honest fulfillment of the duties imposed by this section.

Treasurer to open account.

Fund kept separate.

Investment of fund.

Treasurer liable on bond.

SEC. 6. That said taxes shall be levied and collected as other public taxes are levied and collected in said county.

Levy and collection of tax.

SEC. 7. That the board of county commissioners of Beaufort County, in its sound discretion, shall have power and authority to sell for a fair and reasonable price the present county home farm and purchase another, if in the opinion of said board a more suitable location for a county home farm can be obtained for a reasonable price and the board shall deem it for the best interest of the county to make such sale and purchase: *Provided*, that in the event of a sale of the present county home farm, the proceeds of such sale shall be applied to the purchase of a new location.

Sale and purchase of farm.

Proviso: sale price applied to new location.

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

Ratified this the 5th day of March, A. D. 1915.

CHAPTER 725.

AN ACT FOR THE RELIEF OF J. A. ELLEDGE.

The General Assembly of North Carolina do enact:

Investigation by
finance committee.

Subject.

Action authorized:

Payment of
claim.

SECTION 1. That the finance committee of Wilkes County is hereby empowered to inquire into and investigate such claim as one J. A. Elledge may have for damages by reason of the burning of certain live stock and other property while keeper of the county home during the year of 19--; at the time thereof the said Elledge being employed by the county of Wilkes as said keeper.

SEC. 2. That the said committee may, in their discretion, after inquiring into and investigating said matter, and if in their opinion the same be just, authorize, direct, and command the board of county commissioners of Wilkes County to issue a claim for such amount as they may adjudge due the said J. A. Elledge by reason of aforesaid loss; and that the said board of county commissioners shall issue said claim and the same shall be paid by the county treasurer out of the poor funds of Wilkes County upon aforesaid authorization and order.

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

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 726.

AN ACT TO PROVIDE FOR BETTER PROTECTION OF CHURCHES IN INDIAN SPRINGS TOWNSHIP, WAYNE COUNTY.

The General Assembly of North Carolina do enact:

Buildings pro-
hibited.

Territory affected.

Misdemeanor.
Punishment.

SECTION 1. That it shall be unlawful for any person, firm, or corporation to build, erect, construct, or in any manner operate any sawmill, lumber plant, ginhouse, tobacco barn or tobacco warehouse within two hundred (200) feet of any church in Indian Springs Township in Wayne County, North Carolina.

SEC. 2. That any person, firm, or corporation violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, or both, in the discretion of the court.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 727.

AN ACT TO VALIDATE CERTAIN ACTS OF GEORGE TURNER, A NOTARY PUBLIC OF LENOIR COUNTY, AS TO INSTRUMENTS TO THE BANK OF PINK HILL.

The General Assembly of North Carolina do enact:

SECTION 1. That all acts of George Turner, a notary public of Lenoir County, in taking acknowledgments of instruments made before the ratification of this act to the Bank of Pink Hill, of which he was president and in which he was a stockholder, are hereby ratified and validated. Acts validated.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 728.

AN ACT TO REDUCE THE SALARY OF THE RECORDER OF CLEVELAND COUNTY AND TO PROVIDE FOR EXPERT AUDITING.

The General Assembly of North Carolina do enact:

SECTION 1. That on and after January first, one thousand nine hundred and seventeen, the salary of the recorder of Cleveland County shall be six hundred dollars per annum, payable monthly as now provided by law, and his duties shall be the same as relates to his office as recorder as are now prescribed in chapter two hundred and forty-three, Public-Local Laws one thousand nine hundred and eleven, except that he shall not be required to keep his office open for the trial of causes for more than three days in each week, and said recorder, in conjunction with the board of county commissioners, shall fix and determine the said three days court will be open for the trial of causes, and due notice thereof shall be published in the local newspapers. Salary.
Duties as recorder.

SEC. 2. That on and after January first, one thousand nine hundred and seventeen, the recorder of Cleveland County shall no longer be the county auditor and shall not be required thereafter to perform any of the duties prescribed for said county auditor in chapter two hundred and forty-three of the Public-Local Laws of North Carolina, session one thousand nine hundred and eleven. Relieved of duty as auditor.

SEC. 3. That the board of commissioners of Cleveland County at their meeting on the first Monday in December, one thousand nine hundred and seventeen, shall employ some competent auditor, Employment of auditor.

or expert accountant, not a resident of Cleveland County, or engage some auditing company to have the books of all the county officers, including the board of commissioners, audited for the preceding fiscal year beginning with the first day of December, one thousand nine hundred and sixteen, and ending the first day of December, one thousand nine hundred and seventeen; and they shall require said report made by said auditor, or accountant, to be duly recorded in the minutes of the board of county commissioners, and said report shall embody a full and correct statement of the financial condition of the county, together with the results ascertained by the auditing of the various officers, and this examination shall cover the road funds of the various highway commissions in Cleveland County under the direction of the board of county commissioners; and said board of commissioners of Cleveland County shall have said examinations and audit made each year thereafter in the same manner as herein provided, and shall on the first Monday in December of each year thereafter provide or contract for said auditing for the preceding year.

SEC. 4. That the expenses for the foregoing auditing and examination shall be paid upon an order of the board of commissioners out of the county funds as other expenses of the county are paid.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 729.

AN ACT TO AMEND CHAPTER 581, PUBLIC LAWS OF 1899, SO AS TO ELECT THE ROAD SUPERINTENDENT OF No. 2 TOWNSHIP, CLEVELAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That at the next general election in one thousand nine hundred and sixteen and biennially thereafter there shall be elected by the qualified voters of Number Two Township, Cleveland County, a superintendent of roads for said township. That the election of said superintendent of roads for said township shall be conducted and held in the same manner and under the same laws as the election of justices of the peace are held, but that said superintendent of roads shall be voted for on a separate ballot and in a separate box prepared and furnished therefor. That the term of office of said superintendent of roads shall be for two years, the term of the first superintendent of roads so elected beginning on the first Monday in December; one thousand nine hundred and sixteen.

Election of township superintendent.

Law governing election.

Ballot and ballot box.

Term of office.

SEC. 2. That chapter five hundred and eighty-one, Public Laws of one thousand eight hundred and ninety-nine, be and the same is hereby amended by striking out such parts thereof as conflict with section one, foregoing, but that in all other respects said chapter remain in full force and effect.

Conflicting clauses repealed.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 730.

AN ACT TO AMEND CHAPTER 650, PUBLIC LAWS OF NORTH CAROLINA OF 1909, SO AS TO ELECT THE HIGHWAY COMMISSIONERS OF No. 6 TOWNSHIP, CLEVELAND COUNTY, BY A VOTE OF THE PEOPLE.

The General Assembly of North Carolina do enact:

SECTION 1. That Public Laws of North Carolina, chapter six hundred and fifty, of session one thousand nine hundred and nine, be and the same is hereby amended by striking out all that part of section twelve thereof between the words "not" and "party," inclusive, in lines six and seven of said section; and that all of section seventeen of said chapter be stricken out and a new section added in lieu thereof, as follows:

Law amended.

"That the terms of office of the highway commissioners of Number Six Township, Cleveland County, shall expire on the first Monday in December, one thousand nine hundred and sixteen, and that at the general election in one thousand nine hundred and sixteen, and biennially thereafter, three electors of Number Six Township shall be elected as highway commissioners of said township, to serve for a term of two years and until their successors are elected and qualify. That the election of said highway commissioners shall be conducted and held in the same manner and under the same laws as justices of the peace of said township are elected, and shall be voted for on the same ballot with justices of the peace and constable of said township. That if three hundred qualified voters of Number Six Township, Cleveland County, petition the board of county commissioners of said county for an election of the highway commission of said township by the people before the general election in one thousand nine hundred and sixteen, the said board of county commissioners shall upon the filing of said petition order an election to be held at the various voting precincts of Number Six Township for the election of three highway commissioners for said township. The said board of county commissioners shall, upon ordering such election, appoint one registrar and two judges

Expiration of term.

Election of highway commissioners.

Term.

Law governing election.

Ballots.

Petition for special election.

Order for election.

Election officers.

Notice of election. for each voting precinct in said township and cause notice of said election to be published for four weeks immediately preceding the date fixed for said election. That said election shall be conducted and held in the same manner as elections are held for the election of justices of the peace of said township, except the returns thereof shall be made to the board of county commissioners at their first regular meeting following said election, and said board shall canvass the same and declare the results thereof, and that the term of office of the three highway commissioners so elected shall begin immediately and upon their qualification in the manner provided by law and shall terminate on the first Monday in December, one thousand nine hundred and sixteen. That if any member of said highway commission shall die or resign, or become incapable of performing the duties of his office, or a vacancy be caused in any manner, the board of county commissioners of Cleveland County shall elect a successor to fill out the unexpired term."

Law governing election.

Returns.

Canvass of returns.

Term of office.

Election to fill vacancy.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 731.

AN ACT TO EXEMPT ALL BONDS HEREAFTER ISSUED FOR COUNTY AND MUNICIPAL PURPOSES IN EDGECOMBE COUNTY FROM COUNTY AND MUNICIPAL TAXATION.

The General Assembly of North Carolina do enact:

Exemption. SECTION 1. That all bonds hereafter issued in aid of any and all county or municipal work in Edgecombe County shall be exempt from taxes due said county or any municipality in said county.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 732.

AN ACT TO APPOINT B. F. TYSON A JUSTICE OF THE PEACE, AND FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

Appointment. SECTION 1. That B. F. Tyson of Greenville Township, Pitt County, be and he is hereby appointed a justice of the peace for the term of six years, his term of office to begin upon the passage of this act and his acceptance and qualification.

Term.

SEC. 2. That section two hundred and ten of the Revisal of one thousand nine hundred and five of North Carolina shall not be applicable to the said B. F. Tyson. Law not applicable.

SEC. 3. That the appointment of the said B. F. Tyson and his acceptance and qualification as a justice of the peace in and for said township and county shall in no wise affect his right to practice as an attorney at law in the various courts of Pitt County and the courts of the State, except in such cases as have been appealed from the courts of the justice of the peace over which he presided or took part. Right to practice law.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 733.

AN ACT TO AMEND CHAPTER 353 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION OF 1913.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter three hundred and fifty-three of the Public-Local Laws of one thousand nine hundred and thirteen be amended by adding at the end of said section the following: "*Provided*, nevertheless, that the said sheriff, in addition to his said salary and allowance for deputies' salaries or hire, be allowed pay for holding the Superior Courts of said county and pay for janitor during each term of Superior Court, as heretofore, also fees and expenses for service done out of the county."

Proviso: pay for holding courts and for janitor.

Fees and expenses outside of county.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 734.

AN ACT TO AMEND THE PUBLIC SCHOOL LAW IN THE COUNTY OF BUNCOMBE AND STATE OF NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. Whenever the county board of education of Buncombe County are unable to obtain a suitable site for a school or school building and school grounds by gift or purchase, said board shall report to the county superintendent of public instruction of Bun-

Procedure for condemnation of site for schoolhouses.

- combe County, who shall, upon five days notice to the owner or owners of the land, apply to the clerk of the Superior Court of said county for the appointment of three appraisers, who shall lay off by metes and bounds not less than one acre, and not more than four acres, and shall assess the value thereof. They shall make a written report of their proceedings, to be signed by them, or a majority of them, to the clerk of the Superior Court of Buncombe County within five days from their appointment, who shall enter the same upon the records of the court. If the report is confirmed by the clerk, the chairman and the secretary of the board shall issue an order on the treasurer of the county school fund in favor of the owner or owners of the land thus laid off, and upon the payment of this order the title to said land shall vest in fee simple in the county board of education of Buncombe County. Any person aggrieved by the action of the appraisers may appeal to the Superior Court.
- Limit on amount of land.**
- Vesting of title.**
- Right of appeal.**
- Power to condemn land of nonresidents.**
- Notice by publication.**
- Clerk to appoint appraisers.**
- Election on special tax for townships.**
- Limit of rate.**
- Law governing elections.**
- SEC. 2. That in case said board of education of Buncombe County is unable to purchase from any nonresident or nonresidents of the State of North Carolina any lands which the said board may desire for a schoolhouse site or schoolhouse grounds, then said county board of education is hereby expressly authorized and empowered to condemn said lands of said nonresident or nonresidents by publishing a notice in some newspaper published in the county of Buncombe once a week for four successive weeks and by publishing a notice at the front door of the courthouse of Buncombe County for thirty days, giving to such nonresident or nonresidents notice to appear before the clerk of the Superior Court of Buncombe County at a time certain, and upon it appearing to the satisfaction of the clerk of said court, by affidavit or otherwise, that said notice has been published in some newspaper as aforesaid, once a week for four successive weeks, and at the courthouse door of Buncombe County for thirty days, then the clerk of said court shall appoint three appraisers, who shall proceed in the same manner as is provided in the preceding section for condemnation of schoolhouse sites and school grounds.
- SEC. 3. That the county commissioners of the county of Buncombe may order an election to be held in any township in the county of Buncombe to ascertain the will of the people of such township whether there shall be levied on all taxable property and polls of such township a special tax not to exceed thirty cents on the one hundred dollars of the assessed valuation of property and ninety cents on each poll to supplement the county school fund of such township.
- SEC. 4. That said election shall be conducted for such township in which such election is ordered, as nearly as may be, under the same rules and regulations governing elections as set out in section four thousand one hundred and fifteen of the Revisal of one thousand nine hundred and five of North Carolina.

SEC. 5. That in case a majority of the qualified voters of such township at such election shall vote in favor of said tax the same shall be annually levied and collected in the same manner and at the same time as other taxes of the township are levied and collected.

Levy and collection.

SEC. 6. That all persons voting at such election in any township of Buncombe County favoring the levying of a special school tax shall vote a ticket on which shall be written or printed "For Special Township School Tax," and all persons desiring to vote against the levying of such special tax shall vote a ticket on which shall be written or printed "Against Special Township School Tax." In case a majority of the qualified voters of any township shall vote in favor of such special tax, then the county board of commissioners and the taxing authorities of Buncombe County shall levy and collect special taxes in such township under the same rules, regulations, and conditions as now provided for the levy and collection of funds in special-tax districts existing in Buncombe County.

Ballots.

Effect of election.

SEC. 7. That in case a majority of the qualified voters of any township shall vote for a special school tax to be levied upon the property and polls in any township, then the county board of education may apportion the school funds arising from such special tax levied and collected in such township among the various public schools in the township according to their needs: *Provided, however,* that no school now supported by special district tax in any township in Buncombe County shall in such apportionment and division of the school funds of any township receive less funds from said special tax than such school or schools now receive. The unit of apportionment of the funds arising from said township special school taxes levied under the provisions of this act shall be all townships which have voted said taxes in Buncombe County at the time such apportionment shall be made, with the limitation as to existing special school-tax districts heretofore mentioned in this act.

Apportionment of tax.

Proviso: schools now supported by special tax.

Unit of apportionment.

SEC. 8. That in case a special election shall be called in Asheville Township under the provisions of this act, for the purpose of ascertaining the will of the people as to whether a special township school tax shall be levied and collected, the territory embraced within the city of Asheville shall be excluded, and the word township as herein used shall not embrace the territory contained or embraced in the city of Asheville.

Election for Asheville township to exclude city.

SEC. 9. That the expenses of holding such township or township elections shall be paid out of the county school fund of the county of Buncombe.

Expense of election.

SEC. 10. That section one of chapter five hundred and eighteen of the Public-Local Laws of the General Assembly of the session of one thousand nine hundred and thirteen be and the same is

County board of education to employ counsel.
Salary of chairman.

Per diem and mileage of members.

Repealing clause.
Proviso: construction of act.

hereby amended by adding at the end of said section one the following words: "Said county board of education of Buncombe County shall have the right and power to employ counsel and to pay all legitimate expenses of the board, and said board shall have the right and power to fix the salary of the chairman of the board at an amount not to exceed the sum of three hundred dollars per year, and said board shall have the further right and power to fix the per diem and mileage of the members of the board, other than the chairman, at an amount not to exceed three dollars per day, when engaged in rendering service as a member of the board of education at a regular meeting or otherwise, and shall fix the mileage of the members of the board in going to and returning from meetings of the board of education, at an amount not to exceed five (5) cents per mile."

SEC. 11. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed: *Provided, however*, that this act shall not be construed so as to prevent the board of education and county commissioners of said Buncombe County from calling and holding an election to ascertain the will of the people of any school district in said county relative to the levying of special school tax in said school district as is now provided by law.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 735.

AN ACT TO PROVIDE FOR PROMPT PAYMENT OF WITNESSES IN THE SUPERIOR COURT OF ROBESON COUNTY.

The General Assembly of North Carolina do enact:

Recital of cases.

SECTION 1. That all criminal cases and criminal proceedings in the Superior Court of Robeson County, where there is a verdict of acquittal, *nolle prosequi*, arrest of judgment, the return by a grand jury of "not a true bill," or where the defendant is convicted and judgment is suspended, or the defendant is imprisoned and unable to pay costs, the clerk of the Superior Court of said county shall immediately upon the termination of said case or proceeding in any one of the ways above mentioned, make out and sign a bill of cost showing the amount of fees and mileage to which each and every State witness, who has been duly subpoenaed to attend said court in such case or proceeding, is entitled, which when indorsed and approved by the solicitor holding said court shall be presented to the treasurer of said county, who shall immediately pay same out of the general county fund.

Bill of costs.

Presentation and payment.

SEC. 2. That witnesses who are subpoenaed and attend court on behalf of the defendant, in the cases mentioned in section one hereof, upon proof of their attendance in the same manner provided for State witnesses, shall be paid at the same time and in the same manner provided in section one hereof for the payment of State witnesses: *Provided*, that no defendant's witnesses shall be paid, except upon certificate of the presiding judge that in his opinion said witnesses were proper and necessary for the defense of the defendant, and in his discretion the interests of justice demanded such payment.

Payment of witnesses for defendant.

Proviso: certificate of presiding judge.

SEC. 3. That in all cases where judgment is suspended or the imprisoned defendant is taxed with the costs, or pays a fine and the costs, said costs when collected shall be paid by the clerk of the court to the treasurer or other custodian of the county funds, and placed by said treasurer or custodian in the general county fund.

Costs placed in general fund.

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.

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 736.

AN ACT TO INSURE TO EMPLOYEES THE PAYMENT OF WAGES IN TYRRELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. Every corporation or joint-stock association engaged in manufacturing, its lessee or person carrying on the business thereof by lease or otherwise, shall pay fortnightly to each employee the wages earned by such employee to a day not more than six days prior to the date of such payment.

Fortnightly settlements.

SEC. 2. Any such corporation or joint-stock association, its lessee or other person carrying on the business thereof, failing to pay the wages of any employee as herein provided, shall forfeit and pay to said employee a sum equivalent to twenty-five per cent of the wages unpaid, which penalty, together with the wages not paid as herein provided, may be recovered by said employee in a civil action.

Forfeit for failure.

SEC. 3. This act shall apply to Tyrrell County only.

Application of act.

SEC. 4. This act shall be in force from and after January first, one thousand nine hundred and sixteen.

When act effective.

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 737.

AN ACT TO PREVENT THE RUNNING AT LARGE OF ANY BIRD DOGS IN WILKES COUNTY FROM MAY 1ST TO OCTOBER 1ST IN EACH AND EVERY YEAR, AND FOR THE BETTER PROTECTION OF QUAIL.

The General Assembly of North Carolina do enact:

Act declared
unlawful.

SECTION 1. That it shall be unlawful for any person, firm, or corporation owning any bird dog or dogs to allow said bird dog or dogs to run at large in Wilkes County between May first and October first of each and every year from and after the ratification of this act.

Dates.

Misdemeanor.

SEC. 2. That every person, firm, or corporation allowing said bird dog or dogs as above mentioned to run at large from May first to October first as above set forth shall be guilty of a misdemeanor, and upon conviction shall pay a penalty of one dollar for each and every offense, or be imprisoned for not less than ten nor more than twenty days, or both, in the discretion of the court.

Punishment.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 738.

AN ACT TO PROTECT QUAIL IN WILSON COUNTY.

Preamble.

Whereas, by wanton destruction the quail or partridge of Wilson County are fast disappearing; and whereas, at the present rate of destruction said game will in a few years cease to exist; and whereas, in order to better protect and preserve said game: Now, therefore,

Preamble.

Preamble.

The General Assembly of North Carolina do enact:

Killing for sale
forbidden.

SECTION 1. That it shall be unlawful for any person or persons to kill, or catch by means of net, trap, or other contrivance whatever, any quail or partridge in the county of Wilson for the purpose of selling or marketing the same.

Sales forbidden.

SEC. 2. That it shall be unlawful for any person or persons to sell or offer for sale any quail or partridge in the county of Wilson with the knowledge that the same is being purchased for the purpose of being resold or for the purpose of being shipped or sent out of said county.

Transportation
forbidden.

SEC. 3. That it shall be unlawful for any person, firm, or corporation to ship, send, or carry any quail or partridge out of the county

of Wilson: *Provided*, this section shall not apply to a nonresident taking out of the county quail or partridge killed upon his own land when the same are not taken for the purpose of sale or shipment. Proviso: nonresident landowner.

SEC. 4. That it shall be unlawful for any hotel, café, or restaurant to serve quail to their patrons in said county. Serving quail unlawful.

SEC. 5. That any person, firm, or corporation violating this act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than five nor more than fifty dollars for each offense. Misdemeanor.
Punishment.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 739.

AN ACT TO VALIDATE A SETTLEMENT MADE BY THE COMMISSIONERS OF COLUMBUS COUNTY WITH THE EX-SHERIFF OF COLUMBUS COUNTY.

Whereas the board of commissioners at their regular session, January twelfth, one thousand nine hundred and fourteen, allowed the insolvent lists of State, county, and special taxes for the years one thousand nine hundred and eleven and one thousand nine hundred and twelve to A. S. Richardson, ex-sheriff of said county; and whereas doubts have arisen as to the legality of the said board of commissioners in allowing said lists at that time: Now, therefore, Preamble.
Preamble.

The General Assembly of North Carolina do enact:

SECTION 1. That the act of the commissioners in allowing the said insolvent lists aforesaid is hereby declared valid and legal in every respect. Act declared valid.

SEC. 2. That A. S. Richardson, ex-sheriff, is hereby authorized and empowered to collect all unpaid taxes for the years one thousand nine hundred and eleven and one thousand nine hundred and twelve, not included in the aforesaid insolvent lists allowed by the board of commissioners of Columbus County, under the same rules and regulations as are now or may hereafter be provided by law, not to extend beyond the thirty-first day of May, one thousand nine hundred and sixteen. Collection of arrears authorized.
Term of authority.

SEC. 3. 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.

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 740.

AN ACT TO AMEND CHAPTER 591, PUBLIC LAWS OF 1907, REGULATING THE JURISDICTION OF JUSTICES OF THE PEACE IN THE COUNTY OF COLUMBUS AND THE MAYOR OF CHADBOURN AND WHITEVILLE IN COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

Law extended.

SECTION 1. That section two of chapter five hundred and ninety-one of the Public Laws of nineteen hundred and seven be amended by inserting the word "Chadbourne" after the word "Whiteville" and before the words "North Carolina" in line two of section two; and further amend said section two by inserting the words "and Chadbourne" after the word "Whiteville" and before the word "for" in line five of said section two, so as to make section two in chapter five hundred and ninety-one, Public Laws nineteen hundred and seven, apply to the town of Chadbourne in the same manner and to the same extent as the said section now applies to the town of Whiteville: *Provided*, the mayor of Chadbourne may exercise his discretion in sentencing convicts to work either on the streets of the town of Chadbourne or to the public roads of Columbus County.

Proviso: sentence in discretion of mayor.

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.

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 741.

AN ACT TO AMEND SECTION 3733 OF THE REVISAL OF 1905.

The General Assembly of North Carolina do enact:

Public drunkenness forbidden.

SECTION 1. That section three thousand seven hundred and thirty-three of the Revisal of nineteen hundred and five be amended by adding in line seven, after the words "Pungo, Beaufort County," in line six, the words "Currituck Township, Hyde County."

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.

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 742.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO ESTABLISH RECORDER COURTS IN COLUMBUS COUNTY AND PRESCRIBE THE JURISDICTION THEREOF," BEING HOUSE BILL 844, SENATE BILL 1101, RATIFIED MARCH 2, 1915.

The General Assembly of North Carolina do enact:

SECTION 1. That an act entitled "An act to establish recorder courts in Columbus County and prescribe the jurisdiction thereof," ratified March the second, one thousand nine hundred and fifteen, be amended by striking out the word "Chadbourn" wherever it appears in section twelve of said act. Law amended.

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.

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 743.

AN ACT TO PROVIDE FOR THE REMOVAL OF OBSTRUCTIONS IN SOUTH FORK RIVER IN LINCOLN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. The lands abutting on the South Fork River in Lincoln County, beginning at the Catawba County line and extending to the junction of said river with Clark's Creek west of Lincoln, North Carolina, shall compose the territory embraced within this act. Territory.

SEC. 2. That the owner of each tract of land embraced in this act shall, as soon as practicable after the ratification of this act, cut and remove from the channel of the river all trees, logs, timber, stumps, and other obstructions which in any way interfere with the free and easy flow of the water in said stream, or which are calculated to catch drift in the river bed when the water is high, so as to open and clear from obstruction the entire channel of the stream. Landowners to remove obstructions.

SEC. 3. That T. F. Cline, Thomas J. Ramsour, and Jacob Ramsour are appointed a commission, with power to fill vacancies on the commission, if any occur, and with power and authority to supervise and control the work herein provided for, and with power and authority to determine what material shall be removed from said stream under the provisions of this act. Commission.
Commission to supervise and control work.

Commission to act on failure of landowner.

SEC. 4. That if any landowner shall refuse or fail to remove the obstructions from the stream located on his premises, after fifteen days notice to him by the commission, the commission shall have the right to go upon said land and remove said obstructions, and the expense incurred by the commission in removing said obstructions shall be a lien upon said tract of land, to be sued for by the commission as in other proceedings to enforce liens.

Lien on land for expense.

Corporate name.
Incorporation.

SEC. 5. The commission herein provided for shall be known as the South Fork Commission, and it is hereby made a body corporate, with power to sue and be sued.

Tax for payment of commission.

SEC. 6. That for the purpose of paying the members of the commission for their services in carrying out the provisions of this act, a tax of one cent per acre on every acre of each tract of land abutting on said stream shall be assessed by the commission for each of the years of nineteen hundred and fifteen and nineteen hundred and sixteen. That the assessment roll shall be made out by the commission and given to the sheriff of Lincoln County, who shall collect same as other taxes, and said tax shall be a lien on each tract of land as other tax liens.

Assessment and collection.

Landowners to meet for instructions.

SEC. 7. That it shall be the duty of the commission, immediately after the ratification of this act, to notify each landowner to meet the commission along the stream, and at such meeting the landowner shall be directed as to what he is expected to remove, as well as can be ascertained. But from time to time the commission may direct additional obstructions removed.

Additional work.

Pay of commissioners.

SEC. 8. That the commissioners shall receive for their services not more than two dollars and fifty cents per day each for the time they are engaged, plus all necessary expenses: *Provided*, that whatever moneys are in the hands of the commission when the work is finished shall be prorated among the taxpayers according to their respective acreage.

Proviso: surplus returned pro rata.

Term of commission.

SEC. 9. The commission created herein shall be dissolved April first, nineteen hundred and seventeen.

SEC. 10. This act shall be in force from and after its ratification. Ratified this the 9th day of March, A. D. 1915.

CHAPTER 744.

AN ACT TO AMEND SECTION 1959 OF THE REVISAL SO AS TO INCREASE THE NUMBER OF JURORS IN RANDOLPH COUNTY.

The General Assembly of North Carolina do enact:

First week.

SECTION 1. That section one thousand nine hundred and fifty-nine of the Revisal of one thousand nine hundred and five be amended by striking out the word "thirty-six" in line five thereof

and inserting in lieu thereof the word "forty-two"; by striking out the word "eighteen" in line fourteen and insert in lieu thereof the word "twenty-four"; by striking out the word "eighteen" in line twenty-six thereof and insert in lieu thereof the word "twenty-four."

Second week.

Petit jurors.

SEC. 2. That this act shall apply only to Randolph County.

Application of act.

SEC. 3. That this act shall take effect from and after its ratification.

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 745.

AN ACT TO APPOINT H. A. MARSHALL AND W. Z. BOYD, JR., JUSTICES OF THE PEACE OF No. 6 TOWNSHIP, CRAVEN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That H. A. Marshall and W. Z. Boyd, Jr., be and they are hereby appointed justices of the peace of Number Six Township, Craven County, for the term of six years, and they shall have sixty days after the ratification of this act in which to qualify.

Appointment.

Term.

Time for qualification.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 746.

AN ACT TO PERMIT KITTRELL TOWNSHIP HIGH AND FARM-LIFE SCHOOL DISTRICT, VANCE COUNTY, NORTH CAROLINA, TO VOTE \$15,000 OF BONDS FOR SCHOOL IMPROVEMENT.

The General Assembly of North Carolina do enact:

SECTION 1. That a majority of the school committeemen of the five public school districts in Kittrell Township, Vance County, be and is hereby authorized and empowered to petition the board of county commissioners of Vance County to call an election in said Kittrell Township, at a time and a place to be specified by them, to determine the question, "Shall the Kittrell High and Farm-life School District in Vance County issue bonds of said Kittrell Township, with interest coupons attached, to purchase a school building site and farm in said Kittrell Township, and to erect thereon a suitable building or buildings and dormitories and barns and to

Petition for election.

Election to be on bond issue.

Purpose of bonds.

provide suitable equipment for same, for the use of a school to be known as the High and Farm-life School of Kittrell Township, Vance County, North Carolina: *Provided*, that the amount of said bonds shall not be less than ten thousand dollars nor more than fifteen thousand dollars, and that within the discretion of the board of trustees of the High and Farm-life School, North Carolina, said bonds may be issued in two installments, the first in the sum of ten thousand dollars (\$10,000) and the second in the sum of five thousand dollars (\$5,000)?"

SEC. 2. That upon the request of a majority of the public school committeemen as aforesaid, and petition of one-fourth of the freeholders of said district, it shall be the duty of the county board of commissioners of Vance County to order an election to be held in said High and Farm-life School District at such time and place as may be specified in said request, to determine the question, "Shall the Kittrell Township High and Farm-life School District in Vance County issue not to exceed fifteen thousand dollars of bonds of the said Kittrell Township High and Farm-life School District, with interest coupons attached, to purchase in said district a school building site and farm and to erect thereon a suitable school building or buildings, dormitories, and barns, and to provide therefor suitable equipment?" That said board of county commissioners shall at least thirty days preceding such an election give notice of said election and purpose therefor, by publication in one or more newspapers published in said county and at four such other places as may be determined upon by it.

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

SEC. 4. That at said election the ballots tendered and cast shall have written or printed upon the same "For School Bonds" or

Proviso: amount of bonds.

County commissioners to order election.

Notice of election.

Law governing elections.

New registration.

Proviso: election officers.

Registration and challenges.

Count and return of votes.

Canvass of returns.

Record.

Ballots.

"Against School Bonds," and all qualified electors who favor the issue of bonds shall vote a ticket on which shall be written or printed the words "For School Bonds," and all qualified electors who may be opposed to the issue of bonds shall vote a ticket on which shall be written or printed the words "Against School Bonds."

SEC. 6. That if a majority of the qualified voters vote in said election for school bonds, and the result shall be declared and recorded as aforesaid, then it shall be the duty of the board of county commissioners of Vance County to prepare bonds in denominations not exceeding one thousand dollars and not less than one hundred dollars, the total amount not to exceed fifteen thousand dollars, which said bonds shall bear a rate of interest not to exceed six per cent per annum, with interest coupons attached payable semiannually on the first days of January and July, the principal whereof shall be payable or redeemable at such time or times, not exceeding thirty years from the date of issue, as the said board of commissioners of Vance County may determine; the said bonds and coupons attached thereto shall be signed by the chairman of the board of county commissioners and countersigned by the clerk of said board, and that said bonds shall have upon them the seal of the county; that said bonds shall be styled bonds to purchase in said high and farm-life school district, Kittrell Township, a school building site and farm and to erect thereon a suitable school building or buildings, dormitories, and barns, and to provide therefor suitable equipment.

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

SEC. 7. That when said bonds are issued and sold the proceeds thereof shall be deposited with the Bank of Kittrell, Vance County (which bank is hereby appointed treasurer or financial agent for said district), and the same shall be expended by the county board of education of Vance County in such manner and for such purposes as set forth in sections one and two of this act, as a majority

- of the trustees of said high and farm-life school district shall direct, and no other; that the said Bank of Kittrell shall keep said funds provided for in this act, which shall be deposited therewith. separate from all other funds, and shall keep separate accounts of the same, and for the faithful performance of its duties in this respect the said Bank of Kittrell shall execute an official bond, payable to the county of Vance, for the use of said trustees in the usual manner, in such an amount as the county board of education may direct: *Provided*, that for the services rendered by said bank as treasurer for said bonds the said Bank of Kittrell shall receive no compensation whatever and shall pay four per cent per annum interest on all funds arising from the sale of the said bonds which may remain in said Bank of Kittrell for a term of six months or more.
- Special tax.** SEC. 8. When said bonds shall have been issued the board of county commissioners of Vance County shall levy annually, at the time of levying State and county taxes, a tax not exceeding forty (40) cents on the hundred dollars of the property and one dollar and twenty cents (\$1.20) on the poll in said high and farm-life school district of said Kittrell Township of Vance County, to provide for the payment of the interest upon the same and to create a sinking fund sufficient to meet the payments of the said bonds at their maturity. The tax so levied shall be collected as other taxes and shall be kept by the treasurer of the school fund as a separate fund, and shall be applied, first, to the payment of the interest upon said bonds; secondly, to the creation of a sinking fund as aforesaid; thirdly, to the maintenance of said high and farm-life school of Vance County; and, lastly, to the aid of the several public elementary schools in said Kittrell Township. The said treasurer of the school fund shall be commissioner of the sinking fund for said bonds, and it shall be his duty to keep said funds invested in some safe security or bond; said commissioner of the sinking fund shall be required to execute such bond as the board of education shall direct for the safe keeping of said fund and the faithful performance of his duties as commissioner, and he shall make such reports from time to time as the board of education or the trustees herein mentioned may direct.
- Reports.** SEC. 9. That if a majority of the votes cast in the election herein provided shall be for school bonds and the result shall be determined and recorded as aforesaid, and in consideration of the special tax on property and polls herein provided, all previous provisions for special school taxes authorized by a vote of the people in their respective school districts of Kittrell Township, Vance County, are hereby made null and void: *Provided, however*, that if a majority of the votes in the election herein provided shall be against school bonds, this act shall not be construed to release or repeal or in any manner to interfere with any special school taxes
- Fund kept separate.**
- Separate accounts.**
- Official bond.**
- Proviso: bank allowed no compensation.**
- Must pay interest.**
- Limit of rate.**
- Collection.**
- Separate fund.**
- Application.**
- Commissioners of sinking fund.**
- Investment.**
- Official bond.**
- Previous taxes nullified.**
- Proviso: taxes not released.**

voted by any of the districts in said Kittrell Township, Vance County, for school purposes.

SEC. 10. That this act shall apply only to the High and Farm-life School District of Kittrell Township, Vance County. Application of act.

SEC. 11. That all laws and clauses of laws in conflict with this act are hereby repealed.

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

Ratified this 9th day of March, A. D. 1915.

CHAPTER 747.

AN ACT TO FIX THE COMPENSATION OF MEMBERS OF BOARD OF COMMISSIONERS OF CLEVELAND COUNTY WHEN ENGAGED IN COMMITTEE WORK AND TO RELIEVE SAID COMMISSIONERS FOR PENALTIES FOR AUDITING UNVERIFIED CLAIMS.

The General Assembly of North Carolina do enact:

SECTION 1. That whenever in the judgment of the board of commissioners of Cleveland County it will be for the interest and benefit of Cleveland County to have any work being done on behalf of the county personally inspected or superintended, or to make any special investigation or examination of any matter, contract, or affair or concern of the county of Cleveland, under the jurisdiction of said board of commissioners, which inspection, superintendence, investigation, or examination cannot be made by the board in session, or while in attendance upon the meetings of said board, then the said board may delegate such duty to one or more of its members, appointing such member or members as a special committee to attend to said matter, and shall pay said committeeman for said work; but said committeeman for all services rendered while engaged on said committee work shall receive and be paid not more than the same per diem and mileage he would receive if attending a regular meeting of the board, his bill for said services, upon approval by the board, to be paid by order of the said board; and all allowances for said committee work heretofore made and paid to the members of the board of commissioners of Cleveland County are legalized and ratified. Delegation of special committee.
Pay of committeeman.
Allowances heretofore made ratified.

SEC. 2. The commissioners of Cleveland County now acting or heretofore acting are released, whether as individuals or in their corporate capacity, from any and all penalties incurred by reason of failure to comply with section one thousand three hundred and eighty-five of the Revisal of one thousand nine hundred and five, prior to March first, one thousand nine hundred and fifteen. Penalties released.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 748.

AN ACT TO REGULATE THE KILLING OF SQUIRRELS IN
SAMPSON COUNTY.

The General Assembly of North Carolina do enact:

Opening of season.

SECTION 1. That section one of chapter fifty-six of the Public Laws of one thousand nine hundred and nine be amended by striking out the word "November" in said section and substituting in lieu thereof the word "October": *Provided*, that this act shall apply only to Sampson County.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 749.

AN ACT TO INCREASE THE MEMBERSHIP OF THE BOARD
OF COMMISSIONERS OF CLEVELAND COUNTY AND PRO-
VIDING FOR THE METHOD OF THEIR ELECTION AND
FIXING THEIR TERMS OF OFFICE AND LIMITING THE
POWERS OF THE COMMISSIONERS OF CLEVELAND
COUNTY TO CONTRACT AND BIND THE COUNTY.

The General Assembly of North Carolina do enact:

Increase of number.

SECTION 1. That after the first Monday of December, one thousand nine hundred and sixteen, the board of commissioners of Cleveland County shall be composed of five members, and after said date the districts herein designated and constituted shall each have at all times one member of said board of commissioners, which member shall at all times be a resident of the district for which he is elected or appointed, but said commissioners shall be nominated in the primary and elected at the general election by the voters of the entire county of Cleveland participating in said primary or election, and not by the voters of the district to which the particular member belongs. That for the purpose of carrying out the foregoing provision the county of Cleveland is hereby divided into five districts: District Number One shall be composed of Number One, Number Two, and Number Three townships; District Number Two shall be composed of Number Four and Number Five townships; District Number Three shall be composed of Number Six Township; District Number Four shall be composed of Number Seven and Number Eight townships; and District Number Five shall be composed of Number Nine, Number Ten, and Number Eleven townships.

Residence.

Nomination and election.

Districts.

District number one.
District number two.

District number three.
District number four.
District number five.

SEC. 2. That at the election for members of the General Assembly for the year one thousand nine hundred and sixteen said five members of the board of commissioners of Cleveland County, as provided for in section one foregoing, shall be elected by the qualified voters of Cleveland County as provided for the election of members of the General Assembly, and the term of said commissioners so elected shall begin on the first Monday in December, one thousand nine hundred and sixteen, and the commissioners so elected from Districts Numbers Two, Three, and Four shall hold office for a term of four years; the commissioners so elected from Districts Numbers One and Five shall hold office for a term of two years, all of said terms beginning on the first Monday of December, one thousand nine hundred and sixteen, and upon the expiration of the terms of office of the aforesaid commissioners, as above fixed and set forth, the terms of their successors and of the commissioners thereafter elected shall be four years, the said commissioners to be elected by the qualified voters of the county of Cleveland as provided for members of the General Assembly, and their terms of office to begin on the first Monday of December after their election; but in case of a vacancy on said board arising during the term of office, said vacancy shall be filled by the remaining members of said board of commissioners, and the person appointed to fill said vacancy by the said board shall fill out the unexpired term of the member whom he succeeds, but the board in filling such vacancy or vacancies shall conform to the requirements of section one as to the residence of the member appointed to fill said vacancies.

SEC. 3. That after the ratification of this act the commissioners of Cleveland County shall in no case make any contract or bind Cleveland County in any obligation, expressed or implied, that will exceed the sum of ten thousand dollars, unless the said contract or obligation shall have been heretofore authorized by special statute, or shall have been heretofore submitted to the qualified voters of the county and shall have been approved by a majority of the qualified voters, or by a majority of those voting, as required by law, or unless said contract or obligation is first submitted to the qualified voters of the county and is approved by a majority of those voting on the proposition at such election, and any such contract or obligation, unless so submitted and approved by the voters of the county, shall be absolutely void; and the commissioners of Cleveland County shall in no case incur any indebtedness in any fiscal year for permanent improvements in the way of new bridges, public buildings, or other public improvements, even when same shall be deemed in law a necessary expense, or make any contract or contracts or issue any note or notes, bond or bonds for said purpose, which singly or collectively shall be or create a binding obligation on the county of Cleveland

Election.

Terms.

Terms of successors.

Vacancies.

Residence.

Power to contract limited.

Contract void.

Power to create debt limited.

in excess of ten thousand dollars over and above such sums as the regular revenues of the county for said fiscal year will pay and liquidate, thereby leaving outstanding and unpaid in excess of ten thousand dollars at the close of the fiscal year any such obligation or obligations or indebtedness for which the ordinary revenues of the county after paying the regular and current expenses of the county are insufficient to pay, unless the question is first submitted to the qualified voters of the county and approved by a majority of those voting on the proposition at such election; and any such contract or obligation so made, or note or bond so issued, shall be absolutely void unless the making or issuing of same shall have been submitted to and approved by the voters of the county as hereinbefore provided: *Provided*, that the foregoing provision shall not apply to any indebtedness of the county now existing and outstanding, and as to such indebtedness, the commissioners of Cleveland County are authorized to renew such indebtedness, or fund same from time to time, or to issue notes or bonds of the county and sell same for the purpose of paying or funding such indebtedness, without submitting said question to the voters of the county; and *Provided further*, that the board of commissioners of Cleveland County shall keep a book in which shall be promptly entered the date of all such contracts or obligations entered into by them, or issuing of notes and bonds covered by the provisions of this section, the purpose thereof, amount for which county is obligated thereby, date when due, date from which same shall draw interest, and said book shall be open to public inspection at all times.

Contract obligation,
note, or bond void.

Proviso: out-
standing debt.

Proviso: record of
contract.

Order for election.

SEC. 4. That the commissioners of Cleveland County, in order to ascertain the approval or disapproval of the voters of Cleveland County on any proposition to create any obligation in excess of the ten thousand dollars aforesaid, or incur any indebtedness for public improvements in excess of the ten thousand dollars aforesaid, under the provisions of section three foregoing, shall order an election within a reasonable time. In order to give voters who have become of age and who have otherwise become qualified to vote since the last election for members of the General Assembly, a chance to register shall be given. When the question of incurring such obligation or indebtedness shall be submitted to the voters of the county, those voting in favor of said obligation shall vote a ticket on which is printed the words "For Said Obligation," and those opposed shall vote a ticket on which shall be printed the words "Against Said Obligation." Said election shall be held under the general election law, except that the judges and registrars of said election shall be appointed by the board of commissioners and shall be notified of their appointment by said board. Said election shall be advertised by posting notices at some public place in each election precinct in said county

Registration.

Ballots.

Election officers.

Advertisement.

for forty days before said election and by advertisement of same in some newspaper published in the county of Cleveland for forty days before said election. Said notice and advertisement of said election shall designate the purpose for which said obligation is entered into, or said indebtedness incurred, and it shall be competent and lawful to combine one or more obligations, or to submit a proposition incurring indebtedness for one or more purposes in the same election, but the notice and advertisement of election shall in such case set forth in full the obligations proposed, or the indebtedness incurred, and the purpose thereof. The election returns shall be made to the board of commissioners on the Monday following said election, at twelve o'clock, and the board of commissioners shall canvass the returns and ascertain the results and have the returns recorded in the minute-book of the board of commissioners. After the results have been so ascertained, if it appears that a majority of the votes cast were "For Said Obligation," the board of commissioners are authorized to contract and enter into the obligation or incur the indebtedness that was submitted to the voters; otherwise, it shall be unlawful for the commissioners to enter into said obligation or incur said indebtedness, or undertake the same in any manner, directly or indirectly, and any attempt of the commissioners to bind or obligate the county in excess of the ten thousand dollars, as provided in section three foregoing, without the approval of the voters of the county as herein provided, shall be null and void, and of no binding effect on the county.

Election on diverse propositions.

Notice to state purpose.

Returns.

Canvass.

Effect of election.

Action void.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 750.

AN ACT FOR THE CONSTRUCTION, REPAIR, AND MAINTENANCE OF PUBLIC ROADS IN BELHAVEN ROAD-TAX DISTRICT, BEAUFORT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the territory herein described, situated in Pantego Township, be and the same is hereby created as the Belhaven Road-tax District: Beginning at the town dock in the town of Belhaven, running up Pantego Creek, its various courses, to the Pantego town line; thence with said town line to the main road leading from Pantego to Leechville; thence north three-quarters of a mile; thence eastwardly, paralleling said road (approximately) to the old Way mill site on Pantego River; thence with the various courses of Pungo River back to the beginning.

Road district created.
Name.
Boundary.

Road commissioners.

SEC. 2. That the public roads in said district shall be under the supervision of a board of road commissioners which shall be composed of three members, whose terms of office shall be as follows: F. P. Latham, six years; N. B. Mariner, four years, and W. J. Harris, two years, as members of this commission, the same to hold office until the general election next prior to the expiration of their terms of office herein provided and until their successors are elected, one every two years, and qualified, each for a term of six years. All vacancies caused by death, resignation, failure to qualify, or for any other cause shall be filled by the remaining members of the board of road commissioners. Said board of road commissioners shall hold quarterly meetings at Belhaven, North Carolina, on the first Saturday in January, April, July, and October of each year.

Appointment and terms.
Election of successors.

Vacancies.

Quarterly meetings.

Road sections.

SEC. 3. The board of road commissioners shall divide and lay off all public roads in said district into convenient sections, numbering each section, and shall appoint some good, competent man living in said section as overseer, and shall prescribe the duties of said overseer, and whose term of office shall be two years from the date of appointment.

Overseers.

Term.

Road duty.

SEC. 4. That the said overseer shall have the authority and power to order out and work, not to exceed six days in any one calendar year, all able-bodied male citizens between the ages of twenty-one and forty-five years living on said road, except members of the board of road commissioners; but he shall be required to give each road hand at least two days notice, which notice shall contain place of meeting on the road, the hour of such meeting, and the character of tool to furnish; and each road hand so notified shall be required to appear at the time and place, with the tool specified, and work as directed by the said overseer, not less than eight hours nor more than ten hours each day required by said overseer: *Provided*, that extra days work may be required by persons liable to work under this section when extreme weather conditions make it necessary to repair the roads: *Provided further*, that any person summoned as aforesaid who shall by twelve o'clock of the day preceding the one appointed for work on the road pay to the overseer the sum of one dollar (\$1) shall be relieved from work on the road for one day. The money thus collected by the overseer shall be deposited with the treasurer as provided in section eight. Such sums shall be used to pay for repair of the road to which the person making the payment was summoned: *Provided further*, that any person who shall furnish one able-bodied hand as a substitute, with implement directed, shall be held to have complied with this chapter.

Warning.

Day's work.

Proviso: emergency.

Proviso: commutation.

Use of commutation money.
Proviso: substitutes.

Road commissioners to levy tax.

SEC. 5. That the board of road commissioners of said district, in order to provide for the improvement of the public roads of said district, shall on the last Saturday in April, one thousand nine

hundred and fifteen, and annually thereafter levy a special tax of ten (10) cents on the one hundred dollars valuation of all subjects of taxation contained within said district, and the money arising from said levy shall be used exclusively by the road commissioners for the purpose of improving the public roads and bridges of said district and in such manner and at such points as may appear to said commissioners to be for the best interest of the entire district.

Rate.
Specific appropriation.

SEC. 6. That the said board of road commissioners hereinbefore provided for shall have full power and authority to adopt such rules and regulations for the government of the road overseer as they shall deem for the best interest of the public roads, and that such rules and regulations when adopted shall be mandatory upon said overseers, and upon conviction of any violation thereof the overseer so violating shall forfeit and pay a fine of ten dollars (\$10) for each and every offense, which fine shall be expended upon the public roads of said district by the board of road commissioners.

Rules and regulations.

Rules mandatory.

Forfeit for violation.

SEC. 7. That the sheriff of Beaufort County is hereby appointed collector of the aforesaid road-tax district and shall receive as compensation for the collection of said tax three per cent of all moneys collected and paid over to the treasurer.

Tax collector.
Commission.

SEC. 8. That the cashier of the Bank of Belhaven shall be the treasurer of the said road district, and shall perform the duties of treasurer without compensation.

Treasurer.

SEC. 9. That the said board of road commissioners shall hold office until the next general election, at which time their successors shall be elected in the same manner as is now provided by the law for the election of all township officers.

Term of office and election of successors.

SEC. 10. That any person subject to road duty who, after being notified as is herein provided, shall neglect or refuse to perform the duties required of him in the manner prescribed by the board of road commissioners under direction of the overseer in charge of said road, shall, upon conviction, forfeit and pay a fine of five dollars for such offense, which fine shall be paid over to the said road commissioners and used by them for the repair and construction of roads in said districts.

Forfeit for neglect of road duty.

SEC. 11. That it shall be unlawful for any person to construct a ditch or waterway across any public road in said district, except with the consent of the said board of road commissioners, and when said consent is obtained it shall be the duty of such person to cover said ditch or drainway with a good plank bridge of not less than two inches in thickness, or by tiling the same in a good workmanlike manner, and persons violating this section shall be guilty of a misdemeanor and upon conviction be fined not less than ten or more than twenty-five dollars, which fine when collected shall be spent upon the public roads of said district as is hereinbefore provided.

Ditches across roads.

Bridge or culvert.

Misdemeanor.
Punishment.

- Order for bridges or culverts. SEC. 12. That the said board of road commissioners shall at their first meeting order all overseers and owners of ditches and drainways which cross any public road in said district to cover said ditch or drainway, within a limited time, with good substantial plank bridges or underground waterway, and any such overseer or owner who refuses to comply with this section shall be guilty of a misdemeanor.
- Misdemeanor.
- Leaving obstructions unlawful. SEC. 13. That it shall be unlawful for any person to leave upon any public road in said district any log or other obstruction on more than one side of any public road, and shall leave at least eight feet of clear space from center of road and such log or obstruction for traffic, and any person or persons, firms or corporations violating this section shall be guilty of a misdemeanor.
- Misdemeanor.
- Plowing into roads. SEC. 14. That it shall be unlawful for any person to plow into or along the surface of any public road in said district within fifteen feet of the center of said road at any point or in any wise cut up or damage the surface of said road, and any person violating this section shall be guilty of a misdemeanor.
- Misdemeanor.
- Overseers to report semiannually. SEC. 15. That the overseer provided for in this act shall file a semiannual report on the first Saturday in July and the first Saturday in January to the board of road commissioners, showing the present condition of his road, the number of days worked on his section since the last meeting, the number and names of hands who attended and worked each day, the number and names of hands who paid one dollar per day in lieu of work and the amount each paid, the number and names of hands who furnished an able-bodied hand to take his place and name of hand so substituted, number and names of hands who failed to attend and work, number and names of hands who attended and refused to obey the directions of the overseer and spent their time in idleness, whether or not they were legally summoned, and whether or not they paid the one dollar and a half as before provided. The said overseer shall, before some person authorized to administer an oath, make written affidavit that the report is true and correct. Upon this report, sworn to as aforesaid, if it shall appear that any of the hands, after being legally summoned, have failed to attend and work on said road, or that they did not pay the one dollar, then it shall be the duty of the said board of road commissioners to prosecute the delinquent in the recorder's court of Pantego Township.
- Details of report.
- Verification.
- Prosecution of delinquents.
- Vouchers. SEC. 16. Any work that an overseer is authorized to do by the board of road commissioners shall be paid for upon voucher signed by the overseer, giving an itemized statement of the purpose for which the expenditure was made. If the amount is approved by the board, warrant shall be issued by the chairman and one other member of the board and countersigned by the treasurer. All other work authorized by the board of road commissioners shall be paid and vouchers approved by the chairman and one other member of
- Warrants.

the board by issuing warrant upon the treasurer of the road district for the amount of the expenditure.

SEC. 17. The board of road commissioners are herewith authorized to borrow what money they may consider necessary to carry on the road work authorized in this act until the taxes authorized by this act are collected, and they are hereby authorized and directed to use sufficient of the said taxes, when collected, in repayment of any loan secured under this section. Power to borrow money.
Repayment.

SEC. 18. That all laws and clauses of laws in conflict with this act are herewith repealed.

SEC. 19. That this act shall be in force and effect from and after its ratification.

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 751.

AN ACT APPOINTING SANFORD L. ROTTER A JUSTICE OF THE PEACE FOR RALEIGH TOWNSHIP, WAKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Sanford L. Rotter be and he is hereby appointed a justice of the peace for Raleigh Township, Wake County, for the period of two years, and he shall have sixty days from the ratification of this act in which to qualify. Appointment.
Term.
Time to qualify.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 752.

AN ACT TO RATIFY AND APPROVE BONDS ISSUED BY CLAY COUNTY AND VALLEYTOWN TOWNSHIP IN AID OF HIAWASSEE VALLEY RAILWAY.

Whereas the representatives of Clay County and Valleytown Township in Cherokee County have heretofore sold bonds in the sum of seventy-five thousand dollars each, on behalf of Hiawassee Valley Railway; and whereas the General Assembly is desirous of removing any question which might arise relating to the regularity of the issuance and sale of said bonds: Therefore, Preamble.
Preamble.

The General Assembly of North Carolina do enact:

SECTION 1. That the bonds heretofore issued by Clay County and Valleytown Township in aid of the Hiawassee Valley Railway Bonds declared valid.

Company under the provisions of chapter two hundred and fifty-four of the Private Laws of one thousand nine hundred and thirteen be and the same are hereby in all respects ratified, approved, and confirmed, and the same are hereby declared to constitute valid and binding obligations of said county and said township.

Proceedings and actions ratified.

SEC. 2. That the proceedings and all actions heretofore had by the representatives of said county and township relating to the issuance and sale of said bonds be and the same are hereby ratified and approved.

SEC. 3. That this act shall become effective from and after its ratification.

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 753.

AN ACT SUPPLEMENTARY TO AND AMENDATORY OF HOUSE BILL No. 258, SENATE BILL No. 31, RATIFIED FEBRUARY 12, 1915, ENTITLED "AN ACT TO CREATE A HIGHWAY COMMISSION FOR THE COUNTY OF PASQUOTANK."

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill number two hundred and fifty-eight, Senate Bill number thirty-one, ratified February twelfth, one thousand nine hundred and fifteen, entitled "An act to create a highway commission for the county of Pasquotank," be and the same is hereby amended by striking out all of said section and inserting in lieu thereof the following:

"SEC. 13. It shall be unlawful for any person, firm, or corporation to drain water from his, their, or its land into any public ditch or road in said county, except as hereinafter provided, and any person, firm, or corporation so offending shall be guilty of a misdemeanor and fined or imprisoned, in the discretion of the court: *Provided*, the foregoing provision shall not be enforced or effective until after the expiration of six months from the date of the ratification of this act: *Provided further*, that any person, firm, or corporation desiring to drain water into such ditch or road may make application for such right of drainage to the highway commission at a regular meeting of such commission, when at such session it shall be incumbent upon such person, firm, or corporation to prove that he, they, or it have caused notice of such intended application to be advertised for a period of not less than twenty days immediately preceding the date of such application, such advertisement to be made at the courthouse door and three

Draining into public ditch or road.

Misdemeanor.

Punishment.

Proviso: time for enforcement.

Proviso: application for drainage right.

Proof of notice.

other public places in said county. Such advertisement shall state when the application for such drainage is to be made, the time and place of the hearing, and the number of acres of land proposed to be drained, and with a general description as to the location of the same. If at the hearing of such petition or application the highway commission, in open session, shall unanimously agree to permit and authorize such right of drainage, then said highway commission shall cause such authorization to be entered in a permanent record kept for that purpose and open at all times for public inspection, and a permit shall issue authorizing such drainage, and such permit shall be signed by its chairman, countersigned by its secretary, and attested by the corporate seal of the said highway commission. The issuing of such permit shall authorize the party making such application to use the road or ditch specified therein to be used for drainage: *Provided further*, that such permit shall have embodied therein a condition that in case it is at any time after its issue and authorization determined by the highway commission that the road or ditch authorized to be drained into shall be improved, the person, firm, or corporation holding such permit shall, after ninety days from notice given of such determination, have no right to continue such drainage, and such notice of such intended improvement shall have the effect of canceling and rendering null any such permit, and the said highway commission shall be thereby forever afterwards precluded from allowing, under any circumstances, drainage into such ditch or road improved under the provisions of this act; and if any person draining across the roads of Pasquotank County, and who is required by law to keep up the bridge over the same, shall fail or refuse to repair or rebuild his bridge when notified to do so by the superintendent of highways or other person in authority of said public road, within ten days from such notice, the highway commission or superintendent of highways shall have power to put the bridge in good order at the expense of the owner, and the cost of such repairing or rebuilding shall be a tax or lien upon said property so drained and shall be collected by the sheriff of said county when so ordered by the highway commission, as other taxes are collected: *Provided*, that this act shall not relieve the owner from criminal prosecution according to law: *Provided further*, that all bridges, pipes, culverts, or other drainways so constructed across the public roads shall be constructed according to plans approved in writing by the road superintendent."

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

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

Ratified this the 9th day of March, A. D. 1915.

Record and issue of permit.

Condition of permit.

Cancellation of permit.

Bridges across drains.

Lien for cost.

Proviso: criminal prosecution.
Proviso: plans approved.

CHAPTER 754.

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS
OF BUNCOMBE COUNTY TO PAVE WOOLSEY AVENUE.

The General Assembly of North Carolina do enact:

Duty imposed on
county commis-
sioners.

SECTION 1. That the board of commissioners of Buncombe County shall have full power and authority and it is hereby made their duty to grade, pave, and otherwise improve for travel a certain public street known as Woolsey Avenue from the corporation line of the city of Asheville northward to the forks of said Woolsey Avenue at a point northwest of the Grace Episcopal Church, and to put down crossings, curbings, and cross-drains, and otherwise properly improve said street; and the said board of county commissioners shall begin the said work at once and prosecute the same as vigorously as practicable under the provisions of this act: *Provided, however,* that the nature and kind of material used in such improvement shall be left to the discretion of said board of commissioners; and *Provided further,* that said board shall have power and authority to widen said street and do such other necessary things as they may deem necessary to fully carry out the intents and purposes of this act.

Beginning and
prosecution of
work.

Proviso: material.

Proviso: power to
widen street.

Assessment on
abutting property.

SEC. 2. That in order to more fully carry out the duty imposed by this act, the said board of commissioners shall assess one-half of the cost of the grading, paving, and improvement of said street, and all necessary drains and crossings necessary in making said improvement on the real estate abutting on said street or portion thereof so improved, assessing one-fourth the cost of such improvement on the real estate abutting on each side of said street or part thereof so improved or repaired.

Proportion of
assessment.

Estimate of cost.

SEC. 3. That to equalize the assessments on real estate for the purposes described in sections one and two of this act, the said board of county commissioners shall estimate the total cost of such improvement made throughout the entire length of such work and improvement, and shall then prorate the cost thereof on the real estate abutting thereon in proportion to the frontage on the street or portion of the street so improved, and charge to and assess upon the real estate upon each side of the street upon which said work is done its pro rata share of one-fourth of the cost of such improvement made under the provisions of this act: *Provided, however,* in order to avoid obstructing landowners in dividing and selling their property by reason of the liens hereby created upon the same, such landowners may subdivide their lands in such manner as they may see fit, and shall file in the office of the county clerk a plat of subdivisions, making the lots fronting on the streets so paved or improved of any desired frontage, but not less than

Assessment pro-
portioned to
frontage.

Proviso: sub-
divisions.

one hundred and fifty feet in depth, and the assessments made and the liens created by virtue hereof for street improvements shall hereafter affect and attach to such front lots only, not less than one hundred and fifty feet in depth, and where in such cases any lands fronting on such improvements are so subdivided into lots, each of said lots fronting on such improvements shall be and remain charged with its ratable proportion of said assessments and lien according to its frontage; and it shall be the duty of the said board to have the said street accurately surveyed and a permanent grade thereof established, and cause an accurate map to be made of the various lots and lands abutting on said street or portion thereof so proposed to be improved, showing the exact frontage of each lot, and also the subdivisions, if any, and the said map shall be filed in the office of the county clerk, to be subject to public inspection; and when the assessments and liens herein provided for shall have been made upon the various lots and properties on the street, the said county clerk shall write upon the said map the amount assessed upon the same, and he shall keep a proper record book showing such assessments, liens, and the date and amount of all payments made on any of said assessments and liens.

SEC. 4. That the amount of the assessments for such street improvements as hereinbefore provided, being estimated on each piece of real estate as above directed, shall be a lien on such real estate, and the said board of county commissioners shall cause the county engineer to make a survey and a report of the amount of work done and the cost thereof, showing the name of each abutting property owner thereon, the number of front feet of each lot, and the pro rata shares of such cost of such street improvement to be assessed against such real estate, and upon the adoption and approval of said report, the liens authorized herein shall become complete and operative, and shall be paramount to all other liens on said real estate except the liens for taxes thereon, and the said report shall be transcribed upon the minutes of the said board of commissioners, and the amount of said liens and of said assessments against all property abutting on said streets as aforesaid shall become instantly due and payable: *Provided, however*, that the board of commissioners may in their discretion permit said landowners to pay their said liens and assessments in deferred payments of one-fifth in thirty days after the adoption of said report and the balance in four equal annual installments, which deferred payments shall bear interest at the rate of six per centum per annum from the date of the approval of said report until paid, and the said board of commissioners may in their discretion allow two per cent discount to any landowner who wishes to pay his entire assessment in cash, and upon the filing of said report the said board of commissioners shall cause ten days notice to be

Liens attached to front lots.

Survey, grade, and map.

Map filed.

Assessments entered on map. Record book.

Lien of assessments.

Survey and report by county engineer.

Liens operative and paramount.

Record of report.

Assessments due.

Proviso: payment in installments.

Discount for cash payment.

Notice for consideration of report.

given by publication in some newspaper published in the city of Asheville, stating that such report has been filed in the office of the county clerk, and that at the first regular meeting of the said board of commissioners to be held after the expiration of said ten days notice the said board of commissioners would consider said report, and if no valid objection be made thereto, the same would be adopted and approved by said board. Any owner of land affected by said lien for assessments shall have the right to be heard concerning the same before the said board of commissioners, by filing objections thereto in writing duly verified by his oath, in the office of the county clerk, at least two days prior to the first meeting of the board at which said report may be approved and confirmed, but not thereafter; and any person so objecting to the confirmation or approval of said report shall state in said objections, in writing, what part, if any, of said assessments he admits to be lawfully chargeable to his said land and what part thereof he disputes, and said board of commissioners shall hear said objections, and shall thereafter approve or confirm said report, and overrule said objections or modify or correct said report in such manner as to make the same correspond with the true intent and meaning of this act. Any person who shall have filed objections as aforesaid to the confirmation of said report shall have the right within five days after the approval or confirmation of the same by the said board, and not after that time, to appeal from the said decision of the said board of commissioners to the next term of the Superior Court of Buncombe County, North Carolina, by serving upon said county notice in writing of his intention so to do, and specifying in said notice the item or items in said report which he disputes, and by filing within said time in the office of the clerk of the Superior Court of Buncombe County a written undertaking in an amount of at least the sum of his said liens or assessments, with sufficient surety, to be justified before and approved by said clerk, to the effect that said appellant will pay the said county all such costs and damages as it may sustain by reason of such appeal, if the court shall finally render judgment against such appellant. In case of an appeal as aforesaid, a copy of said report, in so far as it affects the property of the appellant, as the same was approved by the board of commissioners, a copy of the objections of the appellant thereto and of said notice, duly certified by the county clerk, shall constitute the record on appeal, and when filed in the office of the clerk of the Superior Court the same shall be docketed on the civil-issue docket in the name of the person taking such appeal against the commissioners of Buncombe County as "an appeal from an assessment," and the cause shall then be deemed to be an issue without any further plea on the part of said county, but said county shall have the right to file a further answer or defense thereto, and said cause shall stand for trial at the next

Objections in writing and verified.

Time for filing.

Action by board.

Right of appeal.

Bond on appeal.

Case on appeal.

Docketing appeal.

Right to file answer.
Trial term.

term of the court beginning more than ten days after the docketing of said appeal: *Provided*, that if said appeal is not docketed and said bond is not filed by the appellant within ten days after the confirmation of said report, all right to prosecute such appeal shall be thereby forfeited; and upon the trial of the issues arising on such appeal, if all the issues be found in favor of the appellant, the lien for said assessment shall be discharged. If, however, the issues or any of them be found in favor of the county of Buncombe to any amount, and if it be thereby ascertained that the appellant is due to said county any amount by virtue of the matters therein referred to, or that said land is subject to a lien for said assessments, or any part thereof, then the amount so found in favor of the county of Buncombe, with interest thereon, together with costs thereon accrued, which costs shall be assessed as costs in other civil actions, shall be and continue a lien against the property upon which the original assessment was placed from the date of the approval of said report by said board of commissioners, and shall be collected by the tax collector in such manner as other taxes and assessments herein provided for are collected. The adoption and approval of said report of the county engineer by the said board of commissioners shall complete the said liens for the amount therein stated against each of the separate pieces of real estate therein described, and the same shall become due and payable as aforesaid; and in case of a failure to pay either of said assessments or any installment thereof within thirty days after its maturity, then the whole thereof shall become immediately due and payable, and an execution shall be issued by the county clerk directed to the tax collector of said county, who shall advertise the land upon which the said assessments so in default have been made as aforesaid, in the same manner as is required by law for the sale of land for taxes, and shall sell the said land, or a portion thereof, at the courthouse door of Buncombe County, North Carolina, in the same manner as he is required to sell real estate in said county in case of the failure to pay the taxes thereon, and shall give to the purchaser a receipt stating the time the land was advertised, the date of sale, the name of the purchaser, the price paid, the amount of the assessments due thereon, the costs of the sale, the name of the owner or owners of the land sold, the interest in said land so sold as aforesaid, and a description of the same, and the owner or owners of the land so sold as aforesaid shall have twelve months in which to redeem the said lands from such sale by paying to the tax collector of said county the amount for which said lands were sold, together with twenty per cent per annum additional thereto. In making such sale the said tax collector shall set up and offer for sale the whole of the real estate to be so sold, and the same, or the smallest interest thereof, shall be struck off to the person

Proviso: time for appeal.

Judgment.

Total due on failure to pay installment.

Execution and sale of land.

Time for redemption.

Sale.

who will pay the amount of the assessments due thereon, with all costs and expenses for making the sale, for the smallest interest in said land. For every piece of real estate or part thereof so advertised, said tax collector shall also collect in the same manner as such assessments are collected the sum of one dollar to defray the expenses of such advertisement. All such sales shall be made to the highest bidder for cash, on any day of the week except Sunday or legal holidays, and he shall be deemed the highest bidder who shall pay such assessments and expenses of the sale for the smallest interest in said real estate; and if no person shall bid enough to pay such assessments and expenses, the said tax collector shall bid on behalf of Buncombe County the amount of such assessments and expenses, and if no higher bid shall be made, the same shall be struck off to the said county as hereinbefore provided, and the same shall belong to the county in fee simple, unless redeemed in the manner prescribed by law; and the said tax collector shall immediately thereafter make a return to the board of commissioners of said county by filing with the county clerk a statement of the proceedings showing the purchaser or purchasers of said real estate, and the amount of interest in such real estate or each part thereof that was sold, and the same shall be entered by the clerk upon the minute-books of said board of commissioners; and if the lands so sold as aforesaid are not redeemed within twelve months, then the tax collector of said county shall make to the purchaser or purchasers a deed in fee simple for the said lands, or the interest thereof so sold as aforesaid, and the said deed shall operate to convey to the purchaser and his heirs the title to the said lands that the owner thereof was vested: *Provided, however*, that the owner of the lands subject to the liens and assessments hereinbefore mentioned shall have the privilege of paying off all of said assessments at any time before maturity, and such payment shall be a release and discharge of the said liens.

SEC. 5. The board of county commissioners of said county by their proper officers shall have exclusive control and management of the work of improvement authorized under this act, and the cost thereof shall be paid out of the funds derived under this act, or any other funds of the county of Buncombe that may be available for such purpose, and the county itself shall be liable for one-half the costs and expenses of improving the said street as herein provided: *Provided, however*, that whatever of the cost of the street improvements which may be paid or assessed against the property of any street railroad or railway company as provided for in this act shall be deducted from the proportion of the costs of such improvement for which the said county and property owners are liable as aforesaid, whether such street railway or street railroad shall run through the center or upon either side of the street so improved as aforesaid.

Cost of advertise-
ment.

Sale for cash.

Highest bidder.

Bid for county.

Return of pro-
ceedings.

Deed for property
not redeemed.

Proviso: payment
release of liens.

Control and man-
agement of work.

Funds for payment.

Proviso: assess-
ments on railroad
and street railway
companies.

- SEC. 6. That should it become necessary to condemn lands for the purpose of widening said street, or for other purposes, the board of county commissioners are authorized and empowered to condemn lands for that purpose under the provisions of chapter eighty of the Public Laws of North Carolina, session one thousand nine hundred and nine, and other acts relative to the laying out and working the public roads of Buncombe County and acts amendatory thereto.
- SEC. 7. Any street railroad or other railway or other company of any character which now has constructed a line of road or a track on said street, or which may hereafter construct or lay a track upon said street, shall maintain such track or road or part thereof, or construct the same only upon the following conditions: it shall use only rails and other material as the board of commissioners may designate; it shall properly grade, complete, and pave the streets between its rails, and one foot on each side thereof, in such manner and with such materials as the board of commissioners may direct; it shall keep such streets between said rails in good condition and repair, and in such condition and repair as said board of commissioners may from time to time order, as long as it shall use the same; if it shall fail to comply with any of the provisions of this act, and shall fail to keep the road between its tracks in good repair as aforesaid, the said board of commissioners may cause anything to be done which said railroad has so failed to do, and the costs thereof shall be charged against such railroad or other company, and constitute a lien from the commencement of the work paramount to every other lien upon the charter and franchise of such railroad, and upon all the property of whatever kind of such railroad in said county of Buncombe, and such property may be sold for the payment thereof in the manner herein prescribed for the sale of property for the payment of liens and assessments for street improvements, and such failure on the part of said railroad shall operate as a forfeiture of its right to use such street or any part thereof, as the board of commissioners may determine, and the said street railroad company or other railway company using said street as aforesaid shall change and relocate its tracks at points along said road as the board of commissioners may designate, and it may be required by said board to either run its said tracks along the side of said road or the center thereof, and any failure to obey the orders of said board shall operate as a forfeiture of said company to use said street.
- SEC. 8. That wherever the word "clerk" is used in this act it shall mean the register of deeds as *ex officio* clerk to the board of county commissioners.
- SEC. 9. This act shall only apply to the street known as Woolsey Avenue from the corporation line of the city of Asheville northward to the forks of said road at a point northwest of the Grace Episcopal Church.

Power to condemn land.
Procedure.

Conditions for construction and maintenance of tracks.

Rails and material.
Paving.

Maintenance.

Work by county.

Lien.

Enforcement of payment.

Forfeiture.

Location of tracks.

Clerk defined.

Application of act.

Powers vested in county commissioners.

SEC. 10. That the board of county commissioners of said county are hereby vested with all power and authority of every kind necessary to fully carry out the provisions of this act.

Woolsey avenue defined.

SEC. 11. That the words "Woolsey Avenue" as used in this act shall mean that street leading from Merrimon Avenue at the corporation line of the city of Asheville northward to Beaverdam, and for the purposes of this act shall end at the forks of said road a short distance northwest of a rock church known as the Grace Episcopal Church.

"Pave" defined.

SEC. 12. The word "pave" as used in this act shall mean a pavement of a permanent nature which shall consist of crushed stone mixed with asphalt and rolled according to the specifications of the Department of Public Roads of the United States Government for the "mixing method," or other specifications and material equally durable and permanent.

Money kept separate.

SEC. 13. That all moneys collected under this act shall be kept separate and apart by the treasurer of said county in a special fund to be called "Woolsey Avenue Improvement Fund."

SEC. 14. That all laws in conflict with the provisions of this act be and the same are hereby repealed.

SEC. 15. This act shall be in force from and after its ratification. Ratified this the 9th day of March, A. D. 1915.

CHAPTER 755.

AN ACT TO CREATE A RECORDER'S COURT FOR WAKE FOREST TOWNSHIP, WAKE COUNTY, AND TO PRESCRIBE THE JURISDICTION THEREOF.

The General Assembly of North Carolina do enact:

Court created.

SECTION 1. A special court for the trial of civil causes and petty misdemeanors committed in the town of Wake Forest and in Wake Forest Township, Wake County, and to be designated as the "Recorder's Court of Wake Forest," is hereby created and established.

Designation.

Court of record.

SEC. 2. Said court shall be a court of record, and it shall be presided over by a recorder, who shall be a qualified voter of Wake

Recorder.

Substitute recorder.

Forest Township, Wake County, and in his absence or sickness, by a substitute recorder, who shall possess the qualifications of the recorder.

Election of recorder.

SEC. 3. Said recorder shall, at the expiration of the term of the recorder elected by the board of commissioners to preside over said court, as hereinafter provided, until the first Tuesday in June, one thousand nine hundred and fifteen, be elected by the people at a general election to be held for officers of the town of Wake Forest on the first Monday in May, one thousand nine hundred and fifteen. The commissioners of the town of Wake Forest shall provide

Ballot box.

a separate box in which to vote for said recorder at the several polling places in Wake Forest Township, and the election of said recorder shall be held and the result declared in the same manner as is now provided for the election of the mayor of said town. Said recorder so elected shall qualify as such recorder on the first Tuesday in June, one thousand nine hundred and fifteen, and shall hold office for a term of two years. Said recorder shall be elected every two years at the time of the general election of the town of Wake Forest, and shall qualify as such recorder on the first Tuesday in June every two years thereafter. He shall take and subscribe the oath required of judges of the Superior Court and shall receive a salary to be determined and paid by the board of commissioners, out of the treasury of the town of Wake Forest, but said salary shall not exceed fifty dollars per month.

Law governing election.

Qualification and term.

Biennial election.

Oath of office.

Salary.

SEC. 4. The court shall hold daily sessions, Sundays and legal holidays excepted, in the town of Wake Forest, at a place to be designated by a resolution of the board of commissioners of said town, the first session to be held on the first day after the qualification of said recorder as hereinafter provided.

Sessions of court.

First session.

SEC. 5. Said court shall have all jurisdiction and power in all criminal cases arising in the town of Wake Forest and in Wake Forest Township which are now or may hereafter be given to justices of the peace, and in addition to the jurisdiction conferred by this section shall have exclusive, original, final jurisdiction of all other criminal offenses committed in the town of Wake Forest and in Wake Forest Township below the grade of felony as now defined by law, and the same are hereby declared to be petty misdemeanors. The crimes of larceny, and of receiving stolen goods knowing them to have been stolen, wherein the value of the property does not exceed twenty dollars, are hereby declared to be petty misdemeanors and within the final jurisdiction of this court.

Jurisdiction in criminal cases.

Petty misdemeanors.

SEC. 6. That in addition to the jurisdiction given in section five of this act, said court is hereby given concurrent jurisdiction with justices of the peace in Wake Forest Township to hear and bind over to the proper court all persons charged with crime committed within Wake Forest Township, final jurisdiction of which is not conferred on this court by this act; and the cost of the arrest, trial, and commitment of persons so tried and bound over shall be paid to the town of Wake Forest by the county commissioners of Wake County, upon the bill being verified and filed with said commissioners by the clerk of said recorder's court as hereinafter provided.

Jurisdiction as court of commitment.

Costs paid to town.

SEC. 7. When, upon affidavit made before entering upon the trial of any case before any justice of the peace, it shall appear proper for said case to be removed for trial to some other justice in Wake Forest Township as is now provided by law, said cause may be removed for trial to said recorder's court of Wake Forest.

Removal to recorder's court.

- Recognizances to recorder's court. SEC. 8. In all criminal cases heard by justices of the peace or other committing magistrates in Wake Forest Township against any person or persons for any offense included in section five of this act, in which probable cause of guilt is found, such person or persons shall be bound in a personal recognizance, with surety, to appear at the next succeeding session of the recorder's court for trial, and in default of such surety such person or persons shall be committed to the common jail of Wake County or to the town lock-up in Wake Forest to await trial.
- Commitment in default of bail. SEC. 9. All such justices of the peace and constables and sheriffs shall have the same fees as are now prescribed by law, which fees shall be collected and paid out by the clerk of said recorder's court.
- Fees. SEC. 10. Warrants may be issued by the recorder of said court for any person or persons charged with the commission of any offense of which said court has jurisdiction, and any persons convicted in said court shall have the right of appeal to the Superior Court of Wake County, and upon such appeal the trial in the Superior Court shall be *de novo*.
- Issue of warrants. SEC. 11. All persons convicted in said court of any of the offenses mentioned in any section of this act shall be fined or imprisoned according to law, and any person convicted of any offense shall pay the cost of the prosecution.
- Right of appeal. SEC. 12. Whenever any person is convicted of any offense of which this court has jurisdiction, and the punishment imposed is fine or imprisonment and costs, the recorder shall sentence the defendant to the county jail of Wake County, to be worked upon the public roads of said county until sentence has been complied with.
- Punishment. SEC. 13. The recorder shall preside over said court and try and determine all actions coming before him the jurisdiction of which is conferred by this act, and the proceedings of the said court shall be the same in criminal actions as are prescribed for courts of justices of the peace, and in all cases there shall be a right to appeal on the part of the defendant adjudged guilty to an ensuing term of the Superior Court for the trial of criminal cases, and in all such cases of appeal the defendant shall be required to give bond with sufficient surety to insure the defendant's appearance, and in default thereof the recorder shall commit such defendant to the common jail of Wake County until such defendant shall give bond or be otherwise discharged according to law.
- Costs. SEC. 14. The said court shall also have jurisdiction to try all actions for the recovery of any penalty imposed by law or this act, or by any ordinance of the town of Wake Forest for any act done within the said town of Wake Forest, and said penalty shall be recovered in the name of the town of Wake Forest, and in all cases where judgment shall be entered against any person for fines or penalties, and the person against whom the same is adjudged fails
- Sentences.
- Recorder to preside.
- Proceedings.
- Right of appeal.
- Bond for appearance.
- Commitment on default of bond.
- Jurisdiction in actions for penalties.

or refuses to pay such judgment, it shall be lawful for the recorder to order and require said person to be worked on the public roads of Wake County until, at a fair rate of wages, such person shall have worked out the full amount of said judgment and costs.

Road work for
fines and penalties.

Sec. 15. Said court shall have a seal with the impression "Recorder's Court of Wake Forest," which seal shall be used in attestation of writs, warrants, acts, judgments, decrees, or other proceedings of said court in the same manner and to the same effect as the seal of other courts in the State of North Carolina.

Seal of court.

Sec. 16. The recorder may issue his process to the chief of police or to the town police of the town of Wake Forest, or to the sheriff or constable or other lawful officer of Wake County, and such process when attested by the seal of the recorder's court shall run anywhere in the State of North Carolina and shall be executed by all officers according to law.

Process of court.

Sec. 17. The board of commissioners of Wake Forest shall at the time of the election and qualification of the recorder herein provided and upon the qualification of each succeeding recorder, elect a substitute recorder, who in the absence of the recorder owing to sickness or other disability, shall preside over the said recorder's court, and who shall have all the jurisdiction, power, and authority herein conferred upon the recorder.

Substitute recorder.

Sec. 18. The recorder shall be allowed such costs as are now allowed by law in similar proceedings before justices of the peace, except for trial and judgment in civil actions before the court the fee shall be two dollars for each trial and judgment, and, where there is more than one defendant, one dollar for each additional defendant; and the clerk of said court shall be allowed in all cases, civil and criminal, such costs as are allowed by law in similar proceedings to clerks of the Superior Court, and all such costs recovered and collected in said court shall belong to the town of Wake Forest, to reimburse said town of Wake Forest for salaries paid by it to said recorder and said clerk; and should costs not be sufficient to pay the said salaries, over and above the costs paid to the officer who executed papers for fees attached to such services, then said deficiency shall be paid out of penalties collected for violation of town ordinances, and all fines and forfeitures collected by said court shall be paid to the treasurer of Wake County as provided by law, and all fees allowed by law for an arrest or service of other process in a criminal action, when the same shall have been made by the sheriff, chief of police, or other officer who is on a salary, shall be paid over to the treasurer of the town of Wake Forest for the use of said town and to reimburse it for expense of supporting said court.

Costs.

Fees in civil actions.

Costs allowed clerk.

Costs to use of
town.

Fund for deficiency.

Fines and forfeit-
ures paid to county.

Fees and costs to
town.

Sec. 19. The board of commissioners of the town of Wake Forest shall elect a clerk for said court, who shall be *ex officio* a justice of the peace, with power to issue process returnable before the said

Clerk.

Salary.	court, and who shall be paid a salary of not more than twenty-five dollars per month, to be paid by the town of Wake Forest.
Bond of clerk.	Before entering upon the duties of his office, such clerk shall enter into a bond, with good and sufficient surety in the sum of one thousand dollars, for the true and faithful performance of his duty as clerk and for the faithful accounting of all moneys which may come into his hands as such clerk.
Clerk to keep accounts and records.	SEC. 20. It shall be the duty of the clerk of said court to keep an accurate account and true record of all costs, fines, penalties, forfeitures, and judgments imposed by said court under the provisions of this act, and said record shall show the name of each offender, the nature of the offense, the date of hearing or trial and final judgment or disposition thereon, and in civil cases said record shall show the time of the issuing of summons, the time of the filing of pleadings, and give a brief summary of all proceedings had or orders or decrees made therein, and said record shall at all times be open and subject to inspection by the board of commissioners or any other person having business relating to said court.
Details of record.	He shall provide a permanent docket for recording all processes issued by said court, which shall conform to the dockets kept by the clerk of the Superior Court. He shall also provide proper files to properly keep a record of all cases which shall be disposed of in said court and what disposition has been made of them. The record, dockets, and files herein provided for shall be paid for by the board of commissioners of the town of Wake Forest.
Record open to inspection.	
Permanent docket.	
Files.	
Supplies furnished by town.	
Costs paid by county.	SEC. 21. When any defendant tried and convicted before said court shall be sentenced to the public roads of Wake County, the board of commissioners of the county shall pay to the town of Wake Forest, upon account being filed and verified by the clerk of said court, the proper cost of such action, to reimburse the town of Wake Forest for its expense in maintaining said court.
Cases hearable by mayor.	SEC. 22. All cases which have heretofore been hearable by the mayor of Wake Forest shall, after this act goes into effect, be tried by the recorder appointed in this act.
Jurisdiction in civil actions.	SEC. 23. Said court shall have all jurisdiction and powers in all civil matters arising in the town of Wake Forest and in Wake Forest Township which are now or may hereafter be given to justices of the peace, and in addition thereto shall have exclusive, original, final jurisdiction of all other civil actions arising in said town of Wake Forest and Wake Forest Township, out of contract, where the sum demanded does not exceed five hundred dollars, and those arising out of tort where the value of the property or the amount in controversy does not exceed three hundred dollars. In all civil matters tried by justices of the peace in Wake Forest Township, where either party to the suit appeals from the judgment of said justice, the said case on appeal shall be sent to the recorder's court for a new trial as is now provided by law for the
Actions on contracts.	
Actions on torts.	
Appeals to recorder's court.	
Time for hearing.	

trial of cases in the Superior Court upon appeal from justice's court, and shall be heard at the first sitting of the court after the appeal is sent up: *Provided*, this shall not prevent a continuance of any cause until some future day upon good cause shown to the court. Either plaintiff or defendant in actions in this court may demand and have a jury as provided in courts of justices of the peace; and the recorder in all cases in which in his judgment the ends of justice would be best served may call a jury of his own motion and submit the issue or issues to them in writing, and the cost of the said jury shall be paid by the party cast in said action.

Proviso: continuance.

Jury trials.

Cost of jury taxed.

SEC. 24. Any person desiring to appeal to the Superior Court in a criminal or civil case from a judgment of the recorder's court shall be allowed to do so in the same manner as is now provided for appeals from the courts of justices of the peace.

Appeals to superior court.

SEC. 25. All civil actions shall be commenced in said recorder's court by summons issued by the clerk thereof, and shall be returnable the first Monday after service: *Provided*, service shall be had on or before Wednesday preceding the day of return. The plaintiff shall file a written complaint on the return of such summons. The defendant shall file his written answer or demurrer on or before Wednesday night following the return day of said summons, and the case shall stand for trial on the first Monday after the return day thereof.

Summons in civil actions.
Return.

Proviso: service of summons.
Pleadings.

Trial day.

SEC. 26. All judgments or transcripts thereof rendered by the recorder, at the request of the plaintiff, shall be docketed in the office of the clerk of the Superior Court, and execution shall issue thereon as is now provided by law for executions.

Transcripts docketed.

Execution.

SEC. 27. The board of commissioners of the town of Wake Forest shall at the time of the election of the recorder and clerk herein provided for elect a prosecuting attorney for said court, who shall be a practicing attorney at law, of good moral character, residing in Wake Forest Township, whose duties shall be to prosecute all criminal actions before said court in the name of the State. He shall take and subscribe the oath of office required of solicitors of the judicial districts of North Carolina, and beginning with the first Tuesday in June, one thousand nine hundred and fifteen, shall hold office for a term of two years. The prosecuting attorney elected by said board upon the ratification of this act shall hold his office until the said first Tuesday in June, when his successor shall be elected and shall qualify as above required. The said prosecuting attorney and his successors in office shall receive in full payment for their services the following fees, and no other compensation whatever: For each defendant convicted before said court for violation of an ordinance of the town of Wake Forest, the sum of one dollar shall be taxed by the clerk in the costs of said action and paid to said prosecuting attorney; for each defendant convicted before said court for any other offense of which the

Prosecuting attorney.

Duties.

Oath of office.

Term of office.

First.

Fees of attorney.

court has jurisdiction, the sum of three dollars shall be taxed by the clerk against the defendant in the costs of the said action and collected by the clerk and paid to said prosecuting attorney; he shall receive five per cent of all bonds for appearance forfeited and collected in said court.

Commission on forfeits.

When act effective.

SEC. 28. That the provisions of this act shall go into effect on the first Tuesday in June, one thousand nine hundred and fifteen, if a majority of the votes cast in an election hereinafter provided for shall be "For Recorder's Court."

Recorder may practice law.

SEC. 29. The person appointed recorder by this act, and his successors in office, shall not be debarred, by reason of holding said office, from practicing law in the courts of North Carolina.

Appropriation for salaries forbidden.

SEC. 29½. The board of commissioners of the town of Wake Forest shall not appropriate nor apply to the payment of the salaries of the recorder and clerk hereinbefore provided for a sum greater than the amount collected and paid into the treasury of said town as costs in said court.

Ballot box for election on act.

SEC. 30. That the commissioners of the town of Wake Forest shall at the regular town election to be held on the first Monday in May, one thousand nine hundred and fifteen, provide a separate box at the polling places designated by law in Wake Forest Township in which the voters may cast their votes for or against the establishment of this court. The ballot shall be written or printed and every qualified voter in Wake Forest Township shall have the right to cast his ballot for or against the establishment of such court.

Ballots.

SEC. 31. All laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 32. That this act shall be in force from and after its ratification.

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 756.

AN ACT TO PROVIDE FOR THE DRAINAGE OF ELLERBEE CREEK AND THIRD FORK CREEK IN DURHAM COUNTY.

Preamble.

Whereas there are a great many acres of land on Ellerbee Creek and its tributaries and on Third Fork Creek and its tributaries in Durham County that have been and are liable to be damaged and diminished in value by reason of the shallow and narrow channels of said creeks and their tributaries, by reason of the limited and sluggish flow of said creeks and improper drainage; and whereas tributaries of said streams have their origin in the city of Durham and the villages of East and West Durham, and they drain said territory; and whereas the bottom-lands of said

Preamble.

Preamble.

streams overflow and become wet and soggy and cesspools form and there has been complaint made that the health of those living along said streams has been injured and sickness caused by reason of standing water; and whereas the lands upon and along said creeks and their tributaries would be greatly benefited and improved by proper drainage of said creeks and their tributaries and by the removal of the obstructions now in said streams, and the sanitary condition and health of the public and community in general would be improved; and whereas it is impracticable to have this drainage without legislative aid whereby there can be concentrated effort, resulting in mutual benefit to the owners of property upon said streams and their tributaries: Therefore,

Preamble.

Preamble.

The General Assembly of North Carolina do enact:

SECTION 1. The clerk of the Superior Court of Durham County, State of North Carolina, shall have jurisdiction, power, and authority to establish a drainage district or districts in his county, embracing Ellerbee Creek and its tributaries and the territory adjacent thereto, and a drainage district or districts embracing Third Fork Creek, its tributaries and the territory adjacent thereto, with power, under supervision of the court, as herein provided, to locate and establish levees, drains, or canals, and cause to be constructed, straightened, widened, or deepened any ditch, drain, or channel of said streams or leading into said streams, and to build levees or embankments and erect gates and pumping plants, or to do other needful acts and things for the purpose of draining and reclaiming wet, swamp, or overflowed lands and improving the sanitary conditions along and about said streams; and it is hereby declared that the drainage of said streams and the drainage of the surface water from the lands adjacent to and near said streams, and the reclamation of swamp and marshes shall be considered and deemed a public benefit and conducive to the public health, convenience, utility, and welfare.

Jurisdiction to establish drainage districts.

Territory.

Enumeration of objects.

Public benefit.

SEC. 2. Whenever a petition signed by one or more persons, individuals, corporations, or a municipality owning land upon one or the other or both of said streams or any tributary of either or in the territory drained by one or both of said streams or any tributary of either, shall be filed in the office of the clerk of the Superior Court of Durham County, setting forth that any specific body or district of land in said county upon, adjacent or near to one or the other of said streams, describing the same in such way as to convey an intelligent idea as to the location of such land, is subject to overflow or too wet for cultivation, and that complaint has been made by any one in any form as to the sanitary or physical condition of the same, and that the public benefit or utility or that the public health, convenience, or welfare will be promoted by draining, ditching, or leveeing the same, or by changing or improv-

Petition for drainage.

Recitals.

ing the natural water-courses, and setting forth therein, as far as practicable, the starting point, route, and terminus and lateral branches of the proposed improvement, and there is filed therewith a bond for the amount of fifty dollars per mile for each mile of the ditch or proposed improvement, signed by two or more sureties or by some lawful and authorized surety company, to be approved by the clerk of the Superior Court and conditioned for the payment of all costs and expenses incurred in the proceedings in case the court does not grant the prayer of said petition, the said clerk shall issue a summons to be served on all landowners who have not joined in the petition and whose lands are included in the proposed drainage district. Upon the return day the said clerk shall appoint a disinterested and competent civil and drainage engineer and two resident freeholders of the county as a board of viewers to examine the lands described in the petition and make a preliminary report thereon. Such drainage engineer shall be appointed upon the recommendation of the State Geologist, and compensation for the services of such engineer and his necessary assistants shall be fixed and paid as herein provided. The law and rules regulating special proceedings shall be applicable to this act, so far as may be practicable. The summons may be served by publication as to any defendants who cannot be personally served as provided by law.

SEC. 3. If at the time of the filing of the petition or at any time subsequent thereto it shall be made to appear to the court by affidavit or otherwise that the owner or owners of the whole or any share of any tract or tracts of land whose names are unknown, cannot after due diligence be ascertained by the petitioners, the court shall order a notice in the nature of a summons to be given to all such persons by a publication of the petition, or of the substance thereof, and describing generally the tract or tracts of land as to which the owner or owners are unknown, with the order of the court thereon, in some newspaper published in Durham County, which newspaper or newspapers shall be designated in the order of the court, and a copy of such publication shall also be posted in at least three conspicuous places within the boundaries of the proposed district, and at the courthouse door of the county. Such publication in a newspaper and by posting shall be made for a period of four weeks. After the time of publication shall have expired, if no person claiming and asserting title to the tract or tracts of land and entitled to notice shall appear, the court in its discretion may appoint some disinterested person to represent the unknown owner or owners of said lands, and thereupon the court shall assume jurisdiction of the said tract or tracts of land, and shall adjudicate as to the said lands to the same extent as if the true owners were present and represented, and shall proceed against the land itself. If at any time during the pendency of the drainage

Bond with petition.

Summons.

Board of viewers.

Drainage engineer.

Pay of engineer.

Special proceedings.

Service by publication.

Service by publication of petition.

Time of publication.

Representative appointed.

Landowners made parties on appearance.

proceeding the true owner or owners of the lands shall appear in person, they may be made parties defendant of their own motion and without the necessity of personal service, and shall thereafter be considered as parties to the proceeding, but they shall have no right to except to or appeal from any order or judgment theretofore rendered, as to which the time for filing exceptions on notice shall have expired.

SEC. 4. That the State Treasurer shall pay the compensation and expenses of the drainage engineer and his necessary assistants as provided herein, according to an itemized statement approved by the clerk of the court to whom the petition for a drainage district was made, and the State Geologist, upon warrant of the State Auditor, out of any money in the State Treasury to the credit of the Department of Agriculture: *Provided*, that said sum or sums shall be refunded to the State Treasury to the credit of the Department of Agriculture by the petitioners for the drainage district if the drainage district is not established: *Provided further*, that if the drainage district is established said sum or sums shall be refunded to the State Treasury to the credit of the Department of Agriculture out of the first moneys received from the sale of the bonds of said drainage district: *Provided*, that not more than two thousand dollars shall be advanced to any one district; and *Provided further*, that before any advancement is made for the purposes herein expressed, the bond of the petitioners required by section two of said chapter shall be first approved by the Attorney-General.

Payment of engineer and assistants by State.

Proviso: payment by petitioners.

Proviso: repayment by drainage district.

Proviso: limit of advance.

Proviso: bond approved by attorney-general.

SEC. 5. The board of viewers shall proceed to examine the land described in said petition, and other land if necessary to locate properly such improvement or improvements as are petitioned for, along the route described in the petition or any other route answering the same purpose if found more practicable or feasible, and may make surveys such as may be necessary to determine the boundaries and elevation of the several parts of the district, and shall make and return to the clerk of the Superior Court within thirty days unless the time shall be extended by the court, a written report, which shall set forth:

Examination by board of view.

Return.

Details of report.

1. Whether the proposed drainage is practicable or not.
2. Whether it will benefit the public health or be conducive to the general welfare of the community.
3. Whether the improvement proposed will benefit the lands sought to be benefited.
4. Whether or not all the lands that are benefited are included in the proposed drainage district.

SEC. 6. The clerk of the Superior Court shall consider this report. If the viewers report that the drainage is not practicable or that it will not benefit the public health or be conducive to the general welfare of the community, and the court shall approve

Clerk to consider report.
Petition dismissed.

Institution of further proceedings.	such findings, the petition shall be dismissed at the cost of the petitioners. Such petition or proceeding may again be instituted by the same or additional landowners at any time after six months, upon proper allegations that conditions have changed or that material facts were omitted or overlooked. If the viewers report that the drainage is practicable and that it will benefit the public health or be conducive to the general welfare of the community, and the court shall so find, then the court shall fix a day when the report will be further heard and considered.
Day for further hearing.	
Notice of action on petition.	SEC. 7. If the petition is entertained by the court, notice shall be given by publication for two consecutive weeks in some newspaper of general circulation within the county and also by posting a written or printed notice at the door of the courthouse and at five conspicuous places within the drainage district, that on the date set, naming the day, the court will consider and pass upon the report of the viewers. At least fifteen days shall intervene between the date of the publication and the posting of the notices and the date set for the hearing.
Time of notice.	
Hearing.	SEC. 8. At the date appointed for the hearing the court shall hear and determine any objections that may be offered to the report of the viewers. If it appears that there is any land within the proposed drainage district that will not be affected by the leveeing or drainage thereof, such lands shall be excluded and the names of the owners withdrawn from such proceeding; and if it shall be shown that there is any land not within the proposed district that will be affected by the construction of the proposed levee or drain, the boundary of the district shall be so changed as to include such land, and such additional landowners shall be made parties plaintiff or defendant, respectively, and summons shall issue accordingly, as hereinbefore provided. After such change in the boundary is made, the sufficiency of the petition shall be verified, to determine whether or not it conforms to the requirements of the statute as provided in section two. The efficiency of the drainage or levees may also be determined, and if it appears that the location of any levee or drain can be changed so as to make it more effective, or that other branches or spurs should be constructed, or that any branch or spur projected may be eliminated, or other changes made that will tend to increase the benefits of the proposed works, such modification and changes shall be made by the board. The engineer and the other two viewers may attend this meeting and give any information or evidence that may be sought to verify and substantiate their report. If necessary, the petition as amended shall be referred by the court to the engineer and two viewers for further report. The above facts having been determined to the satisfaction of the court, and the boundaries of the proposed district so determined, it shall declare the establishment of the drainage or levee district, which shall be designated by a name or number, for the object and purpose as herein set forth. If any lands shall be
Proceedings in consideration of petition.	
Establishment of district.	
Designation.	

excluded from said district because of the court having found that such lands will not be affected or benefited, and the names of the owners of such lands have been withdrawn from such proceedings, but such lands are so situated as necessarily to be located within the outer boundaries of said district, such fact shall not prevent the establishment of the district, and said lands shall not be assessed for any drainage tax; but this shall not prevent the district from acquiring a right of way across such lands for constructing a canal or ditch or for any other necessary purpose authorized by law.

Right of way over land not in district.

SEC. 9. If it shall be necessary to acquire a right of way or an outlet over and through lands not affected by the drainage, and the same cannot be acquired by purchase, then and in such event the power of eminent domain is hereby conferred, and the same may be condemned. Such owner or owners of the land proposed to be condemned may be made parties defendant in the manner of an ancillary proceeding, and the procedure shall be substantially as provided for the condemnation of rights of way for railroads in chapter sixty-one of the Revisal of one thousand nine hundred and five, so far as the same may be applicable, and such damages as may be awarded as compensation shall be paid by the board of drainage commissioners out of the first funds which shall be available from the proceeds of sale of bonds or otherwise.

Power to condemn land.

Proceedings in condemnation.

Payment of damages.

SEC. 10. After the district is established the court shall, if necessary, refer the report of the engineer and viewers back to them to make a complete survey, plans, and specifications for the drainage or levees or other improvements, and fix a time when said engineer and viewers shall complete and file their report, not exceeding sixty days.

Survey after establishment.

SEC. 11. The engineer and viewers shall have power to employ such assistants as may be necessary to make a complete survey of the drainage district, and shall enter upon the ground and make a survey of the main drain or drains and the laterals necessary to show the boundaries of the proposed district, the location of the old drains and ditches, and any changes deemed to be necessary, and to make such maps and notes as advisable and necessary preparatory to establishing the district.

Employment of assistants.

Entry on land for survey.

SEC. 12. It shall be the further duty of the engineer and viewers to assess the damages claimed by any one that is justly right and due to them for land taken or for inconvenience imposed because of the construction of the improvement, or for any other legal damages sustained. Such damage shall be considered separate and apart from any benefit the land would receive because of the proposed work, and shall be paid by the board of drainage commissioners when funds shall come into their hands.

Assessment of damages.

Payment.

SEC. 13. It shall be the further duty of the engineer and viewers to personally examine the land in the district and the sanitary condition of the territory, surveying the same and classifying it with

Examination of land and of sanitary conditions.

Classification.	reference to the benefit it will receive from the construction of the ditch, drain, water-course, or other improvement. In the case of drainage, the degree of wetness of the land, its proximity to the ditch or drain or natural outlet, the fertility of the soil, the sanitary condition and the effect upon health shall be considered in determining the amount of benefit any land or locality or any landowner will receive by reason of the drainage; and where for any reason property of any individual, corporation, or municipality shall be especially benefited, that shall also be considered. The land and locality benefited shall be separated into classes. The holdings of any one landowner need not necessarily be all in one class. Where it is necessary they shall ascertain the number of acres in each class and the number of acres owned by each person, corporation, or municipality in each class and the total number of acres benefited.
Considerations of benefit.	
Classes.	
Report.	After completing their examination and inspection they shall report the amount of benefit to each class of land and where necessary to each landowner, and in case they determine that any individual, firm, corporation, or municipality has been especially benefited, they shall report the amount as a special assessment.
Accounts.	Sec. 14. The engineer and viewers shall keep an accurate account and report to the court the name and number of days each person was employed on the survey and the kind of work he was doing and any expenses that may have been incurred in going to and from the work, and the cost of any supplies or material that may have been used in making the survey.
Extension of time.	Sec. 15. In case the work is delayed by high water, sickness, or any other good cause, and the report is not completed at the time fixed by the court, the engineer and viewers shall appear before the court and state in writing the cause of such failure and ask for sufficient time in which to complete the work, and the court shall set another date by which the report shall be completed and filed.
Action on final report.	Sec. 16. When the final report is completed and filed it shall be examined by the court, and if it is found to be in due form and in accordance with the law, it shall be accepted; and if not in due form, it may be referred back to the engineer and viewers, with instructions to secure further information, to be reported at a subsequent date to be fixed by the court. When the report is fully completed and accepted by the court a date not less than twenty days thereafter shall be fixed by the court for the final hearing upon the report, and notice thereof shall be given by publication in a newspaper of general circulation in the county and by publishing a written or printed notice on the door of the courthouse and at five conspicuous places throughout the district, such publication to be made for at least two weeks before the final hearing. During this time a copy of the report shall be on file in the office of the clerk of the Superior Court and shall be open to the inspection of any landowner or other person interested within the district.
Date for hearing.	
Notice.	
Report on file for inspection.	

- SEC. 17. At the date set for hearing, any landowner may appear in person or by counsel and file his objection in writing to the report of the viewers; and it shall be the duty of the court to carefully review the report of the viewers and the objections filed thereto, and make such changes as are necessary to render substantial and equal justice to all the landowners in the district. The court may from time to time collect from the petitioners such amounts as may be necessary to pay costs accruing, other than the costs of the engineer and his assistants, such amounts to be repaid from the special tax thereby authorized.
- SEC. 18. Any person or corporation owning lands within the drainage district which he or it thinks will not be benefited by the improvement and should not be included in the district, or any party dissatisfied with the assessment or classification, or any party aggrieved, may within ten days after confirmation of the viewers' or assessors' report appeal to the Superior Court in term-time, upon filing an appeal bond, to be fixed by the clerk of the Superior Court, at a sum not exceeding two hundred dollars, conditioned for the payment of the costs, and giving satisfactory securities. The clerk shall allow appeal *in forma pauperis* when satisfied that the appealing parties cannot give bond. Such appeal shall be based and heard only upon the exceptions theretofore filed by the complaining party, either as to issue of law or fact, and no additional exceptions shall be considered by the court upon the hearing of the appeal.
- SEC. 19. The clerk of the Superior Court shall provide a suitable book, to be known as the "Drainage Record," in which he shall transcribe every petition, motion, order, report, judgment or finding of the board in every drainage transaction that may come before it, in such a manner as to make a complete and continuous record of the case. Copies of all the maps and profiles are to be furnished by the engineer and marked by the clerk "Official Copies," which shall be kept on file by him in his office, and one other copy shall be pasted or otherwise attached to his record book.
- SEC. 20. After the said drainage district, embracing Ellerbee Creek or any part thereof, shall have been declared established as aforesaid, and the survey and plan therefor approved, the court shall appoint three persons, who shall be designated as "The Board of Drainage Commissioners of Ellerbee Creek District," if there be only one district established for Ellerbee Creek. If more than one district shall be established upon Ellerbee Creek, the first established shall be designated as "The Board of Drainage Commissioners of Ellerbee Creek District, Number One," and the second established shall be "The Board of Drainage Commissioners of Ellerbee Creek District, Number Two," and so on, designating each district by number. After the said drainage district embracing Third Fork Creek or any part thereof shall have been
- Objections in writing.
- Review by court.
- Payments by petitioners.
- Right of appeal.
- Bond on appeal.
- Appeals without bond.
Hearing on exceptions filed.
- Drainage record.
- Copies of maps and profiles.
- Appointment of commissioners.
- Official entitlement.
- Names if more than one district.
- Commissioners for Third Fork creek.

Official title.	declared established as aforesaid, and the survey and plan therefor approved, the court shall appoint three persons, who shall be designated as "The Board of Drainage Commissioners of Third Fork Creek District," if there is only one district established for Third Fork Creek. If more than one district shall be established upon Third Fork Creek, the first established shall be designated as "The Board of Drainage Commissioners of Third Fork Creek District, Number One." and the second established shall be "The Board of Drainage Commissioners of Third Fork Creek, Number Two," and so on, designating each district by number. Such drainage commissioners shall first be elected by the owners of land within the drainage district, or by a majority of those participating in the election, in such manner as the court shall prescribe. The court shall appoint those receiving a majority of the votes. If any one or more of such proposed commissioners shall not receive the vote of a majority of such landowners taking part in the election the court shall appoint all or the remainder from among those voted for in the election. Any vacancy thereafter occurring shall be filled in like manner. Such three drainage commissioners when so appointed shall be and hereby are immediately created a body corporate under the name and style set out above, according to the districts so established, with the right to hold and convey the same, to sue and be sued, to receive donations and gifts to further the drainage work, and shall possess such other powers as usually pertain to corporations. They shall organize by electing from among their number a chairman and vice chairman. They shall also elect a secretary, either within or without their body.
Titles if more than one district.	
Commissioners elected by land-owners.	
Vacancies.	
Incorporated.	
Corporate name.	
Corporate powers.	
Organization.	
Treasurer ex officio.	
Seal.	The treasurer of the county shall be <i>ex officio</i> treasurer of such drainage commissioners. Said board of drainage commissioners shall adopt a seal, which they may alter at pleasure, and shall have such powers as are herein granted.
Territory to be drained.	SEC. 21. After being organized and created as herein provided, the board of drainage commissioners shall take the necessary steps to have the territory embraced within their district drained, and may let the work by contract, upon commission, or cause it to be done otherwise, as they may deem best for the public interest, fixing the terms of the contract, the payment and all other things necessary to secure the best results for the community. They shall have charge of the work and may appoint a competent person to superintend the same under their direction and do or cause to be done whatsoever things are necessary to complete the work.
Methods of work.	
Superintendent.	
Entry on land.	SEC. 22. In the construction of the work the contractor or those in charge of the work shall have the right to enter upon the lands necessary for this purpose and the right to remove private or public bridges or fences and to cross private lands in going to or from the work. In case the right of way of the improvement is through timber, the owner thereof shall have the right to remove it, if he
Private bridges and fences.	
Right of way.	

so desires, before the work of construction begins; and in case it is not removed by the landowner, it shall become the property of the contractor and may be removed by him.

SEC. 23. Where any public ditch, drain, or water-course established under the provisions of this act crosses a public highway the actual cost of constructing the same across the highway or removing old bridges or building new ones shall be paid for from the fund of the drainage district. Wherever any highway within the levee or drainage district shall be beneficially affected by the construction of any improvement or improvements in such district it shall be the duty of the viewers appointed to classify the land to give in their report the amount of benefit to such highway, and notice shall be given by the clerk of the Superior Court to the clerk of the board of the county commissioners in the county where the road is located of the amount of such assessment, and the county commissioners shall have the right to appear before the court and file its objections, the same as any landowner. When it shall become necessary for the drainage commissioners to repair any bridge or construct a new bridge across a highway by reason of enlarging any water-course or of excavating any canal intersecting such highway, the said bridge shall thereafter be maintained by and at the expense of the board of commissioners of such county, or by such other official board or authority as by law shall be required to maintain such highway so intersected.

SEC. 24. Whenever the engineer and the viewers in charge shall make a survey for the purpose of locating a levee or drainage district or changing a natural water-course, and the same would cross the right of way of any railroad company, it shall be the duty of the owner in charge of the work to notify the railroad company, by serving written notice upon the agent of such company or its lessee or receiver, that they will meet the company at the place where the proposed ditch, drain, or water-course crosses the right of way of such company, said notice fixing the time of such meeting, which shall not be less than ten days after the service of the same, for the purpose of conferring with said railroad company with relation to the place where and the manner in which such improvement shall cross such right of way. The procedure shall be the same as is provided for the procedure in similar cases under sections twenty-six, twenty-seven, and twenty-eight of chapter four hundred and forty-two of the Public Laws of one thousand nine hundred and nine, and said sections are referred to and adopted as part of this act just as if they were written herein.

SEC. 25. The board of drainage commissioners shall immediately prepare, in duplicate, the assessment rolls or drainage tax lists, giving thereon the names of the owners of land in the district, so far as can be ascertained from the public records, a brief description of the several tracts of land assessed and the amount of the

Timber on right of way.

Ditches or drains across roads.

Expenses.

Assessments on highways.

Maintenance of bridges.

Procedure in crossing railroads.

Assessment rolls.

Amounts of assessment rolls.

assessment against each tract of land. The first of these assessment rolls shall provide assessments sufficient for the payment of interest on the bond issue to accrue the third year after their issue and the installment of principal to fall due at the expiration of the third year after the date of issue, together with such amounts as shall have to be paid for collection and handling of the same. The second assessment roll shall make like provision for the fourth year; the third for the fifth year; the fourth for the sixth year; the fifth for the seventh year; the sixth for the eighth year; the seventh for the ninth year; the eighth for tenth year; the ninth for the eleventh year; the tenth for the twelfth year. Each of said assessment rolls shall specify the time when collectible and be numbered in their order, and the amounts assessed against the several tracts of land shall be in accordance with the benefits received, as shown by the classification and ratio of assessments made by the viewers. These assessment rolls shall be signed by the chairman of the board of drainage commissioners and by the secretary of the board. One copy of each of the said assessment rolls shall be filed with the drainage record and one copy shall be delivered to the sheriff, or other county tax collector, after the clerk of the Superior Court has appended thereto an order directing the collection of said assessments, and the said assessments shall thereupon have the force and effect of a judgment as in the case of State and county taxes. These assessments shall constitute a first and paramount lien, second only to State and county taxes, upon the lands assessed for the payment of said bonds and interest thereon as they become due, and shall be collected in the same manner by the same officers as the State and county taxes are collected. The said assessments shall be due and payable on the first Monday in September each year, and if the same shall not be paid in full by the thirty-first day of December following, it shall be the duty of the sheriff or tax collector to sell the land or lands so delinquent. The sale of lands for failure to pay such assessments shall be made at the courthouse door of the county in which the lands are situated, between the hours of ten o'clock in the forenoon and four o'clock in the afternoon of the first Monday in March of each year; and if for any necessary cause the sale cannot be made on that date the sale may be continued from day to day for not exceeding four days, or the lands may be readvertised and sold on the first Monday in April succeeding, during the same hours, without any order therefor. In all other respects, except as to time of sale of lands, the existing law as to the collection of State and county taxes shall have application to the collection of drainage assessments under this act. It shall be the duty of the sheriff or tax collector to pay over to the county treasurer promptly the moneys so collected by him upon said tax assessments, to the end that the said treasurer may have funds in hand to meet the pay-

Time of payment and number of rolls.

Assessments proportioned to benefits.

Authentication.

Copies.

Order for collection.

Lien of assessments.

Collection.

Assessments due.

Land sold for payment.

Sale of lands.

Sheriff to pay over collections.

ments of interest and principal due upon the outstanding bonds as they mature. It shall be the duty of the county treasurer, and without any previous order from the board of drainage commissioners, to provide and pay the installments of interest at the time and place as evidenced by the coupons attached to said bonds, and also to pay the annual installments of the principal due on said bonds at the time and place as evidenced by the said bonds, and the said county treasurer shall be guilty of a misdemeanor and subject upon conviction to a fine and imprisonment, in the discretion of the court, if he shall willfully fail to make prompt payments of the said interest and principal upon said bonds, and shall likewise be liable in a civil action for all damages which may accrue either to the board of drainage commissioners or the holder of said bonds, to either or both of which a right of action is hereby given.

Payment of interest and principal.

Failure a misdemeanor.

Liability for damages.

SEC. 26. If the total cost of the improvement is less than an average of twenty-five cents per acre on all the land in the district, the board of drainage commissioners shall forthwith assess the lands in the district therefor in accordance with their classification, and said assessment shall be collected in one installment by the same officer and in the same manner as State and county taxes are collected, and payable at the same time. In case the total cost exceeds an average of twenty-five cents per acre on all lands in the district, the board of drainage commissioners shall give notice for three weeks by publication in some newspaper published in Durham County, and also by posting a written or printed notice at the door of the courthouse and at five conspicuous places in the district, reciting that they propose to issue bonds for the payment of the total cost of the improvements, giving the amount of bonds to be issued, the rate of interest that they are to bear, and the time when payable. Any landowner in the district not wanting to pay interest on the bonds may, within fifteen days after the publication of said notice, pay to the county treasurer the full amount for which his land is liable, to be ascertained from the classification sheet and the certificate of the board showing the total cost of the improvement, and have his lands released from liability to be assessed for the said improvement; but such land shall continue liable for any future assessment for maintenance or for any increased assessment authorized under the law.

Assessment collected in one payment.

Notice of intent to issue bonds.

Payment in full by landowner.

Land liable for future assessments.

SEC. 27. Each and every person owning land in the district who shall fail to pay to the county treasurer the full amount for which his land is liable, as aforesaid, within the time above specified, shall be deemed as consenting to the issuance of drainage bonds, and in consideration of the right to pay his proper proportion in installments he hereby waives his right of defense to the payment of any assessments which may be levied for the payment of bonds, because of any irregularity, illegality, or defect in the proceedings prior to this time, except in case of an appeal, as hereinbefore pro-

Failure to pay construed as consent and waiver.

Person defined.	vided, which is not affected by this waiver. The term "person" as used in this act includes any firm, company, or corporation.
Bond issue.	SEC. 28. At the expiration of fifteen days after publication of notice of bond issue, the board of drainage commissioners may issue bonds of the drainage district for an amount equal to the total cost of the improvement, less such amounts as shall have been paid in in cash to the county treasurer, plus an amount sufficient to pay interest on the bond issue for the three years next following the date of issue. These bonds shall bear six per cent interest per annum, payable semiannually, and shall be paid in ten equal installments. The first installment of principal shall mature at the expiration of three years from the date of issue, and one installment for each succeeding year for nine additional years. The commissioners may sell these bonds at not less than par and devote the proceeds to the payment for the work as it progresses and to the payment of the interest on said bonds for the three years next following the date of issue and to the payment of the other expenses of the district provided for in this act. The proceeds from such bonds shall be for the exclusive use of the levee or drainage district specified on their face, and shall be numbered by the board of drainage commissioners and recorded in the drainage record, which record shall set out specifically the lands embraced in the district on which the tax has not been paid in full, which land is to be assessed as hereafter provided. If any installment of principal or interest represented by the said bond shall not be paid at the time and in the manner when the same shall become due and payable, and such default shall continue for a period of six months, the holder or holders of such bond or bonds upon which default has been made may have a right of action against said drainage district or the board of drainage commissioners of said district, wherein the court may issue a writ of mandamus against the said drainage district, its officers, including the tax collector and treasurer, directing the levying of a tax or special assessment as herein provided, and the collection of same, in such sum as may be necessary to meet any unpaid installments of principal and interest and cost of action; and such other remedies are hereby vested in the holder or holders of such bond or bonds in default as may be authorized by law; and the right of action is hereby vested in the holder or holders of such bond upon which default has been made, authorizing them to institute suit against any officer on his official bond for failure to perform any duty imposed by the provisions of this act. The official bonds of the tax collector and county treasurer shall be liable for the faithful performance of the duties herein assigned them. Such bonds may be increased by the board of county commissioners.
Amount.	
Interest.	
Maturity.	
Sale at not less than par.	
Exclusive use of proceeds.	
Record of drainage district.	
Action by bondholders on default.	
Remedy by mandamus.	
Suit against officers on official bonds.	
Bonds of tax collector and treasurer.	
Increase of bonds.	
Power to modify assessments.	SEC. 29. Where the court has confirmed an assessment for the construction of any public levee, ditch, or drain, and such assess-

ment has been modified by the court of superior jurisdiction, but for some unforeseen cause it cannot be collected, the board of drainage commissioners shall have power to change or modify the assessment as originally confirmed to conform to the judgment of the Superior Court and to cover any deficit that may have been caused by the order of said court or unforeseen occurrence. The said relevy shall be made for the additional sum required in the same ratio on the lands benefited as the original assessment was made. If any person or any number of persons claiming to have title to any tract or tracts of land subject to assessment or drainage tax shall fail to pay any annual assessment levied against such lands, the sheriff or tax collector shall be compelled to sell such lands under the law for the purpose of making such collection; the net proceeds of such sale shall be paid to the county treasurer, to be held by him and disbursed for the purpose of paying the current assessment and future annual assessments, so far as the said proceeds may be sufficient. When the fund in the custody of the treasurer shall be exhausted in the payment of annual assessments against such lands, or there shall not be a sufficient sum to pay the next annual assessment, the county treasurer shall immediately give written notice to that effect to the chairman of the board of drainage commissioners of the district, and also to the clerk of the Superior Court, whereupon the board of drainage commissioners shall institute an investigation of said tract or tracts of land to determine its market value; and if they shall find that its market value is not equal to all the future annual assessments to cover its share of installments of principal and interest on the outstanding bonds, they shall proceed, with the approval of the clerk of the Superior Court, to make new reassessment rolls on all the remaining lands in the district and increase the sum in sufficient sums to equal the deficit thereby created, and such new assessment rolls shall constitute the future assessment rolls until changed according to law, and shall be certified to the tax collector as herein provided in lieu of the former assessment rolls. However, the said tract or tracts of land which have been so sold by the tax collector shall continue on the assessment roll in the name of the new owner, but reassessed upon the new basis, and the drainage tax collected at the same time and in the same manner as other lands as long as said lands have sufficient market value out of which to collect the annual drainage tax, and when such lands shall cease to have such value, or shall be abandoned by the person claiming title thereto, the drainage commissioners may omit the same from the assessment roll with the approval of the clerk of the Superior Court; but the said lands may in the same manner at any time in the future be restored to the assessment rolls. If the funds in the hands of the county treasurer at any time, arising under this section or in any other manner, shall be greater than is necessary to

Ratio of reassessment.

Proceeds from sale of land.

Report of exhaustion of fund.

Investigation of values.

Reassessment rolls.

Land sold continued on roll.

Reassessment.

Lands omitted.

Restoration.

Surplus.

pay the annual installments of principal and interest, or the annual cost of maintenance of the drainage works, or both, such surplus shall be held by the county treasurer for future disbursement for other purposes as herein provided or subject to the order of the board of drainage commissioners. If there shall be any impairment or destruction of the drainage works by any unforeseen cause or occurrence not anticipated, during the period of construction, and it shall thereby be necessary to raise a greater sum of money to complete the drainage works in accordance with the plans, or if for any other unavoidable cause it shall be necessary to raise a greater sum to complete such drainage works, the board of drainage commissioners, having first obtained the approval of the clerk of the Superior Court, shall prepare new assessment rolls upon all the lands in the district upon the original basis of classification of benefits, and increase the same in sufficient sums to equal the deficit thereby created, and the same shall constitute the new assessment rolls until changed according to law, and shall be certified to the tax collector as herein provided. If for any of the causes hereinbefore recited in this section, or for any other cause, a sum of money greater than the proceeds of sale of the drainage bonds shall become necessary to complete said drainage system, and the board of drainage commissioners shall determine that the amount to be raised is greater than can be realized from the collection of one annual assessment upon the lands in the district, without imposing an undue burden upon said lands, or if it is advisable or necessary to raise the money more expeditiously, then and under such conditions additional bonds may be issued in such aggregate sum as may be necessary. The proceedings for the issue of such additional bonds shall be substantially as follows: The board of drainage commissioners shall file their petition with the clerk of the Superior Court, setting forth all the facts which require the expenditure of more money and the issue of additional bonds to complete the drainage system, which shall be accompanied by the recommendation of the drainage engineer, who was one of the original viewers, or some other expert drainage engineer selected by the drainage commissioners; whereupon the court shall issue a notice to all the owners of land within the district, reciting the substance of the petition and directing each to appear before the court on a day certain, not less than twenty days after the service upon all parties, and to show cause, if any they have, why the additional bonds should not be authorized, which notice shall be served personally on each such landowner by reading the same, and by leaving a copy, and if the same cannot be personally served, then it shall be served in the manner authorized by law. Any landowner may file an answer denying any material allegation in the petition or setting forth any valid objection to same before the return day thereof. Upon the day when said notice is returnable,

Reassessment for unforeseen contingencies.

Additional bonds.

Proceedings for issue.

Petition.

Recommendation of engineer.

Notice to landowners.

Any landowner may file answer.

Hearing.

or on such day as to which the same may have been continued, the court shall proceed to hear the petition and answers. If the court shall find that the allegations of the petition are true and that the issue of additional bonds is advisable or necessary, the court shall make an appropriate order authorizing and directing the issue of such additional bonds, fixing the amount of such issue, the date of same, and all other matters necessary and appropriate in the premises. Any landowner may appeal from the order of the clerk of the Superior Court, and on such appeal only the issues raised in the answer shall be considered, and such appeal and the further procedure thereon shall be as prescribed in special proceedings, except as modified by the act of which this is amendatory. After the court shall have ordered the additional issue of bonds, the further procedure as to the assessment rolls, the levying and collecting of the drainage taxes, the disbursement of the revenue therefrom for the payment of said bonds and interest thereon, and all further procedure shall be the same as required by chapter four hundred and forty-two of the Public Laws of one thousand nine hundred and nine, and amendments thereto, for the establishment of drainage districts. The additional bonds issued shall not exceed twenty-five per cent of the total amount originally issued. The additional issue of bonds shall bear six per cent interest per annum and may be made payable in ten annual installments, or lesser number of annual installments as nearly equal as may be, as recommended by the board of drainage commissioners and approved by the court.	Order on hearing.
	Right of appeal.
	Trial on appeal.
	Procedure for issuance.
	Limit of additional issue.
	Interest.
	Payable in installments.
Sec. 30. Any engineer employed under the provisions of this act shall receive such compensation per diem for his services as shall be fixed and determined by the drainage commissioners. The viewers, other than the engineer, shall receive three dollars per day; the rodmen, axmen, chainmen, and other laborers shall receive not to exceed two dollars per day each. All other fees and costs incurred under the provisions of this act shall be the same as provided by law for like services in other cases. Subject to foregoing provisions of this act, said costs and expenses shall be paid by the order of the court out of the drainage fund provided for that purpose, and the board of drainage commissioners shall issue warrants therefor when funds shall be in the hands of the treasurer.	Compensation of engineer.
	Pay of viewers.
	Laborers.
	Other fees and costs.
	Payment of expense.
	Warrants.
Sec. 31. That each member of the board of drainage commissioners shall receive one hundred dollars per annum for his services, and each commissioner shall take the usual oath of office required for county commissioners before entering upon the discharge of his duties. During the term of their office they shall meet regularly on the first Monday in each month and at other times as often as may be necessary to discharge their duties.	Pay of commissioners.
	Oath of office.
	Meetings.
Sec. 32. The provisions of this act shall be liberally construed to promote the leveeing, ditching, draining, and reclamation of wet	Construction of act.

- Final order of court. and overflowed lands. The collection of the assessment shall not be defeated, where the proper notices have been given, by reason of any defect in the proceedings occurring prior to the order of the court confirming the final report of the viewers; but such order or orders shall be conclusive and final that all prior proceedings were regular and according to law, unless they were appealed from. If on appeal the court shall deem it just and proper to release any person or to modify his assessment or liability, it shall in no manner affect the rights and legality of any person other than the appellant, and the failure to appeal from the order of the court within the time specified shall be a waiver of any illegality in the proceedings, and the remedies provided for in this act shall exclude all other remedies.
- Effect of appeals personal. SEC. 33. Proceedings under this act may be *ex parte* or adversary. Any engineer, viewer, superintendent of construction, or other person appointed under this act may be removed by the court, upon petition, for corruption, negligence of duties, or other good and satisfactory cause shown.
- Failure to appeal waiver. SEC. 34. This act shall be in effect from and after its ratification. Ratified this the 9th day of March, A. D. 1915.
- Proceedings. Officers subject to removal.

CHAPTER 757.

AN ACT TO ERADICATE THE CATTLE TICK FROM, AND TO ENCOURAGE THE RAISING OF STOCK IN BEAUFORT COUNTY.

The General Assembly of North Carolina do enact:

- County made stock-law territory. SECTION 1. That from and after the first day of January, one thousand nine hundred and sixteen, all the territory within the limits of the county of Beaufort shall be stock-law territory, and it shall be unlawful for any person to allow his live stock to run at large within the limits of said county at any time after the first day of January, one thousand nine hundred and sixteen. Any person violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days.
- Misdemeanor. PUNISHMENT. SEC. 2. That by the words "live stock" shall be meant, not only all horses, mules, cows, hogs, sheep, goats, and all other domestic animals, but also all domestic fowls, and the owners of such live stock shall not only be criminally liable for allowing same to run at large within the limits of Beaufort County, but such live stock in running at large may be impounded and sold in accordance with the general law in North Carolina with regard to impounding.
- Punishment. Definition of live stock. SEC. 3. That all laws and clauses of laws in conflict with this act are hereby repealed.
- Impounding stock. Repealing clause.

SEC. 4. That this act shall be in force from and after January first, one thousand nine hundred and sixteen: *Provided*, that the provisions of this act shall not become operative till ratified by a majority of the votes cast in the county of Beaufort at an election to be held on last Saturday in April, one thousand nine hundred and fifteen.

When act effective.

Proviso: ratification by voters.

Date of election.

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 758.

AN ACT SUPPLEMENTAL TO AN ACT ENTITLED "AN ACT TO REGULATE HUNTING IN MECKLENBURG COUNTY," RATIFIED MARCH 8, 1915.

The General Assembly of North Carolina do enact:

SECTION 1. H. B. 1739, S. B. 1548, entitled "An act to regulate hunting in Mecklenburg County," ratified the eighth day of March, one thousand nine hundred and fifteen, be and the same is hereby amended by adding at the end of the third section of the third act the following: "*Provided*, that the board of county commissioners of Mecklenburg County may, in their discretion, suspend the enforcement of this act."

Proviso: county commissioners may suspend enforcement.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 759.

AN ACT TO AUTHORIZE THE BOARD OF ROAD TRUSTEES OF LOUISBURG TOWNSHIP TO HIRE OUT CONVICTS UNDER CERTAIN CONDITIONS.

The General Assembly of North Carolina do enact:

SECTION 1. That section twelve of chapter three hundred and fifteen of the Public-Local Laws of one thousand nine hundred and eleven be and the same is hereby amended by adding at the end of said section the following: "In case of unfavorable weather conditions or if for any other reason convicts cannot be profitably employed on the public roads of said township, the board of trustees may hire out convicts assigned to work the public roads of said township to private individuals on such terms and conditions as the said board of trustees may deem wise and proper."

Hire to individuals.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 760.

AN ACT AUTHORIZING AND EMPOWERING THE BOARD OF COMMISSIONERS OF THE COUNTY OF WILKES TO LEVY A SPECIAL TAX FOR THE PURPOSE OF PAYING THE INDEBTEDNESS INCURRED OR TO BE INCURRED IN BUILDING A COUNTY HOME FOR THE AGED AND INFIRM, AND A COMMON JAIL IN AND FOR SAID COUNTY.

The General Assembly of North Carolina do enact:

Special tax authorized.

SECTION 1. That the board of commissioners of Wilkes County be and is hereby authorized and empowered to levy a special tax of not exceeding ten cents on the one hundred dollars property valuation, so long as may be necessary, to pay the indebtedness incurred or to be incurred in building a county home for the aged and infirm, and a common jail, in and for said county.

Purpose.

SEC. 2. That all laws conflicting herewith are repealed.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 761.

AN ACT TO AMEND CHAPTER 480 OF THE PUBLIC-LOCAL LAWS OF 1913, SAID CHAPTER BEING AN ACT TO AUTHORIZE ANY SCHOOL DISTRICT IN GUILFORD COUNTY TO ISSUE BONDS FOR PERMANENT IMPROVEMENTS TO SCHOOL BUILDINGS AND FURNISHING SAME WITH SUITABLE EQUIPMENT.

The General Assembly of North Carolina do enact:

Amount.

SECTION 1. That section one of chapter four hundred and eighty of the Public-Local Laws of North Carolina of nineteen hundred and thirteen be and it is hereby amended by striking out in line ten of said section the words and figures, "ten thousand dollars (\$10,000)," and inserting in lieu thereof the words and figures, "twenty-five thousand dollars (\$25,000)"; and that section four of said act be amended by striking out in line ten thereof the figures "\$10,000" and inserting in lieu thereof the figures "\$25,000."

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 762.

AN ACT TO CREATE A RECORDER'S COURT IN WARREN COUNTY AND TO DEFINE THE JURISDICTION THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. A special court for the trial of misdemeanors committed in the county of Warren, and certain civil actions arising in said county as herein defined, is hereby created and established, and the same is hereby designated as "Recorder's Court of Warren County, North Carolina."

Special court established.

Official designation.

SEC. 2. Said court shall be a court of record, presided over by a recorder who shall be of good moral character and in good standing, and who shall be at the time of his election and qualification an elector in and for said county of Warren.

Court of record.

Recorder.

SEC. 3. That until the election hereinbefore provided in this chapter, T. O. Rodwell, of Warrenton, North Carolina, be and he is hereby appointed recorder of and for recorder's court of Warren County, for a term expiring on the first Monday in December in the year one thousand nine hundred and sixteen; that his successor shall be elected at the regular State and county election for the election of members of the General Assembly and county officers in November, one thousand nine hundred and sixteen, for a term

Recorder appointed.

Term.

of two years beginning on the first Monday in December, one thousand nine hundred and sixteen, and in like manner biennially thereafter shall a recorder be voted for and elected for said recorder's court for Warren County. Said recorder and each of his successors in office shall, before entering upon his duties, take and subscribe the oath required of judges of the Superior Court, before the clerk of the Superior Court of Warren County, which oath shall be recorded by said clerk.

Election of successor.

Term.

SEC. 4. That the clerk of the Superior Court of Warren County, and his successor elected every four years, shall be *ex officio* clerk of the recorder's court, whose compensation shall be the same fees as now or hereafter may be allowed by law for like cases in the Superior Court.

Oath of office.

SEC. 5. That the jurisdiction of said court shall be as follows:

Clerk ex officio.

Compensation.

(a) Said court shall have final, concurrent, original jurisdiction of all criminal offenses committed in Warren County which are now or may hereafter be within the jurisdiction of the justices of the peace.

Jurisdiction.

As of justices of the peace.

(b) Said court shall have final, original, exclusive jurisdiction of all criminal offenses committed in the county of Warren above the jurisdiction of the justices of the peace and below the grade of felony, as now defined by law; also final, original jurisdiction

Of offenses below felony and of specified offenses.

of larceny and the receiving of stolen goods knowing them to have been stolen, when the property stolen does not exceed twenty dollars in value.

Offenders bound over.

(c) In all criminal cases heard by justices of the peace and other committing magistrates of said county against any person or persons for any offense included under section (b) of this act, in which probable cause of guilt is found, such person or persons shall be bound in a personal recognizance with surety, to appear at the succeeding session of the recorder's court of Warren County for trial, and in the default of such surety such person or persons shall be committed to the common jail of Warren County to await trial.

Bonds for appearance.

Commitment in default of bond.

Jurisdiction of preliminary hearings.

(d) In any other criminal matters wherein the said recorder's court has not final jurisdiction, it shall have power and is hereby fully authorized to hear and bind over to the proper court all persons charged with any crime committed whereof the preliminary investigation is now conferred on the justices of the peace, and to render judgment in such matters as now provided by law.

Sentences.

(e) Said recorder shall have authority to sentence any person convicted in said court of any offense below the grade of felony, as now defined by law, for which the punishment prescribed by law is imprisonment, to the common jail or to be worked on the public roads of said Warren County, as now provided by law, and the clerk of said court shall issue commitments therefor in the same manner as now provided by law for clerks of the Superior Court.

Commitments.

Warrants.

(f) Warrants may be issued by the recorder of said court for any person or persons charged with the commission of any criminal offense of which the said court has jurisdiction, final or otherwise.

Offenses heretofore committed.

(g) Said court shall have jurisdiction of any and all criminal offenses committed before the ratification of this act, and within the jurisdiction hereinbefore conferred, and of which no court has taken jurisdiction.

Search warrants and peace warrants.

(h) Said court shall have full jurisdiction to issue search warrants in all cases provided by law, and shall have jurisdiction, exclusive, original, and concurrent, of peace warrants as herein provided for other offenses.

Jurisdiction in civil actions.

SEC. 6. That said court shall have jurisdiction in civil actions and proceedings as follows:

As of justices of the peace.

First. Concurrent jurisdiction with justices of the peace in all civil actions, matters and proceedings, including all proceedings ancillary to civil actions, which are now or may hereafter be within the jurisdiction of justices of the peace of Warren County.

As of superior courts.

Second. Exclusive, original jurisdiction in all civil actions, matters and proceedings, including all proceedings ancillary to civil actions founded on contract or tort, wherein the Superior Court of Warren County now has exclusive, original jurisdiction: *Provided*,

the sum demanded or the value of the property in controversy shall not exceed five hundred dollars and the title to real estate shall not be in controversy: *Provided*, that of those matters arising out of tort where the value of the property or the amount in controversy exceeds two hundred dollars, said court shall not take jurisdiction.

Proviso: limitation in actions on contracts.

Proviso: limitation in actions on torts.

SEC. 7. That the pleadings in civil cases within the jurisdiction of a justice of the peace may be oral or written, but in all other civil cases the pleadings shall be written. In all civil cases where the pleadings are required to be written, the complaint shall be filed at least five days before the return day and the answer shall be filed on or before the day of trial.

Pleadings in civil cases.

Time for filing.

SEC. 8. That the judgment of said court may be enforced by execution issued therefrom and transcripts of the same may be docketed in the Superior Court of Warren County and become judgments of the Superior Court as now provided for executions and transcripts of judgments from courts of justices of the peace.

Executions.

Transcripts docketed.

SEC. 9. That any person convicted in said court of any offense shall pay all the costs of prosecution and be fined or imprisoned, or both, according to law, and when the punishment imposed is imprisonment and costs it shall be lawful for said recorder to sentence the defendant to the common jail of Warren County, to be worked on the public roads of said county until such sentence be served.

Persons convicted to pay costs.

Punishments.

Sentences to road work.

SEC. 10. That either party to a civil action or the defendant in a criminal action may, at the time of joining the issue of fact, demand a jury trial, in which event the law relating to trial by jury before justices of the peace shall in all particulars govern except where such action is a civil action now within the exclusive jurisdiction of the Superior Court, in which case the jury shall consist of twelve jurors, who shall be chosen as in trials before justices of the peace, except that they may not be drawn from any particular township in said county of Warren, and upon agreement by both parties said jury may be drawn from Warrenton Township. In all cases there shall be the right of appeal from the judgment of said court by either party in a civil action and by the defendant in a criminal action to the Superior Court of Warren County. Proceedings on appeal, appearance bonds, and undertakings to stay execution shall conform to the procedure now obtaining in courts of justices of the peace as far as practicable.

Jury trials.

Juries of twelve.

Drawing.

Right of appeal.

Proceedings on appeal.

SEC. 11. The cost of serving warrants, subpoenas, summonses, and other process issued by said court shall be the same as now fixed by law, and shall be paid to the officers performing such services; that in every case within the original jurisdiction of the said court which shall be tried or disposed of by said court a special fee for the use of the recorder of three dollars shall be taxed in the bill of costs as other costs are taxed, and such other

Fees for serving process.

Recorder's fee.

Other costs.

- costs shall be allowed in such court as are in like proceedings allowed in the courts of justices of the peace; and every defendant convicted, adjudged guilty, or who pleads guilty in said court shall be taxed with the costs of the prosecution as now prescribed by law. The clear proceeds of all fines and forfeitures collected by said court shall be paid to the treasurer of Warren County and shall be held by him for the purposes now provided by law.
- Defendants taxed with costs.**
- Fines and forfeitures paid to county.**
- Sessions of court.** SEC. 12. That the recorder's court created and established by this act shall be opened each and every Monday morning at ten o'clock in the courthouse at the county-seat, except when the Superior Court shall be in session in said county, during which time the sessions of said recorder's court shall be held in the mayor's office in the town of Warrenton or some other suitable place, and continue in session from day to day until the business before it shall be disposed of.
- Place of sitting.**
- Substitute recorder.** SEC. 13. That when said recorder is unable to preside over said court on account of sickness, absence, or other cause, he shall appoint some other person, with the same qualifications as those provided for said recorder, to act as substitute recorder. The compensation of said substitute recorder shall be paid by the said recorder.
- Compensation.**
- Proceedings for contempt.** SEC. 14. Said court in all proceedings for contempt and as for contempt in matters affecting said court shall possess every power conferred by law upon other courts of record in other proceedings; and said court is hereby clothed with every power usually possessed by other courts of record of this State which may be necessary for the fullest and freest exercise of the specific powers herein conferred.
- Sheriff to attend sessions.** SEC. 15. That the sheriff of Warren County, in person or by deputy, shall attend upon the sessions of the recorder's court and perform like duties imposed upon him in connection therewith as in the Superior Court of the county, and he shall be entitled to the same fees and emoluments as appertain by law in the discharge of the duties of sheriffs in other courts of the State.
- Fees of sheriff.**
- Seal of court.** SEC. 16. Said court shall have a seal with the impression "The Recorder's Court of Warren County," and the same may be used in the attestation of writs, warrants, summons, or other proceedings in the same manner and to the same effect as the seal of other courts in the State of North Carolina.
- Issue of process.** SEC. 17. That process may be issued from this court to the sheriff, constable, or other officers of the county of Warren, and such process or summons, when attested by the seal of the recorder's court, shall run anywhere in the State of North Carolina, and shall be executed by all officers according to law: *Provided*, that in civil actions in the jurisdiction of justices of the peace all process from this court shall run as prescribed by law for courts of justices of the peace.
- Proviso: process in civil actions.**

SEC. 18. That the recorder of said court shall not, by virtue of his office as recorder, be prevented from practicing law in matters in which he is in no way connected by reason of the said office, or in any other courts of the State in matters which have not been or will not be heard by him as such court; that the clerk of said court shall not be deprived of holding other offices, the duties of which will not interfere with his performing the duties of said office of clerk.

Recorder may practice law.

Clerk may hold other offices.

SEC. 19. In case there is a vacancy in the office of recorder caused by death, resignation, or otherwise, it shall be the duty of the county commissioners of Warren County to fill said vacancy until the next regular election for the election of said recorder.

Vacancy.

SEC. 20. That immediately upon the ratification of this act the same shall be printed and a copy each mailed by the Secretary of State to the clerk of the Superior Court of Warren County and to the recorder appointed by this act.

Act printed and mailed.

SEC. 21. That the court herein established shall organize and be ready for the dispatch of business by the first Monday in April, one thousand nine hundred and fifteen.

First session.

SEC. 22. That this act shall be in force from and after its ratification, and that all laws and parts of laws in conflict with the same are hereby repealed.

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 763.

AN ACT FOR THE RELIEF OF THE ESTATE OF S. P. MARTIN, FORMER SHERIFF OF ANSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That J. F. Martin, administrator of S. P. Martin, deceased, former sheriff of Anson County, be and he is hereby authorized and empowered to collect all taxes which the said S. P. Martin, as sheriff of said county, may have failed to collect, and which were due for the years one thousand nine hundred and seven, one thousand nine hundred and eight, one thousand nine hundred and nine, and one thousand nine hundred and ten, with full power to levy, distrain, and sell for the collection thereof, or any part of the same, in the same manner and to the same extent as authorized by the laws of such respective years for the collection of taxes.

Collection of arrears.

Tax years.

SEC. 2. That the power and authority herein granted shall expire on the thirty-first day of December, one thousand nine hundred and sixteen.

Term of authority.

SEC. 3. This act shall be in force from and after its ratification. Ratified this the 9th day of March, A. D. 1915.

CHAPTER 764.

AN ACT AUTHORIZING AND EMPOWERING THE BOARD OF COUNTY COMMISSIONERS OF ROCKINGHAM COUNTY TO DRAW AN ADDITIONAL NUMBER OF JURORS FOR SERVICE AT THE CIVIL AND CRIMINAL TERMS OF COURTS OF ROCKINGHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Rockingham County be and it is hereby authorized and empowered to draw as jurors from the box, as now provided under section one thousand nine hundred and fifty-nine of the Revisal of one thousand nine hundred and five of North Carolina, an additional number of jurors to those now provided by law. At all civil terms, regular and special, for the first week, thirty jurors shall be drawn and summoned; for the second week, twenty-four jurors shall be drawn and summoned. At all criminal terms, regular and special, for the first week, forty-two jurors shall be drawn and summoned; for the second week, twenty-four jurors shall be drawn and summoned.

Additional jurors
for civil terms.
For first week.
For second week.
At criminal terms.
First week.
Second week.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 765.

AN ACT SUPPLEMENTARY TO AND AMENDATORY OF HOUSE BILL No. 7 AND SENATE BILL No. 44, BEING CHAPTER 5, PUBLIC-LOCAL LAWS OF 1915, BEING AN ACT TO AUTHORIZE THE COMMISSIONERS OF ANSON COUNTY TO BORROW MONEY AND TO CONTRACT INDEBTEDNESS FOR THE CONSTRUCTION OF PUBLIC ROADS IN SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of House Bill number seven and Senate Bill number forty-four, being chapter five of the Public-Local Laws of one thousand nine hundred and fifteen, being an act to authorize the commissioners of Anson County to borrow money and contract indebtedness for the construction of public roads in said county, be and the same is hereby amended by inserting after the word "dollars" in line six of said section one the word "annually."

Annually.

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.

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 766.

AN ACT TO AMEND CHAPTER 161 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATING TO THE ROAD LAW OF GOOSE NEST TOWNSHIP IN THE COUNTY OF MARTIN.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter one hundred and sixty-one of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby amended by striking out the names of "Justus Everett, B. M. Worsley, and R. J. House" wherever the same may occur in said section and inserting in lieu of said names the following names, to-wit: Charles L. Turner Commissioners. in the place of Justus Everett, Henry S. Everett in the place of B. M. Worsley, and B. W. Worsley in the place of R. J. House.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 767.

AN ACT TO AMEND CHAPTER 288 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1913, RELATIVE TO FIXING SALARIES OF CERTAIN PUBLIC OFFICERS OF PENDER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter two hundred and eighty-eight of Public-Local Laws of North Carolina, session nineteen hundred and thirteen, be and the same is hereby amended as follows: Strike out the word "fifteen" in line one of said section and insert in lieu thereof the word "twenty-five," and strike out all of said section after the word "deputies" in the last line of said section and insert in lieu thereof the following words: "Provided, Salaries paid by sheriff. that their salaries be paid by the sheriff."

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 768.

AN ACT TO AMEND THE ACT PASSED AT THE PRESENT SESSION OF 1915 OF THE GENERAL ASSEMBLY OF NORTH CAROLINA AND RATIFIED MARCH 5, 1915, ENTITLED "AN ACT TO PREVENT LIVE STOCK FROM RUNNING AT LARGE IN GASTON, PLEASANT HILL, SEABOARD, OCCONEECHEE, JACKSON, ROANOKE, AND RICH SQUARE TOWNSHIPS IN NORTHAMPTON COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That the act passed at the present session of this session of the General Assembly of North Carolina, ratified March fifth, nineteen hundred and fifteen, entitled "An act to prevent live stock from running at large in Gaston, Pleasant Hill, Seaboard, Occoneechee, Jackson, Roanoke, and Rich Square townships in Northampton County," be amended by striking from the title of said act and from the other parts of said act the word "Roanoke" wherever it occurs.

Roanoke stricken out.

County commissioners to call election.

SEC. 2. That it shall be the duty of the board of county commissioners of Northampton County, upon the petition of twenty-five of the qualified voters of said Roanoke Township, at any time within one year from the ratification of this act, to call an election in said township, in the same manner as elections are held or have been held, to ascertain the will of the voters of any township upon any special question, and to make all necessary regulations for conducting said special election to ascertain the will of the people of said township as to whether they desire to become what is known as a "stock-law territory," and at said election the voters of said township shall express their will, those who favor the stock law by voting a ballot "For Stock Law," and those opposed by voting a ballot "Against Stock Law," and upon the counting of the ballots as regulated by the said board of county commissioners of Northampton County, and upon the ascertainment of the result, if it shall appear that a majority of the qualified voters of said township have voted "For Stock Law," then it shall be the duty of the said board of county commissioners of Northampton County to declare the result and record the same, and the said Roanoke Township shall thereupon become a part of the stock-law territory of Northampton County.

Question on stock law.

Ballots.

Effect of election.

Kirby and Wiccacanee townships.

SEC. 3. That the provisions of section two of this act shall apply to the townships of Kirby and Wiccacanee in said county of Northampton in all respects, it being the purpose of this act to give each of said townships the opportunity to express their wish as to whether they will come under the provisions of the stock law

already passed for other townships of said county at the present session of the General Assembly of North Carolina, upon petition to the board of county commissioners as provided in section two of this act.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 769.

AN ACT TO AMEND CHAPTER 50 OF THE PUBLIC LAWS OF 1901, ENTITLED "AN ACT RELATING TO HIGHWAYS, PUBLIC ROADS, BRIDGES, FERRIES, AND FORDS."

The General Assembly of North Carolina do enact:

SECTION 1. That section seven of chapter fifty of the Public Laws of nineteen hundred and one be amended by adding to the end of said section the following: "*Provided*, that the board of commissioners of any county shall have the right, power, and authority to order, require, and direct the board of road trustees of any township in said county to keep in proper repair any part, portion, or all of the public highways in any such township which the board of commissioners shall have theretofore laid out, established, graded, and constructed, and to that end to use any funds which shall have from time to time been collected from taxes levied for public road purposes in such townships pursuant to the provisions of this act; and in case the funds derived from such tax levy authorized by said act shall be insufficient for the purpose aforesaid, and at the same time to keep up the public roads and bridges in such township, then the board of commissioners of such county shall be authorized and empowered to levy such additional township road tax, not exceeding twelve cents on the hundred dollars, as shall be necessary to enable said board of road trustees to defray the entire expenses of maintaining the public roads and bridges and keeping in repair the public highways in such township: *Provided, however*, this section shall not be construed to require the township trustees to keep in repair the macadam portion of any highway."

County commissioners may enforce maintenance of roads.

Additional road tax.

Limit of rate.

Proviso: macadam roads.

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

Repealing clause.

SEC. 3. That this act shall only apply to Mecklenburg County, but shall not apply to Charlotte Township of the said county.

Application of act.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 770.

AN ACT TO MAKE VALID THE ACTIONS OF GEORGE W. WEST, A JUSTICE OF THE PEACE FOR GREENE COUNTY.

Preamble.

Whereas George W. West, a justice of the peace for and in Greene County, was duly elected at a general election in November, one thousand nine hundred and ten, and was duly sworn in and served for two years; and whereas, at the general election in November, one thousand nine hundred and twelve, the said George W. West was reelected, and, thinking the law did not require that he be sworn in again, did not qualify, but continued to perform the duties of said office as a justice of the peace: Now, therefore,

Preamble.

The General Assembly of North Carolina do enact:

Acts validated.

SECTION 1. That all actions of said George W. West, of Greene County, as a justice of the peace, are hereby declared to be valid and the same as if he had been duly sworn in and qualified.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 771.

AN ACT TO FIX SALARIES FOR THE OFFICERS OF VANCE COUNTY AND PROVIDE FOR THE AUDITING OF THEIR ACCOUNTS.

The General Assembly of North Carolina do enact:

Officers to collect and account for fees.

SECTION 1. That the sheriff, clerk of the Superior Court, register of deeds, and treasurer or financial agent of Vance County, and their respective deputies, shall collect and receive and account for all the fees to which they are entitled by virtue of their respective offices, and pay the same on or before the fifth day of every calendar month into the treasury or to the financial agent of Vance County; and they shall be responsible for and chargeable with all moneys of every kind which are to be or by law should be paid into their respective offices, and shall be held to strict account therefor; and the moneys so paid shall be kept by the treasurer or financial agent of said county in a separate fund, to be known as the salary fund.

Moneys charged to officers.

Moneys constituting salary fund.

Officers to collect fees and emoluments.

Salaries.

SEC. 2. That the said officers shall faithfully collect all fees, commissions, profits, and emoluments of all kinds now or hereafter belonging or appertaining to or which may hereafter by any law belong or appertain to their respective offices; and they shall re-

ceive for their services only such salaries, commissions, and compensation as is hereafter provided; and for any abstraction, concealment, or misapplication of any of the moneys payable into their respective offices, or which any of them have collected, any one of them so abstracting, concealing, or misapplying the same shall be guilty of a felony, and upon conviction shall forfeit their said office or offices and be punished as is now provided by law in cases of embezzlement by public officers.	Abstraction, concealment, or misapplication felony. Forfeit of office. Punishment.
SEC. 3. That each and all of said officers shall open and keep a separate set of account books, consisting of a daily journal and ledger, in which shall be promptly, correctly, truly, and accurately entered itemized accounts of all moneys collected or received by said officers, or which by law shall be payable into their respective offices, and all of said books shall at all times be open to the inspection of the public upon demand; and said books shall be safely and securely kept so as to prevent loss or destruction by theft, fire, or any accident.	Account books. Entries. Books open to inspection.
SEC. 4. That on the first Monday of each and every calendar month a true and accurate transcript shall be transmitted by each of the officers of Vance County to the board of commissioners of said county, said transcript to contain and show all the entries made upon said books during the preceding calendar month, which shall be sworn to and duly verified by the officers filing the same.	Transcript submitted monthly. Transcript verified.
SEC. 5. That the sheriff of Vance County shall receive a salary of two thousand dollars (\$2,000) per annum, and he shall be allowed one deputy at a salary of seven hundred and fifty dollars per annum, who shall truly, faithfully, and diligently perform the duties of said office as provided by law. The said sheriff may appoint one or more deputies in each township of said county, other than Henderson Township, and such deputies shall be allowed the fees made and collected by them in serving summons, subpoenas, notices, and process of all kinds, and all fees made and collected by them from executions: <i>Provided</i> , that said deputies in townships other than Henderson Township shall not serve papers in Henderson Township except in case of emergency, but nothing in this act shall relieve the sheriff and the deputy for Henderson Township from promptly serving papers and processes and executing writs issued to him in any part of the county: <i>Provided further</i> , that the deputy for Henderson Township shall collect and keep a correct record of all fees for serving summons, subpoenas, notices, and processes of all kinds and turn the amounts over to the county treasurer or financial agent, to be disposed of as provided by this act. Said sheriff shall also pay over to the said treasurer or financial agent all fees, mileage, and other allowances paid to him by the State of North Carolina or by State institutions for taking prisoners to the State's Prison or insane persons to the State Hospital, deducting from the amounts paid	Salary of sheriff. Salary of deputy. Township deputies. Fees allowed deputies. Provide: service in Henderson township. Service by sheriff and office deputy. Provide: fees of office deputy. Sheriff to pay over allowances from State or institutions. Allowed expenses.

- Fees for capture of distilleries. to him the actual necessary expenses therefor. Said sheriff shall be entitled to the fees allowed by law for the capture and destruction of illicit distilleries. Said sheriff shall not receive any other compensation or allowance whatsoever.
- Sole compensation.
- Appointment and salary of jailer. SEC. 5a. The said sheriff shall appoint a jailer. The said jailer shall receive such salary as shall be fixed by the board of county commissioners, and in addition to his duties as jailer he is to serve process and other papers in Henderson Township or elsewhere in the county. He shall collect such fees as the law prescribes and keep a correct record of the same. He shall pay all such amounts collected to the county treasurer or financial agent by the fifth day of each month, making such report of all fees collected as this act requires deputies to make. The actual expenses of maintaining the jail of said county shall be paid by the treasurer or financial agent of said county upon warrants drawn by the board of county commissioners and countersigned by the auditor.
- Jailer to serve process.
- To collect and account for fees.
- Jail expenses.
- Salary of clerk of court. SEC. 6. The clerk of the Superior Court of Vance County shall receive a salary of sixteen hundred and twenty dollars (\$1,620) per annum as full compensation for his services as clerk of said court: *Provided*, that the said clerk may continue to receive for his own use such fees as clerk of the recorder's court as he is now allowed under section twenty. chapter one hundred and fifty-eight of the Public-Local Laws of one thousand nine hundred and eleven.
- Proviso: fees in recorder's court.
- Salary of register of deeds. SEC. 7. The register of deeds of Vance County shall receive a salary of eighteen hundred dollars (\$1,800) per annum as full compensation for his services: *Provided*, should no county auditor be elected as authorized in this act, the register of deeds may be allowed such reasonable extra compensation for extra work on the tax sheets or tax lists as the county commissioners deem just, not to exceed six hundred dollars (\$600) per annum.
- Proviso: allowance for tax lists.
- Limit.
- Semiannual audit. SEC. 8. The county commissioners shall cause to be audited at least once every six months, or oftener if they shall deem advisable, the reports, books, and accounts of all public officers required to report under this act, by the auditing committee of the county, or by some other competent person appointed for the purpose by said board of commissioners. In the event a county auditor is elected, said auditing shall be done by the county auditor as hereinafter provided.
- Election of auditor authorized.
- Date of election. SEC. 9. The board of county commissioners may, if they shall deem advisable and for the best interest of the county, elect some competent and suitable person as auditor for said county. Such election shall be held on the first Monday in December in each year, except the first election, which may be held at any regular meeting of the board. The auditor shall receive such salary as may be fixed by the board of county commissioners, not exceeding the sum of fifteen hundred dollars annually, and shall give bond in the sum of five thousand dollars, payable to the county of
- Salary.
- Bond.

Vance, conditioned that he shall diligently and faithfully perform all the duties of his office and shall faithfully account for and pay over to said county all penalties, moneys, or other things of value coming into his hands, or which should come into his hands by virtue of his office, and he shall be liable for any negligence, default, malfeasance, or misconduct in office.

SEC. 10. Said auditor shall audit monthly reports of all public officers of the county, and it shall be his duty to act as accountant for the county in settling with the county sheriff and treasurer or financial agent; to supervise, scrutinize, and examine at least once in every calendar month all books, accounts, receipts, and vouchers and other records of all the officers of Vance County, which show fees and commissions collected and received by them; to examine at least twice each year the dockets of all justices of the peace and mayors of said county, and report his findings to the county commissioners, and he is hereby authorized to administer oaths or verification of claims which may be filed against the county, and to open a set of account books, in which shall be shown the total monthly receipts of fees and commissions of all the officers of said county, in an expert and intelligent manner, assigning distinct accounts for each and every of said officers, which books shall be permanently kept as the records of his office, and always open to public inspection. He shall likewise visit at least once in every calendar month the county jail and the county home for the aged and infirm, and examine the same, also the books and accounts kept by the jailer and by the superintendent of said home. It shall likewise be his duty to audit all bills and claims presented to the board of county commissioners for payment, which bills shall first be verified on oath by the person to whom they may be due, and no claim or bill filed with said board of commissioners shall be allowed or paid until it has been audited and approved by said auditor; and all warrants drawn upon claims or bills allowed by said board of commissioners shall be countersigned by said auditor before they shall be paid by the treasurer or financial agent of said county.

SEC. 11. It shall be the duty of said auditor to familiarize himself with the market prices, and, under the direction of the said county commissioners, to buy all the supplies of said county, including office books, stationery, and coal, to the best advantage of the county.

SEC. 12. It shall be the duty of said auditor to make out, by transcribing from the original sheets delivered to him by the register of deeds, after said sheets have been properly computed by the register of deeds, one copy of the tax lists of each township and deliver the same to the sheriff of Vance County, with the order of the register of deeds indorsed thereon as required by law, and to perform all of the duties required of the register of deeds per-

Liabilities.

Audit of accounts of officers.
Accountant for county.

Monthly examination of accounts of officers.

Examination of dockets.

Report of findings.

Verification of claims.
Accounts with officers.

Examination of jail and county home.

Audit of bills and claims.

Bills verified.

Approval of bills.

Warrants to be countersigned.

Purchasing agent.

Copy of tax list for sheriff.

Order for collection.

Duties in regard to tax books.

taining to making out and delivering said copies of tax books, except the receiving of the original tax sheets and computing the same, which shall be done by the register of deeds as heretofore provided by law as a part of the duties of register of deeds. That before making out the copy of the tax books as herein provided, the said auditor shall prove the computations made on the original tax sheets by the register of deeds. The said auditor shall investigate and inquire for all delinquent taxpayers and require all delinquent property and polls to be placed upon the tax list and keep a record of all the transfers of property in the county, and the names and parties transferring the same and prices paid for same, as shown by the public records of the county. If the board of county commissioners shall so order, he shall also instruct, direct, and supervise tax listers and assessors, and recommend the amount to be allowed each as reasonable compensation for their services, and shall direct and supervise the listing and assessment of all property liable to taxation in said county; and he shall perform such other duties as may be required of him by the board of county commissioners.

Computations proved.

Inquiry for delinquents.

Transfers of property.

Supervision of listers and assessors.

Other duties.

Payment of salaries.

SEC. 13. That all salaries herein provided for shall be paid by the treasurer or financial agent of Vance County to the persons entitled thereto, in monthly installments upon warrants drawn by the board of county commissioners and countersigned by the county auditor, if an auditor shall be appointed.

Officers to perform duties.

Salaries sole compensation.

Liability.

SEC. 14. That the officers hereinbefore mentioned shall faithfully and truly perform all the duties of their several offices now or hereafter imposed upon them by law, and shall receive no other compensation or allowance of any kind whatsoever for any extra or additional service rendered to the county or State or other governmental agency, and they shall be liable to all the pains and penalties provided by law for failure to perform the duties of their several offices.

Failure to collect fees misdemeanor.

Fees collected in advance.

SEC. 15. Any officer, deputy, clerk, or assistant herein mentioned who shall fail or refuse to collect any fee, commission, or emolument of any kind belonging to his office shall be guilty of a misdemeanor; and all fees, commissions, or emoluments shall be demanded and collected in advance, unless otherwise provided by law.

Moneys kept separate.

Separate accounts.

SEC. 16. All moneys coming into the hands of the treasurer or financial agent of Vance County by virtue of this act shall be held by him as a separate and distinct fund for the benefit of said county, to be used by the board of commissioners of the county as other county funds. The said treasurer or financial agent shall open a separate account with each of the several officers of said county, showing the amounts received from each and the amount paid as salaries to each, which accounts shall be at all times open for public inspection.

SEC. 17. The officers hereinbefore required to turn over to the treasurer or financial agent of Vance County moneys coming into their hands shall make settlement with said treasurer or financial agent on or before the fifth day of each and every month; and the county commissioners may, at any time, require said officers or any of them to exhibit to them all books and accounts, showing all moneys received and turned over to the treasurer or financial agent under the provisions of this act.

Monthly settlements.

Exhibit of books and accounts.

SEC. 18. All laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

Repealing clause.

SEC. 19. The provisions of this act shall not be construed to affect or change the present method of compensating the officers of the county during their present terms, but shall become effective at the expiration of their respective terms, to-wit: those sections and parts of sections applying to the sheriff and his deputies, and the register of deeds, shall become operative the first Monday in December, one thousand nine hundred and sixteen; those applying to the clerk shall become operative the first Monday in December, one thousand nine hundred and eighteen: *Provided*, that those sections and parts of sections applying to the auditor shall be operative upon the ratification of this act.

When act effective.

Proviso: sections relative to auditor.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 772.

AN ACT TO PROTECT GAME AND FUR-BEARING ANIMALS.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons to hunt, trap, or kill any pheasant, grouse, turkey, any game or fur-bearing animal in the county of Swain, except as hereinafter provided. That the open season for hunting squirrels, deer, turkeys, or pheasants (grouse) shall be from the fifteenth of October to the fifteenth of January in each and every year; that the open season for hunting minks, otters, muskrats, skunks, raccoons, and opossums shall be from the fifteenth of November to the fifteenth of February in each and every year: *Provided*, the owner of personal property shall have the right to kill such fur-bearing animals when they are about to destroy or in the act of destroying his personal property.

Acts declared unlawful.

Open season.
For squirrel, deer, turkeys, or pheasants.
For fur-bearing animals.

Proviso: killing to prevent destruction of property.

SEC. 2. That it shall be unlawful for any person or persons to hunt, trap, or shoot quail or partridge upon the lands of any resident of the county of Swain without written permission from the owner.

Hunting without permission.

Misdemeanor.
Punishment.

SEC. 3. That any person violating the provisions of this act shall be guilty of a misdemeanor and fined not less than five nor more than ten dollars or imprisoned not exceeding ten days for each and every offense.

Informer to receive
one-half of fine.

SEC. 4. That any person furnishing sufficient evidence to convict any one violating the provisions of this act shall receive one-half the fines imposed for each conviction.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 773.

AN ACT TO PREVENT SUNDAY SALE OF DRINKS AT AND NEAR THE COTTON MILLS OF THE GREEN RIVER MANUFACTURING COMPANY IN HENDERSON COUNTY.

The General Assembly of North Carolina do enact:

Prohibition.

SECTION 1. That if any person, firm, or corporation shall sell soda water, lemonade, coca-cola, or other soft drinks, or keep open any place of business for the purpose of selling such drinks on Sunday within two miles of the mills of the Green River Manufacturing Company in Green River Township, Henderson County, he shall be guilty of a misdemeanor and fined not more than fifty dollars or imprisoned not more than thirty days.

Territory.

Misdemeanor.
Punishment.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 774.

AN ACT TO AMEND CHAPTER 50 OF PUBLIC LAWS OF 1901, ENTITLED "AN ACT RELATING TO HIGHWAYS, PUBLIC ROADS, BRIDGES, FERRIES, AND FORDS."

The General Assembly of North Carolina do enact:

SECTION 1. That section nine of chapter fifty of the Public Laws of one thousand nine hundred and one be stricken out and the following substituted and enacted in lieu thereof:

Prisoners subject
to road work.

"SEC. 9. That all persons confined in the county jail of any county, either under the sentence of any court of competent jurisdiction for crime or imprisoned in said jail for the nonpayment of fine and costs in any criminal action, shall be worked on the chain-gang upon the public highways of such county, pursuant to the provisions of section thirteen hundred fifty-five of the Revisal of

North Carolina: *Provided*, that no county working any person upon the public highways thereof who shall have been sentenced to confinement in the county jail for nonpayment of fine and costs shall be held liable to pay to the public school fund of said county any sum on account of the work and labor so performed by such person convicted and confined in the county jail as aforesaid."

Proviso: counties not liable to school fund.

SEC. 2. That this act shall apply only to Mecklenburg County. Application of act.

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 and effect from and after its ratification.

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 775.

AN ACT TO PROHIBIT THE SHIPMENT OF SPIRITUOUS LIQUORS INTO GASTON COUNTY.

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 ship, transport, carry, or deliver in any manner or by any means whatsoever, for hire, any spirituous, vinous, fermented, or malt liquors or intoxicating bitters from a point within or without this State to any person, firm, or corporation, or any agent, officer, or employee thereof, in this State.

Shipment, transportation, or delivery prohibited.

SEC. 2. That it shall be unlawful for any person, firm, or corporation, or any agent, officer, or employee thereof, to receive at any point within the State of North Carolina any spirituous, vinous, fermented, or malt liquors or intoxicating bitters shipped in violation of section one of this act from any point within or without the State of North Carolina for his, her, their, or its own use or for the use of any other person, firm, or corporation.

Receipt prohibited.

SEC. 3. 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 provided: *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 formulæ prescribed by acts of Congress of the United States and regulations made

Grain alcohol.

Denatured alcohol.

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: *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.

Proviso: hospitals and sanatoria.

Application for permit.

Sec. 4. 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 posted on the outside of the package containing alcohol.

Issue of permit in duplicate.

Original to be pasted on package.

Transportation and delivery under permit.

Sec. 5. 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.

Duplicate filed.

Sec. 6. 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 inspection 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 seventy-five cents, to be paid by the applicant.

Open for inspection.

Fee of clerk.

Misdemeanor.

Sec. 7. That any person, firm, or corporation violating any of the provisions of this act shall be guilty of a misdemeanor.

Repealing clause.

Sec. 8. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 9. That this act shall apply only to Gaston County.

Application of act.

SEC. 10. That this act shall take effect on the first day of April, one thousand nine hundred and fifteen.

When act effective.

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 776.

AN ACT TO REPEAL CHAPTER 713 OF THE PUBLIC-LOCAL LAWS OF 1913, PROVIDING FOR A PRIMARY ELECTION IN HERTFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter seven hundred and thirteen of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby repealed.

Law repealed.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 777.

AN ACT TO AMEND THE PRIMARY ELECTION LAW OF LEE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and ninety-six of the Public-Local Laws of North Carolina of one thousand nine hundred and eleven, known as the Lee County Primary Law, be amended by adding thereto, after section six, and as a part of said section, the following: "Any person, otherwise qualified, may be nominated as a candidate before the primary by petition of not less than three hundred qualified voters, who shall certify in their petition that they are members of the political party for which they desire to name their candidate, and have the right to vote in said primary; the name and residence of their candidate, and the office for which he is proposed. Said petition must be delivered to the chairman of the board of elections in the time limited therein for receipt of notice of candidacy, and must be accompanied with the entrance fee herein prescribed. Upon the receipt of said petition the chairman of the board of elections shall notify the person so named, and if he shall receive his written assent within five days from such notice, his name shall be placed on the ticket in all respects as if he had originally declared his candidacy."

Petition for nomination.

Time for delivery.

Entrance fee.

Notification to and consent of candidate.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 778.

AN ACT TO INDUCE THE PROMPT PAYMENT OF TAXES IN
ROCKINGHAM COUNTY.

The General Assembly of North Carolina do enact:

Penalty for delay
in payment.

SECTION 1. That each and every person, firm, or corporation liable for State, county, township or district taxes, either general or special, and failing to pay said taxes or any part thereof prior to the first day of February next after the same shall have become due, shall be liable to a penalty of three per cent of the amount of such delinquent taxes for each month or fraction of a month that such delinquent taxes or any part thereof remains unpaid thereafter. The amount of said penalty shall be added to the amount of unpaid taxes and shall be collected by the tax collector under the same authority and in the same manner as if said penalty was a part of the original tax. The tax collector shall keep an accurate account of all penalties collected under this act, and they shall be paid into the general county fund. That any officer, except the sheriff, collecting taxes upon which penalties have accrued shall, in addition to other fees and commissions hereinafter allowed by law, receive and retain from the penalties collected from each taxpayer a fee not exceeding fifty cents.

Collection of
penalties.

Penalties to general
fund.

Fee for collecting.

Application of act.

SEC. 2. That this act shall apply only to Rockingham County, and that this act shall not apply to the taxes of nineteen hundred and fourteen.

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 the first day of May, one thousand nine hundred and fifteen.

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 779.

AN ACT TO AMEND THE PUBLIC-LOCAL LAWS OF 1913,
RELATIVE TO THE CHANGING THE NAMES OF TRUS-
TEES OF DOBSON TOWNSHIP, SURRY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one, Public-Local Laws of one thousand nine hundred and thirteen, chapter three hundred and eighty, be amended as follows: In line one of said section one strike out the name "T. F. Bryant" and insert in lieu thereof the name "W. M. Stone."

Trustee changed.

SEC. 2. That section two of said chapter as named in section one of this act be further amended as follows: Strike out the name "T. F. Bryant" in lines four and five and insert in lieu thereof the name "W. M. Stone." Trustee changed.

SEC. 3. That John H. Poindexter and William T. Marion are hereby appointed commissioners of said highway commission to succeed themselves for a term of four years. Reelection.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 780.

AN ACT TO CONFER POLICE POWERS ON THE DEPUTY SHERIFFS, CONSTABLES, AND SPECIAL POLICE OFFICERS OF HENDERSON TOWNSHIP, VANCE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the chairman and the attorney of the board of county commissioners of Vance County, the mayor and city attorney of the city of Henderson, in said county; the recorder and the sheriff of said county, and the president of the Henderson Cotton Mills in said county, and their successors in office, be and the same are hereby created "The Police Board of Henderson Township in Vance County." Police board created.
Official title.

SEC. 2. As soon after the ratification of this act as practicable the members of the said police board are authorized to qualify by taking the oath of office before a justice of the peace or the clerk of the Superior Court of Vance County, meet and organize by electing one of their members president and another secretary. Board to organize.

SEC. 3. It shall be the duty of said police board to have a general supervision over that part of Henderson Township not within the limits of any incorporated town or city, with power to appoint police officers whose duty will be to assist the county, township, and city officers in preventing crime and preserving order throughout that part of said township specified in this section. Territory subject to supervision.
Appointment of policemen.

SEC. 4. The said police board may appoint the township constable of Henderson Township or any deputy sheriff living in said township as police officers, or they may appoint some other person or persons. Persons appointed.

SEC. 5. For performing the duties prescribed by this act said police officers shall receive such fees as are now or may be allowed by law for such services, and such additional compensation as the police board may allow them. Fees of officers.

- Term of office. SEC. 6. Said police officers shall hold their office for term of one year: *Provided*, that the said police board may dismiss any police officer for habitual failure to perform his duties, or serious misconduct.
- Proviso: dismissal for cause.
- Duty and authority of policemen. SEC. 7. That it shall be the duty of said police officers, and they shall have power and authority, to suppress all disturbances of the quiet and good order of and in that part of Henderson Township not within the corporate limits of any incorporated town and to arrest all offenders against the same; and if resisted in the performance of their official duties, said police officers shall have power to summon a sufficient number of men to aid in enforcing the law; and if any person so summoned shall refuse to assist, the said police officers are hereby required to report the name of such person to the proper authorities, to the end that he may be dealt with as the law directs. Said officer or officers shall have power to enter the inclosure and house of any person in the aforesaid premises without warrant when he or they have good reason to believe that a felony or infamous crime has been or is about to be committed, for the apprehension of any person so offending, and, if necessary, to summon a posse to aid him or them, and all persons so summoned shall have like authority to enter and arrest. Any person arrested by said officer or officers for any offense shall, as soon as practicable, be taken before some justice of the peace or other proper officer, when and where formal complaint shall be lodged against such person as prescribed by law, to the end that such person may have a speedy trial and be dealt with as the law directs; and in the meantime and until the case is disposed of, such persons so under arrest may be detained and confined in a guardhouse or calaboose, provided for that purpose, by any of said officers, unless bail is given as provided by law.
- To summon posse.
- Report of refusal to assist.
- Entry for prevention of crime.
- Complaint and trial on arrest.
- Powers as policemen. SEC. 8. Such deputy sheriff, constable, and police officer shall have the same power and authority in the said part of Henderson Township not within the corporate limits of any incorporated town or city, and on said premises, as policemen in incorporated towns of this State have and exercise in said towns or cities.
- Badge. SEC. 9. Such deputy sheriff, constable, and police officer, when on duty, shall severally wear a metallic shield with the word "Policeman" inscribed thereon, and the said shield shall always be worn in plain view except when employed as detectives.
- Appropriation. SEC. 10. The board of commissioners of Vance County and the board of aldermen or other governing body of the city of Henderson are hereby empowered and authorized, in their discretion, to make an appropriation out of the funds under their control to compensate such police officers as may be appointed by the said police board; such moneys as may be appropriated under authority of this section shall be paid by the county treasurer and the city treasurer in the same manner or manners as salaries of other
- Payment.

similar officers are paid: *Provided*, that neither the county nor the city shall appropriate more than two hundred and fifty dollars (\$250) per annum under this section. Proviso: limit.

SEC. 11. If the members constituting the police board provided by section one of this act fail to qualify and to organize the said police board, then and in that event the powers, duties, and privileges conferred in sections five, seven, eight, and nine of this act are hereby conferred upon the deputy sheriff or sheriffs living in Henderson Township and the constable of Henderson Township; and the said board of county commissioners and said board of aldermen of the city of Henderson are hereby empowered to allow the said deputies and constable such additional compensation as the said board may deem just: *Provided*, the said boards may allow additional compensation to each of the officers named in this section or to only one of them, they to designate such officer by a formal election or appointment: *Provided further*, that the appropriation for this purpose shall not exceed the amount named in section ten of this act. Power on sheriff or deputies and on constable.
Additional compensation.
Appointment.
Proviso: appropriation.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 781.

AN ACT TO APPOINT L. F. BYRD A JUSTICE OF THE PEACE IN DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That L. F. Byrd be and he is hereby appointed a justice of the peace in and for Magnolia Township, Duplin County, for a term of six years. Appointment.
Term.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 782.

AN ACT TO AUTHORIZE COMMISSIONERS OF CHOWAN COUNTY TO CALL ELECTION FOR TAX FOR FARM-LIFE SCHOOL.

The General Assembly of North Carolina do enact:

SECTION 1. That the commissioners of Chowan County are hereby authorized to call an election and submit to a vote of the Election authorized.

Question to be
voted on.

people the question of a special tax of twenty-five hundred dollars annually for the maintenance of the Chowan County Farm-life School, established under chapter four hundred and seventy-nine of the Public-Local Laws of one thousand nine hundred and thirteen, which act is hereby amended to authorize an election for said tax.

Election by county
or district.

SEC. 2. That the said commissioners of Chowan County may, in their discretion, call said election and have the same apply to Chowan County or to the Edenton Graded School District.

SEC. 3. This act shall take effect from and after its ratification. Ratified this the 9th day of March, A. D. 1915.

CHAPTER 783.

AN ACT SUPPLEMENTAL TO AN ACT ENTITLED "AN ACT TO PROHIBIT TRAVELING SHOWS AND CARNIVALS MAKING EXHIBITIONS IN OR NEAR MOREHEAD CITY." RATIFIED MARCH 5, 1915.

The General Assembly of North Carolina do enact:

Act repealed.

SECTION 1. That a bill to be entitled "An act to prohibit traveling shows and carnivals making exhibitions in or near Morehead City," ratified March fifth, one thousand nine hundred and fifteen, being House bill one thousand six hundred and eleven and Senate bill one thousand and sixty-one, be and the same is hereby repealed.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 784.

AN ACT TO AMEND CHAPTER 127 OF THE PUBLIC-LOCAL LAWS OF EXTRA SESSION OF 1913, ENTITLED "AN ACT TO AMEND CHAPTER 314 OF THE PUBLIC-LOCAL LAWS OF 1913, IN RESPECT TO THE PUBLIC ROAD LAW OF THE COUNTY OF NASH."

The General Assembly of North Carolina do enact:

Section amended.

SECTION 1. That the word "ten" in line one of section one of chapter one hundred and twenty-seven of the Public-Local Laws, extra session of nineteen hundred and thirteen, be stricken out and the word "one" be inserted in lieu thereof, so that the first line of said section shall read "that section one of chapter three hun-

dred and fourteen"; and that said section be further amended by striking out all of the same after the word or syllable "trict" in line nine of said section. Road district relieved from payment.

SEC. 2. That section two of said act be amended by striking out all of the same after the word "best" in line ten of the same. Road district further relieved.

SEC. 3. That said act shall be further amended by adding section two and one-half, which section is to be inserted after section two and before section three of said act, which section is as follows:

"SEC. 2½. That in the event any guilty person be sentenced to any road district in Nash County or to the Rocky Mount Road District, the court may in its discretion order all or any part of the cost paid by the road district to which said guilty person is sentenced, and the road district shall hold the guilty person after the expiration of his sentence until the guilty person has reimbursed the road district in cash or in labor the amount of costs paid by the road district; and in the event that this is paid in labor, the guilty person shall be allowed in working out the cost the sum of seventy-five cents and board for each day that he is held by the road district after the expiration of his sentence, not including Sundays: *Provided, however,* that the guilty person may at any time after the expiration of his sentence pay to the road district such cost as may then remain due and secure his discharge." Court may order payment by road districts.

Payment to road district in labor. Allowance for labor.

Proviso: payment of cost.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 785.

AN ACT TO ALLOW STATE'S WITNESSES IN ROCKINGHAM COUNTY ONE-HALF FEES WHEN GRAND JURY RETURNS "NOT A TRUE BILL."

The General Assembly of North Carolina do enact:

SECTION 1. All persons subpoenaed as witnesses before the grand jury in Rockingham County in any criminal prosecution, or by the solicitor for the purposes of an investigation, or who shall be subpoenaed or recognized to appear before the judge in any criminal prosecution in said county, shall receive the same per diem and mileage as other State's witnesses, whether a true bill be returned or not. Witnesses under subpoena or recognizance.

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.

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 786.

AN ACT TO APPOINT R. V. WOLFE A JUSTICE OF THE PEACE FOR CALDWELL COUNTY.

The General Assembly of North Carolina do enact:

Appointment.

SECTION 1. That R. V. Wolfe of Lenoir, in the county of Caldwell, be and he is hereby appointed an additional justice of the peace for Lower Creek Township in Caldwell County, for the period of six years from the ratification of this act, with jurisdiction in civil and criminal matters the same as other justices of the peace, and with power and authority to practice law during his term of office.

Term.

Jurisdiction.

May practice law.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 787.

AN ACT TO AMEND CHAPTER 764 OF THE PUBLIC-LOCAL LAWS OF 1911.

The General Assembly of North Carolina do enact:

Primary elections.

SECTION 1. That chapter seven hundred and sixty-four of the Public-Local Laws of one thousand nine hundred and eleven be and the same is hereby amended by striking out the word "Pamlico" in line one, section one.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 788.

AN ACT RELATIVE TO THE IMPROVEMENT AND MAINTENANCE OF THE PUBLIC ROADS OF LINCOLN COUNTY.

The General Assembly of North Carolina do enact:

Road commission dissolved.

SECTION 1. That the road commission of Lincoln County, as provided for in chapter seventeen, Public-Local Laws of one thousand nine hundred and thirteen, is hereby dissolved, to take effect on the first Monday in December, one thousand nine hundred and fifteen; and on and after said date all the duties, powers, and functions now performed and exercised by the road commission

Duties devolved on county commissioners.

shall be performed and exercised by the board of county commissioners, with the same per diem compensation as is now allowed members of the board of county commissioners. Per diem.

SEC. 2. That the road commission shall meet in Lincolnton with the county commissioners on the first Monday in December, one thousand nine hundred and fifteen, at which time said road commission shall turn over to the county commissioners all the funds in its hands, and all books, papers, documents, and all other property in its possession belonging to the county, and said road commission shall on said date publish an itemized account of receipts and disbursements since their last report, showing balance on hand. Road commission to turn over funds, records, and property.
Itemized accounts published.

SEC. 3. That at its first meeting after the ratification of this act the road commission shall set aside and place with the county treasurer ten thousand dollars out of the proceeds of the road bonds, to be used exclusively in maintaining and upkeeping of all the highways of the county, and for no other purpose. No part of said sum shall be used for building new roads. Appropriation for maintenance of highways.
Use for building new roads for-bidden.

SEC. 4. That for the purpose of maintaining the public roads of the county the board of road commissioners shall, as soon as practicable after the ratification of this act, prepare a road map of the county, and lay off all the public roads in the county into sections, no section to be more than four miles long, and publish a thirty days notice of a time and place where the roads will be let to the lowest responsible bidder for repair and upkeep for one year; at which time and place all persons desiring to bid for the maintenance of any section shall be permitted to offer sealed bids, which shall be opened publicly in the presence of the bidders, and the person bidding the lowest for the maintenance of any section shall be awarded the contract for one year: *Provided*, said person shall execute a justified bond in the sum of one hundred and fifty dollars for the proper upkeep of said section: *Provided further*, that said board of road commissioners may reject any and all bids which they may find to be unreasonable, and that they shall again advertise under the provisions of this section. Road map.
Road sections.
Notice for letting contracts.
Bids.
Award of contract.
Bond on contract.
Proviso: right to reject bids.

SEC. 5. That the notice provided for in section four shall contain the names or descriptions of all the sections of public roads in the county, which shall be designated by name or number, and a statement of what will be required to be done by the successful bidder. Details of notice.

SEC. 6. It shall be the duty of the road commissioner for each township to inspect the roads of his township once every three months, and oftener upon complaint made, and approve or disapprove the work done on the various sections. Quarterly inspections.

SEC. 7. That no person, either directly or through by-bidders, shall be given more than one section of road to maintain: *Provided*, that if bids shall not be received for all the sections within sixty days from the letting of the first contracts, then the board Only one section awarded.
Proviso: section-keepers for roads not let.

Term of contracts.

shall appoint section-keepers for those sections that have not been let, on such terms as the board shall fix. All contracts shall be for one year, and at the end of each new contracts shall be made for a like period.

County commis-
sioners to fulfil
contract.
Proviso: limit of
expenditures.

SEC. 8. The board of county commissioners shall, upon dissolution of the road commission, carry out in good faith all contracts for road building made by the road commission: *Provided*, such contracts shall not require the expenditure of a greater sum of money than that turned over by the road commission for building purposes.

Appropriation for
street work.

SEC. 9. That at their first meeting after the ratification of this act the road commission shall turn over to the town of Lincolnton such sum of money, not to exceed ten thousand dollars, as the county surveyor and road engineer shall determine sufficient to macadamize the two roads or streets to a width of twenty-six feet, running through said town, connecting the roads already built into town, which sum shall be used by the town of Lincolnton to improve said roads, and for no other purpose.

Definition of term.

SEC. 10. That on and after the first Monday in December, one thousand nine hundred and fifteen, wherever the words "road commission" appear in chapter seventeen, Public-Local Laws of one thousand nine hundred and thirteen, they shall be construed to mean "board of county commissioners."

Appointments of
commissioners.

SEC. 11. That E. C. Baker and E. I. Mosteller be and they are hereby appointed to succeed themselves as road commissioners of Lincoln County.

Misdemeanor.

SEC. 12. That any person violating any provision of this act shall be guilty of a misdemeanor.

SEC. 13. All laws and parts of laws in conflict with this act are hereby repealed.

SEC. 14. That this act shall be in force from and after its ratification.

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 789.

AN ACT TO AMEND CHAPTER 425, PUBLIC-LOCAL LAWS 1913, WITH REFERENCE TO THE RECORDER'S COURT FOR STANLY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and twenty-five of the Public-Local Laws of nineteen hundred and thirteen be amended by adding after section twenty thereof the following:

Jurisdiction.

"That the recorder's court for Stanly County as established in chapter four hundred and twenty-five, Public-Local Laws nineteen

- Drawing. kept the names of the jurors, and when a jury is demanded he shall procure a boy under six years of age to draw from said box the names of six men, and the clerk of said court shall issue an order to the sheriff or other lawful officer of Stanly County commanding him to summons said men, whose names are so drawn as jurors, to appear at a time to be fixed in said order: *Provided*, that if the plaintiff does not demand a jury at the time of filing his complaint, and the defendant does not demand a jury at the time of filing his answer or demur, trial by a jury in civil actions shall be deemed waived.
- Summons.
- Proviso: waiver of right.
- Fees of clerk. SEC. 7. That the clerk of said county court shall receive the same fees as are now received by him as clerk of the Superior Court for similar services, except as otherwise provided for in this act, to be collected and paid in the same manner that his fees as clerk of the Superior Court are. That in all civil actions there shall be taxed, in addition to the cost otherwise accruing, the sum of two dollars, which shall be paid to the clerk of the county court and by him paid to the judge of said county court, and this is to be the full compensation for the judge of said court for the trial of any civil case. That in all civil actions the plaintiff shall be required to commence such action by giving bond as is now or may hereafter by law be required to bring a civil action in the Superior Court: *Provided*, that this shall not prevent an action *in forma pauperis* as is now or may hereafter by law be provided.
- Trial fees.
- Prosecution bonds.
- Proviso: actions in forma pauperis.
- Pay of jurors. SEC. 8. The jury, as provided for in this court, shall be entitled to one dollar per day and mileage at five cents a mile each way. Said fees to be paid by Stanly County in the same manner as they are now paid by the Superior Court: *Provided*, that jurors who attend but who do not serve shall be allowed the same fees as witnesses are allowed in the county court for Stanly County: *Provided further*, that the entire cost of all jurors paid by the county in any action shall be taxed in the bill of costs for that case and shall constitute a part of the cost.
- Fees paid by county.
Proviso: jurors not serving.
- Proviso: jury fees taxed as costs.
- Running of process.
- Venue.
- Proviso: process as from justices.
- Service of process.
- Fees. SEC. 9. That the processes of said county court may run anywhere in Stanly County, and when attested by the seal of said court may run to any county within the State of North Carolina, and the law as to venue shall be the same as that applicable to the Superior Court: *Provided*, that when such county court is exercising the civil jurisdiction of a justice of the peace process shall issue and run from such court as is provided by law for courts of justices of the peace, and subject to the same limitations.
- SEC. 10. That any constable of any township in said county shall have full power and authority to serve any process or execution issued by the county court for Stanly County; and for serving of writs and processes of this court the officer performing such duty shall receive the same fees as are now allowed for like services in the Superior Court.

SEC. 11. That the first sitting of this court for the trial of civil actions shall be on the first Friday in April, nineteen hundred and fifteen. First session.

SEC. 12. That except as above provided, the fees in this court shall be the same as now provided for in the Superior Court: *Provided*, that witnesses in civil actions shall be allowed the same fees as they are now allowed in the recorder's court. Fees.
Proviso: fees of witnesses.

SEC. 13. That all officers serving and issuing civil processes in the county court for Stanly County shall be entitled to their costs in advance, and shall not be compelled to serve or issue such processes until said costs have been paid to them. Fees in advance.

SEC. 14. That section one, chapter four hundred and twenty-five, Public-Local Laws nineteen hundred and thirteen, be amended by striking out the words "recorder's court for Stanly County" and substituting therefor "county court for Stanly County"; and whenever in chapter four hundred and twenty-five, Public-Local Laws nineteen hundred and thirteen, the word "recorder" is used, the word "judge" be substituted therefor, and where the words "recorder's court for Stanly County" are used, substitute the words "county court for Stanly County" therefor. Entitlement of court.
Title of presiding judge.

SEC. 15. Add at the end of section six, chapter four hundred and twenty-five, Public-Local Laws nineteen hundred and thirteen, the following: "Or if for any reason the chain-gang in Stanly County ceases to be maintained, the judge of this court is hereby authorized and empowered to sentence said person so convicted to the chain-gang of any county of this judicial district or to any adjoining county. The county receiving said convict shall pay all cost." Sentences to roads.

SEC. 16. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 17. That this act shall be in full force from and after its ratification.

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 790.

AN ACT TO AMEND SECTION 3733 OF THE REVISAL OF 1905, RELATIVE TO PUBLIC DRUNKENNESS.

The General Assembly of North Carolina do enact:

SECTION 1. That section three thousand seven hundred and thirty-three of the Revisal of one thousand nine hundred and five be amended by inserting between the words "Macon" and "Mecklenburg" in line five of said section the words "Vance" (and) "Hyde." Counties inserted.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 791.

AN ACT TO AMEND SECTION 4131, REVISAL OF 1905, IN REGARD TO THE CONDEMNATION OF PUBLIC SCHOOL SITES.

The General Assembly of North Carolina do enact:

SECTION 1. That section four thousand one hundred and thirty-one of the Revisal of one thousand nine hundred and five, and the acts amendatory thereto, be and the same is hereby amended by adding to the said section the following: "If the title to any school-house site now used by any county board of education for public schools be defective, or the title of the board of education be less than a fee simple, or if the title to any schoolhouse site which may hereafter be acquired by any county board of education by purchase, gift, donation, or otherwise shall be defective, or any person shall claim an interest in the said site adverse to the title of the said board of education, the said board of education, in any county in which such school site is situate, in order to obtain a fee-simple title to said site, or free the same from any and all outstanding claims, whether legal, equitable, contingent, in remainder, in reversion, or if the title be void for want of description, or defective for any other cause whatever, may proceed to condemn the same under the procedure as herein provided by this section for the condemnation of school sites; but in estimating the value of the outstanding interest or title, the house and other improvements put on same by the public school authorities shall not be taken into consideration, but all such houses and improvements shall be and remain the property of the county board of education."

Condemnation for clearing titles.

Improvements not valued.

Application of act.

SEC. 2. This act shall only apply to Duplin County.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 792.

AN ACT TO AMEND SECTION 1355 (CHAPTER 24) OF THE REVISAL OF NORTH CAROLINA, RELATIVE TO THE WORKING OF CONVICTS ON PUBLIC ROADS.

The General Assembly of North Carolina do enact:

SECTION 1. That section one thousand three hundred and fifty-five (chapter twenty-four) of the Revisal of North Carolina be amended as follows: By striking out the word "ten" between the

Term of sentence.

word "exceeding" and the word "years" in line thirteen of said section, and inserting in lieu thereof the word "twenty." This act shall apply only to Mecklenburg and Wake counties.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 793.

AN ACT TO AMEND CHAPTER 714, PUBLIC LAWS OF 1905, RELATING TO THE PUBLIC ROADS IN PITT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter seven hundred and fourteen. Public Tax rate.
Laws one thousand nine hundred and five, be amended by striking out the word "twenty" after the word "than" in line seven, and figures "(20)" in line eight in section one, on page eight hundred and seventy, and insert instead thereof the word "thirty" for the word "twenty," and the figures "(30)" instead of the figures "(20)"; and by striking out the word "sixty" and the figures "(60)" after the word "than" and before the word "cents" in line nine of said section, and instead thereof insert the word "ninety" and figures "(90)."

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 794.

AN ACT RELATING TO THE BOARD OF COMMISSIONERS OF BUNCOMBE COUNTY, AND FOR OTHER PURPOSES RELATIVE TO SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the members of the board of commissioners of Per diem and
mileage except to
chairman.
Buncombe County, except the chairman, shall each be paid three dollars per day for each day's service actually rendered the county in attending regular, special, adjourned, and called meetings of said board, with mileage, and for each day's service actually rendered in attending to the business of the county. Said board of Adjourned and
called meetings.
commissioners may adjourn to meet on a day certain, and called meetings of said board may be held upon notice to the members thereof given by the chairman or two members of said board.

SEC. 2. That said board of county commissioners of Buncombe Regulation for road
crossing by rail-
ways.
County shall have full power and authority to require street rail-ways and other common carriers using or crossing the public roads

Location of tracks.

Assessment for road improvement.

Proviso: removal of tracks.

Regulation of structures by companies using roads.

Misdemeanor.

Punishment.

Power to widen roads.

of said county to use only such rails, poles, and other devices for carrying the feed or trolley or other wires and other material at road crossings and in the roads of said county as the board may designate, and said board shall have the power to locate or relocate the roadbed and tracks of the aforesaid companies when said board shall find it necessary for the public good; and when said board determines to permanently improve any topsoil or other public road in said county said board shall in its discretion require said railway to locate or relocate its roadbed and tracks in the middle of said roadway so determined to be improved and to pave the roadway so located or relocated between its rails and twelve inches on each side thereof in such manner and with such material as said board may direct, and to keep such roadways or tracks between said rails and twelve inches on each side thereof and at public crossings in as good condition and repair as said board of commissioners may from time to time require: *Provided*, that if any railway company now operating or which may hereafter operate in said county shall discontinue its service or operation it shall remove its tracks and roadbed and put the public road or roads so operated over in such condition as said commissioners may require.

SEC. 3. That all telephone, telegraph, street railway, power, light, manufacturing, or other corporations, individual, partnership, or joint-stock company now doing business in the county of Buncombe or which may hereafter do business in the county of Buncombe, which has erected or which shall hereafter erect telephone, telegraph, trolley poles, cross-arms, wires, overhead bridges, bill-boards, or any other device whatsoever on, over, near, or in dangerous proximity to the roads or public buildings of Buncombe County, shall first obtain permission from the board of commissioners so to do, and shall erect and maintain the same in such a manner as the board of commissioners of said county may, by rules and regulations duly adopted by said board from time to time, direct.

SEC. 4. That any person, firm, or corporation violating the provisions of sections three and four hereof shall be guilty of a misdemeanor and fined not exceeding fifty dollars or imprisoned not exceeding thirty days, and each day such violation shall continue shall constitute a separate offense.

SEC. 5. That section sixteen of chapter eighty, Public Laws of one thousand nine hundred and nine, be amended by placing a comma after "change" in line three thereof and inserting between the words "change" and "or" in said line three the word "widen," and by placing a comma after the word "changes" in line seven thereof and inserting between the words "changes" and "or" in said line seven the word "widenings," and by placing a comma after the word "changed" in line eleven of said section sixteen and inserting between the words "changed" and "or" in said line

eleven the word "widened," and by placing a comma after the word "change" in line twenty-four of said section and inserting after the word "change" and before the word "or" the word "widening," and by inserting after the word "to" and before the word "lay" in line two thereof the following: "to cut and remove all the trees growing near the public roads that are or may become dangerous to travel or interfere with the proper maintenance and drainage of said roads or cause the same to be removed by the owner thereof and."

Removal of trees.

SEC. 6. That when bonds are issued by Buncombe County pursuant to chapter twenty-three, Revisal of one thousand nine hundred and five, and particularly under subsection twenty-seven of section one thousand three hundred and eighteen of said Revisal, the board of county commissioners of said county are hereby authorized and empowered, if necessary, to levy a special tax of sufficient rate and amount to pay the interest on said bonds as the same become due, and the principal thereof at maturity.

Special taxes for bonds.

SEC. 7. That this act shall apply to all bonds heretofore issued by said county and all bonds which may hereafter be issued by said county under the provisions of said Revisal.

Application to bonds.

SEC. 8. This act shall relate and operate from and after the first Monday in March, one thousand nine hundred and fifteen.

When act effective.

SEC. 9. This act shall apply only to Buncombe County.

Application of act.

SEC. 10. That all laws and clauses 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.

Ratified this 9th day of March, A. D. 1915.

CHAPTER 795.

AN ACT TO PROVIDE FOR RURAL POLICEMEN FOR COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That on the first Monday in January, nineteen hundred and seventeen, after the ratification of this act, and every two years thereafter, the clerk of the Superior Court of Columbus County shall appoint three or more, if he deem necessary, able-bodied men of good moral character, known not to be addicted to the use of alcoholic liquors, and commission them as rural policemen of Columbus County. The said clerk of the Superior Court is hereby empowered to remove any policemen provided for in this act, at any time, for good and just cause, and appoint others in their stead. Until the policemen herein provided for are appointed

Appointment.

Qualifications.

Removal for cause.

Appointments ad interim.

by the clerk of the Superior Court, C. L. Benton and A. S. Sasser are hereby appointed to serve as rural policemen of Columbus County.

Compensation.

SEC. 2. That the compensation of said policemen shall be the same fees and rewards for their services as are allowed to executing officers in Columbus County, and two dollars per day and actual traveling expenses in conveying prisoners to the county roads or the common jail of Columbus County as the order may direct, to be included in the bill of cost and paid by the treasurer of Columbus County, upon warrant of commissioners of Columbus County, on the first Monday in each month: *Provided, however,* that said policemen shall provide themselves with policemen's billets and such firearms as may be required, and with horses or other means of conveyance for regular use in riding over the county and performing duties as mounted policemen, and shall bear all expense incident to their service.

Payment.

Proviso: equipment.

Patrol and police the county.

SEC. 3. That it shall be the duty of said policemen, specially in the rural districts, to patrol and police the county to prevent and detect and to prosecute for the violations of the criminal law of every kind, making arrests upon their own initiative, as well as upon complaint and information, and to report their official acts and all known or suspected violations of the criminal law to the sheriff of Columbus County.

Arrests.

Reports to sheriff.

Arrests without warrant.

SEC. 4. That said policemen shall have authority, for any suspected freshly committed crime, whether upon view or upon prompt information or complaint, to arrest without warrant; and they shall have the right and authority to summons any person or persons to assist in enforcing the laws and in arresting violators or suspected violators thereof; and any citizens who shall fail to respond and render assistance when so summoned or called upon shall be guilty of a misdemeanor, and upon conviction shall be punished by imprisonment for thirty days or be fined fifty dollars. When an arrest is made without warrant, the person so arrested shall be forthwith carried before a justice of the peace or recorder, and a warrant of arrest procured, and disposed of as the magistrate or recorder shall direct.

Right to summon posse.

Failure to assist a misdemeanor.

Punishment.

Trials on arrests.

Bonds.

SEC. 5. That each of the said policemen shall, before entering upon the discharge of his duty, enter into bond in the sum of one thousand dollars, with sufficient surety, to be approved by the said county commissioners, conditioned for the faithful performance of his duties and for the payment to the county, and to any person or corporation all such damage as they or any of them may sustain by reason of his malfeasance in office or abuse of his discretion; and he shall take and subscribe the following oath (or affirmation), to wit: "I solemnly swear (or affirm) that during my term of office as county policeman I will study the act creating the office and prescribing my duties, and will be alert and vigilant to enforce the

Oath of office.

Form of oath.

criminal laws of the State, and to detect and to bring to punishment every violation of the same, and will conduct myself at all times with due consideration to all persons, and will not be influenced in any matter on account of any personal bias or prejudice: so help me, God." The form of said bond shall be approved by the county commissioners, and with the oath shall be filed with and kept by the clerk of the Superior Court of Columbus County.

Bond and oath filed.

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

Ratified this 9th day of March, A. D. 1915.

CHAPTER 796.

AN ACT FOR THE PROTECTION OF THE PUBLIC HEALTH OF BERTIE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That no pupil in any of the public schools situated in any special-tax district or incorporated town or any graded schools of Bertie County shall be permitted to attend upon the daily sessions of any such school until such pupil shall have submitted proof satisfactory to the teacher, the county health officer, or the county superintendent of schools that he or she has been successfully vaccinated against smallpox within five years.

Vaccination of pupils.

SEC. 2. That no person shall enter upon the discharge of his or her duties as principal, teacher, or janitor in any of the schools named in section one of this act, of Bertie County, until such person shall have submitted proof satisfactory to the county health officer or the county superintendent of schools that he or she has been successfully vaccinated against smallpox within five years.

Vaccination of principals, teachers, and janitors.

SEC. 3. That the county health officer or county physician may exempt from the operation of the rules concerning vaccination hereinbefore set out any person who is a legal resident of Bertie County who shall submit to the county health officer satisfactory proof that he or she has had smallpox or that compliance with the above named rules will be seriously detrimental to his or her health.

Exemptions.

SEC. 4. That all pupils who are unable to pay for the vaccination shall be vaccinated by the county or city health officer at the expense of the county or city in which said school or schools are situated.

Expense of vaccination.

SEC. 5. That any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall, for the first offense, be fined not less than five dollars (\$5) nor more than fifty dollars (\$50); for each subsequent

Misdemeanor.

Punishment, first offense. Subsequent offenses.

offense not less than ten dollars (\$10), or be imprisoned in the county jail for not more than thirty days, or be both fined and imprisoned, in the discretion of the court.

Repealing clause. Sec. 6. That all laws and clauses of laws in conflict with this act are hereby repealed.

When act effective. Sec. 7. That this act shall be in force and effect from and after December first, one thousand nine hundred and fifteen.

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 797.

AN ACT TO AMEND CHAPTERS 449 AND 803 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATING TO THE PUBLIC ROADS OF WAKE COUNTY, AND FOR THE BETTER CONDUCT OF THE PUBLIC BUSINESS OF THE COUNTY.

The General Assembly of North Carolina do enact:

Tax for sinking fund.

SECTION 1. That section ten of chapter four hundred and forty-nine of the Public-Local Laws of North Carolina, session of nineteen hundred and thirteen, be amended by striking out all after the word "bonds" in the last line of said section and by inserting in lieu thereof the words "and to create a sinking fund sufficient to redeem said bonds at maturity."

Sessions of county commissioners.

SEC. 2. That the board of county commissioners of the county of Wake shall meet on the first Monday in each month for the transaction of public business, and may continue in session from day to day till all matters and business coming before said board shall have been disposed of; and the said board may, if in its opinion the public business will be promoted thereby, adjourn from day to day, subject to the call of the chairman of said board of commissioners; or said board may, if notice be given in open session at the time of adjournment, adjourn to a day certain. And all acts and things done, ordered, or passed at any such adjourned meeting or session of said board shall have the same virtue and effect as if done, ordered, or passed during the first three days of a monthly session.

Adjournments.

Business at adjourned meetings.

SEC. 3. That all costs and expenses of preparing and computing the tax lists of and for said county of Wake shall be paid pro rata by or out of the several funds arising out of taxes levied or collected within said county of Wake, whether said fund or funds be denominated general county fund or funds, general school fund or funds, special school fund or funds, or general road fund or funds, or special road fund or funds.

Costs of tax listing apportioned to separate funds.

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.

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 798.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF DUPLIN COUNTY TO SELL STOCK-LAW DISTRICT FENCES.

Whereas there are several inclosed stock-law districts within Duplin County; and whereas the General Assembly has passed a law, at this session, submitting the question of "stock law" or "no stock law" to a vote of the people of said county: Therefore,

Preamble.
Preamble.

The General Assembly of North Carolina do enact:

SECTION 1. That if at the said election in October, one thousand nine hundred and fifteen, a majority of the votes cast shall be in favor of "stock law," the board of commissioners of Duplin County are hereby authorized, empowered, and directed to sell the wire and posts contained in several stock-law district fences in the county, after first giving thirty days notice by posting notices of said sale at the courthouse door and three other public places in each stock-law district.

Authority for sale.
Advertisement.

SEC. 2. The money arising from said sale shall be applied to the payment of the debts due on the said fence, and the surplus, if any, shall be turned over to the school fund or road fund, or both, of the respective districts.

Application of receipts.

SEC. 3. That this act shall not apply to any district that the General Assembly may make provision for at this session.

Districts not affected.

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

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 799.

AN ACT TO PROVIDE GOOD ROADS IN MIDDLE CREEK TOWNSHIP, WAKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That a majority of the present board of road trustees of Middle Creek Township in Wake County, North Carolina, be and are hereby authorized and empowered to petition the board of commissioners of Wake County, North Carolina, to call an election in said township, at a time and place to be specified by them, to determine the question, "Shall Middle Creek Township, in Wake County, issue fifty thousand dollars of the bonds of said township,

Petition for election.

Question to be voted on.

with interest coupons attached, to construct a system of roads in said township, and select a board of trustees to manage and control same?"

SEC. 2. That upon said request of a majority of the present board of trustees as aforesaid, it shall be the duty of the said board of commissioners of Wake County to order an election to be held in said township at such time and place as may be specified in said request, to determine the question, "Shall Middle Creek Township, in Wake County, issue fifty thousand dollars of the bonds of said township, with interest coupons attached, to construct a system of roads in said township, and select a board of trustees to manage and control same?" That the said board of county commissioners shall, at least thirty days preceding [the date of the election, give notice thereof by] publication in one or more newspapers published in said county and at such other places as may be determined upon by it.

SEC. 3. That the said election shall be held and conducted in the same manner and under the same requirements as are now in force or may hereafter be prescribed by law for holding elections for members of the General Assembly: *Provided*, that the said board of county commissioners in their discretion may order a new registration of all the qualified voters residing in said township, and for this purpose the said board of county commissioners is hereby empowered to prescribe such rules and regulations for the opening and closing of said registration books as it may see fit and proper: *Provided further*, that if said election is ordered, said board of county commissioners shall appoint a registrar and judges of election; and the registration of voters, except as herein provided, and challenge of voters, shall be conducted in the same manner as is now provided for the election of members of the General Assembly or may hereafter be provided; that all of the votes shall be counted at the close of the polls and returned to the said board of commissioners at its next regular meeting next following the election, which shall be recorded in the minutes of the board of county commissioners, and no other recording and declaration of the result of said election shall be necessary. If a majority of the qualified voters of said township shall vote "For Good Roads," then said bonds shall be issued and the tax levied as herein provided, and the other powers and duties exercised as provided in this act: *Provided*, that if a majority of said qualified voters shall vote "Against Good Roads," said board of county commissioners shall order another election or elections, to be held in the same manner as above provided, at any time within four years of the date of the first election, when requested to do so by the board of road trustees elected at the original election herein provided for.

SEC. 4. That at said election the ballots tendered and cast shall have written or printed upon the same "For Good Roads" or

County commis-
sioners to order
election.

Notice of election.

Law governing
election.

Proviso: new
registration.

Election officers.

Registration and
challenges.

Count and return
of votes.

Record of return.

Effect of election.

Proviso: further
elections.

Ballots.

"Against Good Roads," and all qualified electors who favor the issue of bonds shall vote a ticket on which shall be written or printed the words "For Good Roads" and all qualified voters who may be opposed to the issue of bonds shall vote a ticket on which shall be written or printed the words "Against Good Roads." At said election the said voters shall elect a board of trustees for said township, consisting of seven members, who shall be resident freeholders of said township, and who shall have all the powers and shall perform all the duties vested in and imposed upon them by this act. That for the purpose of electing said board of trustees as aforesaid, another ballot shall be tendered and cast on which shall be written or printed words substantially as follows: "For Road Trustees of Middle Creek Township," and on said ticket shall be written or printed the names of men, not to exceed seven in number, for whom said elector may wish to vote for road trustees as aforesaid, and who, under the terms of this section, may be eligible to act as such.

Election of trustees.

Number, qualifications, and powers.

Ballots.

SEC. 5. The seven men receiving the highest number of votes shall be declared elected, and shall be known as and styled "The Board of Road Trustees of Middle Creek Township": *Provided*, in case of a tie vote between any persons receiving the seventh highest vote as herein mentioned, it shall be the duty of the board of commissioners of Wake County to cast the deciding vote and declare one of the two so tying elected as a member of said board of road trustees: *Provided further*, that the position of trustee shall not constitute an office within the meaning of article seven, section fourteen, of the Constitution of North Carolina: *Provided further*, the board of commissioners of Wake County shall select three of the said trustees elected as aforesaid to serve as such on said board for a term of six years: two for four years and two for two years. All vacancies caused by death, resignation, or removal from said township shall be filled for the unexpired term by the remaining members of said board. At the expiration of the terms of any, their successors shall be elected for six years by the board of commissioners of Wake County.

Persons declared elected. Official entitlement. Proviso: settlement of ties.

Proviso: trustees not officers.

Proviso: term of trustees.

Vacancies.

Election of successors.

SEC. 6. That the said board of road trustees and their successors shall be and are hereby constituted a body corporate by the name and style of "The Board of Road Trustees of Middle Creek Township," and by that name may sue and be sued, make contracts, acquire real and personal property by gift, purchase, or devise; hold, exchange, and sell the same, and exercise such other rights and privileges as are incident to other municipal corporations.

Incorporation.

Corporate name.

Corporate powers.

SEC. 7. That it shall be the duty of the said board of trustees to take control and management of the roads of said Middle Creek Township, and said trustees are hereby vested with all the rights and powers for such control and management as are now vested in and exercised by the board of county commissioners of Wake County.

Control and management of roads.

Organization.
Treasurer to have charge of funds.
Official bond.

SEC. 8. The board of trustees shall annually elect a chairman and secretary and a treasurer. The treasurer shall have charge of all road funds of the township, and may be required to give bond in sufficient amount to cover funds coming into his hands from any source for road purposes. The board of trustees shall annually elect three of their number, who shall constitute and be known as the executive committee. This committee shall meet at stated intervals, as may be directed by the trustees; shall have a chairman and secretary, shall order and issue vouchers for payment of general expenses connected with working roads and the purchase of machinery and implements and any other necessary expense connected with same, which said vouchers shall be signed by the chairman and secretary of said committee and a record thereof kept; and the board of trustees may delegate to said executive committee any and all of its powers, except that of issuing bonds: *Provided*, the members of said board of road trustees of Middle Creek Township shall not receive any compensation for their services as such.

Executive committee.

Meetings.
Organization.
Expenses and purchases.

Vouchers.

Powers delegated.

Proviso: trustees to serve without pay.

Election, compensation, and term of superintendent.

SEC. 9. The said board of trustees shall annually elect a superintendent of roads for Middle Creek Township, who shall be paid such compensation out of the road fund of said township as may be fixed by said trustees, and who shall hold office for one year or until his successor shall be elected and qualified: *Provided*, that said superintendent may at any time be removed by said board, after having been given ten days notice and a hearing, when in the opinion of the board there exists good and sufficient cause for such removal. It shall be the duty of said superintendent, subject to the approval of the board, to supervise, direct, and have charge of the maintenance and construction of all public roads in Middle Creek Township, and he shall submit to said executive committee a monthly report concerning work in progress and the moneys expended, and such other reports as may be required of him by said board or executive committee. As a guarantee of the faithful and honest discharge of the duties of his office the said board may require of said superintendent such bond as they may deem advisable.

Proviso: removal for cause.

Superintendent to direct and supervise road work.

Monthly reports.

Official bond.

Purchase of equipment.

Employment of engineer.

SEC. 10. The said board of trustees may purchase such machinery and implements as may be needed for the proper working and construction of the roads, may employ a competent engineer or surveyor, and may exercise such other powers and privileges as may be needed for the carrying out of the purposes and provisions of this act.

Entry on land for material.

SEC. 11. That the superintendent of roads of Middle Creek Township is hereby authorized to enter upon any uncultivated lands near to or adjoining any public road of said township; to cut and carry away timber, except trees or groves on improved land planted or left for shade or ornament; to dig or cause to be dug

and carry away any gravel, sand, clay, or stone which may be necessary to construct, improve, or repair such roads, and enter upon any lands adjoining or lying near such roads in order to make such drains or ditches through the same as he may deem necessary for the betterment of the road; and the drains and ditches so made shall not be obstructed by the occupants of such lands or any other person, and any person obstructing such drain or ditch shall be guilty of a misdemeanor and fined not exceeding fifty dollars or imprisoned not more than thirty days. If the owner of any land from which timber, stone, clay, gravel, or sand were taken, as aforesaid, shall present an account for same through said superintendent to said board or executive committee within thirty days after the taking thereof, it shall be the duty of said board to pay for same at a fair price; and in case of any disagreement as to the value the superintendent of roads shall appoint one freeholder, the person claiming the damages a second, and these two a third, which said freeholders shall assess said damages and report the same in writing to the superintendent of roads.

Drains or ditches.

Obstructing drain or ditch misdemeanor.

Presentation and payment of claim.

Arbitration of amount.

SEC. 12. That the said superintendent of roads, with the approval of the trustees or executive committee, is hereby given discretionary power to locate, relocate, or change any part of any public road in said township when in his judgment the same will prove advantageous to public travel; that when any person on whose lands the new road or part of the road is to be located claims damages therefor, and within thirty days petitions said board of trustees for a jury to assess the damages, the said trustees shall, within not less than fifteen nor more than sixty days after the completion of said road, order a jury of three disinterested freeholders of Middle Creek Township, to be selected and summoned by the sheriff of Wake County as provided by law, who shall give said landowner forty-eight hours notice of the time and place when and where the said jury will meet to assess his damages; and said jury, in considering the question of the damages, shall also take into consideration the benefits to the owner of the land, and if such benefits be considered equal to or greater than the damages sustained, the jury shall so declare, and it shall report its findings in writing to said trustees for revision and confirmation: *Provided*, that such owner may appeal to the Superior Court of Wake County from the decision of the said trustees.

Location and change of roads.

Procedure for assessment of damages.

Proviso: right of appeal.

Trustees to issue bonds.

SEC. 13. That if a majority of the qualified voters of said township shall, at any election provided for herein, vote "For Good Roads," then the said board of road trustees shall be and are hereby authorized and empowered to issue bonds of said Middle Creek Township, to be styled "Middle Creek Township Road Bonds," to an amount not to exceed fifty thousand dollars, of such denomination and of such proportion as said board may deem ad-

Entitlement.

Amount.

Denominations.

- Interest. visible, bearing interest from the date of issue thereof at a rate not exceeding six per cent per annum, with interest coupons attached, payable annually or semiannually, as may be deemed best, at such time or times and at such place or places as may be deemed advisable by said board; said bonds to be signed by the chairman and secretary of said board and to be of such form and tenor and transferable in such way, and the principal thereof payable and redeemable at such time or times, not exceeding forty years from date thereof, and at such place or places as the said board of road trustees may determine. None of said bonds shall be disposed of for a less price than par value of said bonds, and the said bonds may be issued at such time or times and in such amount or amounts as may be deemed best to meet the expenditures provided for in this act. The liability for the payment of said bonds, together with all interest that may be due thereon, shall be attached to and be imposed upon the political division of Wake County known as Middle Creek Township, as constituted at the time of the ratification of this act.
- Authentication.
- Maturity.
- Sale below par forbidden.
- Obligation of bonds.
- Special tax. SEC. 14. That for the purpose of providing for the payment of said bonds and interest thereon, and for the construction and improvement and maintenance of the roads in said township, the board of county commissioners shall annually, and at the time of levying the county taxes, levy and lay a special tax on all persons and property subject to taxation within the limits of said Middle Creek Township of not less than thirty-five cents and not more than fifty cents on the one hundred dollars assessed valuation of property, and not less than one dollar and five cents and not more than one dollar and fifty cents on each taxable poll. The taxes so levied shall be collected as other taxes are collected, and paid to the treasurer of said board of road trustees for the purpose of paying the interest and providing a sinking fund for the retirement of said bonds. So much thereof as may not in the opinion of said trustees be necessary for said purposes shall be set aside as a fund for the maintenance and repair and construction of said roads, and together with the funds to be derived from the dog tax in said township be expended by said trustees for this purpose. The tax so levied in said township may be increased from time to time by the road trustees of said township until the limit of taxation herein provided for is reached, and whenever notified of such increase by the township trustees aforesaid it shall be the duty of the board of commissioners for Wake County to levy such increase for said township at their next annual levy of taxes, preserving always the required constitutional equation of taxation.
- Limit of rate.
- Collection and settlement. Specific appropriation.
- Use of surplus.
- Dog tax.
- Increase.
- Taxes rescinded. SEC. 15. That if a majority of the votes cast in any election herein provided for shall be "For Good Roads," then the general county road tax of twenty-five cents on the one hundred dollars

property valuation and seventy-five cents on the poll, and the special township road tax of ten cents on the one hundred dollars of property valuation and thirty cents on the poll, levied by the board of commissioners of Wake County in Middle Creek Township, are hereby repealed, and no other tax for road purposes shall be levied in said township by the said board of commissioners of Wake County: *Provided*, this provision shall not refer to or in any way affect the tax provided for in section fourteen of this act. All taxes levied on real or personal property in Middle Creek Township for road purposes shall be paid over to the treasurer of the board of road trustees of said township if at any election held hereunder a majority of the qualified voters of said township shall vote "For Good Roads": *Provided further*, that this section shall not in any way affect or interfere with the dog tax at present levied in said township for road purposes. The treasurer of Wake County or any one who may have charge of the funds derived from said dog tax is hereby empowered and directed to turn over to the treasurer of the said board of road trustees of Middle Creek Township all funds derived from said dog tax, and the receipt of the treasurer of said board of road trustees, when signed by its president, shall be a full and complete discharge of said party's liability therefor.

Proviso: tax herein provided.

Taxes paid to road treasurer.

Proviso: dog tax not affected.

Funds to be turned over.

SEC. 16. That all funds derived from the sale of any bonds by said board of road trustees shall be paid over to the treasurer of said board, and shall be used for the purpose of constructing and improving the public roads in said township, the purchase of such material, machinery, and implements and the employment of such officers and labor as may be found necessary in the carrying out of this work.

Use of proceeds of bonds.

SEC. 17. That in the working and construction of said roads either convict labor or hired labor, or both, may be used, as may be ordered by said board of road trustees; and in the working of convicts on the public roads all rights and privileges existing in regard thereto or that may hereafter exist for use of convicts of Wake County or any township therein shall exist and apply to the use of convicts on the roads of Middle Creek Township.

Convict or hired labor.

Regulation of convict labor.

SEC. 18. That the words "board of trustees" or "board of road trustees," for all purposes of this act except the petitioning of the board of commissioners of Wake County to call the first election herein provided for, shall be construed to mean and refer only to the board of seven road trustees to be elected at said first election herein provided for.

Definition of terms.

SEC. 19. That all laws and parts of laws in conflict with the provisions of this act, so far as they relate to said Middle Creek Township, are hereby repealed.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 800.

AN ACT TO APPOINT A. F. CHERRY A JUSTICE OF THE PEACE FOR WOLFSCRAPE TOWNSHIP, DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

Appointment.

SECTION 1. That A. F. Cherry be and he is hereby appointed a justice of the peace for Wolfscrape Township, Duplin County, for a term of six years.

Term.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 801.

AN ACT TO AMEND CHAPTER 714, PUBLIC LAWS OF 1905, RELATING TO THE PUBLIC ROADS IN PITT COUNTY.

The General Assembly of North Carolina do enact:

Tax rate.

SECTION 1. That chapter seven hundred and fourteen, Public Laws one thousand nine hundred and five, be amended by striking out the word "twenty" after the word "than" in line seven and figures "(20)" in line eight in section one on page eight hundred and seventy, and insert instead thereof the word "thirty" for the word "twenty" and the figures "(30)" instead of the figures "(20)"; and by striking out the word "sixty" and the figures "(60)" after the word "than" and before the word "cents" in line nine of said section, and instead thereof insert the word "ninety" and figures "(90)."

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 802.

AN ACT TO CHANGE THE BOUNDARY LINE BETWEEN MICRO AND BEULAH TOWNSHIPS IN JOHNSTON COUNTY.

The General Assembly of North Carolina do enact:

Line set out.

SECTION 1. That chapter six hundred and fifteen, Public-Local Laws of nineteen hundred and thirteen, it being an act to create Micro Township, be and the same is hereby amended so as to make the first line in the boundary of said township read as follows: "Beginning at the mouth of Little Creek where it enters

Little River, at present the line between Beulah and Boon Hill townships, and runs thence north with Little River to the southern line of J. J. Edgerton's land; thence with his line to a branch; thence with said branch and the line of H. F. Edgerton's land to his corner near the railroad; thence northerly with Edgerton's line to Little River, so as to transfer the lands of H. F. and J. J. Edgerton and J. W. Darden into Beulah Township."

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 803.

AN ACT TO AMEND CHAPTER 633, PUBLIC-LOCAL LAWS 1913, RELATING TO PRIMARIES IN BEAUFORT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section seven of chapter six hundred and thirty-three be amended by striking out that portion of said section beginning with the word "who" in line four thereof and down to the word "must" in line twelve.

SEC. 2. That this act shall apply to Beaufort County only.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 804.

AN ACT TO REPEAL CHAPTER 78, PUBLIC LAWS, SPECIAL SESSION 1913, AND TO GIVE RECORDER CONCURRENT JURISDICTION OVER SEARCH AND SEIZURE CASES.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter seventy-eight, Public Laws, special session one thousand nine hundred and thirteen, be and the same is hereby repealed.

Jurisdiction of superior court.

SEC. 2. That the recorders of Beaufort County shall have original jurisdiction over all violations of or cases arising under the search and seizure law.

Jurisdiction under search and seizure law.

SEC. 3. That the board of county commissioners shall have authority and are hereby empowered to increase the recorder's salary in Washington, Long Acre, and Chocowinity districts when in their judgment such a course is necessary.

Increase of salaries.

SEC. 4. That this act shall apply to Beaufort County only.

Application of act.

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

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 805.

AN ACT TO CONSTITUTE AND ESTABLISH PUBLIC WEIGHERS FOR THE TOWN OF TARBORO AND No. 1 TOWNSHIP, EDGECOMBE COUNTY.

The General Assembly of North Carolina do enact:

Weighers to be appointed.

Appointment by town.

Appointment by county.

Vacancies.

Cotton and peanuts weighed.

Deductions.

Fees.

Coal and rice.

Deductions.

Fees.

Oath of office.

Form of oath.

SECTION 1. That there shall be appointed for the town of Tarboro and for Township Number One, Edgecombe County, two public weighers, one of whom shall be appointed by the commissioners of the town of Tarboro at their regular meeting in August, Anno Domini one thousand nine hundred and fifteen, and every two years thereafter; the other by the county commissioners of Edgecombe County at their regular meeting in August, Anno Domini one thousand nine hundred and fifteen, and every two years thereafter; and any vacancy occurring in said offices of public weighers shall be filled in like manner for the unexpired term at the first regular meeting of said town and county commissioners after any vacancy in their respective appointments may occur.

SEC. 2. It shall be the duty of said weighers to weigh all baled cotton and all peanuts in bags sold in the town of Tarboro and in Township Number One, Edgecombe County, at their true weights, making just and proper deductions for water and damage; and said weighers shall receive as compensation for their services ten cents for each bale of cotton and two cents for each bag of peanuts weighed by them, said sums to be paid, one-half by the buyer and one-half by the seller of said cotton and peanuts.

SEC. 3. It shall be the duty of said weighers to weigh all coal by load and all rice in sacks sold in the town of Tarboro and in Township Number One, Edgecombe County, at their true weights, making just and proper deductions for water and damage; and said weighers shall receive as compensation for their services ten cents for each load of coal and two cents for each sack of rice weighed by them, said sums to be paid, one-half by the buyer and one-half by the seller of said coal and rice.

SEC. 4. The said weighers, before entering upon the duties of their offices, shall take and subscribe to the following oath before some justice of the peace in Township Number One, Edgecombe County, viz.: "I, -----, do solemnly swear that I will

faithfully perform the duties of the office of public weigher, and I will take no interest as a dealer, near or remote, in the buying or selling of cotton, peanuts, coal, or rice in the town of Tarboro or in Township Number One, Edgecombe County."

SEC. 5. Said weighers shall each give bond in the sum of one thousand dollars (\$1,000), payable to the State of North Carolina, conditional for the faithful performance of their duty. The bond given by the weigher appointed by the commissioners of the town of Tarboro shall be taken by said commissioners of the town of Tarboro and filed in the office of the town clerk of Tarboro; and the bond given by the weigher appointed by the county commissioners of Edgecombe County shall be taken by said county commissioners of Edgecombe and filed in the office of the register of deeds of said county.

SEC. 6. That each of said weighers shall have the power to appoint in his place and stead a deputy weigher to perform the duties of his office when from sickness, absence from the town of Tarboro, or otherwise, said weigher shall be unable to perform his duties. Said deputy weigher shall be a competent, reliable, and capable person, and shall be a citizen of Edgecombe County. Said appointment shall be in writing duly signed by the weigher making said appointment, and shall only authorize said deputy weigher to perform the duties of said office for a time designated in said appointment and not exceeding one week from the date thereof. If for any reason said weigher shall be unable to make said appointment, then the mayor or other head of the town of Tarboro and the chairman of the board of commissioners for the county of Edgecombe shall have power and authority to make said appointment in manner and form as is herein set out.

SEC. 7. If any person, firm, or corporation, other than said weighers or any of their deputies duly appointed and acting within the scope and limit of their power and authority, shall weigh or cause to be weighed any baled cotton, peanuts in bags, coal by load, or rice in sacks, sold in said town of Tarboro or Township Number One, Edgecombe County, he shall be guilty of a misdemeanor, and upon conviction shall for each offense be fined not exceeding fifty dollars or imprisoned not exceeding thirty days; and if any such deputy weigher shall weigh any such cotton, peanuts, coal, or rice sold in said town of Tarboro or Township Number One, Edgecombe County, without due written appointment as herein provided for, or after his appointment has expired, he shall be guilty of a misdemeanor, and upon conviction shall for each offense be fined not exceeding fifty dollars or imprisoned not exceeding thirty days.

SEC. 8. That said commissioners of the town of Tarboro and said commissioners of the county of Edgecombe, or their successors in office, shall have full power and authority to dismiss from office

Official bonds.

Bonds filed.

Deputies.

Qualifications.

Appointments in writing.

Appointments by town or county.

Weighing by persons unauthorized misdemeanor.

Punishment.

Acting as deputy without appointment misdemeanor.

Punishment.

Removal of weigher or deputy.

any weigher respectively appointed by them upon satisfactory proof that any such weigher has willfully or corruptly abused the trust or power conferred upon him by the provisions of this act; and any damage sustained by any person by any such willful or corrupt abuse of trust or power shall be recovered out of the bonds of such public weigher so offending.

Liability of bonds.

Act applicable to present incumbents.

SEC. 9. That this act shall apply to the weighers now holding and exercising the duties of their offices under appointment of the town and county commissioners; and said weighers shall be governed by the provisions of this act from and after the date of its ratification.

Law repealed.

SEC. 10. That chapter four hundred and forty-nine, Public Laws of one thousand eight hundred and ninety-one, and all amendments thereto, and all laws and clauses of laws in conflict with this act be and the same are hereby repealed.

Action by county commissioners.

SEC. 11. This act shall not become effective except and until the board of commissioners of Edgecombe County shall pass a resolution adopting the same, and it shall be in the discretion of said board of commissioners to omit from the provisions of the bill any of the commodities therein required to be weighed.

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 806.

AN ACT FOR THE RELIEF OF THE ESTATE OF THE LATE C. G. PETTY, DECEASED, RECENTLY SHERIFF OF LEE COUNTY.

The General Assembly of North Carolina do enact:

Time for collection extended.

SECTION 1. That the time for the collection of taxes levied in the county of Lee for the years one thousand nine hundred and nine, one thousand nine hundred and ten, one thousand nine hundred and eleven, and one thousand nine hundred and twelve be extended until May first, one thousand nine hundred and sixteen.

Administrators to appoint collector.

SEC. 2. That the administrators of the late C. G. Petty, sheriff of Lee County during said years, and charged with the collection of said taxes, be and they are hereby authorized and empowered to appoint some competent person over the age of twenty-one

Appointment filed.

years, who shall be known as special tax collector, and upon said appointment being filed with the clerk of the Superior Court of Lee County, in writing and under the hands of the said adminis-

Powers vested.

trators, that such special tax collector be vested with all of the powers of sheriffs and tax collectors for the collection of such taxes for said years as remain due and unpaid, and said tax collector is authorized and empowered to proceed to collect such taxes as remain uncollected for the years hereinbefore set out.

SEC. 3. That said special tax collector is hereby authorized to make sales of realty and give certificates and execute conveyances therefor, under the same rules, regulations, and laws applying to sheriffs and tax collectors, and is authorized to make said advertisements and sales during the years one thousand nine hundred and fifteen and one thousand nine hundred and sixteen, at the same time and place as the sheriff or regular tax collector of Lee County.

Sales of real estate.

SEC. 4. It shall be the duty of the board of county commissioners of Lee County to make settlement with said special tax collector, and shall ascertain if the said taxes collected by him were allowed to the said C. G. Petty as insolvent. If said taxes were allowed to the said C. G. Petty as insolvent, then said taxes shall be paid over to the county treasurer, less the costs and commissions allowed by law. If said taxes were not allowed to the said C. G. Petty as insolvent, then said taxes, less said costs and commissions, shall be paid over to the administrators of C. G. Petty.

Settlement of collections.

Taxes allowed as insolvent.

SEC. 5. That the fees, costs, and commissions of the said special tax collector shall be the same as are now allowed to the sheriffs and tax collectors by law.

Fees, costs, and commissions.

SEC. 6. An extension of time of two years is hereby given to the surety on the bond of said C. G. Petty to collect the taxes due for the year nineteen hundred and thirteen, with such powers in the premises as are given it by the existing law pertaining to the collection of taxes.

Time extended to surety.

SEC. 7. This act shall be in force from and after its ratification. Ratified this the 9th day of March, A. D. 1915.

CHAPTER 807.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF BUNCOMBE COUNTY TO ISSUE NOTES OF THE BOARD OF EDUCATION OF SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Buncombe County be and it is hereby authorized to issue for the year one thousand nine hundred and fifteen, on or before the first day of June, and for all succeeding years on or before the first day of August, promissory notes of the county board of education for not more than seventy-five per cent of the total State and county school taxes for such year, the said notes to be made due and payable not more than one year after date, and to bear interest from maturity at six per cent.

Issue of notes authorized.

Limit of amount.

Term.

Interest.

Discount.

SEC. 2. That the county board of education of Buncombe County is hereby authorized to discount such notes at a rate not exceeding six per cent per annum, and the said notes shall be paid out of the State and county school taxes levied for the year in which they are issued.

Payment of notes.

SEC. 3. This act shall be in effect from and after its ratification. Ratified this the 9th day of March, A. D. 1915.

CHAPTER 808.

AN ACT TO CORRECT A MISTAKE IN HOUSE BILL 372, SENATE BILL 328, PUBLIC-LOCAL LAWS OF 1915, RELATIVE TO BUILDING BRIDGE OVER YADKIN RIVER BETWEEN YADKIN AND SURRY COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter two hundred and fifty-six of the Public-Local Laws of nineteen hundred and fifteen be amended by striking out the entire said section two and inserting as section two the following: "That the costs and charges of building and keeping in repair said bridge shall be defrayed by both counties in equal parts, one-half by Surry County and one-half by Yadkin County."

Apportionment of cost.

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

Ratified this the 9th day of March, A. D. 1915

CHAPTER 809.

AN ACT TO AMEND THE PUBLIC-LOCAL ACT 1913, PAGE 692, AND AMENDED BY PUBLIC-LOCAL ACT 1913, EXTRA SESSION. CHAPTER 277, RELATIVE TO RECORDER'S COURT IN MOUNT AIRY TOWNSHIP, SURRY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section six of Public-Local Act, extra session, nineteen hundred and thirteen, chapter two hundred and seventy-seven, be amended as follows: In line ten, after the word "thirteen" and before the word "and" insert the words "nineteen hundred and fifteen or nineteen hundred and sixteen and seventeen."

Approval by town commissioners.

SEC. 2. That section four of Public-Local Laws nineteen hundred and thirteen, chapter six hundred and ninety-two, be amended as follows: Strike out the first four lines to and including the

word "thirteen" and insert the following: "That Thomas B. Mc- Appointment of recorder.
Cargo, Sr., be and he is hereby named and appointed judge or recorder of the recorder's court for Mount Airy Township, Surry County, beginning his office at such time when the board of town commissioners of Mount Airy shall notify him in writing that this act is approved by them, at any time during the years nineteen hundred and fifteen and nineteen hundred and sixteen." Beginning of term.

SEC. 3. That section seventeen of said Public-Local Act, chapter six hundred and ninety-two, be amended as follows: Strike out all of said section and insert the following as section seventeen: "That the judge or recorder of the recorder's court is authorized and empowered to secure the services of an attorney, upon such terms as he may deem just, and pay the said salary out of the funds in its treasury derived from fines, fees, or penalties collected under the judgments of this court." Attorney.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 810.

AN ACT TO PROMOTE AND ENCOURAGE THE FARMING INTERESTS OF PAMLICO COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section three thousand three hundred and sixty-seven of the Revisal of nineteen hundred and five be and the same is hereby amended by inserting after the word "counties" and before the word "Wake," in line thirteen, the word "Pamlico." Tenant law.

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 811.

AN ACT TO AMEND CHAPTER 555 OF THE PUBLIC-LOCAL LAWS OF 1911.

The General Assembly of North Carolina do enact:

SECTION 1. That in section one, chapter five hundred and fifty-five of the Public-Local Laws of one thousand nine hundred and eleven, line twelve, after the word "law" be added the words: "That all persons, firms, or corporations, whether resident or non- Discount for prompt payment.

resident of Rutherford County, who shall pay all such taxes as are by law assessed against them, either upon the property, real or personal, or upon the poll, on or before the thirty-first day of October in each and every year, shall receive a discount of one per cent."

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

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 812.

AN ACT TO AMEND CHAPTER 608, PUBLIC-LOCAL LAWS OF 1913, RELATIVE TO SALARIES OF OFFICERS OF ROCKINGHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. Amend chapter six hundred and sixty-eight of the Public-Local Laws of one thousand nine hundred and thirteen by striking out the word "eleven" in line three of section one thereof and inserting in lieu thereof the word "nine."

SEC. 2. That this act shall be in force from and after the thirty-first day of March, one thousand nine hundred and fifteen.

Ratified this the 9th day of March, A. D. 1915.

CHAPTER 813.

AN ACT TO AMEND HOUSE BILL 1581, SENATE BILL 1826, RATIFIED SATURDAY, MARCH 6, 1915, IN REGARD TO ENLARGING THE JURISDICTION OF THE RECORDER'S COURT OF THE TOWN OF DUNN.

The General Assembly of North Carolina do enact:

SECTION 1. That all of section one of House bill number one thousand five hundred and eighty-one, Senate bill number one thousand eight hundred and twenty-six, ratified Saturday, March the sixth, one thousand nine hundred and fifteen, be stricken out and sections renumbered.

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

Ratified this the 9th day of March, A. D. 1915.

Reference corrected.

When act effective.

Act amended.

CHAPTER 814.

AN ACT TO AMEND CHAPTER 142, PUBLIC LAWS, SESSION
1913, RELATING TO COUNTY TREASURERS.

The General Assembly of North Carolina do enact:

SECTION 1. That Public Laws, session one thousand nine hundred and thirteen, be amended as follows: By striking out in line one of section four, chapter one hundred and forty-two, the word "Beaufort." Beaufort stricken out.

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

Ratified this the 9th day of March, A. D. 1915.

STATE OF NORTH CAROLINA,
OFFICE OF SECRETARY OF STATE,

RALEIGH, May 8, 1915.

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

J. BRYAN GRIMES,
Secretary of State.

NOTE

In 1909 the General Assembly of North Carolina passed an act entitled "An act to amend section 5349 of the Revisal of 1905, and provide for the classification and publication of the acts of the General Assembly into Public, Public-Local, and Private Laws."

In compliance with this law, the acts of 1915 have been classified into Public, Public-Local, and Private Laws. All laws of State-wide application have been classed as public: laws of a public nature, but of only local application, have been classed as public-local; and all charters and laws in relation to cities and towns are classed as private.

J. BRYAN GRIMES,
Secretary of State.

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